ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 120.

An Act for continuing and amending an Act passed in the Forty-ninth Year of His present Majesty, for more effectually repairing the Road from the Powder Mills on *Hounslow Heath*, in the County of *Middlesex*, to the twenty Mile Stone on *Egham Hill*, in the County of *Surrey*.

[17th *June* 1814.]

WHEREAS an Act passed in the Forty-ninth Year of the Reign of His Present Majesty, intituled, *An Act for more effectually repairing the Road from the Powder Mills on* Hounslow Heath, *in the County of* Middlesex, *to the Twenty Mile Stone on* Egham Hill, *in the County of* Surrey: And whereas the Trustees, appointed in and by virtue of the said recited Act, have made great Progress in the Execution thereof, and have borrowed several large Sums of Money upon the Credit of the Tolls thereby granted, the greater Part of which still remain due, and cannot be repaid, nor the said Road be effectually made and kept in Act 49 G. 3. c. 58.

repair, unleſs the Term of the ſaid Act be further continued, the Tolls to be collected by virtue thereof increaſed, and ſome of the Powers thereof enlarged: 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 ſaid recited Act, and the ſeveral Powers, Proviſions, Matters and Things therein contained, (except ſuch as are hereby altered, varied or repealed), ſhall be and remain in full Force and Effect for and during the Term hereinafter mentioned, in like Manner, and as fully and effectually in all Reſpects, as if the ſame were herein repeated and re-enacted in the Body of this preſent Act: which ſaid additional Term, and the Tolls or Duties, Powers and Clauſes herein contained, are hereby declared to be ſubject and liable to the Payment of all Sums of Money already borrowed and now due and owing, and hereafter to be borrowed and to grow due upon the Credit of the ſaid recited Act, or this Act, and the Intereſt due or to grow due thereon.

Act further continued.

New Truſtees.

II. And be it further enacted, That *William Aſhby*, *George Cotes Aſcough*, ——— *Burnett*, *Thomas Chaloner Biſſe*, *Edgell Wyatt Edgell*, *George Alexander Fullerton*, The Reverend *Robert Govett*, The Reverend *John Whalley Goſtling*, *Francis Hartwell*, *George Hartwell*, *John Irving*, *George Parry*, *Robert Porter*, *William Sutton Porter*, *Matthew Stevens*, *David Scott*, and Sir *Henry Tempeſt* Baronet, ſhall be, and are hereby added to, and joined with the Truſtees appointed in and by virtue of the ſaid recited Act; and the ſaid Truſtees hereinbefore named, being qualified in the Manner directed by the ſaid recited Act, ſhall have the ſame Powers and Authority to act in the Execution of the ſaid recited Act, and this Act, in all Reſpects whatſoever, as if they had been named and appointed Truſtees in and by the ſaid recited Act.

Allowing Truſtees to elect an additional Number.

III. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, at any Meeting to be held in purſuance of the ſaid Act, and this Act, and they are hereby empowered, by any Writing under their Hands, at any Time or Times, to elect any additional Number of Truſtees, not exceeding Ten in the whole; who, being qualified in the Manner directed by the ſaid Act, ſhall have the ſame Power and Authority for executing the ſaid recited Act, and this Act, as if they had been hereby nominated and appointed Truſtees.

Repealing Proviſion in former Act reſpecting Election of Truſtees.

IV. And whereas it is by the ſaid recited Act directed, That when any of the Truſtees thereby appointed, or to be elected in purſuance thereof, ſhould die, or refuſe to act in the Execution of the ſaid Act, the ſurviving Truſtees ſhould, from time to time, at any Meeting, by Writing under their Hands, appoint ſome fit Perſon to be a Truſtee in the Room of every Truſtee ſo dying or refuſing to act, Ten Days previous Notice of the Time and Place of Meeting for every ſuch Election being given, by the Clerk or Treaſurer, by affixing ſuch Notice, in Writing, upon all the Turnpike-

Gates

Gates then erected acroſs the ſaid Road, and by inſerting the ſame in ſome Newſpaper circulated in the Counties of *Middleſex* and *Surrey*: And whereas the ſaid Proviſion has been found inconvenient; be it therefore enacted, That the ſaid Proviſion ſhall be, and the ſame is hereby repealed.

Power to appoint new Truſtees.

V. And be it further enacted, That when, and as often as any of the Truſtees nominated and appointed by, or in purſuance of the ſaid recited Act, or who ſhall be elected and appointed in the Manner hereinafter mentioned, ſhall die, or by Writing under their reſpective Hands refuſe to act in the Execution of the ſaid recited Act, and this Act, it ſhall be lawful for the ſurviving or continuing Truſtees, from time to time, at any Meeting to be holden in purſuance of the ſaid recited Act, and this Act, by Writing under their reſpective Hands, to elect and appoint ſome fit Perſon to be a Truſtee, in the Room of every or any Truſtee ſo dying or refuſing to act as aforeſaid, Ten Days previous Notice of the Time and Place of Meeting of the ſaid Truſtees for every ſuch Election being given by the Clerk or Treaſurer to the ſaid Truſtees, by inſerting the ſame in ſome Newſpaper or Newſpapers generally circulated in the ſaid Counties of *Middleſex* and *Surrey*; and every Perſon who ſhall be ſo elected and appointed a Truſtee, ſhall and may act with the ſurviving and continuing Truſtees in the Execution of the ſaid recited Act, and this Act, to all Intents and Purpoſes as if he had been named and appointed a Truſtee in and by the ſaid recited Act, or this Act.

Quorum of Truſtees leſſened in certain Caſes.

VI. And be it further enacted, That all Acts, Matters, and Things by the ſaid recited Act authoriſed and directed to be done or performed by Fifteen or more Truſtees, ſhall and may, from and after the paſſing of this Act, be done and performed by Five or more of the ſaid Truſtees; and ſhall be as valid and effectual in the Law, to all Intents and Purpoſes, as as if done or performed by any Fifteen or more of the ſaid Truſtees, any Thing in the ſaid Act contained to the contrary notwithſtanding.

Tolls increaſed.

VII. And be it further enacted, That the Tolls granted and made payable by the ſaid recited Act ſhall, from and after the Twenty-fourth Day of *June* One thouſand eight hundred and fourteen, ceaſe and determine, and that inſtead thereof the Tolls following ſhall and may be demanded, and taken at each and every of the Toll-gates and Turnpikes which ſhall be continued, erected, and provided, in purſuance of this Act, or the ſaid recited Act, upon the ſaid Road, or on the Side or Sides thereof, or in, upon, or acroſs any Lane or Bye-way leading into or out of the ſame, before any Horſe, Cattle or Carriage, upon which any Toll is by this Act impoſed, ſhall be permitted to paſs through the ſame; that is to ſay, for every Coach, Berlin, Landau, Hearſe, Chariot, Calaſh, Chaiſe or Chair drawn by Six or more Horſes, the Sum of Two Shillings and Sixpence; for every Coach, Berlin, Landau, Hearſe, Chariot, Calaſh, Chaiſe or Chair drawn by Four Horſes, the Sum of One Shilling and Sixpence; for every Coach, Berlin, Landau, Hearſe, Chariot, Calaſh, Chaiſe or Chair drawn by either Two or Three Horſes, the Sum of One Shilling; for every Calaſh,

Chaiſe,

Chaiſe, Taxed Cart or Chair drawn by One Horſe, the Sum of Six-pence; for every Waggon, Wain, Car, Cart or Carriage drawn by Eight or more Horſes, Oxen or Beaſts of Draught, the Sum of Two Shillings; and drawn by Seven Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Nine-pence; and drawn by Six Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Six-pence; and drawn by Five Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling and Three-pence; and drawn by Four Horſes, Oxen, or Beaſts of Draught, the Sum of One Shilling; and drawn by Three Horſes, Oxen, or Beaſts of Draught, the Sum of Nine-pence; and drawn by Two Horſes, Oxen, or Beaſts of Draught, the Sum of Sixpence; and for every Car, Cart or Carriage, except a Taxed Cart, drawn by One Horſe, Ox, or Beaſt of Draught, the Sum of Four-pence; for every Horſe, Mule or Aſs, laden or unladen, and not drawing, the Sum of Two-pence; for every Drove of Oxen, Cows or Neat Cattle, the Sum of One Shilling and Eight-pence per Score, and ſo in proportion for any greater or leſſer Number; for every Drove of Hogs, Calves, Pigs, Sheep, or Lambs, the Sum of Ten-pence per Score, and ſo in proportion for any greater or leſſer Number.

Double Tolls on Sundays.

VIII. And be it further enacted, That Double the ſeveral Tolls hereinbefore particularly mentioned ſhall be demanded and taken on *Sundays*, at each and every of the Toll-Gates or Turnpikes which ſhall be continued, erected or provided in purſuance of this Act upon the ſaid Road, or on the Side or Sides thereof, or in, upon, or acroſs any Lane or Bye-way leading into or out of the ſame, before any Horſe, Cattle, or Carriage, upon which any Tolls or Toll is by this Act impoſed, ſhall be permitted to paſs through the ſame.

Exempting the Royal Family from Toll.

IX. Provided always, and be it further enacted, That this Act ſhall not extend, or be conſtrued to extend, to charge with Toll any Horſes or Carriages belonging to Their Majeſties, or any of the Royal Family, or any Horſes or Carriages attending Their Majeſties, or any of the Royal Family.

Number of Tolls limited.

X. Provided always, and be it further enacted, That no more than One full Toll ſhall be demanded or taken from any Perſon or Perſons paſſing or repaſſing the ſame Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next ſucceeding Night, with the ſame Horſes, Cattle, Beaſts, or Carriages, through all or any of the Toll-Gates or Turnpikes to be continued, or erected by virtue of the ſaid recited Act, or this Act, in the whole Length of the ſaid Road.

Toll Collector to have his Name on a Board affixed to the Toll Houſe.

XI. And be it further enacted, That every Collector and Collectors of any of the Tolls or Duties by this Act impoſed, ſhall have his Chriſtian and Surname legibly painted on a Board, in Letters not leſs than Two Inches in Length, either with Black Letters on a White Ground, or with White Letters on a Black Ground; and that every ſuch Collector or Collectors ſhall, during ſuch Time as he or they ſhall ſtand to receive and collect, and

before

before he or they ſhall aſk or demand any of the ſaid Tolls or Duties by this Act granted, fix and place over the Door of the Toll Houſe, or in ſome other conſpicuous Place, the ſaid Board having the Name or Names of ſuch Collector or Collectors; and the ſame ſhall remain affixed during the whole Time ſuch Collector or Collectors ſhall continue to collect, aſk, demand, or receive any ſuch Tolls or Duties upon every of the Toll Gates and Turnpikes, which ſhall be continued or erected in purſuance of this Act, under the Penalty of Forty Shillings, to be ſued for and recovered in Manner hereinafter mentioned and expreſſed.

How Penalties, Forfeitures and Fines are to be recovered and applied

XII. And be it further enacted, That all Penalties, Fines, and Forfeitures by this Act, or the ſaid recited Act impoſed, or authoriſed to be impoſed, ſhall, upon Proof of the Offences, and Conviction of the Offenders reſpectively before any One or more Juſtice or Juſtices of the Peace for the County, Diviſion, or Diſtrict wherein ſuch Offences ſhall be committed, either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more credible Witneſs or Witneſſes, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by virtue of a Warrant or Warrants under the Hand and Seal, or Hands and Seals of ſuch Juſtice or Juſtices, (which Warrant or Warrants ſuch Juſtice or Juſtices is and are hereby authoriſed and required to grant, and to adminiſter ſuch Oath;) and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale are deducted, ſhall be returned, on demand, to the Owner or Owners of ſuch Goods and Chattels; and One Half of all ſuch Penalties, Forfeitures, and Fines ſhall be paid to the ſaid Truſtees or their Treaſurer, and applied to the Purpoſes of this Act; and the other Half ſhall be paid to the Informer; and in caſe ſuch ſufficient Diſtreſs ſhall not be found, and ſuch Penalties, Forfeitures and Fines ſhall not be forthwith paid, ſuch Juſtice and Juſtices is and are hereby authoriſed and required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for ſuch County, Diviſion or Diſtrict, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties, Forfeitures and Fines, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Expences of this Act, how to be paid.

XIII. And be it further enacted, That the Charges and Expences in and about the paſſing and procuring this Act ſhall be defrayed and paid by the ſaid Truſtees, out of the Money already raiſed and received, or to be raiſed and received by virtue of the ſaid former Act or this preſent Act.

Public Act.

XIV. 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.

Term of this Act.

XV. And be it further enacted, That the Term granted by the said recited Act shall, upon the Twenty-fourth Day of *June* One thousand eight hundred and fourteen, cease and determine, and that the said recited Act, (subject to the Alterations, Additions, and Amendments, herein contained,) and this Act, shall from thenceforth commence, continue and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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