ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

****

Cap. xxxix.

An Act to explain, amend, and enlarge the Powers and Provisions of an Act made in the last Session of Parliament, intituled *An Act for lighting, watching, cleansing, and otherwise improving the* Camberwell New Road, *the* Lambeth Wyke *Estate, and other Places in the Vicinity thereof, in the Parishes of* Lambeth, Camberwell, *and* Newington *in the County of* Surrey.

[28th *May* 1827.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His present Majesty, intituled *An Act for lighting, watching, cleansing, and otherwise improving the* Camberwell New Road, *the* Lambeth Wyke *Estate, and other Places in the Vicinity thereof, in the Parishes of* Lambeth, Camberwell, *and* Newington *in the County of* Surrey, by which Act, after reciting that the *Camberwell New Road, Saint Mark's Road, Foxley Road, Cranmer Road, Vassall Road, Langton Place, Cowley Road, Dulwich New Road, Saint Ann's Road, South Island Place, Chapel Street, Holland Street, Russell Street, Great Coldharbour Lane, Little Coldharbour Lane*, and the other Parts of the *Lambeth Wyke* Estate and Parts adjacent, situate within the several Parishes of *Saint Mary Lambeth, Saint Giles Camberwell,* and *Saint Mary Newington*, were not properly lighted, watched, and cleansed, it was enacted that the several Persons therein mentioned should be and they were thereby appointed Commissioners for putting the said Act into execution by the Name of "The Commissioners for the Improvement of the *Camberwell New Road*, the *Lambeth Wyke* Estate, and Parts adjacent, in the County of *Surrey*;" and it was further enacted, that from and after the First Day of *June* One thousand eight hundred and twenty-six One or more Rate or Rates, Assessment or Assessments, should once in every Year (or oftener, if it should be thought needful by the said Commissioners, or any Five or more of them,) be made, laid, and assessed by the said Commissioners, or any Five or more of them, upon all and every Person and Persons who should inhabit, hold, or

7 G. 4. c. 35.

occupy any House, Shop, Warehouse, Wharf, Cellar, Vault, Stable, Coach-house, Brewhouse, Brewing Offices, Granaries, Malthouses, Storehouses, and other Buildings already built or to be built within the Limits of the said Act, which should be situate within Two hundred Yards of any of the Roads, Yards, Streets, Lanes, Squares, Alleys, Passages, or Places which should be lighted, cleansed, or watched by virtue of the said Act, and the Yards and Gardens attached to and with any of the before-mentioned Buildings respectively occupied, (save and except any Houses, Buildings, or other Hereditaments used and occupied for the Purposes of any Public Charity, and also all Churches and Chapels which were not intended to be made liable to the Rates thereby imposed,) and in such competent Sum and Sums of Money as the said Commissioners, or any Five or more of them, should yearly and every Year order and direct, so as such Rates or Assessments did not exceed in the whole the Sum of Two Shillings in the Pound in any One Year of the yearly Value of such Houses, Shops, Warehouses, Wharfs, Cellars, Vaults, Stables, Coach-houses, Brewhouses, Brewing Offices, Granaries, Malthouses, Storehouses, and other Buildings, Yards, and Gardens as aforesaid, such yearly Value to be ascertained by such Ways and Means as the said Commissioners, or any Five or more of them, should think proper; and it was also thereby enacted, that nothing in the said Act contained should take away, obstruct, lessen, interfere with, or prejudice the Powers, Authorities, and Provisions granted or made by or under an Act passed in the Fifty-second Year of the Reign of His late Majesty, intituled *An Act for watching and lighting Part of the High Road leading from* London *to* Croydon, *commencing at the Turnpike Gate at* Kennington *in the Parish of* Saint Mary Lambeth *in the County of* Surrey, *and leading from thence on the Line of the said Road to* Brixton Hill, *and as far as the said Parish extends in that Direction;* but that all and every the Rights, Powers, and Authorities and Provisions of or under the said last-mentioned Act should remain, continue, and be in full Force and Effect, to all Intents and Purposes, as if the now-reciting Act had not been passed, except so far as related to and concerned the Roads, Streets, and Places particularly mentioned and described in the now-reciting Act; *videlicet*, the *Camberwell New Road*, *Saint Mark's Road*, *Foxley Road*, *Cranmer Road*, *Vassall Road*, *Langton Place*, *Cowley Road*, *Dulwich New Road*, *Saint Ann's Road*, *South Island Place*, *Chapel Street*, *Holland Street*, *Great Coldharbour Lane*, and *Little Coldharbour Lane*, and the other Parts of the *Lambeth Wyke* Estate: And whereas Part of the said High Road leading from *London* to *Croydon* passes through the *Lambeth Wyke* Estate, and the Commissioners under the now-reciting Act have, at a great Expence, erected Lamp Posts, and have effectually lighted with Gas and watched that Part of the said *Lambeth Wyke* Estate through which the said Road passes: And whereas Doubts have arisen whether that Part of the *Lambeth Wyke* Estate which fronts upon the said Road leading from *London* to *Croydon*, and the Houses, Buildings, and Premises situate by the Sides of the said Road passing through the *Lambeth Wyke* Estate, are liable to be rated, lighted, watched, and cleansed under the Provisions of the said recited Act of the Seventh Year of His present Majesty: And whereas it is expedient for the Public Benefit that so much of the High Road leading from *London* to *Croydon* as is situate between the Turnpike Gate at *Kennington* and the Side Road leading to *Loughborough House*, as was not included in the said recited Act of the Seventh Year of the Reign of His present Majesty, should be placed under the Control of the Commissioners appointed by that Act, and

52 G. 3. c. 197.

be subjected to the Provisions of that Act: And whereas the Remainder of the District under the Control of the Trustees acting under the said Act of the Fifty-second Year of the Reign of His late Majesty is thinly populated, and the said Trustees will be unable effectually to light and watch the same without the Contribution, as herein-after provided, of Part of the Funds to be raised from that Portion of the District to be given up by them; and the Sum so to be paid does not exceed what has been heretofore contributed for such Purposes by such District: And whereas it has been found desirable that the Rates under the said Act should be made by the said Commissioners according to the Assessment to the Poor Rate: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That the whole of the *Lambeth Wyke* Estate, including that Part of it which fronts upon the said Road leading from *London* to *Croydon*, was intended to be and was included within the Limits authorized to be lighted, watched, cleansed, and rated by the said recited Act of the Seventh Year of the Reign of His present Majesty; and that the Provisions of the said Act of the Fifty-second Year of the Reign of His late Majesty King *George* the Third, so far as related to the Limits aforesaid, and the other Places mentioned in the said Act of the Seventh Year of the Reign of His present Majesty, were thereby repealed.

Declaration as to Limits of former Act.

II. And be it further enacted, That so much of the said Act of the Fifty-second Year of the Reign of His late Majesty King *George* the Third as relates to the whole of that Part of the High Road leading from *London* to *Croydon* which is situate between the Turnpike Gate at *Kennington* and the Side Road leading to *Loughborough House*, by the *White Horse* Public House, not already repealed by the said Act of the Seventh Year of the Reign of His present Majesty, and as relates to the Side Roads leading out of the said High Road, shall be and the same is hereby repealed; and that the whole of that Part of the said High Road shall be lighted, watched, and cleansed, and the Houses and Premises on both Sides thereof, or within Two hundred Yards thereof, and in the said Side Roads, rated under and subjected to all and every the Provisions contained in the said Act of the Seventh Year of the Reign of His present Majesty, in the same Manner as if the same had been expressly named in the said Act.

Road from Kennington Gate to Loughborough House placed under this Act.

III. And be it further enacted, That the said Commissioners under the said Act of the Seventh Year of the Reign of His present Majesty shall pay, out of the Rates to be raised and collected under and by virtue of that and the present Act, to the Trustees acting under the said Act of the Fifty-second Year of the Reign of His late Majesty King *George* the Third, by half-yearly Payments, on the First Day of *January* and the First Day of *July* in each Year (the first Payment to commence on the First Day of *January* next), the annual Sum of One hundred and fifty Pounds, to be by them expended for the Purposes of that Act; and that the same shall be recoverable by Action in the Name of the Clerk or Treasurer of the said Trustees acting under the said last-mentioned Act, or otherwise, in like Manner as is provided by the said Act of the Seventh Year of the Reign of His present Majesty with respect to all other Debts thereby authorized to be recovered; and that no such Action shall abate or be discontinued by the Death, Removal, or Default of

Contribution to be paid to Trustees of 52 G. 3. c. 197.

of any Clerk or Treasurer, but shall be continued and carried on in the Name of the Clerk or Treasurer for the Time being.

Interest to accrue when Contribution in arrear.

IV. Provided always, and be it further enacted, That if the said annual Sum of One hundred and fifty Pounds, or any half-yearly Payment thereof, shall be in arrear for the Space of Thirty Days next after the same shall become due and be demanded, on behalf of the said Trustees, at the Office of the said Commissioners or their Clerk, there shall be payable by the said Commissioners, out of the Rates to be collected by them as aforesaid, Interest for the same after the Rate of Five Pounds *per Centum per Annum*, until such Arrears shall be fully paid off and discharged.

Value of Houses, &c. to be ascertained with reference to the Poor Rates.

V. And be it further enacted, That the said Commissioners appointed by the said recited Act of the Seventh Year of the Reign of His present Majesty shall in future fix and ascertain the Value of the Houses and Premises to be rated for the Purposes of the said Act, according to such Value as the same shall from Time to Time be assessed or rated to the Poor Rate within the Parish in which they are respectively situate.

Trustees of 52 G. 3. to collect Arrears of Rates, notwithstanding Repeal.

VI. Provided always, and be it further enacted, That it shall be lawful for the Trustees for putting into execution the said Act of the Fifty-second Year of His said late Majesty's Reign, and they are hereby authorized and empowered, to collect, receive, levy, and recover all Rates and Assessments now due and in arrear from any Person or Persons rated, assessed, or charged, by virtue of the last-mentioned Act, for or in respect of any House, Shop, Warehouse, or other Building, Yard or Garden, within the Limits relative to which that Act is hereby repealed or declared to be repealed (not being situate upon any Part of the *Lambeth Wyke* Estate); and that all the Powers, Provisions, and Remedies therein contained shall, notwithstanding such Repeal, remain and continue in full Force and Effect, so far as relates to the Collection, Levying, and Recovery of such Arrears, as if this Act had not been made; any thing herein contained to the contrary notwithstanding.

Saving the Rights of the Clapham Trust.

VII. Provided always, and be it further enacted, That neither this Act, nor the said recited Act of the Seventh Year of His present Majesty, shall extend to any Part of the Limits comprised within a certain Act of Parliament passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for lighting and watching the Village of* Clapham *and certain Roads leading thereto in the County of* Surrey, nor to vary, alter, or abridge the Powers, Clauses, or Provisions of the said last-mentioned Act, except so far as relates to *South Island Place*, *Holland Street*, and *Saint Ann's Road*, which were named in and authorized and directed to be lighted, watched, and rated under the Provisions of the said Act of the Seventh Year of the Reign of His present Majesty.

Public Act.

VIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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