
CHAPTER 43.

[25th August 1894.]

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. The Commissioners of Woods may, with the consent, general or special, of the Treasury, cause any sums received or to be received in respect of the capital of the land revenues of the Crown, whether at the time in a state of investment or not, to be invested in any one or more of the modes authorised by section one of the Trustee Act, 1893, and may vary any such investment, and the provisions of the Crown Lands Act, 1829, and the Acts amending the same, shall apply to any such investment as they apply to investments authorised by the Crown Lands Act, 1829.

2. The power given to the Treasury by section one of the Crown Lands Act, 1866 (being a power to direct the costs of certain improvements to be charged to capital and repaid out of income), shall extend to any operation, work, matter, or thing, being within the description of improvements contained in section twenty-five of the Settled Land Act, 1882, and effected or done after the passing of this Act.

3.—(1.) From and after the thirty-first day of March one thousand eight hundred and ninety-four, one moiety of the gross annual income of the land revenues of the Crown received, and one moiety of the expenses incurred by the Commissioners of Woods, in respect of any substance obtained by mining, quarrying, or excavating, shall be carried to the account of the capital of the land revenue of the Crown, and the residue of the said gross annual income and expenses shall be carried to the account of the income of such land revenue.

(2.) For the purposes aforesaid, the Commissioners of Woods shall keep a separate account, in such form as the Treasury direct, to be called the Mines Account, and this account shall include all receipts and outgoings in respect of the sources of revenue in this section mentioned, and shall show the respective amounts to be carried under this section to the capital and to the income of the land revenue of the Crown.
(3) Section two of the Crown Lands Act, 1866, shall be repealed as from the date aforesaid.

4.—(1.) If the Commissioners of Woods in exercise of the powers conferred by the Crown Lands Act, 1829, purchase any leasehold interest in any Crown land under their management, any purchase money paid therefor out of the capital money of the land revenues of the Crown shall be repaid out of the income of the land revenues of the Crown by such equal annual instalments as will replace the said capital money without interest within the period of forty years from the date when the purchase takes effect, or within the unexpired period of the term for which the lease was granted, whichever period is shorter.

(2.) The Commissioners of Woods may also purchase any such leasehold interest in consideration wholly or partly of an annuity for a period not exceeding forty years or the unexpired term for which the lease was granted, whichever period is shorter, and any person having power to sell any such interest, may, unless expressly prohibited by the terms of any settlement, sell the same for such consideration as aforesaid.

5.—(1.) Section forty-five of the Crown Lands Act, 1829, and sections three, four, and five of the Crown Lands (Scotland) Act, 1835 (authorising the grant of lands for churches, chapels, and other purposes), are hereby repealed.

(2.) The Commissioners of Woods may, with the consent of the Treasury, make, out of the income of the land revenues of the Crown, donations of money for any religious or educational purposes connected with land under the management of the Commissioners, or for the purposes of any hospital, infirmary, or cemetery.

6. Where any person, in whom property belonging to the Crown is vested under a lease, accepts a new lease of the property, either to begin presently or at any time during the continuance of the existing lease, the acceptance of the new lease shall, as from the commencement of the term of the new lease, but subject to anything to the contrary expressed in the new lease, operate as a surrender of the existing lease as to so much of the property demised thereby as is demised by the new lease, but without prejudice to any rights or liabilities existing at the date of the surrender.

7. The power conferred by section two of the Crown Lands Act, 1852, to release from any covenant, condition, or agreement, contained in a lease, shall extend to any covenant, condition, or agreement contained in a grant or other conveyance.

8. The Commissioners of Woods may, with the consent of the Treasury, release to or waive in favour of any grantee of land from the Commissioners, or any parish council, district council, council of a county borough, or other local authority or body having power by statute to supply water, any water right exerciseable by or reserved to the Crown.

9. It is hereby declared that a vacancy in the office of either of the Commissioners of Woods does not invalidate any order of the Treasury under section five of the Crown Lands Act, 1851, so far
as the order relates to the other Commissioner, or prevent the
Treasury from making an order under that section.

10. Any certificate or other document required to be given or
signed by the Keeper of the Land Revenue Records and Inrol-
ments may be given or signed by any person acting with the
sanction of the Treasury as his deputy or assistant, whether the
office of the said Keeper is vacant or not, and it shall not be
necessary to prove the handwriting of the person so acting or his
authority to act.

11.—(1.) The provisions of section five of the Crown Lands Act,
1853, with respect to the settlement of disputed claims, shall extend
to disputed claims in Scotland.

(2.) Any order mentioned in that section shall, if it relates to the
hereditary possessions and land revenues of the Crown in Scotland,
be binding and conclusive when recorded in the office of Her
Majesty's Chancery for Scotland.

(3.) With respect to disputed claims in Scotland, that section
shall have effect as if the Lord Advocate were substituted therein
for Her Majesty's Attorney-General for England or Ireland.

12. The power conferred by section sixty-eight of the Landed
Estates Court (Ireland) Act, 1858, of apportioning any Crown rent,
and of charging the whole of any such rent on any part of the
land charged therewith in exoneration of the remainder of such
land, shall extend to any quitrent or other perpetual rent payable
to the Crown in respect of land in Ireland, and may be exercised
whether the land liable to the payment of the rent is being sold by
the High Court or not, and the order or instrument by which the
rent is apportioned shall be recorded by the deposit of a duplicate
thereof in the Public Record Office in Dublin.

13. Whereas there is now standing in the names of the
Archbishop of York and of the Commissioners of Woods in the
books of the Bank of England a sum of eight thousand three-
hundred and thirty-three pounds six shillings and eightpence, two
and three-quarters per centum Consolidated Bank Annuities, which
sum is under an Act of the session held in the eleventh year of
King George the Fourth and the first year of King William the
Fourth, chapter fifty-nine, to be by them held in trust to pay the
dividends arising therefrom to the officiating minister for the
time being of the parish church of Sunk Island in the east riding
of the county of York, and it is expedient that this sum be trans-
ferred to the Ecclesiastical Commissioners who have signified their
willingness to administer the trusts of the same: Be it therefore
enacted—

(1.) The Commissioners of Woods may, at any time after
the passing of this Act, transfer the said sum of Bank Annuities
to the Ecclesiastical Commissioners, to be by them held and
administered on and subject to the trusts on and subject to
which that sum was held and administered immediately before
the passing of this Act.

(2.) This section shall be sufficient authority for the Bank of
England to cause the transfer to be made in their books on
A.D. 1894.

the written request of the Commissioners of Woods or any one of them.

(3.) The Ecclesiastical Commissioners may at their discretion from time to time vary the investment of the said fund, and may invest the same in any one or more of the modes authorised by section one of the Trustee Act, 1893.

14. This Act may be cited as the Crown Lands Act, 1894, and shall be read with the Crown Lands Acts, 1829 to 1885.