



CHAP. lxxvii.

An Act for effecting a transfer to the Metropolitan Board of Works of the open space known as Hampstead Heath, and for enabling them to preserve, improve, and regulate the same ; and for other purposes. [29th June 1871.] A.D. 1871.

WHEREAS there is in the parish of Saint John, Hampstead, in the county of Middlesex, an open space of large extent known as Hampstead Heath (in this Act called the Heath) :

And whereas it would be of great advantage to the inhabitants of the metropolis if the Heath were always kept uninclosed and unbuilt on, its natural aspect and state being as far as may be preserved, and if for that purpose the Heath were vested in the Metropolitan Board of Works (in this Act called the Board) :

And whereas the Heath is situate within, and is, or is alleged to be, part of the wastes of the manor of Hampstead :

And whereas Sir John Maryon Wilson, Baronet, is or claims to be the lord of the manor of Hampstead, and he is or claims to be able, in conjunction with Spencer Maryon Wilson, Esquire, his eldest son, to make title in fee simple in possession to that manor, and they have entered into an agreement with the Board for the transfer of the Heath to the Board, subject to the sanction of Parliament, and it is expedient that the same be carried into effect :

And whereas it is expedient that the Board be empowered after the vesting of the Heath in them to purchase by agreement rights of common and other rights in and over the Heath, as far as they find the purchase thereof to be necessary for securing the benefit aforesaid, and to extinguish, limit, or regulate the same when purchased :

And whereas it is expedient that the Board be empowered to manage and regulate the Heath when vested in them, and that all proper powers for the several purposes aforesaid be conferred on them :

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And whereas the objects aforesaid cannot be attained without the authority of Parliament:

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; (that is to say,)

Short title.

1. This Act may be cited as *The Hampstead Heath Act, 1871.*

8 & 9 Vict.
c. 18.,
23 & 24 Vict.
c. 106., and
32 & 33 Vict.
c. 18. incor-
porated.

Deposit and
custody of
plan.

2. The provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, as far as the same relate to the purchase of lands by agreement, are hereby incorporated with this Act.

W. 4 &
1 Vict. c. 83.

3. The plan showing the Heath and adjoining lands coloured in portions, as described in the first schedule to this Act, and signed by Gabriel Goldney, Esquire, the chairman of the Committee of the House of Commons to whom the Bill for this Act was referred, shall on the passing of this Act be deposited with and be received by the clerk of the peace for the county of Middlesex, and shall be within the provisions of the Act passed in the first year of Her Majesty's reign (chapter eighty-three), "to compel clerks of the peace for counties and other persons to take the custody of such documents as shall be directed to be deposited with them under the standing orders of either Houses of Parliament," as if it had been deposited with the clerk of the peace in such a case as is provided for by that Act, and the same is in this Act referred to as the deposited plan.

Effect of
schedules.

Extent of pro-
visions as to
Sir J. M. Wil-
son and Mr.
Wilson.

Direction for
transfer by
Sir John
Maryon Wil-
son and Mr.
Wilson.

4. The schedules to this Act shall have effect as part of this Act.

5. The provisions of this Act relating to Sir John Maryon Wilson and Spencer Maryon Wilson shall extend to each of them, their and each of their heirs and assigns.

6. Subject to the terms and conditions in this Act expressed, Sir John Maryon Wilson and Spencer Maryon Wilson shall convey to the Board, in consideration of the sum of forty-five thousand pounds, the Heath as described in the first schedule to this Act, with all trees, shrubs, gorse, and plants growing or being thereon, and all mines and minerals therein or thereunder, and all the rights, members, and appurtenances thereof or belonging thereto, for all the estate and interest therein which are vested in or belong to Sir John Maryon Wilson and Spencer Maryon Wilson.

Delivery of
abstract.

7. On the passing of this Act Sir John Maryon Wilson and Spencer Maryon Wilson shall deliver to the Board an abstract of their title to the manor of Hampstead, and the provisions set forth in the second schedule to this Act shall have effect in relation to the contents, effect, and examination of the abstract, the acceptance of the title, and the conveyance.

8. The Board shall pay the said consideration money of forty-five thousand pounds on the expiration of three months from the passing of this Act, at the office of the Board, and thereupon Sir John Maryon Wilson and Spencer Maryon Wilson, and all other necessary parties (if any), shall execute a proper conveyance of the Heath to the Board. A.D. 1871.
Payment of purchase money and conveyance.

9. Possession of the Heath, and the profits thereof (if any), and the outgoings in respect thereof (if any), shall be had and received and discharged by Sir John Maryon Wilson and Spencer Maryon Wilson for three months from the passing of this Act, and thenceforth by the Board, subject to any such apportionment of profits and outgoings as may be necessary. Time of possession, receipt of profits, &c.

10. If from any cause other than the wilful delay or neglect of Sir John Maryon Wilson and Spencer Maryon Wilson, or either of them, the conveyance to the Board of the Heath is not completed on or before the day of the expiration of three months from the passing of this Act, the Board shall pay interest on the purchase money of forty-five thousand pounds at the rate of five per centum per annum from that day until the completion of the conveyance. Interest in case of non-completion.

11. The Board shall, on the execution of the conveyance, pay to Sir John Maryon Wilson and Spencer Maryon Wilson the sum of two thousand pounds in respect of costs and expenses, which sum shall be in full satisfaction of all claims on their part against the Board in that behalf, except as expressly otherwise provided in this Act. Payment of costs.

12. Subject to the provisions of this Act, the Board shall for ever keep the Heath open, uninclosed, and unbuilt on, except as regards such parts thereof as are at the passing of this Act inclosed or built on, and shall by all lawful means prevent, resist, and abate all encroachments and attempted encroachments on the Heath, and protect the Heath, and preserve it as an open space, and resist all proceedings tending to the inclosure or appropriation for any purpose of any part thereof. Heath to be kept open.

13. It shall not be lawful for the Board to sell, lease, grant, or in any manner dispose of any part of the Heath. Prohibition of alienation, &c.

14. The Board shall not cut turf, or dig gravel, mould, or soil, or fell or cut gorse, heather, timber or other trees, shrubs, or brushwood on the Heath for profit. Prohibition of sale of turf, gravel, &c.

15. The Board shall by virtue of this Act have the following powers; (namely,) Power to drain, &c.

To drain, level, and improve the Heath, as far only as may be in their judgment from time to time requisite, with a view to the

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use thereof for purposes of health and unrestricted exercise and recreation :

To plant trees and shrubs on the Heath for purposes of shelter or ornament, and to make temporary inclosures for the protection thereof.

Preservation of turf, &c.

16. The Board shall at all times preserve, as far as may be, the natural aspect and state of the Heath, and to that end shall protect the turf, gorse, heather, timber and other trees, shrubs, and brush-wood thereon.

Inclosure and planting of specified parts of Heath.

17. Within one year after the passing of this Act, the Board shall, at their own expense, in a proper manner, inclose and plant as ornamental grounds the two portions of the Heath secondly described in the first schedule to this Act, and marked C. and D. on the deposited plan, and shall for ever at their own expense maintain and keep the same as ornamental grounds in good order and condition.

Power to build Heath keepers lodges, &c.

18. Notwithstanding anything in this Act, the Board may erect from time to time on the Heath, and maintain, such convenient or ornamental buildings, of an elevation of not more than twenty feet in any case, as they think requisite for the accommodation of Heath keepers, constables, or other officers, or for other public or useful purposes.

Road to be made.

19. Sir John Maryon Wilson and Spencer Maryon Wilson, or the Board, shall be at liberty at any time after the execution of the conveyance, at the expense of the party exercising this right, with proper materials and in a proper manner to make and form into a public road of the width of not less than 60 feet, fit for the use of carts, waggons, and carriages, the strip of land marked H. and coloured brown on the deposited plan, and the party making that road shall, until it is adopted as a public highway, at their or his own expense, repair and maintain it with proper materials, and in good condition, so as to be fit for use as aforesaid.

Power to make roads.

20. Sir John Maryon Wilson and Spencer Maryon Wilson shall be at liberty at any time, at their own expense, with proper materials and in a proper manner, to the satisfaction of the Board, to convert the driftways or footways coloured brown, and marked E. and F. and G. on the deposited plan, or any or either of them, into public roadways of the width of 60 feet each, and fit for the use of carts, waggons, and carriages ; but any such roadway shall be planted with trees along both sides thereof at the expense of the person making the same, and to the satisfaction of the Board, and the trees shall belong to and be kept up by the Board.

21. The Board may from time to time, subject to the provisions of this Act, make byelaws for all or any of the following purposes ; (namely,)

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Power to
make bye-
laws.

For prevention of nuisances and preservation of order on the Heath :

For exclusion and removal therefrom of gipsies, hawkers, beggars, rogues, and vagabonds :

For prevention of the posting of bills or placards on the fences, walls, or trees, or elsewhere on the Heath :

For prevention of bird-catching, bird-trapping, robbing of birds eggs or nests, and shooting or chasing of game or other animals thereon :

For prevention of the digging or taking thereon or therefrom of turf sods, bog-earth, gravel, clay, or other substances :

For prevention of the cutting, felling, or injuring thereon of gorse, heather, timber or other trees, shrubs, brushwood, or other plants :

For regulation of assemblages of persons thereon, and of sports and games played thereon :

For regulation of the use of animals and carriages let out for hire thereon :

For control of drivers of carriages, and persons letting out for hire or using animals or carriages thereon :

Generally for prevention or restraint of acts and things tending to the injury or disfigurement of the Heath, or to interference with the use thereof by the public for purposes of exercise and recreation.

22. The provisions of the Metropolis Management Act, 1855, respecting the making, contents, confirmation, approval, publication, and evidence of byelaws, and of proceedings before justices, and recovery of penalties thereunder, shall extend and apply to byelaws under this Act, and byelaws under this Act shall be deemed byelaws within the Metropolis Management Act, 1855, and Acts amending the same.

Regulations
respecting
byelaws.

23. With respect to the byelaws of the Board under this Act, the following further provisions shall have effect ; (namely,)

Allowance
of byelaws.

(1.) Byelaws shall not have any force unless and until they are allowed by one of Her Majesty's Principal Secretaries of State :

(2.) Byelaws shall not be allowed unless notice of the intention to apply for allowance thereof, and of the effect of this section, has been published by the Board one month at least before the application, by advertisement in two morning daily papers published in London or Middlesex :

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(3.) During one month at least before the application, a copy of the byelaws to be submitted for allowance shall be kept at the office of the Board, open for inspection by persons interested, and the Board shall furnish a printed copy thereof to every person applying for the same on payment of a sum not exceeding one shilling for each copy; and a printed copy of byelaws of the Board under this Act, authenticated by their seal, shall be conclusive evidence of the existence, contents, due making, confirmation, publication, and allowance thereof, without proof of such seal or of any other thing.

Byelaw as to prohibition of drill.

24. No byelaw which shall extend to the prohibition of military drill on the Heath shall have any force until it has received the sanction of the Secretary of State for War.

Appointment of constables, &c.

25. The Board may from time to time appoint officers for securing the execution of this Act and byelaws thereunder, and may procure any such officers to be sworn in as constables.

Powers and duties of police over Heath.

26. For purposes of enactments empowering the metropolitan police, the Heath shall be deemed a place of public resort, and the powers and duties of the metropolitan police in relation to the public safety and the preservation of order and protection of property shall extend to the Heath and to buildings and structures thereon, but nothing in this section shall extend the liability to police rates to any property that would not have been liable thereto if this Act had not been passed.

Arrest of transient offenders.

27. Any constable or any officer of the Board, and any person called to the assistance of such constable or officer, may without other warrant than this Act seize and detain any person committing or having committed any offence against this Act, or any byelaw thereunder, whose name or residence is unknown to such constable or officer, and shall convey him with all convenient speed before a justice, to be dealt with according to law.

Penalty for assaulting constables, &c.

28. If any person assaults or resists, or aids or incites any person to assault or resist, any constable or any officer of the Board, or other person, in the execution of his duty, or the lawful exercise of any authority under this Act, or any byelaw thereunder, he shall for every such offence be liable, on summary conviction, to a penalty not exceeding five pounds, without prejudice to any other proceeding or remedy against him.

Provision in respect of land coloured yellow on deposited plan.

29. The piece of land coloured yellow on the deposited plan shall go, remain, and be as if no agreement for sale of the Heath to the Board had been made and this Act had not been passed, save that the same shall be by virtue of this Act absolutely freed and

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from all rights of common, commonable rights, rights of way, or other rights, estates, interests, and privileges in, over, or affecting the Heath, or the wastes of the manor of Hampstead; and to make full compensation in respect of any such right, estate, interest, or privilege, if and when the same is claimed, and the amount of such compensation to be ascertained and determined subject and according to the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869.

30. Subject to the provisions of this Act and the provisions incorporated with this Act, the Board may from time to time, after the conveyance of the Heath to the Board, purchase by agreement all such rights of common, commonable rights, rights of way, and other rights, estates, interests, and privileges in, over, or affecting the Heath, as they think it requisite to acquire for the better execution of this Act, and for that purpose every such right, estate, interest, or privilege shall be deemed lands.

Power to purchase commonable rights, &c.

31. When the Board have purchased under this Act any right of common, commonable right, right of way, or other right, estate, interest, or privilege in, over, or affecting the Heath, they may, as they think most expedient, with a view to securing the free use of the Heath by the public for purposes of exercise and recreation, and the better execution of this Act, either extinguish the same, or retain, hold, and exercise the same wholly or partially.

Power to extinguish rights of common, &c. when purchased.

32. The Board in any case, if they think fit, instead of purchasing wholly any right of common, commonable right, right of way, or other right, estate, interest, or privilege in, over, or affecting the Heath, may by agreement purchase the same partially, or purchase a right to impose limitations or restrictions on the same, and otherwise to regulate the exercise and enjoyment thereof, and may from time to time exercise all such powers as are conferred on them by any such agreement.

Power to limit rights of common by agreement, &c.

33. The Board may from time to time purchase by agreement, subject and according to the provisions incorporated with this Act, or accept a grant of and hold any land unbuilt on, having been or reputed to have been formerly part of the Heath, and any such land when vested in the Board shall for the purposes of this Act be deemed part of the Heath, and the Board may from time to time, with respect to any land having been or reputed to have been formerly part of the Heath, accept for a valuable consideration or otherwise from the owner of or person holding the same a covenant against building thereon, and may from time to time enforce any such covenant.

Power to purchase or accept lands formerly part of Heath, &c.

34. Nothing shall be done affecting the Board or the Heath at any court of the manor of Hampstead without previous notice in

Notice of proceedings at courts,

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and protest
by Board.

writing to the steward of the manor, and on receiving notice the steward shall communicate the same to the Board shall thereupon be entitled, if they think fit, to appoint a person or persons to be their agents, and to be appointed in this behalf, by writing under their hands and seals to the court to which the notice relates, and to protest against any scheme there proposed that would affect them or the Heath, and a protest shall be entered on the rolls of the court.

Power to
take pro-
ceedings as
commoners.

35. The Board shall be capable of taking, and may from time to time, if they think fit, with a view to the protection and preservation of the Heath, take any such proceedings as a person having a right of common on the Heath or any part thereof is capable of taking, and for that purpose the Board shall have all the rights, powers, and remedies of a person having such a right of common.

Saving for
rights of
common.

36. Nothing in this Act (except the provisions respecting the piece of land coloured yellow on the deposited plan) shall take away or prejudicially affect any right of common, commonable right, right of way, or other right, estate, interest, or privilege in, over, or affecting the Heath, and every such right, estate, interest, or privilege shall be and remain in all respects as if this Act had not been passed.

Power to
apply exist-
ing funds.

37. The Board may apply for purposes of this Act any money raised or authorised to be raised by them under any other Act, and not required for the purposes of that other Act.

Power to
borrow.

38. The Board may borrow such money as they from time to time require for purposes of this Act, not exceeding in the whole fifty-five thousand pounds, and all the provisions of the Metropolitan Board of Works (Loans) Act, 1869, (except the limitation of amount in section thirty-eight of that Act,) shall extend and apply to such borrowing.

Act not to
confer in-
terest, &c.,
and saving
for Board.

39. Nothing in this Act (except the provisions respecting the piece of land coloured yellow on the deposited plan) shall confer, enlarge, or confirm on, in, or to any person, or on, in, or to any corporation, company, or body other than the Board, any right, estate, interest, or privilege in, over, or affecting the Heath, and nothing in this Act shall take away, abridge, or prejudicially affect any right, power, or authority that the Board, or any officer or servant of the Board, or any constable, would have enjoyed or might have exercised if this Act had not been passed.

Restraint on
building by
companies,
&c.

40. Nothing in this Act shall authorise any company, body, or person, or any parochial or other authority, to put up at any time any building or structure on the Heath, either on the parts thereof heretofore usually covered with water or elsewhere.

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discharged from
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41. Nothing in previous consent England under the Esquire, respectively for the time being or interfere with and the said Thomas means of certain gates shown on a plan verified in triplicate by the signatures of Henry Shrubsole on behalf of the Board, and of Messrs. White, Borrett, & Co. on behalf of the said commissioners and of the said Thomas Spencer Wells, or shall enable the Board to take or interfere with the use by the said commissioners and the said Thomas Spencer Wells, and their respective tenants, of the road or public way on the Heath leading from Telegraph Hill to Golder's Hill, and the access to the said road from the said gates.

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For protec-
tion of T. S.
Wells and
others.

42. The Board shall not, otherwise than by agreement with the provost of the College Royal of the Blessed Mary of Eton, near unto Windsor in the county of Bucks, commonly called the King's College of Our Blessed Lady of Eton, nigh or by Windsor in the said county of Bucks, and the same college, their successors, lessees, and undertenants, take or in any manner interfere with the road which, as appears by the deposited plan, leads out of the public highway called the Spaniard's Road in a north-westerly direction for a distance of 250 yards or thereabouts, and then runs in a south-westerly direction for a distance of 400 yards or thereabouts along or near to part of the boundary of an estate called Wyld's Estate, belonging or reputed to belong to the said provost and college, situate in the parish of Hendon in the county of Middlesex, and then, running in a south-easterly direction for a distance of 150 yards, leads into the public highway at North End in the parish of Hampstead, nor otherwise than by agreement as aforesaid take or in any manner interfere with the soil of the said road or any part thereof, or any of the approaches thereto from the said Wyld's estate, or any right of way over or along the said road or any part thereof; and for the purposes of this provision the said road shall be deemed to include the entire space lying between the said road and the boundary of Wyld's estate, and also a branch of the said road leading to a well outside the boundary of Wyld's estate, and near to the farmhouse called the Heath Farmhouse on the said estate.

For protec-
tion of Eton
College.

43. Nothing in this Act shall authorise the Board, without the consent in writing of the mayor and commonalty and citizens of the city of London, and of the governor and company of the New River, to take, acquire, or in any way interfere with any of the ponds, pipes, rights, powers, and privileges of the same corporation

For protec-
tion of New
River ponds,
&c.

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and company, or either of them, or to divert, abstract, or diminish the quantity of water flowing into those ponds at the passing of this Act.

Compensation as to North Metropolitan Railway.

44. All right to compensation under the North Metropolitan Railway Acts, 1866 and 1867, or either of them, is hereby reserved to Sir John Maryon Wilson and Spencer Maryon Wilson, so that the same, notwithstanding this Act, shall be payable to them or Spencer Maryon Wilson alone (if he alone is entitled to the same at the time of payment), in the same manner as if they or he were still owners or owner of the lord's rights in the Heath, and as if this Act had not been passed.

Arbitration as to effect of Act, boundaries, &c.

45. If any difference arises between the Board on the one hand, and any of the following persons or bodies on the other hand, (namely,) Sir John Maryon Wilson and Spencer Maryon Wilson, the provost and fellows of Eton College, the mayor and commonalty and citizens of the city of London, the governor and company of the New River, the Ecclesiastical Commissioners for England, Thomas Spencer Wells, and the North Metropolitan Railway Company, respecting the construction or effect of any of the provisions of this Act, or respecting anything done or omitted or required or authorised to be done or omitted thereunder, or respecting the position or extent of any boundary, inclosure, road, or other thing shown or intended to be shown on the deposited plan, then and in every such case the same may be referred to arbitration, and the provisions of the Common Law Procedure Acts respecting arbitrations shall apply to every such arbitration, and the arbitrator shall be a person agreed on between the parties, or in default of such agreement then a competent and impartial person appointed by the First Commissioner of Her Majesty's Works and Public Buildings, and the arbitrator shall have power to direct what is to be done on all matters in difference, including (if need be) the placing of boundary stones or other marks, or the severance in any other manner from the Heath of any land adjoining thereto, and the decision and directions of the arbitrator shall be final and binding on the parties, and the costs of the arbitration shall be in his discretion.

Expenses of Act.

46. The costs, charges, and expenses preliminary to, and of and incidental to, the preparing, applying for, obtaining, and passing of this Act shall be paid by the Board.

THE SCHEDULES.

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THE FIRST SCHEDULE.

DESCRIPTION OF HEATH.

1. All that portion of the waste lands of the manor of Hampstead, called Hampstead Heath, shown on the deposited plan by being coloured red.

2. All those two other portions of the waste lands of the same manor, shown on the same plan by being coloured red, and being respectively surrounded by a line coloured brown, and being respectively marked C. and D.

3. All those pieces of land usually covered with water, being other portions of the same waste lands or of the soil of the same manor shown on the same plan by being coloured blue, and respectively marked A. and B. and B.

4. All those four strips of land, other portions of the same waste lands, shown on the same plan by being coloured brown, and being respectively marked E. and F. and G. and H. (the strip of land marked H. being the site of a road intended to be made to the northward of Telegraph Hill).

THE SECOND SCHEDULE.

CONDITIONS RESPECTING TITLE AND CONVEYANCE.

1. The title shall commence with the will of Sir Thomas Maryon Wilson, Baronet, who died in 1821, which will is dated the 5th of September 1806.

2. The Board shall, without questioning the fact on any ground whatever, assume that the manor of Hampstead has a legal existence, and that the said Sir Thomas Maryon Wilson was, both at the date of his will and at that of his death, seised of that manor for an estate of inheritance in fee simple therein, and that the whole of the property comprised in the first schedule to this Act is waste of that manor.

3. The Board shall not be entitled to, and shall not require the production of, or investigate or make any objection or requisition in respect of the prior title to the manor, or to the property described in the first schedule to this Act, whether such title appears on the abstract or in any deed referred to therein, by recital, statement, covenant for production, implication, or otherwise, or does not appear.

4. Every deed and document dated more than twenty years before the passing of this Act shall be conclusive evidence of everything recited, stated, noticed, assumed, or implied therein.

5. The expense of the production, inspection, and examination, and of making and furnishing abstracts of all deeds, documents, evidences, and muniments of title (if any) not in the possession of Sir John Maryon Wilson and Spencer

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A.D. 1871. Maryon Wilson, or either of them, and of obtaining, making, and producing all office, attested, and other copies of or extracts from records, registers, deeds, wills, probates, letters of administration, and other documents, whether in the possession aforesaid or not, and of obtaining, making, and producing all declarations, certificates, and other evidence whatsoever not in the possession aforesaid, and of obtaining any information not in the knowledge of Sir John Maryon Wilson and Spencer Maryon Wilson, or either of them, whether such production, inspection, examination, copies, extracts, declarations, certificates, or other evidence or information shall be required for the completion of verification of the title or abstract, or for any other purpose, shall be borne by the Board, and the Board shall also bear the expense of all searches, inquiries, and journeys for the above purposes, or any of them, and shall not require the production of any deed or other document not in the possession aforesaid of which an attested copy is produced.

6. The conveyance to the Board, and every other assurance and act (if any) required by the Board for getting in, surrendering, or releasing any outstanding estate, right, title, or interest, or for completing the title of Sir John Maryon Wilson and Spencer Maryon Wilson, or either of them, or for any other purpose, shall be prepared, made, and done by or for and at the expense of the Board, and every such assurance shall be sent not less than 21 days before the expiration of three months from the passing of this Act to the solicitors of Sir John Maryon Wilson and Spencer Maryon Wilson, and the expense of the perusal on behalf of and execution and acknowledgment by all parties (other than Sir John Maryon Wilson and Spencer Maryon Wilson) of all assurances as aforesaid shall be borne by the Board.

7. Sir John Maryon Wilson and Spencer Maryon Wilson shall retain such muniments of title as relate to property not described in the first schedule to this Act, and enter into the usual covenants with the Board for the production and furnishing of copies thereof, such covenants to be prepared by and at the expense of the Board, and to be made determinable on Sir John Maryon Wilson and Spencer Maryon Wilson parting with those muniments, and procuring without expense to the Board the person to whom they are delivered to enter into similar covenants with and to the satisfaction of the Board.

8. The Board shall send their objections and requisitions (if any) in respect of the title and all matters appearing on the abstract or this Act to the solicitors of Sir John Maryon Wilson and Spencer Maryon Wilson within 21 days from the day of the delivery of the abstract, and in this respect time shall be of the essence of the contract, and in default of such objections and requisitions (if none), and subject only to such (if any), shall be deemed to have accepted the title.