ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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C A P. XCV.

An Act for transferring the Duties of paving, lighting, watering, and cleansing Parts of the Crown Estate in the District of the *Regent's Park* and certain Streets and Places in *Westminster* from the Commissioners acting under several Acts of Their late Majesties King *George* the Fourth and King *William* the Fourth to the Parishes; and for transferring the Jurisdiction of the said Commissioners over certain other Places in *Westminster* to the Commissioners of Her Majesty's Works and Public Buildings; and for other Purposes. [7th *August* 1851.]

WHEREAS by an Act of the Fifth Year of the Reign of King *George* the Fourth, Chapter One hundred, 5 G. 4. c. 100.
the Lord High Treasurer and the Commissioners of His then Majesty's Treasury for the Time being, and the Commissioners of His Majesty's Woods, Forests, and Land Revenues for the

Time being, and such other Persons as should be elected and appointed under the Provisions of the said Act, were constituted Commissioners for the Purposes thereof; and Three several Plans made for defining the Limits within which their Jurisdiction should be exercisable, the First of such Plans marked No. 1. and intituled "Plan of the Crown "Property in the *Regent's Park*," the Second marked No. II. and intituled "Plan of the new Street," and the Third marked No. III. and intituled "Plan of the Crown Estate in the Neighbourhood of "*Charing Cross Street*, *Whitehall*, *Privy Gardens*, and *Richmond* "*Terrace*," were required, after being authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, to be deposited with the Commissioners of His Majesty's Woods, Forests, and Land Revenues; and among the Authorities vested in the said Commissioners they were empowered to pave, maintain, light, water, cleanse, and regulate the Footways and Carriageways of all Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places respectively delineated in the said Plan marked No. 1., and situate on the North Side of the new Road, with the Exception of the Carriageway of certain Roads round the *Regent's Park* coloured Purple on the said Plan, and of all the Streets and Portions of Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places delineated and distinguished by the Brown Colour on the said Plan marked No. II., and not situate within either of the Parishes of *Saint Mary-le-bone* and *Saint Martin in the Fields*, and of all the Streets, Squares, Circuses, Terraces, Ways, Courts, Passages, and Places delineated on the said Plan marked No. III., and to levy Rates and to borrow Money for the said several Purposes; and the said Commissioners were thereby also constituted Commissioners of Sewers for maintaining a principal Sewer made from the *Regent's Park* to *Charing Cross*, and thence to the River *Thames*, and for maintaining and effecting the proper Sewerage and Drainage of all the Premises comprised in the said several Plans: And whereas by an Act of the Sixth Year of the Reign of King *George* the Fourth, Chapter Thirty-eight, such Parts of *New Palace Yard*, *Saint Margaret Street*, and *Old Palace Yard*, and the Streets and Places adjoining thereto as were then, as to the paving, lighting, and cleansing thereof, under the Charge and Management of the Surveyor General of His then Majesty's Works, the same being delineated on a Plan marked No. IV. and authenticated and deposited in the same Manner with the said former Plans, and so much also of the Street in front of the Admiralty Office, and its Appurtenances, as was then or had been vested in the Lord High Admiral or the Commissioners of the Admiralty, or his or their Secretary on their Behalf, were placed, as to the paving, lighting, and cleansing thereof, respectively under the Charge and Management of the Commissioners acting in execution of the first-recited Act, who were

6 G. 4. c. 38.

were empowered to levy Rates and borrow Money also for the last-mentioned Purposes; and it was enacted that the Commissioners of the Admiralty and their Secretaries for the Time being should, conjointly with the before-mentioned Commissioners, be Commissioners for executing both the said Acts: And whereas by an Act of the Ninth Year of the Reign of King *George* the Fourth, Chapter Sixty-four, certain other Plans respectively marked with the Numbers 5, 6, and 7 were directed to be authenticated and deposited in the same Manner with the said former Plans, and the Streets called *Parliament Street* and *Bridge Street*, and the Terrace or Foot Pavement of *New Palace Yard*, respectively delineated on the said Plan No. 7, and which were then, as to the paving, lighting, watering, and cleansing thereof, under the Charge and Management of the Committee for paving the Parishes of *Saint Margaret* and *Saint John the Evangelist*, were, for the same Purposes, placed under the Charge and Management of the Commissioners acting in execution of the Two first-recited Acts; and the Carriageway also of the Road called "The *Albany Road*," extending from the North Side of the *New Road* to the Western End of the Bridge over the *Regent's* Canal called the *Collateral Cut Bridge*, and being Part of the Roads coloured Purple on the Plan No. I. referred to in the first-recited Act, was, as to the Maintenance, Cleansing, and Regulation thereof, placed under the Charge and Management of the same Commissioners, and they were further authorized to pave, maintain, light, water, cleanse, and regulate all the Streets, Squares, Terraces, Passages, and Places made and laid out or to be made and laid out on the Site of *Carlton Palace* and of the Gardens thereof, coloured Blue on the said Plan marked No. 5, and the Carriageway of *Pall Mall* extending from the Eastern to the Western Side of *Waterloo Place* and the Foot and Carriage Ways of any Street or Streets to be made on the Site of Two Houses then numbered 92 and 93 in *Pall Mall*, and they were authorized to levy Rates, and to borrow Money for defraying the consolidated Expenses of paving, repairing, cleansing, lighting, and watering all the Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places by the said former Acts and that Act respectively directed to be paved, repaired, cleansed, lighted, and watered by them, except certain Mews, called the *Westminster Mews*, delineated on the said Plan No. 6, and the Expenses whereof incurred for the Purposes aforesaid were to be separately provided for by Rates to be laid thereon; and it was enacted, that His then Majesty, His Heirs and Successors, in respect of any public Buildings situate within the Limits of either of the Two first-recited Acts or of that Act, should be liable to be rated and assessed for the Purposes of such Acts in like Manner as the Owners of other public Buildings within the like Limits, and the said Commissioners were appointed Commis- 9 G. 4. c. 64.

Commissioners of Sewers for maintaining also other Sewers and Drains thereby subjected to their Charge and Jurisdictions: And whereas by an Act of the Second Year of the Reign of King *William* the Fourth, Chapter Fifty-six, the Streets called *Great George Street*, *Little Bridge Street*, and Part of the Street leading from *Great George Street* to *Saint Margaret's* Churchyard, as to the paving, lighting, cleansing, and watering thereof, and the Carriageways of *Cockspur Street* and *Charing Cross Street*, as to the paving, watering, and cleansing thereof, were placed under the Charge and Management of the Commissioners executing the before-recited Acts, and Two several Plans made for ascertaining the Streets and Places, and Parts of Streets and Places, to be placed for the several Purposes aforesaid under the Charge and Management of the said Commissioners, the one of such Plans marked No. 8, and comprising the Carriageways of *Cockspur Street* and *Charing Cross Street*, thereon coloured Yellow, and the other marked No. 9, comprising *Great George Street*, *Little Bridge Street*, and the said Portion of the Street leading from *Great George Street* to *Saint Margaret's* Churchyard respectively, thereon coloured Pink, were required to be authenticated and deposited in the same Manner with the said former Plans, and the said Commissioners were further authorized to levy Rates for defraying the consolidated Expenses of paving, repairing, cleansing, lighting, and watering all the several Streets, Squares, Circuses, Terraces, Roads, Ways, Courts, Passages, and Places comprised in the several before-recited Acts or that Act, except the said Mews called *Westminster Mews*, and for other the Purposes of that Act; and it was enacted, that His then Majesty, His Heirs and Successors, as Owner or Owners of any public Buildings within the Limits of any of the said former Acts or that Act, should be liable to be rated and assessed for the Purposes of such Acts in like Manner as the Owners of other public Buildings within the same Limits, but the Committee for lighting and paving the Parish of *Saint Martin in the Fields* were thereby required to pay to the said Commissioners the clear annual Sum of Six hundred and fifty-three Pounds, by equal half-yearly Portions, on the Twenty-fourth Day of *June* and the Twenty-fourth Day of *December* in every Year, in aid of the said Rates, in consideration whereof it was provided that the said Commissioners should not lay any Rates under the foregoing Power upon any Buildings or Spaces of Ground abutting on or fronting the Footways of *Cockspur Street* and *Charing Cross Street* unless the said annual Sum should be in arrear; and it was enacted, that the Monies to be collected and received by the Commissioners for executing the said Act from the Rates thereby directed to be laid and assessed by them for the Purposes aforesaid, and in respect of the said annual Sum of Six hundred and fifty-three Pounds, should be applied

2 & 3 W. 4. c. 56.

applied by them, after discharging thereout the Expenses attending the obtaining and passing of that Act, in the next place, in paying the Interest of all Principal Monies which had been borrowed under the said former Acts or any of them, or to be borrowed under the Powers of that Act, and subject thereto in defraying the consolidated Expenses of paving, repairing, cleansing, lighting, watering, and regulating the several Streets and Places by the said former Acts and that Act respectively directed or authorized to be paved, formed, repaired, cleansed, lighted, and watered by the said Commissioners, except the said Mews called *Westminster Mews*, and in paying off the Principal Monies borrowed or to be borrowed as aforesaid; and the said Commissioners were authorized to borrow Money on the Credit of the said Rates and annual Sum for any of the Purposes to which the Monies to arise from the said Rates were thereby made applicable: And whereas the Commissioners executing the several recited Acts have from Time to Time raised for the herein-before stated Purposes thereof various Sums of Money by way of Loan, in addition to the Rates received by them for the same Purposes, and they are subject to a Debt of Fourteen thousand Pounds, the Balance (which has not yet been discharged) of such Loans: And whereas it is expedient to transfer the paving, maintaining, lighting, watering, and cleansing of certain of the Streets and other Places subjected for those Purposes by the said several Acts to the Jurisdiction of the said Commissioners to the Charge and Management of the Parishes within which the same Streets and other Places are respectively situate, or of the Persons having the like Charge and Management of other Streets and Places within such Parishes respectively, and to transfer the like Jurisdiction of the said Commissioners over other Parts of the said Streets and Places in the Neighbourhood of the Houses of Parliament to the Commissioners of Her Majesty's Works and Public Buildings, and to amend the Provisions of the said Acts: 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:

Expedient to transfer the Powers of paving, &c. Regent Street to the Parishes.

Of the Streets in Neighbourhood of Houses of Parliament to the Commissioners of Works, &c.

I. The Lord High Treasurer or the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and the Commissioners of Her Majesty's Works and Public Buildings, for the Time being, and such Persons as shall from Time to Time be appointed for this Purpose under the Provisions of this Act, shall be the Commissioners for carrying the several recited Acts, so far as the subsisting Provisions thereof respectively are not hereby repealed or altered, and this Act into execution,

Appointment of Commissioners.

and the Powers vested in any other Commissioners by or under the Authority of the recited Acts or any of them shall cease.

Meetings of Commissioners.

II. The First Meeting of the Commissioners acting under the Authority of this Act may be convened by Notice or Summons in the Manner provided by the first-recited Act for the calling of a Meeting of Commissioners where there should have been no Adjournment of a preceding Meeting; and all other the Provisions of the said Acts relating to General or Special Meetings of the Commissioners executing the same, and to the Proceedings of such Meetings, shall be applicable, as nearly as the Circumstances will require or permit, to the Meetings of the Commissioners acting under the Authority of this Act, and to their Proceedings at such Meetings.

Power to appoint additional Commissioners.

III. It shall be lawful for the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, and the Commissioners of Woods, Forests, and Land Revenues, and the Commissioners of Works and Public Buildings, for the Time being, present at any Meeting of the Commissioners executing this Act, and not being less than Three in Number, to appoint any Person or Persons to be a Commissioner or Commissioners, and every such Appointment shall be entered among the Proceedings of the Meeting at which the same shall be made, and every such appointed Commissioner shall have the same Powers and Authorities as if he had been appointed a Commissioner by this Act for carrying this Act and the subsisting Provisions of the recited Acts into execution, but shall be subject also to the like eventual Disqualifications and to the like eventual Penalties as any Commissioner to be elected and appointed under the Authority of the firstly-recited Act was under the like Circumstances eventually subjected to by virtue of the Fourth and Fifth Sections of that Act.

Commissioners to have all the Powers and Property, and to be liable to all the Debts and Engagements of old Commissioners.

IV. All the Powers, Authorities, Monies, Property, Rights, and Credits of the Commissioners executing the several recited Acts, and the Benefit of all Securities, Contracts, and Engagements made to them, or to any of their Officers on their Behalf, and all the Debts, Duties, Engagements, Contracts, and Liabilities of the same Commissioners, shall stand transferred by virtue of this Act to the Commissioners for the Time being acting in execution hereof, and shall respectively be recoverable and enforceable accordingly by or against the last-mentioned Commissioners, by themselves or their Officers respectively, as fully and effectually as if they were the Commissioners appointed by or under the Authority only of the recited Acts, and continuing to execute the same Acts; and all Actions, Suits, and Proceedings commenced by or against the said former Commissioners, or any of their Officers on their Behalf, may be continued by or against the

the Commissioners executing this Act or their like Officers as if there were no Change of Commissioners, except only so far as any such Rights, Credits, Securities, Contracts, Debts, Duties, Engagements, and Liabilities respectively are by this Act expressly determined.

Short Title of Act.

V. This Act may be cited in all other Acts and Instruments and in all legal Proceedings by the short Title of "The Crown Estate Paving Act, 1851."

Jurisdiction of Commissioners and of Parishes, and of Commissioners of Woods, &c. defined by Plans.

VI. The following Plans which have been prepared for the Purposes of this Act, namely, a Plan, marked A, being of the Crown Estate in and near the present *Regent's Park*, and comprising the same Area, now distinguished by different Colours, with that comprised in the Plan No. 1, referred to in the firstly-recited Act; and secondly, a Plan, marked B, comprising all the Streets and other Places comprised in the Plan No. II., referred to in the firstly-recited Act, and of which the Streets coloured Brown in the Centre thereof upon the same Plan were as to the paving, lighting, watering, and cleansing thereof subjected to the Charge and Management of the said former Commissioners, and all the Streets and other Places comprised in the said Plan No. 5, referred to in the thirdly-recited Act, and of which the Streets coloured Blue upon the same Plan were as to the paving, lighting, watering, and cleansing thereof subjected to the Charge and Management of the same Commissioners, and the Carriageway of *Pall Mall* extending from the Eastern to the Western Side of *Waterloo Place*, and the Street formed on the Site of the said Two Houses, formerly numbered 92 and 93 in *Pall Mall*; and thirdly, a Plan, marked C, comprising the Carriageways of *Cockspur Street* and *Charing Cross Street*, coloured Yellow on the Plan No. 8, referred to in the fourthly-recited Act, and all the Streets and other Places comprised in the Plan No. 3, referred to in the firstly-recited Act, and also the Street in front of the Admiralty Office and its Appurtenances referred to in the secondly-recited Act, and also *Parliament Street* and *Bridge Street*, Part of the Streets and Places comprised in the said Plan No. 7, referred to in the thirdly-recited Act, and also *Great George Street* and *Little Bridge Street*, and Part of the Street leading from *Great George Street* to *Saint Margaret's* Churchyard, respectively coloured Pink on the Plan No. 9, referred to in the said fourthly-recited Act, all which said Streets and Parts of Streets were by the several last-mentioned Acts subjected as to the Charge and Management of the said Commissioners for the Purposes aforesaid; and fourthly, a Plan, marked D, comprising the said Mews called *Westminster Mews*, and being similar of Extent to the said Plan No. 6, referred to in the said thirdly-recited Act; and lastly, a Plan, marked E, comprising all such Parts of *New Palace Yard*, *Saint Margaret Street*, and *Old Palace Yard*, and the adjoining Streets and Places

Places as were comprised in the said Plan No. 4, referred to in the secondly-recited Act, and also *Abingdon Street* and *Little Abingdon Street*, and the Terrace or Foot Pavement of *New Palace Yard*, Part of the Places comprised in the said Plan No. 7, referred to in the said thirdly-recited Act, all which said several Streets and Places are coloured Pink in the said Plan marked E, shall be authenticated each by the Signature of the Right Honourable the Speaker of the House of Commons, and shall be deposited with and remain in the Custody of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and One Copy of each of the said Plans, signed by the said Speaker, shall be deposited in the Parliament Office, and One other Copy, so signed, shall be deposited with the Clerk of the Peace for the County of *Middlesex*, and that all Persons shall at all seasonable Times have Liberty to inspect the Copy of the said Plans so deposited with the Clerk of the Peace at their Pleasure, paying the Sum of One Shilling for each such Inspection, and to take Copies from the said Plans or either of them, or of any Part or Parts thereof, paying the Sum of One Shilling for every Copy so taken; and the said Plans or the Copies thereof, authenticated as aforesaid, shall be received in Evidence in all Proceedings relating to the Jurisdiction of the said Commissioners and the Execution and Provisions of this Act.

Power of Commissioners acting under 5 G. 4. c. 100. to cease.

VII. All the Power and Duty of the Commissioners appointed by or under the Authority of the recited Acts or any of them, or this Act, to pave, repair, light, water, and cleanse the several Carriageways and Footways now subsisting, or which may hereafter be made on the Ground or Area distinguished by the Brown Colour on the said Plan A, or for the sinking or maintaining of Wells or Pumps for the Purposes of such watering, or to levy, assess, or recover any future Rates upon or from any Houses, Shops, Buildings, Ground, or Properties comprised within the Limits coloured Brown upon the said Plan, or the Occupiers or Owners thereof, for defraying the Expenses of paving, repairing, lighting, watering, or cleansing any Streets or other Places thereon or elsewhere, or for paying the said Debt of Fourteen thousand Pounds, or the Interest thereof, shall cease and determine, but without Prejudice to any Rights or Remedies of the said Commissioners or their Officers for the Recovery of any Rates which may be due and in arrear when this Act shall come into operation, or any Damages or Costs relating to such Arrears, which Rights and Remedies shall be available to and enforceable by the Commissioners executing this Act, or their Officers, as fully and effectually as the same would have been available or enforceable by the Commissioners executing the recited Acts, or their Officers respectively, if this Act had not been passed; and the Authorities limited by the Twenty-second Section of the firstly-recited Act to

the Lord High Treasurer, or the Lords Commissioners of the Treasury, and the Commissioners of Woods, Forests, and Land Revenues, shall not enable them to subject any other Streets or Places within the Limits coloured Brown on the said Plan A. to the Charge or Management of the Commissioners executing this and the recited Acts, so far as relates to the paving, lighting, watering, and cleansing thereof, or for any of the said Purposes.

Defining the Jurisdiction of the Commissioners of the Southampton Paving Trust.

VIII. The paving, repairing, lighting, watering, and cleansing of all the present and future Carriageways and Footways on so much of the Ground or Area coloured Brown on the said Plan A. as is situate in the Parish of *Saint Pancras* shall be under the Charge or Management of the Commissioners of the *Southampton* Paving Trust, in whom the general Duty of paving, repairing, lighting, watering, and cleansing the public Carriageways and Footways of the adjoining Portion of the said Parish is vested, and who are authorized and required to cause the said Carriageways and Footways hereby transferred to their Charge and Management to be paved, repaired, lighted, watered, and cleansed accordingly; and all the Powers and Authorities vested or to be vested in the said Commissioners for the paving, repairing, lighting, watering, and cleansing of the other Carriageways and Footways under their Management, and for raising Funds for those Purposes by Rates to be assessed on the Houses, Shops, Buildings, Ground, and Properties within their Jurisdiction or otherwise, shall extend and be applicable to the Streets and other Places hereby subjected for the like Purposes to their Charge and Management, and to the Houses, Shops, Buildings, Ground, and Properties on the Area or Site coloured Brown on the said Plan A, and situate within the same Parish, and shall be exerciseable accordingly; and so much of the said Ground or Area coloured Brown shall to all Intents and Purposes form Part of the said *Southampton* Paving Trust, and be subject to the Provisions of any Act or Acts for the Regulation or Management of such Trust.

Property of Pavements, Lamps, and Lamp Irons in District transferred to Southampton Paving Trust to belong to that Trust.

IX. The Property of all the subsisting Pavements of the Carriageways and Footways transferred by this Act to the Charge and Management of the said last-mentioned Commissioners, and of all the Lamps, Lamp Irons, Posts, and Rails, Wells and Pumps thereon, now respectively belonging to the Commissioners executing the recited Acts, shall be vested by virtue of this Act in the said Commissioners of the *Southampton* Paving Trust, who shall have all the same Remedies for the Protection and Recovery thereof and against Injury thereto as are or shall be available to them for the Protection and Recovery of or against Injuries to any Materials or Articles of the like Nature belonging to any other Carriageways and Footways under their Management.

Crown Estate Paving.

Southampton Paving Trust to pay 2,435*l.* in part Discharge of existing Debt of 14,000*l.*

X. The said last-mentioned Commissioners shall nevertheless pay to the Commissioners executing this Act, as a proportionate Contribution towards the said remaining Debt of Fourteen thousand Pounds incurred for the general Purposes of the said former Acts and the Interest thereof, the Principal Sum of Two thousand four hundred and thirty-five Pounds on or before the Twenty-fourth Day of *June* One thousand eight hundred and fifty-two, with Interest thereon in the meantime, to be computed from the Day on which this Act shall come into operation up to the Payment of the said Principal Sum at the Rate of Four Pounds *per Centum per Annum*, which said Principal and Interest Monies shall respectively be applied forthwith, or as soon as shall be practicable after the Receipt thereof by the said Commissioners, towards Payment of the said Debt of Fourteen thousand Pounds and the Interest thereof.

Jurisdiction of the Vestry of Saint Marylebone.

XI. The paving, repairing, lighting, watering, and cleansing of all Carriageways or Footways now subsisting or hereafter to be made, or so much of the said Ground or Area coloured Brown on the said Plan A. as is situate in the Parish of *Saint Marylebone*, shall be under the Charge and Management of the Vestrymen of that Parish, who shall provide for the due paving, repairing, lighting, watering, and cleansing thereof accordingly, and shall have the same Authorities for those Purposes, and for raising the Funds to be therefore required, as would have been vested in them if the last-mentioned Carriageways and Footways had been within the Application of the Twenty-sixth Section of the firstly-recited Act, and the Property of all the subsisting Pavements of the Carriageways and Footways transferred by this Act to the Care and Management of the last-mentioned Vestrymen, and of all the Lamps, Lamp Irons, Posts, Rails, Wells, and Pumps thereon now respectively belonging to the Commissioners executing the recited Acts, shall be vested by virtue of this Act in the same Vestrymen, who shall have all the same Powers and Remedies for the Protection and Recovery thereof and against Injury thereto as are or shall be available to them for the Protection or Recovery of or against Injury to any Materials or Articles of the like Nature belonging to any other Carriageways or Footways under their Management.

Saint Marylebone to pay 82*l.* in part Discharge of existing Debt of 14,000*l.*

XII. The said Vestrymen shall nevertheless pay to the Commissioners executing this Act, as a proportionate Contribution towards the said remaining Debt of Fourteen thousand Pounds incurred for the general Purposes of the said former Acts and the Interest thereof, the Principal Sum of Eighty-two Pounds on or before the Twenty-fourth Day of *June* One thousand eight hundred and fifty-two, with Interest thereon in the meantime, to be computed from the Day on which this Act shall come into operation up to the Payment of the said

said Principal Sum, at the Rate of Four Pounds *per Centum per Annum*, which said Principal and Interest Monies shall respectively be applied forthwith, or as soon as shall be practicable after the Receipt thereof by the said Commissioners, towards Payment of the said Debt of Fourteen thousand Pounds, and the Interest thereof.

Powers of Commissioners acting under 5 G. 4. c. 100. to cease as to Pavements, &c. in Plans B, C, and E.

XIII. All the Power and Duty of the Commissioners appointed by or under the Authority of the recited Acts or any of them, or this Act, to pave, repair, light, water, and cleanse the several Carriageways and Footways now subsisting, or which may hereafter be made upon the Ground comprised in any of the said Plans respectively marked B, C, and E, and now subjected for those Purposes to the Charge and Management of the said Commissioners, or to sink or maintain Wells or Pumps for the Purposes of such watering, or to levy, assess, or recover any future Rates upon or from any Houses, Shops, Buildings, Ground, or Properties within the Limits comprised in the last-mentioned Plans or either of them for defraying the Expenses of paving, repairing, lighting, watering, or cleansing any Streets or other Places thereon or elsewhere, or for paying the said Debt of Fourteen thousand Pounds or the Interest thereof, or to pave, light, water, or cleanse any other Streets or Places which might otherwise be subjected to their Charge and Management for those Purposes under the Fifty-fifth Section of the thirdly-recited Act, or to levy Rates or raise Funds for those Purposes, shall cease and determine; and upon Payment of a proportionate Part only, to be computed up to and inclusively of the Day on which this Act shall come into operation, of the said yearly Sum of Six hundred and fifty-three Pounds, payable to the said Commissioners by the Committee for lighting, paving, and cleansing the Parish of *Saint Martin in the Fields* under the Provisions of the fourthly-recited Act, and all Arrears thereof, if any, the said yearly Sum shall also cease and be no longer payable, but without Prejudice to any Rights or Remedies of the said Commissioners or their Officers for the Recovery of any Rates or any Sums on account of the said yearly Sum of Six hundred and fifty-three Pounds which respectively may be in arrear, or any Damages or Costs relating to such Arrears, which Rights and Remedies shall be available to and enforceable by the Commissioners executing this Act, and their Officers respectively, as fully and effectually as the same might have been available to or enforceable by the Commissioners executing the recited Acts, or their Officers respectively, if this Act had not been passed.

Jurisdiction of Commissioners for paving Saint James's, Westminster;

XIV. The paving, repairing, lighting, watering, and cleansing of all such of the present and future Carriageways and Footways within the Limits of either of the said Plans B and C as are or shall be made within

within the Parish of *Saint George Hanover Square*, and which respectively are or would otherwise be under the Charge and Management of the Commissioners executing the recited Acts and this Act, and of all such of the present and future Carriageways and Footways within the Limits of either of the said Plans B and C as are or shall be made within the Parish of *Saint James Westminster*, and which respectively are or would otherwise be under the Charge and Management of the said Commissioners, shall be under the Charge and Management of the Commissioners for paving and improving the Parish of *Saint James Westminster*; and the paving, repairing, lighting, watering, and cleansing of all such of the present and future Carriage and Foot Ways within the Limits of either of the said Plans B and C as are or shall be within the Parish of *Saint Martin in the Fields*, and which are or would otherwise be under the Charge and Management of the said Commissioners executing the recited Acts and this Act, shall be under the Charge and Management of the Committee for paving, lighting, and cleansing the Parish of *Saint Martin in the Fields*; and the paving, repairing, lighting, watering, and cleansing of all such of the present and future Carriageways and Footways within the Limits of either of the said Plans B and C as are or shall be within the Parish of *Saint Margaret Westminster*, and which are or would otherwise be under the Charge and Management of the said Commissioners executing the recited Acts and this Act, shall be under the Charge and Management of the Commissioners for paving and improving the Parishes of *Saint Margaret* and *Saint John the Evangelist, Westminster*; and the said Committee and Parochial Commissioners respectively are hereby authorized and required to cause the Carriageways and Footways hereby transferred to their Charge and Management respectively to be paved, repaired, lighted, watered, and cleansed accordingly; and all the Powers and Authorities vested in the said Committee and Parochial Commissioners respectively for paving, repairing, lighting, watering, and cleansing the other Carriageways and Footways under their Management, and for raising Funds for those Purposes by Rates to be assessed on the Houses, Shops, Buildings, Ground, and Properties within their Jurisdiction or otherwise, shall extend and be applicable to the Carriageways and Footways, and to such of the Houses, Shops, Buildings, Ground, and Properties respectively comprised in either of the said Plans B and C as are hereby subjected for the like Purposes to their Charge and Management.

of Committee for paving Saint Martin in the Fields;

and of Commissioners for paving Saint Margaret and Saint John, Westminster.

Property of subsisting Pavements, &c. in Saint James's Westminster

XV. The Property of all the subsisting Pavements of the Carriageways and Footways transferred by this Act to the Charge and Management of the Commissioners for paving and improving the Parish of *Saint James Westminster*, and of all the Lamps, Lamp

Irons, Posts, Rails, Wells, and Pumps and other Things thereon now respectively belonging to the Commissioners executing the recited Acts, shall be vested by virtue of this Act in the said Parochial Commissioners. to belong to that Parish.

XVI. And the Property of all the subsisting Pavements of the Carriageways and Footways transferred by this Act to the Charge and Management of the Committee for paving, lighting, and cleansing the Parish of *Saint Martin in the Fields*, and of all the Lamps, Lamp Irons, Posts, Rails, Wells, and Pumps and other Things thereon now respectively belonging to the Commissioners executing the recited Acts, shall be vested by virtue of this Act in the same Committee. Pavements, &c. in Saint Martin's in the Fields to belong to that Parish.

XVII. And the Property of all the subsisting Pavements of the Carriageways and Footways transferred by this Act to the Charge and Management of the Commissioners for paving and improving the Parishes of *Saint Margaret* and *Saint John the Evangelist, Westminster*, shall be vested by virtue of this Act in the last-mentioned Commissioners. Pavements, &c. in Saint Margaret and Saint John, Westminster, to belong to those Parishes.

XVIII. The several proportionate Contributions following shall be paid by or on behalf of the Three last-named Parishes respectively to the Commissioners executing this Act towards the Discharge of the said remaining Debt of Fourteen thousand Pounds incurred for the general Purposes of the said former Acts as aforesaid; that is to say, the Sum of Three thousand three hundred Pounds by the Commissioners for paving and improving the Parish of *Saint James Westminster*, the Sum of Two thousand four hundred and forty-three Pounds by the Committee for paving, lighting, and cleansing the Parish of *Saint Martin's in the Fields*, and the Sum of One thousand five hundred and forty-nine Pounds by the Commissioners for paving and improving the Parishes of *Saint Margaret* and *Saint John the Evangelist Westminster*; and the said several Payments shall be severally made on or before the Twenty-fourth Day of *June* One thousand eight hundred and fifty-two, with Interest thereon in the meantime at the Rate of Four Pounds *per Centum per Annum*, to be computed from the Day on which this Act shall come into operation up to Payment of the Principal Sums respectively, which said Principal and Interest Monies shall respectively be applied by the said Commissioners for executing the said recited Acts and this Act, forthwith or as soon as practicable after the Receipt thereof, towards Payment of the said Debt of Fourteen thousand Pounds, and the Interest thereof. Saint James's Parish to pay 3,300*l.* towards Discharge of existing Debt of Commissioners acting under 5 G. 4. c. 100., Saint Martin's in the Fields to pay 2,443*l.*, and Saint Margaret and Saint John, Westminster, to pay 1,549*l.*

XIX. That it shall be lawful for the Vestrymen, Committees, or other local Authorities respectively upon whom the Payment of any such Vestrymen may make and levy

Rates to pay proportionate Contributions.

such proportionate Contributions as aforesaid is imposed by this Act from Time to Time to make, assess, and levy a special Rate upon the Occupiers of the Houses, Shops, Buildings, Grounds, and Properties hereby made subject to the Jurisdiction of such Vestrymen, Committees, or other local Authorities as aforesaid, for the Amount of the several Contributions to the Payment of which such Vestrymen, Committees, or other local Authorities as aforesaid are hereby made liable, and also for the Amount of any Interest or Expenses which may become payable by them respectively by reason of the deferred Repayment of such respective Contributions; and that every such special Rate shall be made and levied in such and the same Way as the said Vestrymen, Committees, or other local Authorities are by their respective Local Acts empowered to levy Rates for the general Purposes of their said respective Acts, and shall be of such an Amount from Time to Time as will be sufficient to discharge the whole of such several Contributions, with such Interest and Expenses as aforesaid, within such Period not exceeding Twenty Years as to the said several local Authorities as aforesaid shall seem fit; and that the Produce of every such Rate shall be carried to a separate Account and be applied accordingly.

Special Rate not to be levied upon Houses, &c. fronting Footways of Cockspur Street and Charing Cross Street.

XX. Provided always, That nothing in this Act contained shall be construed to compel or authorize the Committee for paving, lighting, and cleansing the said Parish of *Saint Martin in the Fields* to make, assess, or levy upon the Occupiers of any Houses, Shops, Buildings, Yards, or Properties abutting upon or fronting the Footways of *Cockspur Street* and *Charing Cross Street* the said Special Rate by this Act authorized to be assessed and levied upon the Occupiers of the Houses, Shops, Buildings, Yards, and Properties hereby made subject to the Jurisdiction of such Vestrymen, Committees, or other local Authorities as aforesaid, for the Amount of the several Contributions or Monies in respect of the said Debt of Fourteen thousand Pounds, to Payment of which such Vestrymen, Committees, or other local Authorities as aforesaid are hereby made liable.

Vestrymen may borrow Money on Credit of the Rates.

XXI. That it shall be lawful for such Vestrymen, Committees, or other local Authorities as aforesaid to borrow and take up at Interest, on the Credit of any Rates and Assessments made and levied or to be made and levied by virtue of their respective Local Acts of Parliament, and upon the Credit of any Rates which may be made and levied under the Authority of this Act, or on the Credit of any Part or Portion of any such Rates respectively, such Sum or Sums of Money as they shall respectively be called upon to pay to the said Commissioners under the Provisions herein-before contained as and for their respective proportional Contributions towards the said Debt or Sum of

Fourteen thousand Pounds; and that the Amount so respectively borrowed shall be secured by a Charge or respective Charges on such Rates respectively, to be made and executed in such and the same Way as such local Authorities respectively are now authorized and enabled to borrow Money for the Purposes of the said Acts under which they are respectively constituted, and shall be in addition to the Sum of Money which such local Authorities respectively are now enabled to borrow under the Powers of their said respective Acts of Parliament.

Local Authorities of the Parish of St. James Westminster to levy an extra Rate, to be called "The Regent Street Rate."

XXII. That it shall be lawful for the local Authorities in the Parish of *Saint James Westminster*, to whom the Control of such Carriageways and Footways as aforesaid shall have been transferred by this Act, when and as they may respectively consider it necessary or proper during such Time as the said Carriageways, or any Part thereof, shall continue macadamized, to make, assess, and levy from Time to Time a further separate Rate, to be called "The *Regent Street* Rate," upon the Occupiers of the Houses, Shops, Buildings, Ground, and Properties hereby made subject to their Jurisdiction, for the Purpose of defraying any extra Expense which may have been occasioned by the paving, lighting, cleansing, watering, or repairing of such Carriageways and Footways beyond the average Cost of the other Carriageways and Footways then subject to their Jurisdiction, such Rate to be made, assessed, and levied from Time to Time by the said local Authorities in like Manner as by their Local Act or Acts they are empowered to levy Rates for the general Purposes of such Act or Acts; but the total Rate to which such Houses, Shops, Buildings, Ground, and Property shall be liable shall not exceed in any One Year by more than One Third the Rate to which the other Houses, Shops, Buildings, Ground, and Properties within the said Parish of *Saint James Westminster* shall be liable for similar Objects.

Present Breadth of Foot Pavements to remain.

XXIII. All the subsisting Foot Pavements comprised in the said Plans B and C, and of which respectively the Breadth exclusive of the Areas to the adjoining Houses is stated on the said Plans, shall be always maintained of the same Breadth at the least, unless the Commissioners executing this Act shall by their written Permission, signed by their Clerk, authorize the Contraction thereof, and then shall be reduced only according to such Permission or Authority; and that if the Breadth of the said Foot Pavements, or of any Part or Parts thereof, shall at any Time or Times be contracted without such Permission and Authority of the Commissioners executing this Act, the Surveyor or other Officer having the Superintendence of such contracted Foot Pavements shall, upon Proof of such Contraction before any Justice of the Peace for the City of *Westminster*, or if there shall be no such Surveyor or Officer then the Committee or Commis-

Commissioners for paving and improving, under whose Charge and Management the said Footpath shall be, shall be convicted by such Justice in any Penalty not exceeding the Sum of Five Pounds or less than Two Pounds, and upon Proof before any such Justice of the Continuance of such Contraction after such First Conviction shall be convicted by him as often as the Case may occur in any Penalty not exceeding Five Pounds or less than Two Pounds for every Week subsequent to the said First Conviction during which the same Contraction shall continue; and all such Penalties shall be paid to the Commissioners executing this Act, and shall be applied by them to the general Purposes thereof hereby directed to be performed by the said Commissioners.

Lamps and Lamp Posts to remain of the same Designs.

XXIV. And all the Pavements within the said Plans B. and C., hereby transferred from the Superintendence of the said Commissioners, and all the Lamps and Lamp Posts and Irons thereon, shall be maintained by the Committee or Commissioners for paving and improving to whose Charge and Management the same are transferred, in conformity to the Plans and Designs in which respectively the same have been laid out and fixed, unless the said Commissioners executing this Act shall in manner aforesaid authorize any Deviation from such Plans or Designs.

Powers of Commissioners acting under 5 G. 4. c. 100. for paving, &c. the immediate Approaches to the Houses of Parliament vested in Commissioners of Works, &c.

XXV. All the Powers, Duties, and Authorities whatsoever of the Commissioners appointed by or under the Authority of the recited Acts, or any of them, for the paving, repairing, lighting, watering, cleansing, and regulating the Carriageways and Footways of all the Streets, Squares, and other Places comprised in the said Plan E, shall be vested in and exercisable by the Commissioners of Her Majesty's Works and Public Buildings for the Time being.

Property of Pavements, &c. vested in Commissioners of Works, &c.

XXVI. And the Property of all the subsisting Pavements of the same Carriageways and Footways, and of all Lamps, Lamp Irons, Posts and Rails, and Wells and Pumps thereon, now respectively belonging to the Commissioners executing the recited Acts, shall be vested by virtue of this Act in the Commissioners of Her Majesty's Works and Public Buildings, who shall have all the same Powers and Remedies for the Protection and Recovery thereof respectively, and against Injuries thereto, as are vested by virtue of the recited Acts or any of them in the Commissioners executing the same.

Commissioners of Works to pay 836*l.* in part of existing Debt.

XXVII. The Commissioners of Her Majesty's Works and Public Buildings shall nevertheless pay to the Commissioners executing this Act, as a proportionate Contribution towards the Discharge of the said remaining Debt of Fourteen thousand Pounds and the Interest thereof, the Principal Sum of Eight hundred and thirty-six Pounds on or before the Twenty-fourth Day of *June* One thousand eight hundred and

and fifty-two, with Interest thereon in the meantime, to be computed at the Rate of Four Pounds *per Centum per Annum*, from the Day on which this Act shall come into operation to the Day on which the said Principal Sum shall be discharged, which Principal and Interest Monies shall be applied by the last-mentioned Commissioners, upon or as soon as may be after their Receipt thereof, towards the Discharge of the said Sum of Fourteen thousand Pounds and the Interest thereof.

Repeal of Sect. 23. 9 G. 4. c. 64. and Sect. 6. 2 W. 4. c. 56.

XXVIII. The Twenty-third Section of the thirdly-recited Act and the Sixth Section of the fourthly-recited Act, by virtue whereof respectively Her Majesty as Owner of any public Buildings within the Limits referred to in the same Sections respectively, Her Heirs and Successors, is and are liable to be rated and assessed for the Purposes also therein referred to, shall be and the same are hereby repealed; and in respect of any Building or Portion of a Building used and occupied exclusively for the Public Service of Her Majesty, Her Heirs or Successors, the Commissioners for the Time being of Her Majesty's Works and Public Buildings shall and they are hereby required, by and out of such Monies as may from Time to Time be placed at their Disposal for that Purpose by Parliament, to pay to the said Committee for paving the Parishes of *Saint Martin in the Fields* and *Saint Margaret* and *Saint John Westminster* respectively such Sum or Sums of Money as such Building or Portion of a Building, or the Owner or Occupier thereof, might from Time to Time have been lawfully charged with the Payment of by the said Committees of the said respective Parishes under the Authority of this Act if such Building or Portion of a Building had not been used or occupied for the Public Service of Her Majesty exclusively.

Jurisdiction of Commissioners executing the recited Acts to remain over so much of the Crown Estate as will continue under their Jurisdiction.

XXIX. Provided always, That nothing contained in this Act shall operate to determine, limit, alter, or impair the Jurisdiction, or any of the Powers and Authorities given by the several recited Acts, or any of them, to the Commissioners executing the same over or with respect to so much of the Crown Estate in or near the *Regent's Park* as is coloured Red on the said Plan A., or over or with respect to any Part of the said Estate not distinguished by the Brown Colour on the same Plan, or over or with respect to any Carriageways or Footways now subsisting or hereafter to be made on any Part of the said Estate not distinguished by the Brown Colour on the last-mentioned Plan, or over or with respect to any Gardens, Shrubberies, or ornamental Inclosures comprised in any Part of the said Plan, or in any of the Plans authenticated and deposited under the several Provisions of the recited Acts, or by the said Acts or any of them authorized to be placed under the Jurisdiction and Management of the same Commissioners, or over or with respect to the Construction, ornamenting, colouring, painting, or defacing of any Streets, Houses, or Buildings, or over or with

respect to the said Mews called *Westminster Mews*, comprised in the said Plan D., or any Authorities or Rights whatsoever given by the said Acts or any of them to the Commissioners executing the same as Commissioners of Sewers, or for making or maintaining any Sewers or Drains, or for raising the Expenses thereof, or any other Jurisdiction, Powers or Authorities whatsoever by the said Acts or any of them vested in the Commissioners executing the same, and not hereby expressly determined, limited, altered, or transferred to other Parties than the Commissioners appointed to execute this Act and the subsisting Provisions of the recited Acts, but that all the Jurisdiction, Authorities, and Powers whatsoever by the recited Acts or any of them given to the Commissioners executing the same shall be vested in and exercisable by the Commissioners appointed and to be appointed by virtue of this Act, so far as shall not be inconsistent with the express Provisions hereof, as fully and effectually as the same respectively would have been vested in or exercisable by the Commissioners executing the recited Acts if this Act had not been made.

Power to Commissioners to colour the outside Stucco and Stone Work of Houses and Buildings by Oil Painting.

XXX. And for removing Question as to the Extent of Authority which by virtue of the fourthly-recited Act and this Act will be vested in the Commissioners executing this Act, for undertaking from Time to Time and causing to be executed the cleaning and colouring of the outside Stucco and Stone Work of any Houses, Buildings, or Walls within the Purview of the same Acts, be it enacted, That it shall be lawful for the said Commissioners from Time to Time to cause such colouring to be effected by means of Oil Painting in all or any Cases in which they shall consider that Method the most expedient, and that the Thirty-first Section of the said fourthly-recited Act, by which Provision is made for answering the Expense of cleaning and colouring the Stucco and Stone Work authorized to be cleaned and coloured by the Commissioners acting in execution of the same Act, and the Thirty-second and Thirty-third Sections of the same Act, shall henceforth be construed and operate with this Act, as if the Commissioners acting in execution of that Act had been originally or expressly authorized to effect or cause to be effected by means of Oil Painting all the colouring which they were thereby authorized to undertake, but that the Thirtieth Section of the same Act, restricting the said Commissioners for undertaking the cleaning and colouring of the outside Stucco or Stone Work of any Houses, Buildings, or Walls, without such Consent as therein specified, shall be and the same is hereby repealed.

The general Powers of the Vestries and Parochial Committees extended to the

XXXI. The several Commissioners, Committees, or other Parties in whom any Pavements, Lamps, Irons, Posts, Rails, Wells, Pumps, or other Materials shall be vested by virtue of this Act, or to whose Management or Charge any Carriageways or Footways are hereby transferred, shall respectively have all the same Remedies and Authorities

rities for the Protection and Recovery of the Articles so vested in them, and against Injuries thereto, and for the Prevention of Nuisances and Obstructions to any such Carriageways or Footways, and the Punishment of Parties causing any such Nuisances or Obstructions, as are or shall be available to them for the Protection and Recovery of or against Injuries to any like Articles vested in them respectively for parochial or public Purposes, and for the Prevention of Nuisances and Obstructions to any other Carriageways or Footways under their Management or Charge, and for the Punishment of Parties causing the same Nuisances or Obstructions.

Carriage and Foot Ways transferred to them by this Act.

XXXII. Any Contract or Engagement entered into by the Commissioners for executing the several recited Acts, or by any of their Officers on their Behalf, for paving, repairing, lighting, watering, or cleansing the several Carriageways and Footways by such Acts subjected to the Jurisdiction of such Commissioners shall, on the Provisions of this Act coming into operation, be respectively transferred to the Parties and Persons to whom the Charge and Management of the several and respective Carriageways and Footways are by this Act transferred, and to the Parties and Persons who are thereafter respectively authorized to pave, repair, light, water, or cleanse the same Carriageways and Footways; and such several and respective Parties and Persons are hereby respectively authorized and required to perform the Conditions of every such Contract or Agreement, and are hereby entitled to all the Benefits and Advantages of, and are authorized to enforce, every such Contract or Agreement, in such and the like Way and Manner, and to the same Extent, as if they had respectively entered into the same instead of the Commissioners for executing the several recited Acts, or any of the Officers of such Commissioners on their Behalf.

Existing Contracts transferred to Parties having future Charge of Carriageways, &c.

XXXIII. Every such Contract or Engagement originally entered into with respect to more than One of the several Parishes to which this Act applies shall be apportionable and apportioned by the Commissioners acting in execution of the said recited Acts, so as to be after the Commencement of this Act enforced in all respects as if the same had originally been several, distinct, and separate Contracts or Engagements, and One of such Contracts or Engagements had accordingly been originally entered into with respect to each Parish.

Original Contracts to be apportioned.

XXXIV. That all the Costs, Charges, and Expenses of obtaining and passing this Act, or incident thereto, the Amount whereof shall be conclusively ascertained and settled by the Certificate of the Solicitor to the Treasury, shall be borne, paid, and defrayed by the Commissioners executing the said recited Acts or this Act, and shall be repaid to them, or to their Treasurer, by the Commissioners of Her Majesty's Works and Public Buildings, the Commissioners of the *Southampton* Paving Trust, the Vestrymen of

Costs of the Act and Recovery of Contributions from the Commissioners of Works and Public Buildings and the Parishes respectively.

of the Parish of *Saint Marylebone*, the Committee for paving, cleansing, and lighting the Parish of *Saint James Westminster*, the Committee for paving, lighting, and cleansing the Parish of *Saint Martin in the Fields*, and the Commissioners for paving and improving the Parishes of *Saint Margaret* and *Saint John the Evangelist, Westminster*, respectively, in the same Proportions in which such last-mentioned Commissioners and several Vestrymen and Committees are respectively required by this Act to contribute and pay to the Commissioners executing this Act the said remaining Debt of Fourteen thousand Pounds, and that such Proportions shall be added to the Amount of Debt herein-before charged on each Parish respectively, and shall be repaid to the local Authorities in the same Way as their respective Contributions to the said Debt of Fourteen thousand Pounds are hereby directed to be repaid; and that in case Default shall be made by the Commissioners of Works and Public Buildings, or the said several Vestrymen and Committees, or any of the said Parties respectively, in the due Payment of any Principal or Interest Monies which shall be due from them respectively or any of them, by way of Contribution to or on account of the said Sum of Fourteen thousand Pounds, or the Interest thereof, or the Costs, Charges, and Expenses lastly herein-before referred to, the Commissioners executing this Act, by themselves, or their Clerk or Treasurer, shall be competent to recover from the Parties making such Default the Monies due from them respectively by Action in any of Her Majesty's Superior Courts of Law at *Westminster*, with Costs of Suit.

Exemption as regards Her Majesty the Queen and the Land Revenues of the Crown.

XXXV. Provided always, That nothing in this Act or the said recited Acts contained shall subject or charge the Queen's most Excellent Majesty, Her Heirs or Successors, or the Capital or Income of the Possessions or Land Revenues of Her Majesty in right of Her Crown, to or with the Payment of any Rate or Assessment, Sum of Money, Debt, or Liability, or the Performance of any Contract or Engagement made, entered into, or incurred, or which may be made, entered into, or incurred, in relation to paving, lighting, cleansing, or watering under the Authority of this Act, or the said recited Acts or any of them.

Act to take effect from 10th Oct. 1851.

XXXVI. And lastly this Act shall come into operation and shall take effect on and from the Tenth Day of *October* One thousand eight hundred and fifty-one.

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