such proposal may be carried into effect by the authority in the said first-recited Act provided. portion of corporate revenues of Chapter.

2. When in any of the Cathedral and Collegiate Churches mentioned in the said recited Acts there are no suspended Canonries, or the suspended Canonries have been re-established, a plan may from time to time be laid before the said Ecclesiastical Commissioners by the Chapter, with the sanction of the Visitor, for the establishment therein of an additional Canonry or Canonries, or for the conversion of a non-residentiary Prebend or non-residentiary Prebends into a Canonry or Canonries, and for accepting and assigning for the endowment of the same any endowment in money or land given by a private person or persons, and any such plan may be carried into effect by the authority in the said first-recited Act provided. Plans may be laid before the said Commissioners for the establishment of additional Canonries.

3. Any plan laid before the said Ecclesiastical Commissioners under this Act may contain proposals for assigning to the holder or holders of the Canonry or Canonries so re-established, additionally established, or converted from a non-residentiary Prebend or non-residentiary Prebends, any spiritual, ecclesiastical, eleemosynary, or educational duties for the benefit of the Church of England and in connexion with the diocese in which the Cathedral or Collegiate Church is situate, and for fixing the residence of such holder or holders and his or their participation in the conduct of divine service, and in preaching in the said Cathedral or Collegiate Church, and for limiting the tenure of the Canonry or Canonries to a term or terms of years and for making this tenure dependent upon the performance of the duties assigned to the holder or holders, and for determining the patronage of the Canonry or Canonries, or for any one or more of the above-mentioned objects; provided always, that the patronage shall vest in Her Majesty or the Bishop of the diocese, unless in the case of a Canonry which is attached to some already existing ecclesiastical or spiritual office. Where the patronage is not determined, or in so far as it is not determined in the plan, it shall vest in the Bishop of the diocese in which the said Cathedral or Collegiate Church is locally situate. No holder of any Canonry under this Act shall be bound to any other or further residence than is prescribed in the plan. Plans may contain proposals for assigning duties, fixing residence, &c.

4. Any plan laid before the said Ecclesiastical Commissioners under this Act for the establishment of an additional Canonry, or for the conversion of a non-residentiary Prebend into a Canonry, may contain proposals for giving to the holder of such Canonry such rights of membership of the Chapter of the said Cathedral or Collegiate Church as may be thought advisable, or the position in the said Chapter of an honorary Canon only; or, in the case of Cathedral or Collegiate Churches having non-residentiary Prebends, may contain proposals for constituting such holder a non-residentiary Prebendary, and in all cases such holder shall be visitable by the Visitor of the Chapter. Provision to rights of membership of holders of such Canonries.

5. This Act shall be construed with and as part of the said first-recited Act, and may be cited as "The Cathedral Acts Amendment Act, 1873." Construction of Act. Short title.

CHAPTER 40.

An Act to authorise the acquisition and appropriation by the Metropolitan Board of Works of certain land reclaimed from the River Thames in pursuance of the Thames Embankment Act, 1862. [21st July 1873.]

WHEREAS in the year one thousand eight hundred and sixty-two a scheme was submitted to Parliament for the embankment of a part of the northern shore of the river Thames, and such scheme was carried into effect by the Thames Embankment Act, 1862:

And whereas in and previously to the said year, by virtue of the Thames Conservancy Act, 1857, and an arrangement made between the Crown and the corporation of the city of London, after a protracted litigation as to the title to the soil and foreshore of the river Thames below Teddington Lock, such soil and foreshore was appropriated as follows; that is to say, all such parts of such soil and foreshore as were opposite to land belonging to or in possession of the Crown or any department of the Government, and in this Act called the reserved land, were reserved to the Crown, and the residue of such soil and foreshore (in this Act called the conservancy land) was vested in the Conservators of the river Thames for all the estate and interest of the Crown and the said Corporation therein, subject to an obligation on the part of the Conservators to pay to the Crown one third part of all moneys that might be received by them in respect of such conservancy land:

And whereas in and previously to the said year one thousand eight hundred and sixty-two the Crown was also possessed of valuable water frontage, wharfage, and other rights (in this Act called "frontage rights") on the northern shore of the river Thames between Westminster and Blackfriars bridges:

And whereas it was necessary for the purposes of the Thames Embankment Act, 1862, that a portion of the reserved land, consisting of about five and a half acres, and the said frontage rights of the Crown, and also a portion of the conservancy land, should be taken or interfered with by the Metropolitan Board of Works, by whom the said Embankment Act was carried into execution:

And whereas by that Act provision was made for referring to arbitration the value of the joint interest of the Conservators and of the Crown in the said portion of the conservancy land, and such arbitration having taken place the amount awarded was paid by the Metropolitan Board of Works to the Conservators, of which amount one third part was afterwards duly paid to the Crown:

And whereas the reserved land, after deducting the said five and a half acres of land so as aforesaid taken by the Metropolitan Board of Works, is in this Act called the residuary reserved land:

And whereas in the course of the proceedings preliminary or incidental to the passing of the said Act it was proposed that, regard being had to the greatly increased value which would accrue by reclamation to the residuary reserved land, no compensation should be paid to the Crown for the relinquishment by it of such part of the reserved land and frontage rights as was required to be taken or interfered with by the Metropolitan Board of Works for the construction of the Thames Embankment and roadway; and such proposal was carried into effect by the Thames Embankment Act, 1862, whereby it was provided that the residuary reserved land when reclaimed should continue vested in the Crown, and that no money compensation should be paid by the Metropolitan Board of Works to the Crown for the part of such reserved land and the frontage rights belonging to the Crown which would be taken or interfered with by the said Board in the construction of the said embankment and roadway:

And whereas it is expedient that power should be given to the Metropolitan Board of Works to acquire a portion of the said residuary reserved land (in this Act called the red land) containing about seven thousand three hundred square yards, and situate adjacent to the gardens of Fife House, Whitehall, and coloured red, and more particularly described on a plan (in this Act called the deposited plan) which, having been marked with the letter A and signed by one of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, has been deposited at the Office of Land Revenue Records and Inrolments:

And whereas the land coloured blue on the deposited plan, containing about one thousand and sixty square yards, is now vested in the Metropolitan Board of Works subject to the provisions of the Thames Embankment Act, 1862, and the Thames Embankment (North and South) Act, 1868:

And whereas under the provisions of section fifty-three of the Thames Embankment Act, 1862, no building (except as in the said Act mentioned) can be erected on the said land coloured blue without the previous consent in writing of the Most Noble Algernon Duke of Northumberland, his heirs, sequels in estate, or assigns:

And whereas the Metropolitan Board of Works are promoting in the present session of Parliament a Bill, under the title of the Charing Cross and Victoria Embankment

Approach Bill, by which it is proposed that power be given to such Board to acquire Northumberland House and other property of the said Duke, in respect of which his consent to the erection of buildings on the said land coloured blue is so required as aforesaid:

And whereas for facilitating the acquisition by the Metropolitan Board of Works of the red land, and the formation of a garden for the recreation and enjoyment of the public, having a uniform breadth from the roadway on the Embankment, certain negotiations have taken place, and the heads of arrangement set forth in the schedule to this Act were adjusted as proper to be recommended for the consideration of Parliament:

And whereas it is expedient that the said heads of arrangement should be adopted, and the provisions thereof be carried out under the sanction of Parliament:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as The Thames Embankment Land Act, 1873.

Heads of arrangement in schedule confirmed.

2. The heads of arrangement set forth in the schedule to this Act are by this Act confirmed, and are declared to be valid and binding for all intents and purposes on Her Majesty, her heirs and successors, and on the Metropolitan Board of Works and their successors; and the Commissioners for the time being of Her Majesty's Woods, Forests, and Land Revenues, or one of them, and the Metropolitan Board of Works are respectively empowered to execute all such conveyances and do all such other acts as may be necessary to carry out and give full effect to the said heads of arrangement, and all such conveyances shall be valid and have full effect.

Provisions as to the blue land.

3. The land in the said heads of arrangement mentioned as coloured blue shall, when conveyed to the Crown, be held freed and discharged from all the provisions of the Thames Embankment Act, 1862, and the Thames Embankment (North and South) Act, 1868.

Appropriation of lands.

4. All lands acquired by the Metropolitan Board of Works in pursuance of this Act shall be appropriated for the purposes of a public garden, and shall be maintained by them as such; and section four of the Thames Embankment (North) Act, 1872, enabling the Metropolitan Board of Works to make byelaws, shall extend and apply to the lands to be appropriated by them as aforesaid for the purposes of a public garden: Provided always, that no portion of such public garden shall be higher than six feet above the level of the adjoining footpath on the Embankment roadway.

Payment of purchase money and expenses.

5. The Metropolitan Board of Works may, notwithstanding any limit contained in any Act of Parliament, borrow on the credit of the consolidated rate leviable by the said Board a sufficient sum of money to pay the price of the red land and may create and issue a sufficient amount of consolidated stock of the said Board for the purpose of raising such sum of money; and all other expenses incurred by them under this Act shall be deemed to be expenses properly incurred by them in the execution of the Metropolis Management Act, 1855, and shall be defrayed accordingly.

The SCHEDULE.

CROWN LAND ON THE THAMES EMBANKMENT.

HEADS of ARRANGEMENT proposed to be submitted for the consideration of Parliament by the Honourable Charles Alexander Gore, a Commissioner of Her Majesty's Woods, Forests, and Land Revenues, and the Metropolitan Board of Works, herein-after called the Board.

1. These heads of arrangement are not of themselves to have any force or validity, but they embody the terms which, in the opinion of the above-named Charles Alexander Gore, on behalf of

the Crown, and of the Board, may properly be submitted for the consideration of Parliament as a settlement which, in the interest of the public, may be advantageously made in regard to the matter which is the subject of the arrangement.

2. The arrangement is only to take effect in the event of the Board being authorised by Parliament in the present session to acquire, and thereafter duly acquiring, Northumberland House and certain other property of the Most Noble Algernon Duke of Northumberland which is scheduled in the book of reference to the Charing Cross and Victoria Embankment Approach Bill now before Parliament.

3. For the considerations herein-after mentioned, the said Charles Alexander Gore, or the Commissioner or Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the time being (having the management of the property), are or is to convey, subject to the interest of the Metropolitan District Railway Company in a small portion thereof, to the Board the land near the gardens of Fife House, Whitehall, and containing 7,300 square yards, or thereabouts, which is coloured red on a plan signed by the said Charles Alexander Gore, and deposited at the Office of Land Revenue Records and Inrolments, herein-after called the deposited plan. Such land is herein-after called the "red land."

4. The red land when conveyed to the Board shall, within six months after the same is acquired by them, be formed and laid out, and shall for ever thereafter be maintained by the Board as an ornamental public garden, with lawns, gravel walks, flower beds, and shrubberies, the surface of the soil not being in any place more than six feet above the level of the existing foot pavement of the Embankment roadway, and no building or erection shall at any time be placed on the red land.

5. In lieu of the wall or fence which by section 72 of the Thames Embankment Act, 1862, the Board are to erect between the red land and the roadway on the Embankment, the Board will construct and maintain between the red land and the adjoining garden, in the occupation of Lord Gage, a proper closed fence, not less than 8 feet in height above the surface of the public garden adjoining such fence, standing on a kerb wall, and being supported by iron railings.

6. As the consideration for the red land, the Board, after it shall have acquired Northumberland House, but not before, is to convey to the Crown, free from all the provisions of the Thames Embankment Act, 1862, and the Thames Embankment (North and South) Act, 1868, certain land at the north-west corner of the red land, containing 1,060 square yards, or thereabouts, and coloured blue on the deposited plan. The said land so coloured blue is herein-after called the blue land. And the Board is also to pay to the Crown the sum of £3,270.

7. The general line of frontage of the main building or buildings to be erected on the blue land (when conveyed to the Crown), and on the Crown land on the westward side of the red land, shall not be nearer to the line of the terrace wall shown on the deposited plan than 30 feet, and the intervening space between any buildings which may be erected on the blue land or on the said Crown land shall be separated from the public garden on the red land and on the land to the eastward of the blue land by a terrace wall of an ornamental character (of which the design is to be approved by the Board). And such terrace wall shall be erected on the site marked terrace wall on the deposited plan, and the said terrace wall shall not be more than 15 feet in height (exclusive of the balustrade thereon) above the pavement of the footway on the Embankment roadway, and no openings for light or means of access to the public garden shall be made in such terrace wall.

Dated this twenty-fifth day of April 1873.

CHARLES A. GORE.

Witness,
E. BLOOMFIELD,
Solicitor's Department,
Metropolitan Board of Works.

Sealed by order,
J. E. WAKEFIELD,
Clerk of the Board.

The Seal of the Metropolitan Board of Works.