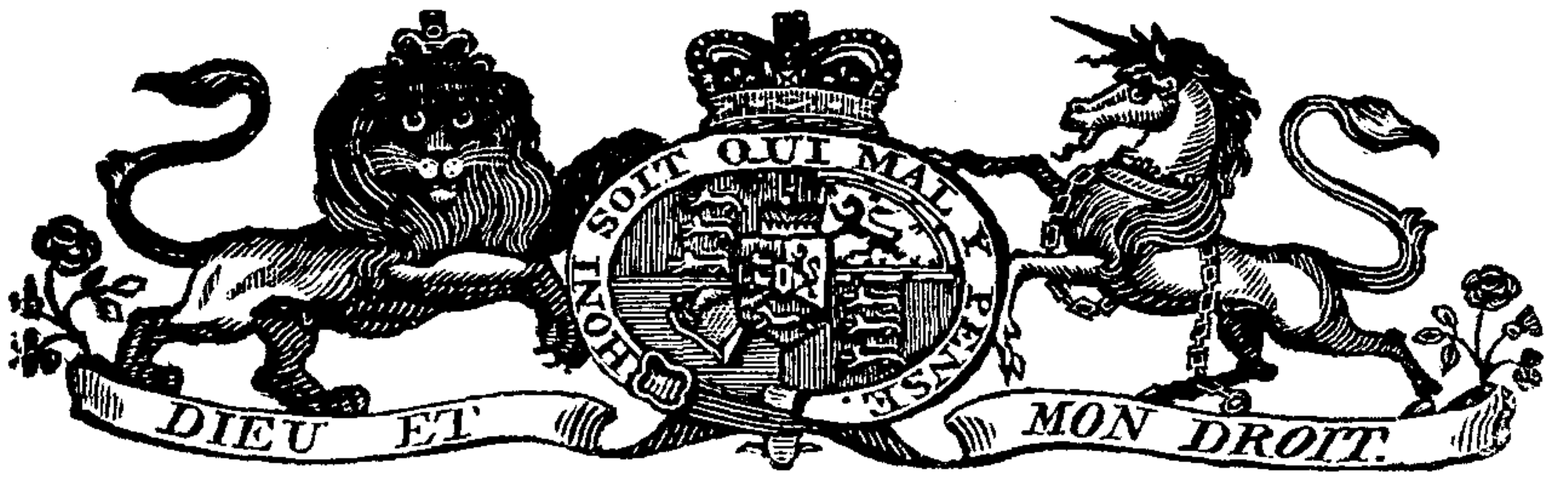


ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. xxxiii.

An Act to empower the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex* to purchase certain Premises situate at the Corner of *Sun Court* in *Curzon Street*, in the Parish of *Saint George Hanover Square*, in the said City and Liberty; and for other Purposes relating thereto.

[28th *May* 1827.]

Letters Patent, 7 G. 4. appointing Commissioners of Sewers for Westminster, &c.

WHEREAS by His Majesty's Letters Patent, One under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, bearing Date the Seventh Day of *February* in the Seventh Year of the Reign of His present Majesty, and the other under the Seal of the Duchy of *Lancaster*, bearing Date the Twenty-fourth Day of *February* in the said Seventh Year of the Reign of His said present Majesty, *George Saunders* of *Oxford Street* in the County of *Middlesex*, Esquire, *Samuel Everingham Sketchley* of *Phillimore Place*, *Kensington*, in the same County, Esquire, *John Parke* of *Dean Street*, *Soho Square*, in the same County, Esquire, *George Meredith* of *Nottingham Place*, *New Road*, in the same County, Esquire, *William Meredith* of *Harley Place*, *New Road* aforesaid, Esquire, and Sir *George Farrant* of *Upper Brook Street*, *Grosvenor Square*, in the same County, Knight, and others therein named, have been appointed Commissioners of Sewers for the City and Liberty of *Westminster* and Part

of the County of *Middlesex*: And whereas in consequence of the ruinous State of such Part of the King's Scholars Pond Sewer in the said City and Liberty of *Westminster* as extends from the *Green Park* in the said City and Liberty to the new Part of the said Sewer built a few Years since in *Curzon Street* in the Parish of *Saint George Hanover Square*, in the said City and Liberty, and by reason of the Danger and Expence which would attend the repairing or rebuilding the same, in consequence of the present Sewer running under the Houses and Buildings between *Piccadilly* and *Curzon Street* aforesaid, it has become expedient to build a new Sewer in lieu thereof, running from the *Green Park* aforesaid, across and under *Piccadilly*, and along and under *White Horse Street*, Part of the *Shepherd's Market*, and *Sun Court* in the said Parish of *Saint George Hanover Square*, and Part of *Curzon Street* aforesaid, into and adjoining the aforesaid new Part of the King's Scholars Pond Sewer aforesaid, in or under the said last-mentioned Street: And whereas by reason of the Narrowness of *Sun Court* aforesaid, at the Entrance into the same from *Curzon Street* aforesaid, it is necessary and expedient, in order to enable the said Commissioners to build the said intended new Sewer, that they should be empowered to purchase and take down and remove the Whole or Part of the Messuage or Tenement herein-after mentioned, situate at the Corner of *Sun Court* aforesaid and *Curzon Street* aforesaid, and to make use of the Scite thereof, or Part of such Scite, for the Purposes of the said intended new Sewer, and to sell and dispose of such Part of the said Scite and Messuage or Tenement as shall not be required for the Purposes aforesaid, and also the Materials of the said Messuage or Tenement, or such Part thereof as may be taken down: **May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That it shall be lawful for the Commissioners of Sewers for the Time being for the Limits aforesaid, or any Six or more of them, and they or any Six or more of them are hereby authorized and empowered to treat and agree with all and every the Owners or Owner, Proprietors or Proprietor, or Trustees or Trustee of, or other Persons or Person whomsoever interested in the Messuage or Tenement and Hereditaments herein-after mentioned, for the absolute Purchase of the Fee Simple and Inheritance of a certain Messuage or Tenement, being the Corner House of *Sun Court* aforesaid, in *Curzon Street* aforesaid, and situate at the North-east Corner of *Sun Court* aforesaid, and the South Side of *Curzon Street* aforesaid, and now commonly called or known by the Name of the *Sun* Public House, and now or late in the Tenure or Occupation of *Mary Ann Tetsall*, with the Outbuildings and Appurtenances thereto belonging, and also, after making or tendering Satisfaction in the Manner herein-after mentioned to the Owner or Owners, Proprietor or Proprietors of, or other Person or Persons interested in the same Messuage or Tenement and Hereditaments, to take down and remove the same Messuage or Tenement, Outbuildings and Premises, or any Part thereof, and apply and dispose of the Scite thereof, or any Part of such Scite, for or towards building thereon, thereunder, or therein, such intended new Sewer as aforesaid, or for or towards the Purposes

Commissioners of Sewers may purchase the Messuage, &c. at the Corner of Sun Court, Curzon Street, and apply the Scite thereof for the Purposes of the new Sewer.

of such new Sewer, and to sell and dispose of the Materials of the said Messuage or Tenement, Outbuildings and Premises, or such Part thereof as shall be taken down as aforesaid, and such Part of the Scite thereof, and the said Messuage or Tenement and Hereditaments, as in the Opinion of the said Commissioners or any Six or more of them shall not be required for the Purposes aforesaid, and to give sufficient Receipts and Discharges for the Monies for which the same respectively shall be sold, and to apply the Produce of such Sales in or towards the Payment of the Purchase Money for the said Messuage or Tenement and Hereditaments, or for or towards any of the Purposes authorized to be done and executed by the said Commissioners under or by virtue of this Act; and it shall be lawful for the said Commissioners to hold such Messuage or Tenement, Hereditaments and Premises, so to be purchased, or any Part thereof, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; any thing in such Statutes or Laws respectively contained to the contrary thereof in anywise notwithstanding.

All Persons enabled to sell, and Indemnification to Parties conveying.

II. And be it further enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, or of any other partial or qualified Estate or Interest, Husbands, Guardians, Feoffees, Trustees, and Committees, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their respective Wives, Infants, Wards, Cestuique Trusts, Lunatics, Idiots, or Persons of unsound Memory and Understanding, and for all Femes Covert who are or shall be seised or interested in their own Right, and for all and every Person and Persons whomsoever who are or shall be seised or possessed of or interested in the said Messuage or Tenement, Hereditaments and Premises, to contract and agree with the said Commissioners, or any Six or more of them, for the Sale thereof, or of their Interest therein, and to convey the same unto such Person or Persons as the said Commissioners or any Six or more of them shall order, direct, or appoint, in trust for the Uses and Purposes of this Act; and all Contracts, Agreements, Sales, Abstracts of Title Deeds, Conveyances, and Assurances of or concerning the Hereditaments so to be purchased, shall be made at the Expence of the said Commissioners; and all Sales, Contracts, and Conveyances which shall be so made shall be valid and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Settlement, Limitation, or other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, or Person or Persons having a qualified or partial Estate or Interest, Guardians, Feoffees, Trustees, Committees, and all other Persons, shall be and are hereby indemnified for making the same, and for what they shall do in pursuance of this Act.

III. And

In case Parties cannot agree, Value to be ascertained by a Jury.

III. And be it further enacted, That in case any such Body Politic, Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenants for Life or in Tail, or Person or Persons having a qualified or partial Estate or Interest, Guardians, Feoffees, Trustees, Committees, or any other Person or Persons interested in the said Messuage or Tenement, Hereditaments and Premises, or any Part or Parts thereof, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body Politic, Corporate, Ecclesiastical or Civil, or at the House of the Tenants in Possession, shall, for the Space of Fourteen Days next after such Notice given or left, neglect or refuse to treat, or shall not agree in the Price to be paid for the said Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Commissioners or any Six or more of them shall cause the Value of such Messuage or Tenement, Hereditaments and Premises, and what Damages or Injury will be sustained by, and what Recompence and Satisfaction shall be made to the Person or Persons interested therein, for and on account of the taking of such Messuage or Tenement and Hereditaments for the Purposes of this Act, to be inquired into and ascertained by a Jury of Twelve indifferent Men of the said City of *Westminster*, qualified to serve on special Juries for the Trial of Issues in His Majesty's Court of Record at *Westminster*; and in order thereto the said Commissioners or any Six or more of them are hereby empowered and required from Time to Time, as Occasion shall be, to summon and call before such Jury and to examine upon Oath any Person or Persons whomsoever; and such Commissioners shall, by ordering a View or otherwise, use all lawful Ways and Means, as well for their own Information as for the Information of the said Jury in the Premises; and after the said Jury shall have inquired of and assessed the Value of such Messuage or Tenement and Hereditaments, and such Recompence and Satisfaction as aforesaid, they the said Commissioners shall order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners and other Persons interested in such Messuage or Tenement, Hereditaments and Premises, according to the Verdict and Inquisition of such Jury; which said Verdict and Inquisition, and Judgment, Order, or Determination thereupon, shall be final, binding, and conclusive to all Intents and Purposes against all Parties and Persons whomsoever claiming and to claim in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, Lunatics, Idiots, and Persons under any Disability whatsoever, Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for summoning and returning such Juries the said Commissioners or any Six or more of them are hereby empowered to issue their Warrant or Warrants to the High Bailiff or Deputy of the said City of *Westminster*, requiring him to impannel, summon, and return an indifferent Jury of Twenty-four Persons, qualified to serve upon Juries, to appear before the said Commissioners, or any Six or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, such Time not being less than Five Days or more than Ten Days after such Warrants shall be served

served upon the said High Bailiff or Deputy; and Fourteen Days Notice at least, in Writing under the Hands of the said Commissioners, or any Six or more of them, is hereby required to be given to such Person or Persons interested in the said Messuage or Tenement and Hereditaments, or any Part thereof, for the Time and Place of the said Jury being so impannelled, summoned, and returned; and such High Bailiff or Deputy is hereby required accordingly to impannel, summon, and return such Number of Persons accordingly, and out of the Persons so summoned, impannelled, and returned, or out of such of them as shall appear upon such Summons, the said Commissioners or any Six or more of them shall and they are hereby empowered and required to swear or cause to be sworn Twelve Men, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen so returned, such Bailiff or Deputy, or the said Commissioners, or any Six or more of them, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to make up the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they shall come to be sworn; and the said Commissioners or any Six or more of them shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Bailiff or Deputy making Default in the Premises, and on any of the Persons who shall be summoned and returned upon such Jury and shall not appear, without some sufficient Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or not give a Verdict, or shall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury, shall refuse or neglect to appear, without some sufficient Excuse, or appearing shall refuse to be sworn or examined or to give Evidence, so that no such Fine be more than Ten Pounds on any such Bailiff or Deputy, nor more than Five Pounds on any other Person, for One Offence.

Persons giving false Evidence may be prosecuted.

IV. And be it further enacted, That all Persons who in any Examination to be taken upon Oath by virtue of this Act shall wilfully and corruptly give false Evidence, or otherwise forswear themselves before any such Jury, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of Perjury are by the Laws in being subject and liable to.

Verdict to be kept by the Court of Sewers, and Copies admitted as Evidence.

V. And be it further enacted, That each and every Verdict so given, and the Order, Adjudication, and Determination of the said Commissioners or any Six or more of them thereupon, shall be set down in Writing under the Hands and Seals of the said Commissioners or any Six or more of them who shall make the same, and shall be deposited and kept by them with the Records of the Court of Sewers for the said City and Liberty, and shall be deemed to be Records of such Court to all Intents and Purposes, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying

paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

By whom Expences of Jury shall be paid.

VI. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Commissioners, as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Commissioners or their Treasurer, by and out of the Rates, Taxes, Lots, and Wains herein-after mentioned or referred to; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Twenty-eight Days after Demand made thereof from the said Commissioners or their Treasurer, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Commissioners, (unless such Treasurer shall pay such Costs and Charges out of any Monies received by him by virtue of his Office), which he is hereby authorized to do, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Middlesex*, which Warrants any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Persons entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or less Money than shall have been previously offered by or on behalf of the said Commissioners, as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Commissioners; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Commissioners, the Costs and Charges so incurred shall be borne by the said Commissioners in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be ascertained and settled by any Justice of the Peace for the said County, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Commissioners, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Commissioners or any Six or more of them from the Party or Parties liable to the Payment thereof, by Action of

Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

Limiting the Time of Purchase.

VII. Provided always, and be it further enacted, That if the said Commissioners shall not agree for and purchase the said Messuage or Tenement and Hereditaments, or shall not cause the same to be valued and assessed by a Jury, within the Space of One Year from the passing of this Act, then and from thenceforth the Owner or Owners, or Proprietor or Proprietors of, and Person or Persons interested in the said Messuage or Tenement and Hereditaments, shall not be afterwards obliged to convey, sell, or otherwise dispose of the same or any Part or Parts thereof, or their, his, or her respective Interests therein, nor shall any Jury or Juries be summoned to meet to settle or ascertain the Value thereof, or any Recompence or other Matter respecting the same, any thing herein-before contained to the contrary thereof notwithstanding.

Commissioners, on being let into Possession, to pay Interest on Purchase Money.

VIII. And be it further enacted, That in case the said Commissioners or any Six or more of them shall at any Time or Times contract to purchase the said Messuage or Tenement and Hereditaments, and shall be let into Possession of the same before the Purchase shall be completed and the Whole or any Part of the Purchase Money shall have been paid, then and in every or any such Case it shall be lawful for the said Commissioners, or any Six or more of them, to pay or allow Interest on any such Purchase Money so remaining unpaid, from the Time or Times of taking such Possession, at any Rate not exceeding Five Pounds *per Centum per Annum*, such Interest to be paid Half-yearly or oftener, as the said Commissioners or any Six or more of them shall direct, and such Interest to be raised in such and the same Manner as the said Purchase Money shall be raiseable.

Application of Compensation Money when exceeding 200*l.*

IX. And be it further enacted, That if the said Messuage or Tenement and Hereditaments, or any Part thereof, shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any Disability or Incapacity, as herein-before mentioned, the Money which shall be agreed or awarded to be paid for the Purchase of the same Messuage or Tenement and Hereditaments, or such Part thereof as aforesaid, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the same Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way

1 G. 4. c. 35.

Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Messuage or Tenement and Hereditaments, or such Part thereof as aforesaid, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuage or Tenement and Hereditaments, or such Part thereof as aforesaid, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the said Messuage or Tenement and Hereditaments, or such Part thereof as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, so hereby directed to be purchased, in case such Purchase and Settlement were made.

Where less than 200*l.* and exceeding 20*l.*

X. Provided always, and be it further enacted, That if the said Messuage or Tenement and Hereditaments, or any Part thereof, shall belong to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, and the Money so agreed or awarded to be paid for the Purchase of the said Messuage or Tenement and Hereditaments, or such Part thereof as last aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Messuage or Tenement and Hereditaments, or of such Part thereof as aforesaid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, to be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, of Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners or any Six or more of them, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends

Dividends and Interest arising therefrom, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where less than 20*l.*

XI. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Messuage or Tenement and Hereditaments, or such Part thereof as last aforesaid, as the said Commissioners or any Six or more of them shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, and to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, the Purchase Money to be paid into the Bank.

XII. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so agreed, ordered, or awarded to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners or any Six or more of them, or shall refuse to execute such Conveyance or Conveyances; or in case such Person or Persons to whom such Sum or Sums of Money shall be so agreed, ordered, or awarded to be paid as aforesaid cannot be found; or if the Person or Persons entitled to the said Messuage or Tenement and Hereditaments be not known or discovered; then and in every such Case it shall and may be lawful for the said Commissioners, or any Six or more of them, to order the said Sum or Sums so agreed, ordered, or awarded to be paid as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Messuage or Tenement and Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and he is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order the Distribution thereof according to the respective Estate or Estates, Title or Interest, of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

When any Question shall arise touching the Title to Money to be

XIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance

paid, the Person in Possession at the Time of the Purchase shall be deemed entitled thereto.

suance of this Act, for the Purchase of the said Messuage or Tenement and Hereditaments, or any Part thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall be in Possession of such Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Hereditaments, or to some Estate or Interest therein.

Court may order reasonable Expences of Purchases to be paid by the Commissioners.

XIV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to the said Messuage or Tenement and Hereditament, or any Part thereof, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, or any Six or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to enter and take Possession on Payment or Tender of Purchase Money.

XV. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined and awarded by any Jury or Juries in manner aforesaid, for the Purchase of the said Messuage or Tenement and Hereditaments, and for such Recompence and Satisfaction as aforesaid, to the Proprietor or Proprietors thereof, or such other Person or Persons as shall be interested therein or entitled to receive such Sum or Sums of Money, at any Time after the same shall have been so agreed for, determined, or awarded, or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners or any Six or more of them, then upon Payment of the said Sum or Sums of Money into the Bank of *England* as herein directed and required (in case the same shall be requisite), for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners, and their Agents, Servants, and Workmen, immediately, and at any Time or Times, to enter upon the said Messuage or Tenement and Hereditaments; and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from

thenceforth be vested in the Person or Persons to whom the said Commissioners or any Six or more of them shall order, direct, or appoint the same Messuage or Tenement and Hereditaments to be conveyed, to and for the Uses and Purposes of this Act; and such Payment, Tender, or Investiture shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but shall also extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her, or their Issue, and of every Person whomsoever therein.

Mortgagees to convey.

XVI. And be it further enacted, That every Mortgagee of the said Messuage or Tenement, Hereditaments and Premises, or any Part thereof, his, her, or their Heirs, Executors, Administrators, and Assigns respectively, on having Two Calendar Months Notice in Writing given to him, her, or them, from the said Commissioners or any Six or more of them, for paying off the Principal Money and Interest which shall be due on such Mortgages respectively, shall, at the Expiration of the said Two Calendar Months after such Notice, on Payment or Tender of the Principal Money and Interest which shall be then due, convey and assign his, her, and their respective Estates and Interests in and to the said mortgaged Premises, to such Person or Persons as the said Commissioners or any Six or more of them shall order or appoint, for the Uses and Purposes of this Act; and if any such Mortgagee, his, her, or their Heirs, Executors, Administrators, or Assigns, shall refuse so to do, then all Interest on every such Mortgage, from the Expiration of the said Two Calendar Months after any such Notice, shall cease and determine; any Law or Custom to the contrary notwithstanding.

Occupiers at Rack Rent of any Premises purchased, to give up Possession thereof after One Month's Notice.

XVII. And be it further enacted, That in case the said Commissioners or any Six or more of them, or any Person authorized by them, shall, after the said Messuage or Tenement, Hereditaments and Premises, shall be purchased in pursuance of this Act, give One Calendar Month's Notice in Writing to all or any of the Tenants at Rack Rent, or Occupiers of such Messuage or Tenement, Hereditaments and Premises, or any Part thereof, to give or deliver up the Possession thereof, then every such Tenant or Occupier shall at the End of such One Calendar Month peaceably and quietly deliver and yield up the Possession of the said Premises so by him, her, or them respectively held or occupied, whether upon Demise, Lease, or otherwise, to the said Commissioners or any Six or more of them, or the Person or Persons who shall be appointed by them to take Possession thereof; and all Leases, Demises, or Agreements for renting or holding the same, at Rack Rent or otherwise, theretofore made, shall from the End of the said One Calendar Month be absolutely void and of none Effect as against the said Commissioners or any Six of them, or the Person or Persons to whom the same Hereditaments shall be ordered, directed, or appointed to be conveyed as aforesaid; and if any Person or Persons so in Possession, after having received such Satisfaction and Compensation, or Tender made thereof as aforesaid, shall refuse to give up such Possession at the Expiration of such One Calendar Month

Month after such Notice, all reasonable Satisfaction being made or tendered, such Satisfaction, in case of any Difference or Dispute concerning the same, to be adjusted and settled by a Jury in like Manner as the Price of the said Messuage or Tenement and Hereditaments is herein-before directed to be settled, and in case of Dispute or Difference concerning the Value thereof, it shall and may be lawful for the said Commissioners, or any Six or more of them, to issue their Precept to the Constables of the said City and Liberty of *Westminster* for the Time being, or to any or either of them, to cause Possession thereof to be delivered up to such Person or Persons who shall be in such Precept or Precepts nominated to receive the same, and the said Constable or Constables is and are hereby respectively required to deliver Possession according to such Precept or Precepts, of the Premises therein mentioned, and to levy such Costs as shall accrue by means of the issuing and executing of every such Precept or Precepts, by Distress and Sale of the Goods and Chattels of any Person or Persons who shall have refused to give up such Possession as aforesaid, and shall neglect or refuse to pay such Costs on Demand, the same to be ascertained and settled by the said Commissioners or any Six or more of them.

Purchase Money how to be paid.

XVIII. Provided always, and it is hereby enacted, That it shall and may be lawful to and for the said Commissioners, or any Six or more of them, to pay and discharge all or any Part of the Purchase Money for the said Messuage or Tenement, Hereditament and Premises, and of the Costs, Charges, and Expences of taking down and removing the said Messuage or Tenement, Buildings and Premises, and of obtaining and passing this Act, and of carrying the same into Execution, or otherwise relating thereto, by and out of any Monies in the Hands of the said Commissioners or their Treasurer, or by and out of the Rates, Taxes, Lots, and Wains already made, levied, assessed, set, or collected, or hereafter to be made, levied, assessed, set, or collected, by virtue of all or any, or some or one of the several Acts of Parliament heretofore made and passed, and now in force, relating to Sewers within the Limits aforesaid, or to the Commissioner or Commissioners of Sewers for the Limits aforesaid.

Public Act.

XIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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