



# Commissioners of Works Act 1852

## 1852 CHAPTER 28

An Act to amend an Act of the Fourteenth and Fifteenth Years of Her present Majesty, for the Direction of Public Works and Buildings; and to vest the Buildings appropriated for the Accommodation of the Supreme Courts of Justice in *Edinburgh* in the Commissioners of Her Majesty's Works and Public Buildings. [17th June 1852]

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:

### **I Commissioners of Works and Public Buildings incorporated for the Purpose of holding Lands, &c. under this Act.**

The Persons who for the Time being, under the Provisions of the Act passed in the last Session of Parliament, Chapter Forty-two, shall be the Commissioners of Her Majesty's Works and Public Buildings shall be and they are hereby constituted a Corporation, by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that Name shall and may have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, for the Purpose of taking and holding all the Lands, Tenements, and Hereditaments whatsoever, of every Tenure, by this Act vested in them, or hereafter to be vested in or purchased by them under or by virtue of the Provisions of this Act, and of conveying, assigning, leasing, underleasing, or otherwise disposing of the same Lands, Tenements, and Hereditaments, and of entering into any Covenants or Agreements respecting any such Hereditaments vested or to be purchased, taken, or disposed of as aforesaid, but not for any other Purpose.

### **II Commissioners empowered to purchase, sell, &c. Lands, &c., and the First Commissioner or Two of them may act.**

It shall be lawful for the Commissioners of Her Majesty's Works and Public Buildings to purchase, take, or accept any Hereditaments, of what Tenure soever, necessary for the Public Service, and to sell or exchange the same, and give a good Discharge for the

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*Status: This is the original version (as it was originally enacted).*

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Purchase Money thereof to any Purchaser or other Person, and to grant any Lease or Leases, Underlease or Underleases of any such Hereditaments so taken as aforesaid, and to enter into any Agreements for such Sale, Exchange, Lease, or Underlease, so nevertheless that all such Hereditaments shall be purchased, taken, exchanged, sold, or leased, and the Produce and Income thereof applied, by the Direction of the Commissioners of Her Majesty's Treasury, and so as every Conveyance of any Freehold Hereditaments in *England, Wales, or Ireland*, made to or by the said Commissioners of Her Majesty's Works and Public Buildings under the Authority of this Act, be enrolled amongst the Records of the Court of Exchequer in *England or Ireland*, as the Case may be ; and all Acts by this Act authorized to be done by the Commissioners of Her Majesty's Works and Public Buildings, and all and every the Powers and Authorities whatsoever by the Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Forty-three, and vested in or transferred to the Commissioners thereby appointed, may be executed and done by the First Commissioner for the Time being of Her Majesty's Works and Public Buildings, or by any Two of the said Commissioners.

### **III As to Security required from Officers.**

In all Cases in which, the Commissioners of Her Majesty's Works and Public Buildings are or shall be required or authorized to take Security from any Receiver, Collector, Clerk, or other Officer or Contractor, or shall think it proper so to do, for securing the due Performance of any Duty or Contract, such Security shall be taken by Bond to the Queen's most Excellent Majesty, Her Heirs and Successors; and the said Commissioners may in any Case, if they think fit, dispense with the taking any Sureties, so as that they take in lieu thereof (if they think fit) for the due Performance of any Duty or Contract any Security by way of Deposit, Investment, Mortgage, Lien or Charge, Insurance or Guarantee.

### **IV Courts and Buildings of the Courts of Session, Justiciary, &c. at Edinburgh vested in the Commissioners of Public Works.**

All the Courts, Court Houses, and Buildings for the Accommodation of the Courts of Session, Justiciary, Exchequer, Jury Court, or other the Supreme Courts at *Edinburgh*, and of the Clerks and Officers thereof, and all the Lands and Buildings connected therewith, and all Lands whereon the same are built, and all Lands or Heritages held therewith, or purchased or acquired under or by virtue of the Acts passed in the Forty-sixth Year of the Reign of His late Majesty *George* the Third, Chapter One hundred and fifty-four, the Forty-eighth Year of the Reign of His said Majesty, Chapter One hundred and forty-six, the Fifty-ninth Year of the Reign of His said Majesty, Chapter Thirty-five, and the Sixth Year of the Reign of His late Majesty *George* the Fourth, Chapter Eighty-six, or any of them, shall from the passing of this Act be vested in the Commissioners of Her Majesty's Works and Public Buildings, and their Successors for every in their corporate Capacity, for the Purposes specified in the aforesaid Acts respectively, and shall be maintained and kept in repair by the said Commissioners by and out of all Funds (if any) now applicable for that Purpose, and which Funds shall be vested in or payable to the said Commissioners, or by and out of such Funds as shall be directed by Parliament to be applied to such Purposes.

**V Commissioners may sell, exchange, &c. Lands and Buildings not required for their original Purpose.**

That as regards such of the said Lands, Buildings, or other Heritages so hereby vested in the said Commissioners as may not have been or shall not be required for the Purposes for which they were acquired, the said Commissioners may from Time to Time grant, sell, exchange, or convey the same, and lease or agree to lease the same till sold, exchanged, or conveyed; and the Monies arising from any such Sale or Lease shall be paid to the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, but the Receipts of the said Commissioners shall be sufficient Discharges to any Purchaser or Lessee paying any Monies to them; and the said Commissioners may complete or carry into effect any Contract for Sale, Grant, Exchange, or Lease of any Part of the said Lands, Buildings, and Heritages herein-before entered into by any Trustees of the same, or by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Person or Persons on their Behalf.

**VI No Sale, &c. without Consent of Treasury.**

Provided nevertheless, That no such Sale, Grant, Exchange, or Lease shall be made except with the Consent of the Commissioners of Her Majesty's Treasury.

**VII Registry of Documents in Chancery in Scotland not necessary ; but Entry of Memorandum of Deed in Chancery to be sufficient.**

That, notwithstanding the Provisions of the Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, it shall not be necessary, after the passing of this Act, to register or record in the Books kept in the Office of Chancery in *Scotland* any of the Documents by the Seventh Section of the said Act directed to be registered or recorded, but a Minute or Memorandum of every such Conveyance, Deed, or other Document, describing the same, shall be entered in the Minute Book of the Office of Chancery in *Scotland*, and the same shall be taken to be a sufficient Compliance with the Provisions of the said Seventh Section of the last-mentioned Act; and further, that the said Provisions of the said last-mentioned Act, as altered by this Act, relating to the Transmission of Documents to the Office of Chancery in *Scotland*, and other the Provisions of the said Act, as altered by this Act, shall apply to any Conveyance, Deed, or other Document executed by the Commissioners of Her Majesty's Works and Public Buildings in pursuance of the Powers of this Act.