

[43 & 44 VICT.]

*South-western (of London)  
District Post Office Act, 1880.*

[Ch. xciv.]



**CHAPTER xciv.**

An Act to enable Her Majesty's Postmaster-General to enlarge and acquire a site for the South-western (of London) District Post Office. [2nd August 1880.]

A.D. 1880.

**W**HEREAS the South-western (of London) District Post Office affords inadequate accommodation for the purposes of the public service, and it is expedient that additional buildings be erected on land adjoining such post office, and that such land, and also the lands forming the site of the existing post office, should be acquired, appropriated, and dealt with by Her Majesty's Postmaster-General (in this Act called "the Postmaster-General") in manner in this Act mentioned, but the objects aforesaid cannot be obtained without the authority of Parliament :

And whereas a map or plan showing the lands to be acquired by the Postmaster-General under the authority of this Act, with a book of reference containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands which may be taken compulsorily under this Act, and describing those lands, have been deposited with the clerk of the peace for the county of Middlesex, and the same are in this Act referred to as the deposited plan and book of reference :

May it therefore please Your Majesty that it may be enacted ; and 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 :

1. This Act may be cited as the South-western (of London) District Post Office Act, 1880.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (in this Act called the Lands Clauses Acts), are, with the exception of the provisions of the Lands Clauses Consolidation Act, 1845, for

[Local.-94.]

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Short title.  
Incorporation of  
8 & 9 Vict.  
c. 18.,  
23 & 24 Vict.  
c. 106., and  
32 & 33 Vict.  
c. 18.

A.D. 1880. — affording access to the special Act, incorporated with and form part of this Act, subject to the following provisions; (namely,)

8 & 9 Vict.  
c. 18.  
23 & 24 Vict.  
c. 106.  
32 & 33 Vict.  
c. 18.  
8 & 9 Vict.  
c. 18.

(1.) In the construction of this Act and the Lands Clauses Acts this Act shall be deemed to be the special Act, and the Postmaster-General shall be deemed to be the promoter of the undertaking :

(2.) The bond required by section eighty-five of the Lands Clauses Consolidation Act, 1845, shall be under the corporate seal of the Postmaster-General, and shall be sufficient without the addition of the sureties in the said section mentioned.

Interpreta-  
tion.

3. In this Act—

“The Treasury” means the Commissioners of Her Majesty’s Treasury :

“Person” includes a body of persons corporate or unincorporate.

Power to  
acquire  
lands.

4. Subject to the provisions of this Act and of the Articles of Agreement dated the sixteenth day of June 1880, set forth in the schedule to this Act, and which Articles of Agreement are by this Act confirmed and are in this Act referred to as the Scheduled Agreement, it shall be lawful for the Postmaster-General, out of any moneys which have been or may from time to time be appropriated by Parliament and put at his disposal for that purpose, to purchase and acquire for the purposes of this Act all or any of the lands shown and described on the deposited plan and in the book of reference.

Any lands acquired by the Postmaster-General under the authority of this Act shall be vested in and be held by him in his corporate capacity in trust for Her Majesty, her heirs and successors.

Correction  
of errors, &c.

5. If any omission, mis-statement, or erroneous description is found to have been made of any lands, or of any owners, lessees, or occupiers of any lands shown or described, or intended to be shown or described on the deposited plan or in the book of reference, the Postmaster-General may apply to two justices for the correction thereof, after giving ten days notice to the owners, lessees, or occupiers of the lands affected by the proposed correction, and if it appears to the justices that such omission, mis-statement, or erroneous description arose from mistake, they shall so certify, stating the particulars thereof, and their certificate shall be deposited as if the same had originally formed part of the deposited plan or book of reference (as the case may be), and shall be kept

therewith, and shall be deemed to be part thereof, and thereupon the deposited plan or book of reference (as the case requires) shall be deemed to be corrected according to the certificate, and the Postmaster-General may enter on, purchase, take, hold, and use the lands to which the certificate relates accordingly.

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6. It shall be lawful for the Postmaster-General and for his surveyors, officers, and workmen, at all reasonable times in the day-time to enter into and upon any of the lands shown and described on the deposited plan and in the book of reference, for the purpose of surveying or valuing such lands, on giving, for the first time, twenty-four hours, and afterwards, from time to time, twelve hours previous notice in writing to the owners or occupiers thereof.

Power to  
Postmaster-  
General to  
enter lands  
for the pur-  
pose of sur-  
veying.

7. From and after the time of the purchase of any lands under the authority of this Act, it shall be lawful for the Postmaster-General, during the progress of any works under the authority of this Act and no longer, to divert, alter, and stop up any street, road, way, path, passage, and place situate within the limits of the property to be acquired as described in the deposited plans.

Diversion,  
&c. of  
streets, and  
extinction of  
rights of  
laying pipes,  
and other  
easements.

Also, on such purchase as aforesaid by the Postmaster-General of any lands under the authority of this Act, all rights of laying down or continuing any pipes, sewers, or drains on, through, or under such lands, or any part thereof, and all other rights or easements in or relating to such lands, or any part thereof, shall be extinguished, and the property in such pipes, sewers, or drains shall be vested in the Postmaster-General in such capacity and on such trusts as aforesaid: Provided that any person may recover from the Postmaster-General such compensation (if any) as he may be entitled to under the provisions of the Lands Clauses Acts for any private rights or private property of which he may be deprived in pursuance of this section, the amount of such compensation to be determined in manner provided by the said Lands Clauses Acts.

8 & 9 Vict.  
c. 18.  
23 & 24 Vict.  
c. 106.  
32 & 33 Vict.  
c. 18.

8. It shall be lawful for the Postmaster-General to pull down and remove all or any buildings erected on any lands purchased by him under the authority of this Act, and to appropriate the lands so purchased as a site for the erection of buildings for the public service, and for the formation of convenient approaches to such buildings, and on the same lands to construct such buildings and works, and to form such approaches, and do all such other things as in his opinion are necessary or expedient for the execution of any of the purposes of this Act.

Power to  
pull down  
buildings on  
land pur-  
chased and  
build others.

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As to claims  
for compen-  
sation by  
tenants from  
year to year.  
8 & 9 Vict.  
c. 18.

**9.** Claims for compensation made on the Postmaster-General under the provisions of this Act, or any Act incorporated therewith, shall, if the person claiming compensation has no greater interest than as tenant for a year or from year to year in the lands in respect of which compensation is claimed, be determined in manner provided by section one hundred and twenty-one of the Lands Clauses Consolidation Act, 1845.

Consents to  
alteration of  
elevation or  
sale.

**10.** No alteration shall be made in the elevation of any building fronting Buckingham Gate, or in the elevation of any building fronting on the north-east side thereof towards Stafford Place; neither shall any land or hereditaments which may be purchased by the Postmaster-General from the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, at any time or times be sold by the Postmaster-General without in every such case, as mentioned in this section, the previous consent in writing of the same Commissioners or one of them.

Authentica-  
tion of  
notices.

**11.** Every notice, summons, writ, or other document required to be given, issued, or signed by or on behalf of the Postmaster-General under this Act may be given, issued, or signed by any secretary or assistant secretary of the General Post Office for the time being, and need not be under the corporate seal of the Postmaster-General, and may be in writing or in print, or partly in writing and partly in print.

Orders con-  
cerning  
money.

**12.** All orders which the Chancery Division of Her Majesty's High Court of Justice is empowered to make on motion or petition in relation to any money paid into the Bank of England with the privity of the Paymaster-General under this Act, or the securities in or upon which the same may be invested, or the dividends or interest on such money and securities, may be made by any judge of the said division upon application to him while sitting at chambers upon summons in like manner as in other cases in which proceedings may be so had; subject, nevertheless, to any general orders which may hereafter be made concerning the practice, proceedings, or business of the said court on any such application.

Time for  
compulsory  
purchase.

**13.** The limit of time for the compulsory purchase of lands under this Act shall be three years.

Sanction of  
Treasury  
required to  
purchase  
under this  
Act.

**14.** No purchase shall be made by the Postmaster-General under the authority of this Act without the sanction of the Treasury, but such sanction may be given either generally or in respect of any particular purchase or purchases, and a vendor to or purchaser from

the Postmaster-General shall not be bound or entitled to inquire whether such sanction has been given. A.D. 1880.

**15.** No deed, bond, or other instrument executed for any of the purposes of this Act, shall be subject or liable to any stamp duty imposed by any Act for the time being in force, unless such instruments are specifically charged therewith by any Act passed after the passing of this Act. Exemption  
of deeds  
from stamp  
duty.

**16.** Except as provided by the scheduled agreement nothing contained in this Act shall authorise the Postmaster-General to take, use, or in any manner interfere with any land or hereditaments, or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors. Saving  
rights of  
the Crown.

A.D. 1880.

## The SCHEDULE,

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ARTICLES OF AGREEMENT made the sixteenth day of June one thousand eight hundred and eighty; between the Queen's most Excellent Majesty of the first part, the Honourable Charles Alexander Gore, the Commissioner of Her Majesty's Woods, Forests, and Land Revenues in charge of the land revenues of the Crown in the county of Middlesex, of the second part, and the Right Honourable Henry Fawcett, M.P., Her Majesty's Postmaster-General, of the third part.

Whereas application is being made to Parliament for an Act (herein-after called "the said proposed Act") to enable Her Majesty's Postmaster-General to enlarge and acquire a site for the South-western (of London) District Post Office. And whereas Her Majesty's Postmaster-General will require, for the purposes to be authorised by such Act, certain land, herein-after called "the said land," the property of Her Majesty in right of Her Crown, which said land is delineated and coloured light and dark pink in the plan drawn hereon, part thereof being now in the occupation of Her Majesty's Postmaster-General under two separate leases from the First Commissioner of Her Majesty's Works and Public Buildings, and the said Charles Alexander Gore, as such Commissioner as aforesaid respectively, for terms of years ending on the twenty-fourth day of June one thousand nine hundred and fifty-eight, the residue thereof being held by the lessee or lessees thereof under a lease from William Mantle Kay for a term ending on the twenty-fifth day of March one thousand eight hundred and ninety. And whereas it has been agreed between the said Charles Alexander Gore, as such Commissioner as aforesaid, and Her Majesty's Postmaster-General, that this Agreement shall be entered into relative to the said land. Now these presents witness that the said Charles Alexander Gore doth hereby, on behalf of the Queen's Majesty, agree with Her Majesty's Postmaster-General, and Her Majesty's Postmaster-General doth hereby agree with the Queen's Majesty in manner following; that is to say,

1. This Agreement shall not have any force or validity unless the proposed Act shall be passed in the present session of Parliament, in which case this Agreement shall be binding.

2. It shall be referred to such surveyor as herein-after provided to determine the amount of the purchase money to be paid by Her Majesty's Postmaster-General for the freehold, subject to existing leases of the land and

buildings, the property of the Queen's Majesty, which, subject to this Agreement, shall be taken under the powers of the said proposed Act, and such surveyor shall include in such purchase money, compensation to the Crown as owner of the freehold for compulsory sale, and in determining the amount of the said purchase money, such surveyor shall take into consideration the provisions of this Agreement.

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3. The amount of the said purchase money shall be paid by Her Majesty's Postmaster-General out of any moneys that may be provided by Parliament for the purpose, into the Bank of England, to the credit of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, before any alterations are made in the buildings now standing on the said land.

4. Her Majesty's Postmaster-General shall, within two years from the passing of the said proposed Act, widen the entrance to Stafford Place, in continuation southwards of the thoroughfare leading from Buckingham Palace Road to a width of not less than twelve feet, and shall dedicate the same to the public as an open passage way, and no part of the said thoroughfare shall be diminished in width.

5. In making any alterations or additions to the existing buildings, or in the erection of new buildings in place of those now standing on the said land, the present lines of building frontage, as defined on the said plan, shall be adhered to and maintained, and no change shall at any time be made therein, except as mentioned in Article 4, without the consent in writing of the Commissioner or Commissioners of Her Majesty's Woods, Forests, and Land Revenues in charge of the land revenues in the county of Middlesex, hereinafter called the said Commissioner or Commissioners.

6. No wall or enclosure other than by an open iron railing, to be approved of by the said Commissioner or Commissioners, shall at any time be erected or made towards Stafford Place in front of the sites of the houses numbered 56, 57, 58, and 59, Stafford Place; and if any enclosure shall at any time be made on the west side of the passage-way from Buckingham Palace Road to Stafford Place by a wall, such wall shall be of good architectural character, and of design and material to be approved by the said Commissioner or Commissioners, and shall not exceed seven feet in height.

7. No alteration shall at any time be made in the elevation of any building standing on that part of the said land which is coloured dark pink on the said plan without the consent in writing of the said Commissioner or Commissioners.

8. The said land and any building erected or to be erected thereon shall not at any time be used or occupied for any purpose whatever other than as a post office.

9. If the said land with the building or buildings now standing or hereafter to be erected thereon shall at any time cease to be used for the purposes of a post office, Her Majesty's Postmaster-General shall give the Crown the option as after mentioned of purchasing the freehold thereof with possession, and the value thereof shall be determined by a surveyor to be appointed by

A..D. 1880. the said Commissioner or Commissioners and Her Majesty's Postmaster-General in like manner as the purchase money for the said land is herein directed to be determined. And for the purpose of giving and exercising the option mentioned in this Article the following provisions shall have effect; that is to say, the Postmaster-General for the time being shall give three calendar months notice in writing to the Commissioner or Commissioners that the said premises have ceased to be used for the purposes of a post office, and requiring him or them to exercise his or their option to purchase, and in case the said Commissioner or Commissioners do not before the expiration of any such notice signify his or their intention to purchase the premises, then the said option shall be deemed to have been abandoned.

10. Upon payment of the purchase money mentioned in Article 2, a conveyance shall be made to Her Majesty's Postmaster-General by the said Commissioner or Commissioners of the said land, subject to the existing leases thereof, the conveyance to be prepared in duplicate in the office of the said Commissioner or Commissioners, and to contain covenants by Her Majesty's Postmaster-General for the performance of such of the stipulations hereinbefore contained as may then remain to be performed, and such other clauses as are usually inserted in conveyances of a similar nature made by the Crown.

11. All costs, charges, and expenses which have been or may be incurred by Her Majesty or the said Commissioner or Commissioners in relation to the purchase by Her Majesty's Postmaster-General of the said premises, or consequent upon the passing of the said proposed Act, and also the charges for the preparation of this Agreement, and the conveyance to the Postmaster-General to be hereafter executed shall be paid by Her Majesty's Postmaster-General; provided that the Postmaster-General shall not be liable to pay any costs, charges, or expenses of the said Commissioner or Commissioners of or incident to any purchase by him or them under the powers of Article 9 of this Agreement.

12. Her Majesty's Postmaster-General shall not require any abstract or other evidence of title to the said land.

13. This Agreement shall be subject to the approval of the Lords Commissioners of Her Majesty's Treasury.

14. The surveyor herein-before mentioned shall be appointed by the said Commissioner or Commissioners and Her Majesty's Postmaster-General, and such surveyor may obtain such information as he may require, and may be attended by and hear the respective surveyors of the Crown and of Her Majesty's Postmaster-General, one being heard on each side, but such surveyor shall not take any other parol evidence of value, it being intended that he shall himself inquire and form his own judgment in reference thereto.

And the said Charles Alexander Gore doth hereby direct that this deed shall be deemed to be fully and sufficiently inrolled by the deposit of a duplicate thereof in the office of Land Revenue Records and Inrolments, and the filing or making an entry of such deposit by the keeper of the said records and inrolments.

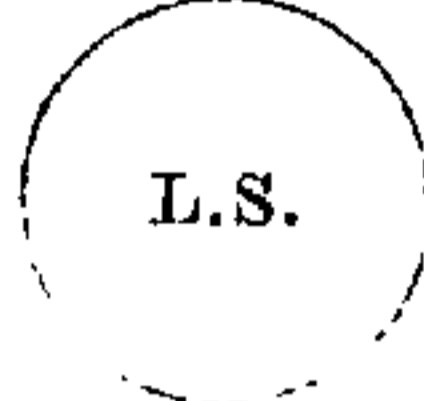


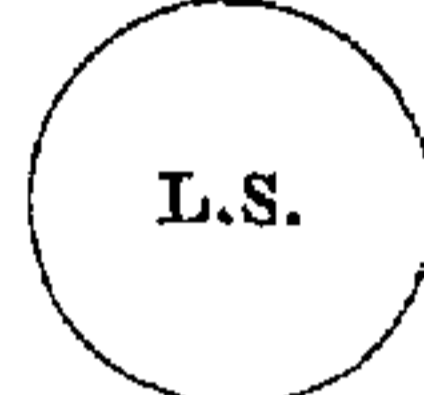
[43 & 44 VICT.]

*South-western (of London)  
District Post Office Act, 1880.*

[Ch. xciv.]

In witness whereof the said parties to these presents of the second and third parts have hereunto set their hands and seals the day and year first above written. A.D. 1880.

Signed, sealed, and delivered by the within-named Charles Alexander Gore, in the presence of } CHARLES A. GORE.   
J. F. REDGRAVE,  
Office of Woods, &c. London.

Signed, sealed, and delivered by the within-named Henry Fawcett, in the presence of } HENRY  FAWCETT.  
FREDERIC JOHN DRYHURST,  
Private Secretary to the Postmaster-General.

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