ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. xxiii.

An Act for ſubjecting certain Streets and Places within and adjacent to the Pariſh of *Saint James*, *Weſtminſter*, in the County of *Middleſex*, called Optional Streets, to the ſame Rates for paving, cleanſing, and lighting as the other Streets and Places within the ſaid Pariſh; and for altering, ſo far as relates to the ſaid Pariſh, certain Acts for paving, cleanſing, and lighting the Streets and other Places within the City and Liberty of *Weſtminſter* and Parts adjacent. [8th *April* 1819.]

WHEREAS an Act was paſſed in the Second Year of the Reign of His preſent Majeſty, intituled *An Act for paving, cleanſing, and lighting the Squares, Streets, and Lanes within the City and Liberty of* Weſtminſter, *the Pariſhes of* Saint Giles in the Fields, Saint George the Martyr, Saint George Bloomſbury, *that Part of the Pariſh of* Saint Andrew's, Holborn, *which lies in the County of* Middleſex, *the ſeveral Liberties of the* Rolls *and* Savoy, *and that Part of the Dutchy of* Lancaſter, *which lies in the County of* Middleſex; *and for preventing Annoyances therein; and for other Purpoſes therein mentioned:* And whereas another Act was paſſed in the Third Year of the Reign of His preſent Majeſty, intituled *An Act to explain, amend, and render more effectual an Act made in the laſt Seſſion of Parliament, intituled 'An Act for paving, cleanſing,* 2 G. 3. c. 21. 3 G. 3. c. 23.

'*cleanſing, and lighting the Squares, Streets, and Lanes within the City* '*and Liberty of* Weſtminſter, *the Pariſhes of* Saint Giles in the Fields, ' Saint George the Martyr, Saint George Bloomſbury, *that Part of the* '*Pariſh of* Saint Andrew's, Holborn, *which lies in the County of* Middle- 'ſex, *the ſeveral Liberties of the* Rolls *and* Savoy, *and that Part of the* '*Dutchy of* Lancaſter, *which lies in the County of* Middleſex; *and for* '*preventing Annoyances therein; and for other Purpoſes therein men-* '*tioned:*' And whereas another Act was paſſed in the Fourth Year of the

4 G. 3. c. 39. Reign of His preſent Majeſty, intituled *An Act to explain, amend, and render more effectual Two ſeveral Acts of Parliament, made in the Second and Third Years of His preſent Majeſty, for paving, cleanſing, and lighting the Squares, Streets, and Lanes within the City and Liberty of* Weſtminſter, *and other Places therein mentioned; and for preventing Annoyances therein; and for other Purpoſes therein mentioned:* And whereas another Act was

5 G. 3. c. 50. paſſed in the Fifth Year of the Reign of His preſent Majeſty, intituled *An Act to enlarge the Powers of, and to render more effectual the ſeveral Acts paſſed in the Second, Third, and Fourth Years of His preſent Majeſty's Reign, for paving, cleanſing, lighting, and otherwiſe regulating the Squares, Streets, and other Places within the City and Liberty of* Weſtminſter, *and other Parts in the ſaid Acts mentioned; and for extending the Proviſions of the ſaid Acts to the* Surry *Side of* Weſtminſter Bridge; *and for enlarging the Powers of the ſaid Acts with reſpect to Squares:* And whereas another Act was paſſed in the Sixth Year of the Reign of His preſent Majeſty, in-

6 G. 3. c. 54. tituled *An Act for putting the Road from* Clarges Street *to* Hyde Park Corner, *and from the South End of* Park Lane *to the North Side of* Hertford Street, *in the Pariſh of* Saint George, Hanover Square, *in the County of* Middleſex, *now under the Direction of the Acts for repairing the Roads in the Pariſhes of* Kenſington, Chelſea, Fulham, *and* Saint George, Hanover Square, *in the County of* Middleſex, *under the Management of the Commiſſioners for paving, cleanſing, and lighting the Squares, Streets, Lanes, and other Places in* Weſtminſter: And whereas another Act was paſſed in the Eleventh Year

11 G. 3. c. 22. of the Reign of His preſent Majeſty, intituled *An Act to amend and render more effectual ſeveral Acts made relating to paving, cleanſing, and lighting the Squares, Streets, Lanes, and other Places within the City and Liberty of* Weſtminſter, *and Parts adjacent:* And whereas another Act was paſſed

30 G. 3. c. 53. in the Thirtieth Year of the Reign of His preſent Majeſty, intituled *An Act to alter, explain, amend, and render more effectual ſeveral Acts made for paving, cleanſing, and lighting the Squares, Streets, Lanes, and other Places within the City and Liberty of* Weſtminſter, *and Parts adjacent; and for putting certain Streets therein mentioned, commonly called Optional Streets, under the Management of Parochial Committees, ſubject to the Controul of the Commiſſioners appointed by or in purſuance of the ſaid ſeveral Acts; and for removing and preventing Nuiſances, Annoyances, Obſtructions, and Incroachments in the ſaid Streets and other Places, and for other Purpoſes:* And whereas, previouſly to the paſſing of the ſaid Act of the Eleventh Year of His ſaid Majeſty's Reign, all the new paved Streets and Places in the ſeveral Pariſhes and Precincts comprized within the ſaid former Acts, were under the ſole Management of Commiſſioners appointed under the Authority of the ſame; and by the ſame Act all the ſaid new paved Streets and Places (except certain Streets and Places uſually called Optional Streets by the ſaid Act of the Fifth Year of His ſaid Majeſty's Reign, placed under the Management of the ſaid Commiſſioners at the Requeſt of the Owners and Occupiers of Houſes in ſuch Streets and Places), were

put under the Management of reſpective Committees, to be annually choſen by the Veſtry out of the Inhabitants of the Pariſhes and Precincts within the Limits of the ſaid Acts, but ſubject as therein mentioned to the Controul of the ſaid Commiſſioners: And whereas by the ſaid Act of the Thirtieth Year of His preſent Majeſty's Reign, the ſeveral Streets and other Places called *Bury Street*, *Charles Street*, *Panton Square*, and *Arrington Street*, *Tyler Street*, *Vine Street*, *Little Saint James's Street*, and *Thatched-houſe Court*, *Paved Alley*, or *Little Crown Court*, within the ſaid Pariſh of *Saint James*, and alſo ſuch Part of *Coventry Street* as lies within the Pariſh of *Saint Martin in the Fields*, in the County of *Middleſex*, and ſuch Part of *Princes Street*, between *Coventry Street* and *King Street*, as lies within the Pariſh of *Saint Anne Weſtminſter*, in the County of *Middleſex*, being all Optional Streets in or adjoining to the ſaid Pariſh of *Saint James*, were placed under the Management of a Committee appointed in purſuance of the ſaid Act by the Veſtry for the ſaid Pariſh of *Saint James*, ſubject nevertheleſs to the Controul of the ſaid Commiſſioners; and for the Purpoſes of the ſaid Act it was provided, that ſuch Part of *Coventry Street*, as lies within the ſaid Pariſh of *Saint Martin in the Fields*, and ſuch Part of *Princes Street*, as lies within the ſaid Pariſh of *Saint Anne*, ſhould be deemed and taken to be within the ſaid Pariſh of *Saint James*: And whereas under the Proviſions of the ſaid Acts of the Fifth and Thirtieth Years of His ſaid Majeſty's Reign, the ſaid Streets and Places called Optional Streets have been rated or aſſeſſed for paving, cleanſing, and lighting, ſeparately and apart, as well from each other as from the other Streets and Places in the ſaid Pariſh of *Saint James*, which other Streets and Places are commonly called Parochial Streets: And whereas ſome of the ſaid Optional Streets being in retired Situations, have for a long Period been charged with comparatively low Rates or Aſſeſſments, for paving, cleanſing, and lighting, whilſt others of the ſaid Optional Streets, being great Public Thoroughfares, are charged with Rates or Aſſeſſments for paving, cleanſing, and lighting, exceeding the Average of the Rates or Aſſeſſments for paving, cleanſing, and lighting the ſaid Parochial Streets, and are incumbered with Debts, borrowed under the Proviſions of the ſaid Acts, or ſome of them, upon the Security of the Rates or Aſſeſſments upon ſuch Optional Streets: And whereas an Act was paſſed in the Fifty-ſeventh Year of the Reign of His preſent Majeſty, intituled *An Act for better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuiſances and Obſtructions therein*: And whereas it would tend to the better and more effectual paving, cleanſing, and lighting of the ſaid Optional Streets, and be of general Advantage, if the ſaid Optional Streets were incorporated with the ſaid Parochial Streets, ſo as to make all the ſaid Streets and Places liable to an uniform Rate or Aſſeſſment for paving, cleanſing, and lighting: 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 from and after the paſſing of this Act, ſo much of the ſaid Acts, as provides for the ſeparate rating or aſſeſſing for the Purpoſes aforeſaid, of the Optional Streets, by the ſaid Act of the Thirtieth Year of His ſaid Majeſty's Reign, placed under the Management of the Committee for the ſaid Pariſh of *Saint James*, ſubject to the Controul of the ſaid Commiſſioners, and for the Limitation of the Amount of

Repeal of ſo much of 30 Geo. 3. as reſpects the ſeparate rating of the Streets.

of the Rates or Aſſeſſments upon the ſaid Optional Streets, and for the keeping of ſeparate and diſtinct Accounts of the Receipts and Diſburſements of the Monies ariſing by Rates or Aſſeſſments upon the ſaid Optional Streets, ſhall be and is hereby declared to be repealed.

Optional Streets to be ſubject to the ſame Rates or Aſſeſſments and Regulations as the Parochial Streets.

II. And be it further enacted, That the ſeveral Streets and other Places called *Bury Street*, *Charles Street*, *Panton Square*, and *Arringdown Street*, *Tyler Street*, *Vine Street*, *Little Saint James's Street*, and *Thatched-houſe Court*, *Paved Alley*, or *Little Crown Court*, within the ſaid Pariſh of *Saint James*, and alſo *Coventry Street*, as well that Part lying within the ſaid Pariſh of *Saint James* as that Part lying within the ſaid Pariſh of *Saint Martin in the Fields*; and ſuch Part of *Princes Street*, between *Coventry Street* and *King Street*, as lies within the ſaid Pariſh of *Saint Anne*, as well as ſuch Part of *Princes Street* as lies within the ſaid Pariſh of *Saint James*, being all Optional Streets in or adjoining to the ſaid Pariſh of *Saint James*, ſhall at all Times be ſubject to be rated or aſſeſſed for the Purpoſes aforeſaid, equally with the ſaid Parochial Streets in the ſaid Pariſh of *Saint James*, and ſhall be ſubject to all the ſame Powers, Rules, Regulations, Clauſes, Enactments, and Proviſions, as under or by virtue of the Acts herein-before recited or referred to, or any of them, are or ſhall be in force in regard to the ſaid Parochial Streets.

Previous Rates or Aſſeſſments on Optional Streets not to be affected.

III. Provided always, and be it further enacted, That all Rates or Aſſeſſments upon the ſaid Optional Streets, or any of them, made in purſuance of the ſaid Acts, or any of them, ſhall either before or at any Time after the paſſing of this Act be recoverable by all ſuch Remedies as might or could have been uſed for the Recovery thereof in caſe this Act had not been made.

Securities on the Optional Streets not to be prejudiced.

IV. Provided always, and be it further enacted, That all Aſſignments and Securities made or granted by virtue of the ſaid former Acts, or any of them, and now in force for ſecuring any Money borrowed upon the Credit of the Rates or Aſſeſſments upon the ſaid Optional Streets, or any of them, ſhall remain valid and effectual in the Law to all Intents and Purpoſes whatſoever, according to the Tenor of ſuch Aſſignments or Securities, until the ſame ſhall be diſcharged in purſuance of this Act.

Confirmation of the Acts of the Committee in regard to thoſe Parts of Coventry Street and Princes Street as are within the Pariſh of Saint James.

V. And whereas thoſe Parts of *Coventry Street* and *Princes Street* which lie within the ſaid Pariſh of *Saint James* are alſo Optional Streets, and ſince the paſſing of the ſaid Act of the Thirtieth Year of His ſaid Majeſty's Reign, have continued under the Management of the Committee for the ſaid Pariſh of *Saint James*, ſubject to the Controul of the ſaid Commiſſioners, although not expreſsly named or deſcribed in the ſaid Act; be it therefore enacted, That all ſuch Rates and Aſſeſſments as have been impoſed by the ſaid Committee upon thoſe Parts of *Coventry Street* and *Princes Street*, as are within the ſaid Pariſh of *Saint James*, and all Securities which have been granted upon ſuch Rates and Aſſeſſments ſhall be of the ſame Force and Validity as if ſuch Parts of the ſaid Streets had been expreſsly named in the ſame Act, and had been thereby placed under the Management of the ſaid Committee in like Manner as the other Optional Streets.

Commiſſioners to make up Accounts

VI. And be it further enacted, That the Commiſſioners appointed by or in purſuance of the ſaid former Acts ſhall and they are hereby required to

to make up Accounts of all Monies which upon the paſſing of this Act ſhall be in their Hands, Cuſtody, or Power, relating to the ſaid Optional Streets, and alſo an Account of all Arrears of any Rates or Aſſeſſments laid under the ſaid Acts and due and owing at the Time of making ſuch Account, and ſhall cauſe ſuch Accounts to be laid before the ſaid Committee; and all ſuch Sums of Money as upon the Statement of ſuch Accounts ſhall appear to be in Hand, to the Credit of any of the ſaid Optional Streets, as well as all ſuch Arrears, or Rates or Aſſeſſments upon the ſaid Streets or any of them when and as the ſame ſhall be recovered, ſhall be carried by the ſaid Commiſſioners to the general Account kept by them relative to the ſaid Parochial Streets, and ſhall be applicable for the ſame Purpoſes as the Monies ariſing from the Rates or Aſſeſſments made upon the ſaid Parochial Streets in purſuance of the ſaid Acts or any of them.

relative to the Optional Streets.

VII. And be it further enacted, That from and after the paſſing of this Act, and when and as often as there ſhall remain in the Bank of *England*, of Monies transferred, depoſited, or paid in to the Credit of the ſaid Commiſſioners, on account of the ſaid Pariſh of *Saint James*, a Surplus to the Amount of One hundred Pounds, the ſaid Commiſſioners are hereby empowered and required, on Requeſt to them for that Purpoſe, under the Hands of Five or more of the Committee for the ſaid Pariſh of *Saint James*, to apply ſuch Surplus Money in Diſcharge or Part Diſcharge of the Money borrowed and remaining due upon the Security of the Rates or Aſſeſſments upon any of the ſaid Optional Streets, under ſuch Regulations and Proviſions as by virtue of the ſaid Acts or any of them are now in force, concerning the Diſcharge of Aſſignments and Securities by way of Mortgage.

Debts on the Optional Streets to be diſcharged.

VIII. Provided always, and be it further enacted, That from and after the paſſing of this Act, and until the Debts now affecting any of the ſaid Optional Streets, ſhall be fully diſcharged, the Intereſts of ſuch Debts, or of ſo much thereof as ſhall remain undiſcharged, ſhall be borne and paid by and out of the general Rates or Aſſeſſments impoſed and to be impoſed within the ſaid Pariſh of *Saint James*, under the Authority of the ſaid Acts, or any of them, or of this Act.

For Payment of Intereſt in the Meantime.

IX. And whereas the ſaid Committee are not empowered, unleſs with the Conſent of the ſaid Commiſſioners, to advertiſe, in order to receive Propoſals from any Perſon or Perſons willing to contract for paving or repairing, lighting, and cleanſing the Squares, Streets, Lanes, or other Places under their Management: And whereas it would facilitate the Diſpatch of Buſineſs if the Powers of the ſaid Committee were extended in regard to ſuch Contracts; be it therefore further enacted, That from and after the paſſing of this Act it ſhall be lawful for the ſaid Committee, or any Five of them, from Time to Time, of their proper Authority, and without any previous Conſent of the ſaid Commiſſioners, to cauſe Advertiſements to be made in the Manner preſcribed by the ſaid Act of the Thirtieth Year of His preſent Majeſty's Reign, in order to receive Propoſals from any Perſon or Perſons willing to contract for paving or repairing, lighting and cleanſing the Squares, Streets, Lanes, or other Places under the Management of the ſaid Committee; and every ſuch Contract as in purſuance of ſuch Advertiſements ſhall be entered into by the ſaid Committee, or any Five of them, for the Purpoſes aforeſaid, or any of them, ſhall be valid and effectual in the Law, to all Intents and Purpoſes:

Committee empowered to contract, ſubject to the Confirmation of the Commiſſioners.

poſes: Provided always, that ſuch Contracts ſhall not be valid or effectual until the ſame ſhall have been confirmed by the ſaid Commiſſioners.

Clerk reſtrained from acting as Treaſurer, and vice verſâ.

X. And be it further enacted, That it ſhall not be lawful for the ſaid Commiſſioners to continue or appoint the Perſon who has been or may be appointed to act as their Clerk in the Execution of the ſaid Acts and this Act, or the Partner of any ſuch Clerk, the Treaſurer for the Purpoſes of the ſaid Acts and this Act, or any of them, or to continue or appoint the Perſon who has been or may be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Commiſſioners for executing the ſaid Acts and this Act, or any of them; and if any Perſon ſhall act in both the Capacities of Clerk and Treaſurer, for the Purpoſes of the ſaid Acts and this Act, or any of them; or if any Perſon being the Partner of any ſuch Clerk ſhall act as Treaſurer, or being the Partner of ſuch Treaſurer ſhall act as Clerk in the Execution of the ſaid Acts and this Act, or any of them; every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

For Payment of the Expences of the Act.

XI. And be it further enacted, That the ſaid Commiſſioners ſhall and may defray the Coſts, Charges, and Expences of obtaining and paſſing this Act, out of the Monies raiſed or to be raiſed within the ſaid Pariſh of *Saint James*, by virtue of the ſaid former Acts or of this Act.

Public Act.

XII. 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.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's moſt Excellent Majeſty. 1819.