ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

Cap. c.

An Act for continuing certain Powers to the Trustees of the Road from *Kentish Town* to *Upper Holloway* in the County of *Middlesex*.

[28th *June* 1833.]

WHEREAS an Act was passed in the Fifty-first Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making a public Carriage Road from* Kentish Town *to* Upper Holloway *in the County of* Middlesex: And whereas another Act was passed in the Fifty-second Year of the Reign of His said Majesty, intituled *An Act for altering and enlarging the Powers of an Act passed in the last Session of Parliament, for making a public Carriage Road from* Kentish Town *to* Upper Holloway *in the County of* Middlesex: And whereas the Trustees for executing the said recited Acts have proceeded to put the same in execution, and several Persons have, in pursuance of the Provisions of the said Acts, subscribed and paid divers large Sums of Money for carrying the same into effect: And whereas the Sum of Twenty-one thousand nine hundred and seventy-four Pounds Fifteen Shillings and Three-pence of such Subscriptions has been expended for the Purposes therein mentioned: And whereas the several Persons, Subscribers towards the making of the said Road, were entitled, under the Provisions of the said recited Acts, to receive Interest or Dividends upon their several Sums of Money subscribed for the Purposes aforesaid not exceeding Ten Pounds *per Centum per Annum*; and the Amount of Tolls received upon the said Road has not been sufficient, after defraying the necessary Charges and

51 G. 3. c. 156.

52 G. 3. c. 120.

Expences of making and maintaining the same, to pay to the said Subscribers more than about the Rate of Two Pounds Ten Shillings *per Centum per Annum* on the Average, so that the said Trustees have been unable to repay to any of the Subscribers the Sum of Twenty-one thousand nine hundred and seventy-four Pounds Fifteen Shillings and Three-pence, or any Part thereof: And whereas the Term granted by the said recited Acts will shortly expire; and for the Purpose of enabling the said Trustees to continue the Payment of Interest or Dividends to the said Subscribers, to repay the several Sums subscribed for making the said Road, and to keep the said Road made under and by virtue of the said Acts in repair, it is necessary and expedient that the Term granted by the said recited Acts should be further continued, and that the said recited Acts should be repealed, and other Powers granted instead thereof; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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

Recited Acts repealed.

the Authority of the same, That from and after the Second *Tuesday* next after the passing of this Act the said recited Acts of the Fifty-first and the Fifty-second Years of the Reign of His Majesty King *George* the Third shall be and the same are hereby declared to be repealed.

For the Appointment of Trustees.

II. And be it further enacted, That *George Ring*, *William Barron*, *James Gilman*, *Robert Sutton*, *Charles Ring*, *Richard Addams*, *John Jackson*, *Joseph Drake*, *Thomas Beeby*, and their Successors, being duly qualified, and to be elected as herein-after mentioned, shall be and they are hereby appointed the Trustees for putting this Act into execution; and all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done by or before the said Trustees may be done and executed by or before any Three or more of them; and all Matters and Things so done and executed shall be of the same Force and Effect in all respects whatsoever as if the said Matters and Things were and had been done by all the Trustees appointed or to be appointed under or by virtue of this Act.

Qualification of Trustees.

III. Provided always, and be it further enacted, That no Person shall be capable of being elected or of acting as a Trustee in the Execution of this Act whilst he holds any Place of Profit or any Contract under this Act, nor in any particular Case in which he shall be, in that Instance, personally interested, otherwise than as a Creditor, nor unless he shall at the Time of acting be seised or possessed, in his own Right or in Right of his Wife, and be in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, situate in the County of *Middlesex* or in the City of *London*, of the clear yearly Value of Fifty Pounds above Reprizes, or shall be Heir Apparent of some Person having such Estate of the clear yearly Value of Fifty Pounds, or be possessed of a Personal Estate to the Amount or Value of One thousand Pounds, nor unless he shall at the Time of his so acting be a Subscriber to the Amount of Two hundred and fifty Pounds to the said Road, or shall, in his own Right or in Right of his Wife, be possessed of Two hundred and fifty Pounds at least secured on the Monies raised or to be raised by virtue of this Act, and in the actual Receipt of the Interest and Dividends thereof,

(except in the Cases herein-after mentioned,) nor until he shall have taken and subscribed the Oath or Affirmation herein-after mentioned before any Three or more of the Trustees appointed or to be appointed under this Act, who are hereby authorized and empowered to administer the same in the Words or to the Effect following; (that is to say,)

'I DO swear, [*or, being one of the People called Quakers*, solemnly affirm,] That I am truly and *bonâ fide*, in my own Right, [*or* in the Right of my Wife, *as the Case may be*,] in the actual Possession or Enjoyment and Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, situate in the County of *Middlesex*, [*or* City of *London*, *as the Case may be*,] of the clear yearly Value of Fifty Pounds above Reprizes, [*or* am possessed of a Personal Estate of the Value of One thousand Pounds,] and that I am a Subscriber to the full Amount of Two hundred and fifty Pounds for and towards the Purposes of an Act passed in the Third Year of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*], *or* that I am truly and *bonâ fide*, in my own Right, [*or* in the Right of my Wife, *as the Case may be*,] possessed of the full Sum of Two hundred and fifty Pounds secured on the Monies raised or to be raised by virtue of an Act, &c. [*as the Case may be*]. So help me GOD.' Oath.

[*Or, being a Quaker, omit the Words* 'So help me God.']

And if any Person not being so qualified, or not having taken the said Oath or Affirmation, shall presume to act in the Trust aforesaid, (except in administering the said Oath or Affirmation,) every such Person 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, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and the Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof being given of his having acted as a Trustee in the Execution of this Act.

IV. And be it further enacted, That in case of the Death, Refusal, Neglect, Incapacity, Want of Qualification, Disability to act, or Disqualification of any of the Trustees hereby appointed, or their Successors, as herein mentioned, it shall be lawful for the surviving or remaining Trustees, or any Three or more of them, as soon after such Vacancy as conveniently may be, from Time to Time to elect, nominate, and appoint one other Person, qualified as aforesaid, to be a Trustee in the Room of every Trustee so dying, refusing, neglecting, or becoming disqualified as aforesaid; provided that Notice of the Time and Place of such Meeting for every such Election be given by the Clerk to the said Trustees by affixing the same in Writing or in Print upon all the Toll Gates or Turnpikes erected or to be erected upon the said Road, and by inserting such Notice in One or more of the Newspapers circulated in the County of *Middlesex* Fourteen Days at least before every such Meeting; and every such new Trustee so to be elected and appointed as aforesaid shall and may act in the Execution of this Act, to all Intents and Purposes, in as full and ample a Manner as the Trustees hereby nominated are empowered to act: Provided always, that the selling, transferring, or parting with For appointing new Trustees.

with his Subscription to or Share or Shares in the Capital Stock raised for making the said Road or any Part thereof by any Trustee, so that he shall cease to be possessed of and entitled to Two hundred and fifty Pounds at the least of the said Capital Stock, (except by any Part of his said Share or Interest being paid off as herein-after provided,) shall be taken and deemed to be a Disqualification of such Trustee to all Intents and Purposes whatsoever.

Trustees may sue and be sued in the Name of their Clerk or Treasurer.

V. And be it further enacted, That the said Trustees shall and may sue and be sued in the Name of any One or more of them, or in the Name of their Clerk or Treasurer for the Time being; and no Action or Suit to be brought or commenced by or against the said Trustees or any of them, by virtue of this Act, in the Name or Names of any One or more of them, or of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of such Trustee, Clerk, or Treasurer, or by any Act of such Trustee, Clerk, or Treasurer without the Consent of the said Trustees, but that the Trustee, Clerk, or Treasurer for the Time being in whose Name such Action or Prosecution shall be brought shall always be deemed to be the Plaintiff or Defendant (as the Case may be) in every such Action or Suit: Provided always, that every such Trustee, Clerk, or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act shall be reimbursed and paid, out of the Monies raised or to be raised by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put unto or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and also the Costs and Charges of prosecuting any Indictment or Indictments, or other Proceedings whatsoever, which shall or may be commenced or prosecuted against any Person or Persons whomsoever by Order of the Trustees.

All Bonds, &c. to remain in force, notwithstanding the Repeal of the said Acts.

VI. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and Securities made or entered into by any Person or Persons to or with the Trustees for executing the said recited Acts, or by any other Person or Persons on behalf of the said Trustees, according to the Provisions of the same Acts, and now in force, shall remain in full Force and Effect, notwithstanding that such Acts are hereby repealed, and shall be and continue available in all Courts and before all Judges and Justices having Jurisdiction, until the same are fully satisfied and performed; and all Debts which at the Time of the Commencement of this Act shall be legally due and owing from the said Trustees, and which shall have been *bonâ fide* incurred in the due Execution of the said Acts hereby repealed, shall be paid by the said Trustees hereby appointed instead of by the Trustees acting in execution of the said Acts hereby repealed.

First and other Meetings of the Trustees.

VII. And be it further enacted, That the said Trustees shall meet together at the *Gate House, Highgate,* in the County of *Middlesex,* or at some other convenient House, Inn, or Place near or adjoining the said Road, within Twenty-one Days next after the passing of this Act, or as soon thereafter as conveniently may be, and proceed to the Execution of this Act, and shall then and from Time to Time afterwards adjourn themselves to meet at such Time, and at the same or such other Place upon or near the said Road or in the City of *London,* as the said Trustees shall think

think proper and appoint, as often as it shall be necessary for putting this Act in execution.

Meeting on Emergencies.

VIII. And be it further enacted, That if after any Adjournment of the said Trustees it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk to the said Trustees, upon receiving an Order in Writing signed by any Three or more of the said Trustees, although not assembled at a Meeting, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice to each and every of the said Trustees of the Time and Place which shall be mentioned in the said Order (such Time not being less than Seven Days after such Notice); and such earlier Meeting shall and may be held accordingly, and all the Proceedings of the Trustees at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment.

If a sufficient Number of Trustees do not attend, another Meeting to be called, of which Seven Days Notice shall be given.

IX. And be it further enacted, That if a sufficient Number of Trustees shall not meet on the Day appointed for their First Meeting, or shall not meet on the Day appointed by Adjournment for their Meeting, or for Want of a proper Adjournment, by which Means, or by some or One of them, the Intent of this Act may be frustrated, in all or either of the said Cases it shall be lawful for so many of the said Trustees as shall meet, or in case no Trustee shall be present it shall be lawful for their Clerk, to cause Notice in Writing to be given to each and every of the said Trustees, at least Seven Days before the appointed Meeting, appointing such Trustees to meet at such Place where the preceding Meeting was appointed to have been held; and the said Trustees, when met in pursuance of such Notice, shall and may and are hereby required to proceed and carry this Act into execution in the same and in as full and ample Manner, to all Intents and Purposes, as they might or could have done if no such Neglect had happened.

Orders and Proceedings to be entered in Books, which shall be open for Inspection.

X. And be it further enacted, That all the Orders and Proceedings of the said Trustees, together with the Names of the Trustees present at every Meeting, shall be entered in a Book or Books to be kept by the Clerk to the said Trustees for that Purpose, and be signed by the Chairman of the Meeting or Meetings at which such Orders or Proceedings shall be from Time to Time made or had; and such Book or Books shall be open at all seasonable Times to the Inspection of any of the Trustees without Fee or Reward; and such Orders and Proceedings so entered and signed by the Chairman of such Meeting or Meetings as aforesaid shall be deemed and taken to be original Orders and Proceedings; which said Book or Books, as well as the Book or Books in which the Oath and Affirmation directed to be taken by the said Trustees shall be entered, and also the Book or Books directed to be kept for registering Mortgages and Assignments, and all Entries in such Books respectively, shall and may be read in Evidence in all Courts whatsoever in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever.

Trustees may appoint Officers, and take Security from them.

XI. And be it further enacted, That the said Trustees shall and they are hereby empowered from Time to Time to appoint some fit and proper Person or Persons to act as a Treasurer or Treasurers, Surveyor or Surveyors,

Surveyors, Clerk or Clerks, Gate Keeper or Gate Keepers, and a Toll Gatherer or Toll Gatherers of the said Road, and such other Officer and Officers, or such Person or Persons as they shall think necessary to employ in the Execution of this Act, and shall and may take such Securities for the due Execution of the respective Offices of the said Treasurers, Surveyors, Clerks, Gate Keepers, Toll Gatherers, Officers, or other Persons to be so appointed and employed as they the said Trustees shall think fit, and shall and may from Time to Time remove such Treasurers, Surveyors, Clerks, Gate Keepers, Toll Gatherers, Officers, and other Persons, or any of them, and appoint others in their Stead, as to them shall seem proper, and shall and may allow such Salaries or Allowances to such Officers after being so appointed as to them the said Trustees shall seem reasonable: Provided always, that no Person shall be capable of holding any Place of Profit under this Act who shall sell any Wine, Cider, Ale, or Spirituous Liquors by Retail.

Toll Collectors may be removed, and others appointed.

XII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls shall neglect, refuse, or be incapable of performing his Duty, or shall abscond or absent himself, any Three or more of the said Trustees, though not assembled at a Meeting of the said Trustees appointed by virtue of this Act, shall and may lawfully discharge such Collector or Receiver so neglecting, refusing, or being incapable of performing his Duty, or absconding or absenting himself; and in such Case, and also in case any Collector or Receiver shall die, such Trustees shall and may nominate and appoint a fit and proper Person to be Collector or Receiver of the said Tolls, to continue until the then next Meeting of the respective Trustees, in the Stead of such Collector or Receiver as shall die or be discharged; and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all respects, as the Person who shall so die or be discharged would have had or would have been subject to; and if any

Proceedings in case Collectors, &c. so removed shall refuse to deliver up Possession.

Collector or Receiver of the said Tolls who shall be discharged from his Office by virtue of this Act, or the Wife or Widow or any of the Family or other Representative or Representatives of any Collector or Receiver who shall die or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll House or Building erected on the said Road for the Space of Three Days next after Demand thereof made and Notice in Writing given for that Purpose by any Three or more of the said Trustees, although not assembled at a Meeting, or by their Clerk or Clerks or Treasurer or Treasurers for the Time being, then and in any of the said Cases it shall be lawful for the said Trustees, or any Three or more of them, although not assembled at a Meeting, to summon the Party or Parties so offending before any Justice or Justices of the Peace for the County or Place, who shall or may, in case he or they shall think it necessary, by Warrant under his or their Hand and Seal or Hands and Seals, order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House or Building in the Daytime, and to remove the Person or Persons who shall be found therein, together with his or their Goods, out of the same, and to put the said Trustees, or any Three or more of them, or such new appointed Collector or Receiver, into the Possession thereof.

XIII. And

Officers to account when required by Trustees.

XIII. And be it further enacted, That all such Officers as shall have been or shall be appointed by the said Trustees shall from Time to Time, when thereunto required by the said Trustees, deliver to such Trustees, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts in Writing under their respective Hands of all Monies which they and every of them respectively shall have received to that Time by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, and not otherwise, within such Time as such Trustees shall limit or appoint; and if any such Officer or Person shall refuse or neglect to produce or deliver any such Accounts and the Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Account, within the Time or in manner aforesaid, or if any such Officer or Person shall refuse or neglect to deliver up to the said Trustees, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Trustees, all the Books, Papers, or Writings in his Custody or Power relating to the Execution of this Act, then and in every or any of the said Cases it shall be lawful for any One Justice of the Peace for the County or Place where such Person shall live or reside, upon Complaint made to him by or on behalf of the said Trustees, and such Justice is hereby required, by Warrant under his Hand and Seal, to summon such Officer or Officers, Person or Persons, to appear before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts if produced; and if, upon Confession of the Officer or Officers, Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, (which Oath such Justice is hereby empowered and required to administer without Fee or Reward,) or upon Inspection of the said Accounts if produced, it shall appear to such Justice that any of the Money which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may and he is hereby authorized and required, on Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if such Officer or Officers, or other Person or Persons, shall not appear before the said Justice at the Time and Place appointed by him for that Purpose, unless for some sufficient Reason or Cause to be allowed by such Justice, or if appearing shall refuse or neglect to give and deliver to such Justice an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power relating to the Execution of this Act, then and in either of the Cases aforesaid such Justice may and he is hereby authorized and required, by a Warrant under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction of the

County or Place where such Person shall live or reside, there to remain without Bail or Mainprize, in case he or they shall be committed for Nonpayment of any Money received by him or them or in his or their Hands, until he shall have accounted for or paid the full Amount thereof, or compounded with the said Trustees, and paid such Composition in such Manner as the said Trustees shall appoint (which Composition the said Trustees are hereby empowered to make), or in case he or they shall be committed for not delivering any Account Books, Papers, or Writings as aforesaid, until he or they shall have delivered up such Books, Papers, and Writings as aforesaid, or made Satisfaction in respect thereof to the said Trustees; provided that no Person who shall be so committed for Want of sufficient Distress only shall be detained in Prison by virtue of this Act for a longer Space of Time than Six Calendar Months.

The same Person not to be Clerk and Treasurer.

XIV. And be it further enacted, That it shall not be lawful for the said Trustees to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be Clerk of the said Trustees for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Trustees other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, 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, nor more than One Imparlance, shall be allowed.

An Account to be stated annually, and filed with the Clerk of the Peace.

XV. Provided always, and be it further enacted, That at some General Meeting of the Trustees between the First Day of *January* and the Twenty-fifth Day of *March* in every Year during the Continuance of this Act, of which Meeting Fourteen Days Notice shall be given by inserting the same in some Newspaper circulated in the County of *Middlesex*, the said Trustees shall cause a fair and just Account to be made out and laid before such Meeting of all Monies received and paid by them, or by their Order or Direction, by virtue or in pursuance of this Act, and how or to or from whom and for what Purpose the same shall have been paid, expended, or received, together with the legal Vouchers appertaining thereto; and a Copy of every such Account shall be signed by the said Trustees, or any Three or more of them; and such Copy shall be filed annually with the Clerk of the Peace before or at the

Midsummer General Quarter Sessions of the Peace to be held in and for the said County of *Middlesex*, to the end that all Persons may, at all reasonable Times, have Liberty to peruse and inspect the same, and to take Copies and Extracts therefrom at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies or Extracts.

Justices at Sessions to audit Accounts of Trustees.

XVI. And be it further enacted, That the Justices of the Peace assembled at the Quarter Sessions for the County of *Middlesex* shall and they are hereby authorized to audit and examine the Accounts of the said Trustees so transmitted to the Clerk of the Peace for the said County, as herein-before directed, for the Year preceding, in order to ascertain that the Tolls have been duly expended or disposed of in conformity with the Provisions of this Act; and the said Justices shall and may disallow any Items or Charges in such Accounts as to them shall appear to have been made or charged in violation of the Provisions herein contained; and the said Justices shall have Power and Authority to order the Tolls hereby authorized to be taken by the said Trustees to cease if it shall at any Time appear to the said Justices that the Purposes of this Act have not been fully carried into effect, or in case in any Year during the Continuance of this Act the said Trustees shall not, in pursuance of the Provisions herein contained, produce their Accounts of Receipts and Disbursements to the Satisfaction of the said Justices; and in case the Clerk or other Person shall refuse or neglect to produce such Books, Accounts, Vouchers, and other Papers before the said Justices, such Clerk or other Person shall forfeit and pay any Sum not exceeding Five Pounds.

Power to sell and transfer Subscriptions.

XVII. And be it further enacted, That it shall be lawful for the several Persons who have subscribed or who shall hereafter subscribe, or who have or shall become entitled to any Sum or Sums of Money subscribed or to be subscribed by virtue of the said recited Acts or this Act, to sell and dispose thereof, subject to the Directions and Provisions herein contained; and the Transfer or Conveyance of every such Sum or Sums of Money shall be in the Form and to the Effect following; (that is to say,)

Form of Transfe.

'I *A. B.* of in consideration of
'paid to me by *C. D.* of do hereby
'sell, assign, and transfer to the said *C. D.* the Sum of
'Capital Stock, secured to me by virtue of an Act passed in the
'Third Year of the Reign of His Majesty King *William* the Fourth,
'intituled [*here insert the Title of this Act*], to hold to the said *C. D.*, his
'Executors, Administrators, and Assigns, subject to the same Rules,
'Orders, and Restrictions, and on the same Conditions, that I held the
'same immediately before the Execution hereof; and I the said *C. D.*
'do hereby agree to take and accept the said Capital Stock, subject
'to the same Rules, Orders, Restrictions, and Conditions. As witness
'our Hands and Seals the Day of in the Year
'of our Lord

'*A. B.*
'*C. B.*'

Memorial of Transfer to be made by the Clerk.

And on every such Sale, the said Deed of Conveyance being executed by the Seller or Sellers and Purchaser or Purchasers, shall be kept by the Purchaser or Purchasers for his, her, or their Security after the Clerk to the said Trustees shall have entered in the Book or Books to be kept for that Purpose a Memorial of such Transfer or Sale, and have testified or indorsed the Entry of such Memorial on the said Deed of Transfer or Sale, for which the Sum of Five Shillings, and no more, shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as herein-before directed such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Road, nor any Interest for such Shares, paid to him, her, or them as a Subscriber or Subscribers towards the making and maintaining the said Road.

No Transfer to be made of any smaller Sum than Fifty Pounds.

XVIII. Provided always, and be it further enacted, That no Assignment or Transfer shall be permitted to be made or entered into the Transfer Books of the said Trustees of or concerning any smaller Sum or Portion of the said Subscription than Fifty Pounds thereof; and any and every such Assignment or Transfer which shall or may at any Time or Times hereafter be attempted to be made, and shall happen to be so entered, of or concerning any such smaller or less Sum than Fifty Pounds thereof, shall be utterly null and void; any thing in this Act contained to the contrary thereof notwithstanding.

Names of Subscribers to be entered, and Certificates to be given of the Amount of their Stock.

XIX. And be it further enacted, That the said Trustees shall and they are hereby required to cause the Names of the several Persons who shall be entitled to any Part or Parts of the Capital Stock or Subscription, together with the Sum or Sums of Money to which they are respectively entitled therein, to be fairly and distinctly entered in a Book or Books to be kept by the Clerk to the said Trustees for that Purpose, and shall also cause a Certificate or Instrument, signed by the said Trustees or any Three or more of them, to be delivered to the several Persons who shall be entitled to any Part or Parts of the said Capital Stock or Subscription, together with the Sum or Sums of Money to which they are respectively entitled therein; and for every such Certificate or Instrument the Sum of Five Shillings, and no more, shall be paid to the Clerk to the said Trustees; and such Certificate or Instrument shall be admitted in all Courts whatsoever as the Evidence of the Title of the Person or Persons mentioned therein, his, her, or their Executors or Administrators, to the Sum or Sums of Money therein specified; but the Want of such Certificate or Instrument shall not hinder or prevent the Person or Persons entitled to any Part or Parts of the said Capital Stock or Subscription from selling or disposing thereof.

For ascertaining the Proprietorship of Shares in certain Cases.

XX. And whereas in Cases where the Subscriber or Subscribers in or towards the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his, her, or their Right and Interest to some other Person or Persons, and no Register shall have been made of the Transfer thereof with the said Clerk as in and by this Act directed, it may not be in the Power of the Trustees, or their Treasurer or Clerk, to know who is or are the Owner or Owners, Proprietor or Proprietors of such Share or Shares, for the Purpose of safely paying to him, her, or them the Interest or Dividends to which he, she, or they

may be entitled by virtue thereof; be it therefore further enacted, That in all Cases where the Right and Property in One or more Share or Shares in the said Undertaking shall pass from the Proprietors or Possessors thereof to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof, as by this Act before directed, an Affidavit may be made and sworn to by Two credible Persons before One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons; and such Affidavit shall be transmitted to the Clerk to the said Trustees, to the Intent that he may and he is hereby required to enter and register the Name or Names of every such new Proprietor in the Register Book or List of the Proprietors of Shares in the said Undertaking, to be kept in the Office of the said Clerk; and the said Trustees and their Treasurer are hereby indemnified for and in respect of any Payment to be made to such Proprietor or Proprietors after such Registration as aforesaid.

Trustees may set up Gates.

XXI. And be it further enacted, That the said Trustees shall and may erect and set up, or cause to be erected and set up or continued, One or more Gate or Gates, Turnpike or Turnpikes, in, upon, and across the said Road, and also across or on the Side or Sides of any other Part of the said Road where any Highway shall or may join or meet the same, together with Toll Houses and proper and necessary Buildings, Conveniences, and Fences near to each such Gate or Turnpike; and the respective Tolls following shall and may be demanded and taken of and from all and every or any Person or Persons passing through the said Gate or Turnpike with or attending any Horse or Cattle, Sheep, Lambs, or Swine, by such Person or Persons as the said Trustees shall from Time to Time appoint, at any One of the said Gates or Turnpikes, before such Horse, Cattle, Sheep, Lambs, or Swine shall be permitted to pass through the same; (that is to say,)

Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Carriage or attending the same, any Sum not exceeding Four-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding Two-pence:

For every Drove of Oxen or Neat Cattle, any Sum not exceeding Ten-pence *per* Score, and so in proportion for any less Number than a Score:

And for every Drove of Swine, Sheep, or Lambs, any Sum not exceeding Three-pence *per* Score, and so in proportion for any less Number than a Score:

Which said respective Sums of Money shall be and are hereby vested in the said Trustees, and shall and may be demanded and taken as and for a Toll: Provided nevertheless, that no Gate or Turnpike shall be erected or set up, nor shall any Toll be taken, on any Part of the said Road nearer to *Kentish Town* than the present Gate or Turnpike which adjoins to *Maiden Lane*, unless any other Road shall be made branching from the said Turnpike Road into *Maiden Lane* aforesaid.

No Gate to be erected between Kentish Town and Maiden Lane.

Recovery of Tolls.

XXII. And be it further enacted, That if any Person or Persons subject or liable to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same or any Part thereof, it shall

shall be lawful for the Person or Persons authorized or appointed to collect such Tolls, by himself or themselves, or taking such Assistance as he or they shall think necessary, to seize and distrain any Horse, Beast, Cattle, Carriage, or other Thing upon or in respect of which any such Toll is by this Act imposed, together with their respective Bridles, Saddles, Gears, Harness, or Accoutrements, (except the Bridle or Reins of any Horse or other Beast separate from the Horse or Beast,) or any Carriage in respect of the Horses or Cattle drawing the Carriage on which such Toll is imposed, or any of the Goods or Chattels of the Person or Persons so neglecting or refusing to pay; and if the Toll or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining may sell the Horse, Beast, Cattle, Carriage, or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any), and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted.

Tolls on Steam Carriages.

XXIII. And be it further enacted, That Toll shall be paid for and in respect of any and every Coach, Waggon, or other Carriage, whether connected or affixed to each other or otherwise, which shall pass along the said Road, and shall be in any Manner propelled or drawn by Steam, Gas, or any other like Means; and such Toll shall be to the same Amount as would have been payable in case the same had been drawn by Four Horses; and the said Toll shall be paid for every such Coach, Waggon, or other Carriage for each Time of passing along the said Road.

Tolls to be paid but once a Day.

XXIV. And be it further enacted, That in case the Tolls shall have been paid for the passing of or in respect of the same Horse or Horses, Cattle, or Carriages through any Toll Gate, Bar, or Turnpike to be continued or erected by virtue of this Act, all Persons shall on the same Day (to be computed as after mentioned) be permitted to pass and repass any Time or Times as often as he or they shall think proper through the same Toll Gates, Bars, or Turnpikes, or any other Toll Gate, Bar, or Turnpike which shall be continued or erected by virtue of this Act, for or in respect of the passing of the same Horse or Horses, Cattle, or Carriages for which such Toll shall have been so paid (except as by this Act is otherwise directed); and no Person passing any of the said Toll Gates or Bars or Turnpikes with any Horse not drawing a Carriage, and paying the Toll for such Horses, and returning the same Day (to be computed as aforesaid) with the same Horse drawing a Carriage, shall be subject or liable to pay any greater Toll than will, with what shall have been paid for the passing of such Horses as aforesaid, make up the complete Toll authorized to be collected by virtue of this Act; and no Person passing any of the said Toll Gates or Turnpikes with any Horses drawing a Carriage, and paying the Toll for or in respect of the same, and returning on the same Day (to be computed as aforesaid) with the same Horses not drawing any Carriage, shall be subject or liable to pay any Toll in respect of the Horses for returning, such Person respectively producing a Note or Ticket denoting such respective Payments.

Horses drawing different Carriages to

XXV. Provided always, and be it further enacted, That no Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage shall

shall be exempt from Toll by reason of previous Payment of Toll on the said Road during the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night, unless such Horse or other Beast shall, at the Time of such previous Payment of Toll, have been drawing the same Waggon, Wain, Cart, or other Carriage as that which it shall be drawing at the Time when such Exemption shall be claimed.

pay each Time of passing.

XXVI. Provided also, and be it further enacted, That no Horse or other Beast drawing any Post Chaise or other Carriage returning with any Person or Persons therein through any of the said Gates or Bars on the said Roads shall be exempt from Toll, unless a Ticket be produced denoting the Toll by this Act authorized to be taken to have been then already paid on that Day (to be computed as aforesaid) by the Person or Persons then in or hiring such Post Chaise or Carriage.

As to Toll on Post Chaises.

XXVII. And be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or other Beast drawing any Stage Coach, Van, Caravan, Waggon, or other Carriage conveying Passengers or Goods for Pay, Hire, or Reward, for each Time of passing along the said Road.

Stage Coaches, &c. to pay each Time of passing.

XXVIII. And be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or other Beast drawing any Hackney Coach, Chariot, or Cabriolet for each Time of passing through any Gate or Bar on the said Road, unless the Person or Persons by whom the same shall for the Time being be hired shall have then already, during the same Day, (to be computed as aforesaid,) paid Toll for the same on the said Road, and shall produce a Ticket denoting such Payment, or unless such Hackney Coach, Chariot, or Cabriolet shall be returning empty after having set down any Person or Persons who shall during the same Day have paid Toll for the same.

Hackney Coaches to pay each Time of passing with a fresh Hiring.

XXIX. And be it further enacted, That no Horse or other Beast drawing any Waggon, Cart, or other Carriage laden with Bricks, Tiles, Stone, Lime, Timber, Coals, Iron in Bars, or Lead in Sheets, shall be exempt from Toll by reason of any previous Payment of Toll on the said Road, except in Cases where such Horse or other Beast shall, at the Time of such previous Payment of Toll, have been going with the same Waggon, Cart, or other Carriage empty, to fetch the Load which such Horse or other Beast shall be drawing at the Time when such Exemption shall be claimed.

Carts laden with Bricks to pay each Time of passing.

XXX. And be it further enacted, That no Horse or Horses or other Cattle drawing any Cart, Waggon, Dray, or other Carriage laden with Bricks, Tiles, Clay, Sand, Chalk, Stones, Brick Earth, Rubbish, Soil, or Ashes, shall be permitted to pass through any of the said Toll Gates, Bars, or Turnpikes more than twice in any one Day (such Day to be computed as aforesaid) without paying again the Tolls as if the same had not already passed through any of such Toll Gates, Bars, or Turnpikes, except such Horse or Horses or other Cattle drawing such Carts or Waggons as shall be employed and used in carrying and conveying Materials for repairing and amending the said Road; any thing herein contained to the contrary notwithstanding.

As to Toll on Materials for repairing Road.

Removal of Toll Gates.

XXXI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to take down and remove, or cause to be taken down and removed, any Gate, Turnpike or Toll Gate, Weighing Engine, Building, and other Convenience erected or provided by virtue of this or the said recited Acts, or either of them, and to set up the same again in any other Place or Places in, upon, or across or on the Side or Sides of the said Road, except as herein-before mentioned: Provided always, that no Gate, Turnpike, or Weighing Engine erected or to be erected or set up by virtue of this or the said recited Acts shall at any Time after the same shall be set up be taken down or removed to any Place except by Order of the said Trustees at a Meeting convened for that Purpose, and unless Twenty-one Days previous Notice shall be given thereof in Writing or in Print, and be affixed upon all the Turnpikes which shall be then erected by virtue of this Act, and also advertised twice in some Newspaper published or circulated in the County of *Middlesex*; any thing in this Act contained to the contrary thereof notwithstanding.

Trustees to put up a Table of the Tolls, with the Names of the Gates, and provide Tickets denoting the same.

XXXII. And be it further enacted, That the said Trustees shall and they are hereby required to put or cause to be put up and afterwards to be continued, at every Toll Gate on the said Road, a Table, painted in distinct and legible Black Letters on a Board with a White Ground, containing on the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at every such Gate, distinguishing severally the total Amount of Tolls payable under this Act, and the different Sorts of Carriages for which they are to be paid, where there shall be any Variation therein, and also a List of the several Gates (if any) which shall be wholly or partially cleared by the Payment of Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed; and the said Trustees shall also provide Tickets denoting the Payment of Tolls, and on such several Tickets shall be specified the Name of the Gate at which the same shall respectively be delivered, and also the Names of the Gate or several Gates (if any) freed by such Payment, One of which Tickets shall be delivered *gratis* to the Person paying the Toll; and on the Production of such Ticket at any Gate or Gates therein mentioned as being cleared as aforesaid by the Payment of the Toll at the Gate where such Ticket was delivered, the Person producing the same shall pass through the Gate or Gates therein mentioned without paying any further or additional Toll.

Toll Collectors to put up their Names.

XXXIII. And be it further enacted, That every Toll Collector on the said Road shall place or cause to be placed on some conspicuous Parts of the Fronts of the several Toll Houses at which they shall be respectively stationed, so that the same shall appear to public View, their Christian and Surnames painted in Black on a Board with a White Ground, each of such Letters of such Name or Names to be at least Two Inches in Length and of a Breadth in proportion; and such Board shall be and remain at such Toll House during the whole of the Time that the Person whose Name shall be expressed thereon shall be on Duty thereat; and if

Penalty for Neglect, and for Misbehaviour.

any Collector of the said Tolls shall not place such Board and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand and take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the said Trustees made in pursuance hereof, or shall demand

demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall refuse to permit or suffer any Person or Persons to read, or shall in anywise hinder any Person or Persons from reading, the Inscriptions on such Board, or shall refuse to tell his Christian and Surname to any Person or Persons who shall demand the same, on being paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or omit to give the Person paying the Toll a Ticket denoting the Payment of the Toll, and naming and specifying the Toll Gate at which such Ticket has been delivered, and the Toll Gate or Toll Gates (if any) freed by such Payment, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully hinder or prevent any Passenger or Passengers from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Trustee, Traveller, or Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty for evading Tolls.

XXXIV. And be it further enacted, That if any Person shall go or pass with or ride or drive any Horse or Beast, or ride in or drive any Carriage, through or over any Land, Ground, or Place lying by the Side of or near to any Part of the said Road, or if any Person or Persons owning or occupying any Lands or Grounds, the same not being a Highway at the Time of the passing of this Act, shall knowingly or wilfully permit or suffer any other Person or Persons to go or pass with any Horse or Horses, Cattle, or Carriage through or over such Land, Ground, or Place, whereby the Payment of any Tolls by this Act granted, or any Part thereof, shall be avoided; or if any Person shall forge, counterfeit, or alter, or shall deliver to or receive of any other Person or Persons any Note or Ticket directed by this Act to be given, with Intent to evade the Payment of the Tolls or any Part thereof; or if any Person shall fraudulently or forcibly pass through any Toll Gate with any Horse, Cattle, Beast, or Carriage, or shall leave upon or near to the said Road any Horse, Beast, Cattle, or Carriage whatsoever, by means whereof the Payment of any of the said Tolls shall be evaded, or having passed through any Toll Gate shall afterwards add or put any Horse or other Beast to any such Carriage, and draw therewith upon any Part of the said Road, so as to increase the Number of Horses or other Beasts drawing the said Carriage after the same shall have passed through any Toll Gate, whereby the Payment of all or any of the Tolls by this Act granted shall or may be evaded; or if any other Person shall do any other Act whatsoever in order or with Intent to evade the Payment of all or any of the said Tolls, and whereby the same shall be evaded; every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Exemptions from Tolls.

XXXV. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom; or of or from any Person or Persons for any Horse or Horses or other Beast or Cattle, or for any Waggon, Wain, Cart, or other Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only

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in carrying or conveying, on the same Day, any Stones, Bricks, Timbers, Wood, Gravel, or other Materials for making or repairing any Turnpike Road or public Highway in any Parish or Place through which any Part of the said Road leads, or for building, rebuilding, or repairing any present or future Bridge or Bridges on any such Road or public Highway; or for any Horse, Beast, or other Cattle or Carriage employed in carrying or conveying, having been employed only in carrying or conveying on the same Day, any Dung, Soil, Compost, or Manure to be used in manuring or improving the Land adjoining the said Line of Road (save and except Lime for improving Lands); or for any Hay, Straw, Fodder for Cattle, and Corn in the Straw which has grown or arisen on Land or Ground in the Occupation of the Owner of any such Hay, Straw, Fodder, or Corn in the Straw, or other agricultural Produce, in either of the said Parishes, and which has not been bought, sold, or disposed of, nor is going to be sold or disposed of; or for Horses, Carts, or Waggons employed only in carrying or conveying any Vagrant sent by a legal pass, or any Prisoner sent by any legal Warrant, or returning empty after having been so employed; or for any Horses or Carriages, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails and Expresses, or in returning back from conveying or guarding the same; or for the Horse or Horses of any Officers or Soldiers on their March or on Duty; or for any Horse or Horses or other Beast, or any Cart, Carriage, or Waggon, employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, the Arms or Baggage of any such Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed in carrying or conveying, any sick, wounded, or disabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, employed in conveying any Ordnance or Barrack or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty from having been so employed; or for any Carriage conveying Volunteer Infantry; or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, or on other public Duty, provided that such Person shall be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements according to the Regulations of such Corps at the Time of claiming the Exemption; or for any Horses or Carriages carrying or conveying any Person or Persons to or from any Election or Elections of a Knight or Knights of the Shire to serve in Parliament for the said County of *Middlesex*, or for the Election or Elections of any Member or Members to serve in Parliament for the Borough of *Mary-le-bone*; or for any Horses or Carriages which shall only cross the said Road.

Carriages conveying Public Stores not subject to Penalties for Overweight, &c.

XXXVI. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be

subject to any additional Toll, Penalty, or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage, or the Horse or Horses drawing the same, while so employed, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

Any One Justice may settle Disputes concerning Tolls.

XXXVII. And be it further enacted, That if any Dispute shall happen or arise about the Amount of the Tolls due, or the Charge of making, keeping, or selling any Distress made for Nonpayment of any Tolls, it shall be lawful for the Collector or the Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may be), until the Amount of the Tolls due, and the Charges of making, keeping, and selling the Distress, be ascertained by some Justice of the Peace for the said County of *Middlesex*, who upon Application made to him for that Purpose shall examine the Matter on the Oath of the Parties or other Witness or Witnesses (which Oath such Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party, as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Nonpayment thereof forthwith, by Distress and Sale of Goods and Chattels of the Person or Persons so awarded and directed to pay the same, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Toll Collectors not incompetent Witnesses by reason of their Offices.

XXXVIII. And be it further enacted, That in case any Dispute or Litigation shall arise touching or in anywise relating to the said Tolls, or in case of any Proceeding or Prosecution for the obtaining any of the Penalties imposed by this Act, the Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Litigation, or Proceeding by reason of his, her, or their being appointed to collect the said Tolls.

Tolls may be lessened.

XXXIX. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time assembled at any Meeting or Meetings to be held for that Purpose, and they are hereby empowered, by and with the Consent of the Person or Persons who shall be entitled to Five Sixth Parts of the Money which shall be then due on the Credit of the said Tolls, to lessen or reduce all or any of the Tolls by this Act granted, and to continue the same so reduced for such Time or Times as they the said Trustees shall think proper, and from Time to Time afterwards to advance all or any of the Tolls so lessened or reduced to any Sum or Sums of Money not exceeding the respective Rates hereby granted, and also from Time to Time to direct the Tolls hereby granted or reduced as aforesaid to be collected in such Parts or Proportions at the said Turn-

pikes or Toll Gates upon the said Road as they shall think proper; and such reduced Tolls, and also such Parts and Proportions as aforesaid, shall and may be collected, levied, and applied in such and the same Manner as the said Tolls hereby granted are directed to be collected, levied, and applied: Provided always, that no Meeting shall be held for the Purpose of lessening, reducing, or advancing all or any of the Tolls so lessened unless Two Days previous Notice at the least shall be given thereof in Writing or in Print to all and every the said Trustees, and shall be affixed upon all the Turnpikes which shall be then erected upon the said Road, and also be advertised twice in some one Newspaper published or circulated in the said County of *Middlesex*.

Trustees may compound for Tolls for a Time not exceeding Three Years.

XL. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time as they shall see convenient to compound and agree for any Term, not exceeding Three Years at any One Time, with any Person or Persons for the passing of their Horses, Cattle, or Carriages through all or any of the Toll Gates erected or to be erected on the said Road, which Composition shall be paid yearly in advance; and in default thereof the Composition or Agreement with the Person or Persons making such Default shall thenceforth be void; and all such Composition Money shall be paid and applied in the same Manner as the said Tolls hereby granted are directed to be paid and applied.

Trustees may lease or farm out Tolls.

XLI. And be it further enacted, That it shall be lawful for the said Trustees to let to farm the Tolls of the several Gates upon the said Road in manner following; (that is to say,) the said Trustees shall cause Notice to be given of the Time and Place for letting the same at least One Calendar Month before the Day to be appointed for that Purpose by affixing the same upon every Toll Gate upon the said Road, and also by Insertion thereof in some public Newspaper circulated in the said County of *Middlesex*, and specifying in every such Notice the Sum which the said Tolls produced in the preceding Year, clear of the Salary for collecting the same in case any hired Collector was appointed, and stating also that they will let such Tolls by Auction to the best Bidder, on his or her producing sufficient Sureties for Payment of the Money, monthly or otherwise, (as in such Notice shall be specified,) and that they will be put up at the Sum which they were let for or produced in the preceding Year, clear of the Salary of the Collector; and to prevent Fraud or undue Preference in the letting thereof the said Trustees are hereby required to provide a Glass with so much Sand in it as will run from one End to the other End of it in One Minute, which Glass, at the Time of letting such Tolls, shall be set upon a Table, and immediately after every Bidding the Glass shall be turned, and as soon as the Sand is run out it shall be turned again, and so for Three Times, unless some other Bidding intervenes; and if no other Person shall bid until the Sand shall have run through the Glass Three Times, the last Bidder shall be the Farmer or Renter of the said Tolls, and shall forthwith enter into a proper Agreement for the taking thereof and paying the Money at the Times specified in such Notice, with such Surety or Sureties for Payment thereof, and under such Conditions, and in such Manner, as the said Trustees shall think fit; and if the Person being the last Bidder shall not forthwith enter into such Agreement, such Person shall be subject to a Penalty of Ten Pounds, and it shall be lawful to put up the said Tolls again immediately for another

Bidder, and in the like Manner to continue putting up the same until a Bidder shall be found who shall enter into such Agreement; and in case no Bidder shall offer, or in case the same shall not be let at such Auction, it shall be lawful for the said Trustees to accept a private Tender for the same at any less Sum than that at which the same were put up, and to demise or let to farm, or agree to demise or let to farm, such Tolls accordingly; and if the said Tolls should not be let, then the said Trustees may appoint a Collector of such Tolls, or fix some future Day for the letting thereof, as they shall judge most proper, upon giving such Notice thereof as aforesaid, and may in that Case put them up at such Sum as they shall think fit; and if the Person or Persons who shall be the Farmer or Renter or Collector or Collectors of such Tolls shall take a greater or less Toll from any Person or Persons than what is authorized or directed by the Agreement with the said Trustees, he, she, or they shall forfeit the Sum of Five Pounds, and the said Agreement for renting the Tolls shall, if the said Trustees shall think fit to vacate the same, become and be null and void: Provided always, that at all such Biddings the said Trustees shall be entitled to bid for the Tolls so to be let, either by themselves or their Clerk or Treasurer, or any other Person by them respectively authorized: Provided also, that no such Tolls shall be demised or leased for any longer Term than Three Years at any One Time.

Waggons, &c. with Fellies of less Breadth than Four and a Half Inches, to pay One Half more Toll; with Four and a Half Inches and less than Six, One Fourth more.

XLII. And be it further enacted, That from and after the passing of this Act the said Trustees shall and they are hereby required to demand and take, or cause to be demanded and taken, for every Waggon, Wain, Cart, or other such Carriage having the Fellies of the Wheels of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, or for the Horse or Horses or Cattle drawing the same, One Half more than the Tolls which are or shall be payable for any Carriage of the same Description having the Wheels thereof of the Breadth of Six Inches, or for the Horses or Cattle drawing the same, and for every Waggon, Wain, Cart, or other such Carriage having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half and less than Six Inches at the Bottom or Soles thereof, and for the Horse or Horses or other Cattle drawing the same, One Fourth more than the Tolls or Duties which are or shall be payable for any Carriage of the like Description having the Wheels of the Breadth of Six Inches, or for the Horses or Cattle drawing the same, before any such Waggon, Wain, Cart, or other Carriage respectively shall be permitted to pass through any Turnpike Gate or Gates, Bar or Bars, where Tolls shall be payable by virtue of this Act.

Power to measure Wheels.

XLIII. And be it further enacted, That it shall be lawful for any of the said Trustees, and for every Collector or other Person acting by or under the Authority of the said Trustees, or of their Lessee or Lessees of Tolls, to measure and examine, or cause to be measured and examined, the Breadth and Construction of the Wheels of every such Waggon, Cart, or other such Carriage passing on the said Road, such Measurement and Examination to take place, if the Trustee or other authorized Person making the same shall so require, previously to such Waggon, Cart, or other Carriage being allowed to pass through any Toll Gate or Bar at which Toll shall be payable; and if any Owner or Driver of any such Waggon or other Carriage shall turn or drive out of the Road, in

Penalty for obstructing Measurement.

in order to avoid or evade the measuring of the Wheels of such Waggon, Cart, or other Carriage, or if any such Owner, Driver, or any such other Person shall refuse to allow the Wheels of any such Waggon, Cart, or other Carriage to be measured, and the Construction thereof examined, or shall attempt to pass through any Toll Gate or Bar before such Measurement and Examination shall be made, (the same having been required,) or shall in any way hinder or obstruct any Trustee or other authorized Person in making every such Measurement and Examination, every such Owner, Driver, or other Person so misbehaving shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall not be lawful for any such Waggon, Cart, or other Carriage not permitted to be measured and examined as aforesaid to pass along the said Road; and if any Collector or any other Person appointed to collect the Tolls shall allow the same to pass before such Measurement and Examination shall be made (the same having been required), every Collector, Deputy, or other Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on Toll Collectors allowing Waggons to pass before Measurement.

Application of Tolls and otherMonies.

XLIV. And be it further enacted, That all the Monies raised or received or to be raised or received by virtue of the said recited Acts or of this Act shall be applied by the said Trustees in the first place in paying the Expences relating to the obtaining and passing this Act; and in the next place in paying such Sums of Money or Compensation as are or may become payable by virtue of either of the said Acts, and in paying for the sufficiently lighting, watering, cleansing, and draining the said Road and Footpaths, and the Salaries to the several Officers and Servants to be employed under the said Acts, and in paying the necessary Expences in the Execution of the said Acts; and after the several Payments aforesaid the said Trustees shall, out of the Surplus of the said Monies, pay until the Subscriptions be repaid Interest not exceeding the Rate of Five Pounds *per Centum per Annum* thereon, or upon such Part thereof as shall remain due (subject nevertheless to the Provision next herein-after contained); and after Payment of such Interest the Surplus of the said Monies shall (subject as aforesaid) be applied by the said Trustees in Repayment of the said Subscriptions.

The Expences of the Repair of the Road to be paid before any Division of the Monies.

XLV. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required, by and out of the said Monies and Surplus above directed to be paid for Interest and Subscriptions, and before any such Division or Payment thereof be made, to pay from Time to Time during the Continuance of this Act the Charges and Expences of the proper and sufficient Maintenance and Repair of the said Road and Footpaths: Provided nevertheless, that whatever Sum shall be so paid out of the said Interest and Subscriptions for the said Expence of repairing the said Road and Footpaths shall be deemed Part of such Interest and Subscriptions, and to have been received in respect thereof.

Repayment of Debt.

XLVI. And be it further enacted, That when and so often as the Surplus of the Tolls applicable to the Repayment of any Part of the said Sum of Twenty-one thousand nine hundred and seventy-four Pounds Fifteen Shillings and Three-pence shall amount to the Sum of Three

Three hundred Pounds, the said Trustees at their next Meeting, or other early and convenient Meeting thereafter, shall proceed to decide by Lot to which of the Subscribers towards the said Sum of Twenty-one thousand nine hundred and seventy-four Pounds Fifteen Shillings and Three-pence the Shares or Interest to be paid off shall belong; and in case such Lot shall at any Time reduce the Amount of the Subscription of any acting Trustee or Subscriber below the Amount of Qualification hereby required to belong to a Trustee at the Time of his taking the Oath of Qualification hereby prescribed, such Reduction shall not disable such acting Trustee thenceforward from continuing to act as a Trustee in the Execution of this Act, nor disable such Subscriber to be elected a Trustee to act in the Execution of this Act, but such Trustee shall and he is hereby empowered to continue, and such Subscriber shall and may be chosen and elected to be and shall be empowered to act as such Trustee, and to do any Act or concur in any Proceedings or Measure, as fully and effectually as if such Qualification had not been so reduced as aforesaid.

Proviso as to Qualification of Trustees.

Trustees may water the Road.

XLVII. And be it further enacted, That the said Trustees shall and may order and cause to be watered so much and such Parts of the said Road, and at such Time or Times, as they shall think proper, and shall for that Purpose have full Power and Authority from Time to Time to dig and sink such Wells on the said Road, and to erect such Pumps, and to purchase or cause to be made such Machines, Carts, or Engines, and to purchase such Horses, as shall be necessary for watering, or to contract with any Person or Persons for watering so much of the said Road as they the said Trustees shall think fit.

Trustees to cause Road to be lighted.

XLVIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered and required, to cause the said Road, or any Part or Parts thereof, to be lighted, and for that Purpose to continue and from Time to Time to cause such and so many Lamps, Lamp Posts, and Lamp Irons as they shall think proper to be erected or set up upon the said Road or by the Sides thereof, or to be affixed to the Premises of any Person whomsoever, making good any Damage which shall be done thereto by the same, and also to contract with any Person or Company of Proprietors, or other Body Corporate, for lighting the said Road, and for maintaining and repairing such Lamps, Lamp Posts, and Lamp Irons, and to make such Orders and Directions concerning the same as the said Trustees shall judge proper, or as the said Services or Works may require, and to pay all Expences attending or incident to the lighting of the said Road out of the Funds of the said Road.

For punishing Persons wilfully damaging Wells, Pumps, Lamps, &c.

XLIX. And be it further enacted, That if any Person shall wilfully break, throw down, or otherwise injure any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, or shall wilfully extinguish any of the said Lamps when lighted, or shall wilfully injure any of the Wells or Pumps by this Act authorized to be sunk or constructed, or shall wilfully break, throw down, or injure any Watchbox erected or provided under the Authority of this Act, it shall be lawful for any Justice of the Peace for the County of *Middlesex*, and he is hereby required,

required, upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party accused; or it shall be lawful for any Person whomsoever who shall see such Offence committed to apprehend, as also for any other Person to assist in apprehending, such Offender, and by the Authority of this Act, and without any other Authority, to convey him or to deliver him into the Custody of a Peace Officer, or any Watchman or Superintendent appointed under this Act, in order to be secured and conveyed before some Justice of the Peace for the County of *Middlesex*, to be dealt with as herein-after is directed; and the Party accused being brought before any such Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and such Party being convicted of such Offence, either by his own Confession or upon such Information as aforesaid, shall, for the First Offence forfeit and pay any Sum not exceeding Forty Shillings, and for the Second Offence any Sum not exceeding Five Pounds, and for the Third and every subsequent Offence any Sum not exceeding Ten Pounds, and shall also make full Satisfaction to the said Trustees for the Damage so done by him as aforesaid, such Damage to be ascertained by such Justice at the Time of such Conviction; and in case such Offender shall not upon Conviction pay such Forfeiture by him incurred, and make such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the House of Correction for the County of *Middlesex*, there to be kept to hard Labour for any Time not exceeding Three Calendar Months; and such Offender shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture shall be sooner paid and such Satisfaction made.

Persons accidentally damaging Lamps, &c. to make Satisfaction.

L. And be it further enacted, That if any Person shall accidentally throw down, break, or otherwise injure any of the said Lamps, or any Posts, Iron, or Furniture thereof, or any of the said Wells or Pumps, or any of the said Watchboxes, and shall not, upon Demand, make Satisfaction to the said Trustees for the Injury by such Persons done as aforesaid, it shall be lawful for any Justice of the Peace for the County of *Middlesex*, and he is hereby required, upon Complaint made by the said Trustees or by any Person on their Behalf, to summon before him the Party complained of, and upon his Appearance, or making default to appear, (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or last Place of Abode, if known, or that he or she could not be found,) such Justice shall proceed to examine the Matter of the said Complaint in a summary Way, and upon Proof thereof, either by Confession of the Party complained of, or by the Oath of some credible Witness, shall award and order such Satisfaction to be made by the Party complained of for the Injury so by him done as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded (in case the same shall not be paid forthwith) upon the making of such Award or Order, to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering to him the Overplus (if any), upon Demand, after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted; and in case sufficient Distress cannot be found, such

Justice shall commit the Party complained of to the House of Correction for the said County, there to remain until he or she shall pay the Sum awarded, or for any Time not exceeding Three Calendar Months.

For preventing the Escape of Gas.

LI. And be it further enacted, That in case the said Road shall be lighted with Gas, and such Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Trustees, or by any Company of Proprietors, or Body Politic or Corporate, or any other Person whomsoever, making, furnishing, or supplying any Gas to be burnt or consumed in lighting the said Road, the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall, immediately after Notice given to them or him by Parol or in Writing from any Inhabitant or other Person whomsoever of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Trustees, or the Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall not, within Twenty-four Hours after such Notice given, effectually stop and prevent any future Escape, and fully and satisfactorily remove the Cause of Complaint, then and in every such Case the said Trustees, or the Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid.

Gas Pipes to be laid at least Four Feet from Water Pipes.

LII. And be it further enacted, That all Pipes or other Conduits to be laid or used by the said Trustees, or by any Company of Proprietors, or Body Politic or Corporate, or other Person whomsoever, making, furnishing, or supplying any Gas to be burnt or consumed in lighting the said Road, for the Conveyance of such Gas in, through, or under the said Road, shall be so laid at the greatest practicable Distance, and (whenever the Width of the said Road will allow thereof) at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, through, or under the said Road (except in Cases where it shall be unavoidably necessary to lay the said Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Cases the Length of the said Gas Pipes so crossing the said Water Pipes shall always exceed Nine Feet, in order that no Joint of the said Gas Pipes may be nearer to any Part of the said Water Pipes than Four Feet at least); and in laying down the said Gas Pipes the said Trustees, or Company of Proprietors, or Body Politic or Corporate, or other Person, making or supplying any Gas to be burnt or consumed in lighting the said Road, shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall then in such Trench, and not before, properly form and complete with proper and sufficient Materials the Jointing with the other Pipe or Pipes to be connected therewith, and shall also make and keep air-tight all such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therewith respectively,

respectively, and in every respect prevent the said Gas from escaping therefrom or from any Part thereof, upon pain of forfeiting the Sum of Five Pounds for every Default.

To prevent Contamination of Water.

LIII. And be it further enacted, That whenever the Water of any Company of Proprietors, or other Owners or Proprietors of any Waterworks, or the Water of any Spring, Reservoir, Well, or Pond belonging to or used by any Party or Person whomsoever, shall be contaminated or affected by the Gas of the said Trustees, or of any Company of Proprietors, Body Politic or Corporate, or other Person whomsoever, making or supplying any Gas to be burnt or consumed in lighting the said Road, the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, and the same shall be applied to and for the Use and Benefit of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, Spring, Reservoir, Well, or Pond, or the Party or Person using any such Water and suing for such Penalty; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any of the Directors, or by the Treasurer, or by the Manager or Chief Clerk for the Time being of or for the said Company of Proprietors, or by other the Owners or Proprietors of any Waterworks, Spring, Reservoir, Well, or Pond, or by any Party or Person interested in, or using any such Water, to be left at the usual Office or Place of transacting Business of the said Trustees, Company of Proprietors, Body Politic or Corporate, or at the last or usual Place of Abode of such other Party or Person as aforesaid, cause Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting any such Water; and in case the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall not, within Twenty-four Hours next after such Notice, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent such Contamination, whereof Notice shall be given as aforesaid, then and in every such Case the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall forfeit and pay to the Treasurer for the Time being, or to any of the Directors for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or of any Spring, Reservoir, Well, or Pond, or to the Party or Person interested in or using any such Water, and complaining as aforesaid, for the Use and Benefit of the same Proprietors or Owners, or Party or Person, over and above the before-mentioned Penalty of Twenty Pounds, the further Sum of Ten Pounds for each and every Day during which any such Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and in default of Payment thereof as aforesaid such Penalty or Penalties, Forfeitures, or Payments shall and may be recovered by Information to be exhibited by or in the Name of the Treasurer, Manager, or Chief Clerk for the Time being of the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, or by or in the Name of any of the Directors of the said Company of Proprietors, or other the Owners

or

or Proprietors of any Waterworks, or of any Spring, Reservoir, Well, or Pond, at the Option of the Parties prosecuting such Information, or in the Name of the Party or Persons interested in or using any such Water, and complaining as aforesaid, against the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, before any Justice of the Peace for the County wherein such Spring, Reservoir, Well, or Pond is situated, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and all such Penalties, Forfeitures, or Payments, and Costs, when so levied, shall be paid to the Treasurer or to any of the Directors for the Time being of the Company of Proprietors, or other the Owners or Proprietors of any Waterworks, for the Use of the same Owners or Proprietors, or to the Party or Person interested in or using any such Water, and informing or complaining as aforesaid.

For ascertaining if the Water is contaminated.

LIV. And whereas it may become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person making or supplying any Gas to be burnt or consumed in lighting the said Road; be it therefore enacted, That in every such Case it shall be lawful for the said Company or other the Owners or Proprietors of any Waterworks, Springs, Reservoirs, Wells, or Ponds, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Road or Pavement which shall be taken up or disturbed, shall be borne and paid by the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, then and in such Case the said Company or other the Owners or Proprietors of any Waterworks, Springs, Reservoirs, Wells, or Ponds shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, any Loss, Injury, or Damage which may be occasioned by the said Mains, Pipes, Conduits, or Apparatus of the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, in and by such Search and Examination, and

also to the Road or Pavement which shall be broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

Penalty for conveying Washings into any Sewer, Stream, &c.

LV. Provided always, and be it further enacted, That if the said Trustees, or any Company of Proprietors, or Body Politic or Corporate, or other Person whomsoever, making or supplying any Gas to be burnt or consumed in lighting the said Road, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings, or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the making of such Gas, into any River, Brook, or running Stream, Reservoir, Feeder, Aqueduct, Pond, or Springhead, or into any Sewer, Drain, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, whereby the said Water or any Part thereof shall or may be spoiled or corrupted, then and in every such Case the said Trustees, or such Company of Proprietors, or Body Politic or Corporate, or other Person as aforesaid shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, or more than One Imparlance shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same is sued for within Twelve Calendar Months next after the Time when such Annoyance, Act, and Thing shall have ceased: Provided also, that in addition to the said Penalty of Two hundred Pounds, (and whether such Penalty shall or shall not be recovered,) in case any of the Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Sewer, Drain, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Trustees or any of them, or to the Company of Proprietors or any of them, or to the said Body Politic or Corporate, or other Person as aforesaid, and the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall not, within Twenty-fours Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained or conveyed or from running or flowing in manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said Trustees, Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, waste Liquids, noisome or offensive Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused to be done as aforesaid; and such last-mentioned Penalty shall

and may be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Act not to prevent any Persons lighting with Gas from being indicted for a Nuisance.

LVI. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend to or be construed to extend to protect the said Trustees, or any Company of Proprietors, Body Politic or Corporate, or any Person making or supplying any Gas to be used, burnt, or consumed in lighting the said Road, or any of the Servants or Officers or Workmen of the said Trustees, or of any such Company of Proprietors, Body Politic or Corporate, or other Person as aforesaid, from any Indictment or Prosecution for a public or private Nuisance in respect of any Works, or the Means which shall be employed by them in making the said Gas or using the same, or supplying any such Gas, nor from any Action or Actions for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the said Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Penalty for damaging Pipes.

LVII. And be it further enacted, That if any Person shall wilfully Or maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Plug, or other Apparatus, Matter, or Thing belonging to the said Trustees, or to any Company of Proprietors, or Body Politic or Corporate, or other Person whomsoever, or shall wilfully or maliciously waste, or beyond his, her, or their Contract consume, any of the Inflammable Air or Gas supplied by the said Trustees, Company of Proprietors, or Body Politic or Corporate, or other Person, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath or Affirmation of some credible Witness before some Justice or Justices of the Peace for the said County of *Middlesex*, shall forfeit and pay to the said Trustees, or to the Party or Person injured, any Sum not exceeding Five Pounds, and twice the Amount of the Damage done or occasioned by such Conduct, the same to be ascertained by such Justice or Justices; and such Penalty and Damage, together with reasonable Costs, shall be levied by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus (if any), on Demand, to the Owner of such Goods and Chattels; or such Offender shall or may be committed to the House of Correction for the said County of *Middlesex*, there to remain for any Time not exceeding Three Calendar Months.

Removal of Pipes.

LVIII. And be it further enacted, That if at any Time hereafter the said Trustees shall, under the Powers of any Act or Acts passed or to be passed for regulating Turnpike Roads in *England*, make any Diversion from the present Line of Road, and sell any Part of the said present Line of Road, then and in every such Case every Water or Gas Light Company or other Persons having laid down Pipes in such Part of the said Road as shall have been so sold shall, within Thirty Days after Notice shall have been given to them by the said Trustees or their Clerk, at their own Costs and Charges, remove and take away, or cause to be removed and taken

taken away, the said Pipes so belonging to them as aforesaid; and in default thereof the said Trustees shall and are hereby authorized to remove and take away the same; and such Water or Gas Company or other Person shall, on Demand, repay to the said Trustees the Amount of the Costs and Charges so incurred; and in default of Payment thereof within Seven Days after Demand thereof in Writing shall have been made to such Water or Gas Company or other Persons, (Proof of such Demand being made by the Oath of some credible Witness before some Justice of the Peace for the said County of *Middlesex*,) such Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company or other Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, and which Warrant such Justice is hereby empowered and required to grant; and such Charges and Expences shall be paid to the said Trustees or their Treasurer.

Mains of Water and Gas Pipes to be made of Iron, and not to be laid down between the 29th September and the 25th of March.

LIX. And be it further enacted, That all new and complete Mains and Pipes (not being Service Pipes fitted to any House or Building) for the Conveyance of Water or Inflammable Air or Gas which after the passing of this Act shall be laid down beneath the Surface of the said Road by or on account of any Water or Gas Light Company, and whether such new or complete Main of Pipes shall or shall not be substituted for or added to any other complete Main or Mains of Pipes for the Conveyance of Water or Inflammable Air or Gas theretofore laid down for the Conveyance of Water or Inflammable Air or Gas, shall consist and be made of Iron alone, and of no other Material; and the Ground, Soil, or Pavement of the said Road, or of any Part thereof, shall not be broken or taken up for the Purpose of laying down any Main of Pipes for the Conveyance of Water or Inflammable Air or Gas at any Time between the Twenty-ninth Day of *September* in every Year and the Twenty-fifth Day of *March* in the following Year, without the Consent in Writing of the said Trustees; and if any Water or Gas Light Company, or any other Person, shall break or take up, or cause to be broken or taken up, such Ground, Soil, or Pavement for the Purpose aforesaid during the Time aforesaid, or shall lay or cause to be laid down any Pipe or Pipes consisting or made of any other Materials than Iron, then and in every such Case the Company or Person so offending shall forfeit and pay the Sum of Twenty Pounds for every Square Foot of Ground or Soil which shall be so broken or taken up by them or him, or on their or his Authority, and the like Sum for every Foot in Length of Pipe which shall be so laid down consisting or made of any such Material.

Restriction as to breaking up Road.

LX. And be it further enacted, That it shall not be lawful for any Water or Gas Light Company, or any Person or Persons acting by or under the Authority of them or any of them, or on their Account, to break, take up, or destroy the Ground or Soil of the said Road, for the Purposes of laying down any Mains or Pipes (except Service Pipes of a Diameter not more than Two Inches in the Bore), without the Consent in Writing of the said Trustees, signified under the Hand or Hands of their Clerk or Clerks, or other proper Officer or Officers, first had and obtained; but nothing in this Act contained shall be deemed or construed to prevent the said Company from laying down, repairing, or altering such Mains

Mains or Pipes after such Consent obtained as aforesaid, or from laying down, repairing, or altering any Service Pipes or Apparatus leading from such Main Pipes after such Consent obtained as aforesaid.

Notice to be given of breaking up Roads.

LXI. And be it further enacted, That after such Consent as aforesaid it shall not be lawful to or for any Water or Gas Light Company, or any Person or Persons acting by or under their Authority, to break up or disturb, or cause to be broken up or disturbed, the Ground or Soil of the said Road or any Part thereof, for the Purpose of laying down or repairing any Main Pipe or Pipes (except Service Pipes as aforesaid), or of altering the Position of any such Main Pipe or Pipes (except as aforesaid), unless Notice in Writing of their Intention to break or take up such Ground or Soil, signed by the Clerk, Inspector, or Surveyor to the said Company, specifying the particular Part of such Road in which such Ground or Soil is intended to be broken or taken up, shall have been left for the Clerk of the said Trustees at his Dwelling House or Office for the Space of Twelve Hours at least before such Ground or Soil, or any Part thereof, shall be so broken or taken up (except in case of Fire or sudden Emergency, in which such Notice as aforesaid shall be given to such Clerk to the said Trustees immediately after such Ground or Soil, or any Part thereof, shall be broken or taken up); and if the said Company, or any Person or Persons acting by or under their Authority, shall break, take up, or disturb, or cause to be broken, taken up, or disturbed, any such Ground or Soil, without such Consent being obtained as aforesaid, and such Notice given or left as aforesaid (except as aforesaid), or shall break, take up, or disturb, or cause to be broken, taken up, or disturbed, any such Ground or Soil, for the Purpose of laying down any Main or Mains, without such Consent as aforesaid, then and in every such Case the said Company shall forfeit and pay to the said Trustees the Sum of Ten Pounds for every Square Yard of Ground or Soil, to be measured upon the Surface thereof, which shall be so broken or taken up without such Consent and Notice as aforesaid (except as aforesaid).

Companies, &c. to reinstate Roads, and to secure the Works to prevent Accidents.

LXII. And be it further enacted, That whenever and so often as any Company or other Persons shall have lawfully broken up or removed the Ground or Soil of the said Road or any Part thereof, such Company or other Persons shall and they are hereby required immediately thereafter to reinstate and make good, under the Superintendence and to the Satisfaction of the said Trustees, such Ground or Soil in as good State or Condition as the same was in at the Time of being so broken up; and such Company and other Persons shall carry away all the old Pipes and Materials, and all such surplus Earth, Filth, and Rubbish occasioned thereby, and at their own Costs and Charges; and that during the Works of such Company or other Persons, and reinstating such Ground or Soil as aforesaid, such Company or other Persons shall, at their own Costs, provide Watchmen with necessary Lights at Night, and otherwise secure and guard the said Works, so as to prevent any Accident, Injury, Damage, or Inconvenience happening to any Passengers, Cattle, or Carriages; and in case such Company or other Persons shall refuse or make default in making good or reinstating such Ground or Soil as aforesaid within Twenty-four Hours next after Notice given to or left for such Company or other Persons at their House or Office, it shall be lawful for the said Trustees

to reinstate and make good such Ground or Soil, and the Charges and Expences thereof shall be reimbursed and repaid by such Company or other Persons, or their Treasurer, to the said Trustees or their Treasurer; and in default of Payment thereof within Ten Days next after Demand thereof in Writing shall have been made by the Clerk to the said Trustees, (Proof of such Demand being made by the Oath of One credible Witness before any Justice of the Peace for the County of *Middlesex*,) such Charges and Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Company or other Persons, together with the Charges for such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered and required to grant; and such Charges and Expences shall be paid to the said Trustees or their Treasurer; and in case such Company or other Persons shall refuse or neglect to provide proper Watchmen with necessary Lights at Night, and otherwise secure and guard the said Works as aforesaid, such Company and other Persons shall for every such Refusal or Neglect forfeit and pay to the said Trustees any Sum not exceeding Five Pounds.

Pipes to be laid on Sides of Road, and not so as to prevent the drawing of Water off the Roads.

LXIII. And be it further enacted, That such Mains or Pipes shall be laid Twelve Inches at least below the Surface of the Ground, to be measured from the upper Sides of such Mains or Pipes; and such Mains or Pipes shall be laid on the Sides of the said Road, and as near to the Footpaths as conveniently may be, (or in the Footpath of the said Road, if the said Trustees shall think proper,) unless in such Cases where the Intervention of a Common Sewer or other unavoidable Hindrance or Obstruction shall make a Deviation absolutely necessary, or where it shall be necessary for the Purpose of carrying any Main of Pipes across the said Road for the Purpose of Communication from one Main Pipe to another; and no Pipe or Pipes shall be laid down under the said Road which shall in any Manner prevent the drawing of Water off the said Road.

Trustees may require Repairs of Pipes.

LXIV. And be it further enacted, That when and so often as it shall appear to the said Trustees that any Main or Mains, Pipe or Pipes, Stopcock, Plug, or any other Thing belonging to any Water or Gas Light Company beneath the Surface of the said Road or any Part thereof, shall be broken or damaged, or in want of Repair or Alteration, it shall be lawful for the said Trustees to cause Notice to be given in Writing, signed by their Clerk, to the Company to whom such Main, Pipe, Stopcock, Plug, or other Thing doth or may belong, by either giving such Notice to a Clerk or Secretary or to a Turncock of such Company, or to some or One of them, or by leaving the same at the Place or Places of Abode of some or One of them, or at the Office or Counting-house of such Company, requiring that such Mains, Pipes, Stopcock, Plug, or other Thing be forthwith repaired, altered, amended, or renewed by such Company; and that within Forty-eight Hours after such Notice shall be so given or left as aforesaid the said Company to or for whom, or to or for whose Officer or Servant, such Notice shall have been given or left as aforesaid, shall cause to be taken up the Ground or Soil beneath which the Mains, Pipe, Stopcock, Plug, or defective Matter or Thing shall be, and shall cause the Ground to be opened, and also cause the said Main, Pipe, Stopcock, Plug, or other defective Matter or Thing to be substan-

tially repaired, altered, amended, or renewed, and the Ground or Soil properly filled in with hard Rubbish or other good Materials, and rammed down and reinstated, within Forty-eight Hours next after such Notice shall be given or left as aforesaid, or with all convenient Expedition, in the Judgment of the said Trustees and to their Satisfaction; and also within Forty-eight Hours next after such Main, Pipe, Stopcock, or other defective Matter or Thing shall be so substantially repaired, altered, amended, or renewed, and the Ground or Soil above the same shall be so filled in and rammed down and reinstated, the said Company shall cause Notice thereof to be given to the said Trustees or their Clerk that such Reparation, Alteration, or Amendment or Renewal hath been made, and that the Ground or Soil hath been refilled, rammed down, and reinstated in the Manner directed by this Act; and in case the said Water or Gas Light Company to or for whom such Notice shall have been given or left as aforesaid, and to whom such Main, Pipe, Stopcock, Plug, or other defective Matter or Thing referred to in such Notice shall belong, shall neglect to cause the same to be repaired, altered, amended, or renewed, as the Case may be, and the Ground, Soil, or Pavement to be filled in and rammed down and reinstated, to the Satisfaction of the said Trustees, in manner and within the Time aforesaid, or shall neglect to give or cause to be given Notice thereof as aforesaid, then the said Company shall for every such Neglect or Offence forfeit and pay any Sum not exceeding Five Pounds.

For regulating Standcocks during Frost.

LXV. And be it further enacted, That no Water Company, or any Person or Persons, whose Mains or Pipes shall be laid beneath the Surface of the said Road or any Part thereof, shall place or set up, or cause or suffer to be placed or set up, any Standcock or Pump, or other Instrument, Machine, or Thing for the Supply of Water in Time of hard Frost or otherwise, in the said Road or any Part thereof, which shall be furnished with any other than a Metal Cock and Spout, to be to the Satisfaction of the said Trustees or their Surveyor; and any Water Company or other Person or Persons who shall set up, or cause or suffer to be set up, any Standcock, Pump, or other Instrument, Machine, or Thing, furnished with any other than a Metal Cock and Spout, and which shall not be to the Satisfaction of the said Trustees or their Surveyor, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Works neglected by Companies may be executed by Trustees.

LXVI. And be it further enacted, That in case any Person or Persons to whom it shall appertain or who shall be liable to maintain or keep in repair the said Road, or the Footpaths thereof, or any Part thereof, shall at any Time or Times refuse or neglect well and sufficiently to maintain and repair the same, or in case any Water or Gas Light Company at any Time or Times shall refuse or neglect to take up the Ground or Soil in the said Road or any Part thereof, or to substantially repair, alter, or amend or renew any Main, Pipe, Plug, Stopcock, or other Thing, as the Case may be, according to the Directions of this Act, or to give the Notices required by this Act, or to remove or take away any Pipes or other Materials or Things from the said Road or any Part thereof, or to collect or carry away or remove the old Pipes and Materials, and all Dirt, surplus Filth, Rubbish, and other Things, from the said Road, and continue all necessary Posts, Rails, Bars, Ropes, Lanterns, and Watchmen, or to do

or

or execute all or every such Works and Things directed by this Act to be done and executed by any such Company in manner and within the Times directed by this Act, then and in every or any of such Cases, and at all Times afterwards, it shall be lawful for the said Trustees and their Surveyor forthwith to repair the said Road, or to cause all or every such several Works, Matters, and Things which shall not be executed and performed by every such Person or Persons or Company, or which shall not be well and substantially executed and performed to the Satisfaction of the said Trustees, to be well and effectually performed to the Satisfaction of the said Trustees at the Costs and Charges of such Person or Persons or Company (as the Case may be) who shall have so refused or neglected well and substantially and effectually to perform and execute the same and every of them, and every Part thereof; and such Costs and Charges, and every of them, shall be reimbursed and paid by any and every such Person or Persons or Company to the said Trustees or their Treasurer, or to such Person or Persons as they shall appoint to receive the same; and the Amount of such Costs and Charges, and of the Monies so to be paid, shall be recovered and levied (over and above all and every the Penalties and Forfeitures which may be incurred for any such Refusal or Neglect by virtue of this Act) in the same Manner as Penalties and Forfeitures by this Act imposed are directed to be recovered, levied, and applied, or by Action to be brought in any of His Majesty's Courts of Law at *Westminster*.

Penalty on Persons committing Nuisances.

LXVII. And be it further enacted, That if any Person or Persons shall ride upon any Footpath or Causeway upon the Side of the said Road made or set apart for the Use or Accommodation of Foot Passengers, or shall lead or drive any Horse, Ass, Mule, Swine, or Cattle, or Carriage of any Description, or any Wheelbarrow, Truck, or Sledge, or any single Wheel of any Waggon, Cart, or Carriage apart therefrom, upon any such Footpath or Causeway, or shall cause any Injury or Damage to be done to the same, or the Posts, Rails, or Fences thereof; or shall wilfully pull down or damage any Wall or any other Building or Erection made by the said Trustees; or shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Road, any Timber, Stone, or other Thing, other than upon wheeled Carriages, or shall suffer any Timber, Stone, or other Thing which shall be carried principally or in part upon wheeled Carriages to drag or trail upon the said Road to the Prejudice thereof; or shall use any Tipstick, Joggle, or other Instrument in such Manner as to destroy, injure, or disturb the Surface of the said Road; or shall, in or upon the said Road, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, burn, dress up, or cut up any Beast, Swine, Calf, Lamb, or other Cattle; or if any Person driving any Horse or other Beast on the said Road carrying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, Matter or Thing, so that the same or any of them shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage, travelling along the said Road; or if the Driver of any Waggon, Cart, Coach, or other Carriage whatsoever, meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side of the said Road; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him

him or her, in any Carriage under his or her Care, upon the said Road, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage or of His Majesty's Subjects on the said Road; or if any Hawker, Higgler, Gipsy, or other Person or Persons travelling with any Machine, Vehicle, Cart, or Carriage, with or without any Horse, Mule, or Ass, shall pitch any Tent, Booth, Stall, or Stand, or encamp upon or by the Sides of any Part of the said Road; or if any Blacksmith or other Person occupying a Blacksmith's Shop situate near the said Road, and having a Window or Windows fronting the said Road, shall not, by good and close Shutters, every Evening after it becomes Twilight, bar and prevent the Light from such Shop shining into or upon the said Road; or if any Person or Persons shall make or assist in the making any Fire or Fires commonly called Bonfires, or shall set fire to or wantonly let off or throw any Squib, Rocket, Serpent, or other Firework whatsoever within Eighty Feet of the Centre of the said Road; or bait or run for the Purpose of baiting any Bull; or play at Football, Tennis, Fives, Cricket, or any other Game or Games upon the said Road, or on the Side or Sides thereof, or in any exposed Situation near thereto, to the Annoyance of any Passenger or Passengers; or shall fly any Kite or Kites; or shall hang out or cause to be hanged out any Linen or Clothes within Fifteen Yards of the Centre of the said Road; or shall hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber; or make or repair, or wash or cleanse, any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage (except such Part as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or if any Persons shall leave any Waggon, Wain, Cart, or other Carriage whatsoever upon the said Road, or on the Side or Sides thereof, without any proper Person in the sole Custody or Care thereof, longer than may be necessary to load or unload the same, (except in Cases of Accident, and then for a longer Time than may be necessary to remove the same,) and shall not place such Waggon, Wain, or other Carriage, during the Time of loading or unloading the same, or of taking Refreshment, as near to one Side of the Road as conveniently may be, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or shall lay any Timber, Stone, Hay, Stray, Dung, Manure, Soil, Ashes, Rubbish, or other Matter or Thing upon the said Road, or on the Side or Sides thereof, or on the Footpaths or Causeways adjoining, to the Prejudice of the said Road or Footpaths, or to the Prejudice, Annoyance, Interruption, Hindrance, or personal Danger of any Person or Persons travelling thereon; or shall suffer any Water, Filth, Dirt, or other offensive Matter or Thing whatsoever to run or flow into or upon the said Road or Footpaths from any House, Building, Erection, Lands, and Premises adjacent thereto; or if any Person driving any Pigs or Swine upon the said Road shall suffer such Pigs or Swine to root up or damage the said Road; or if any Person or Persons shall pull down, damage, injure, or destroy any Lamp or Lamp Posts put up, erected, or placed in or near the Side of the said Road or Toll House erected thereon, or shall extinguish the Light of any such Lamp; or if any Person shall affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Materials whatsoever; or shall otherwise occasion any

kind of Obstruction or Annoyance; every Person offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Sixty Shillings, over and above the Damages occasioned thereby.

Penalty on Persons throwing Night Soil, &c. upon the Road.

LXVIII. And for the more effectually preventing the Commission of Nuisance in or near to the said Road by the casting or throwing Night Soil thereon or within Two hundred Yards thereof; be it further enacted, That if any Person or Persons whomsoever (except Persons who have before used and followed the Trade of Nightmen, who may continue to use any Place or Places which they have heretofore used for that Purpose,) shall from and after One Calendar Month next after the passing of this Act throw, cast, lay, or spill, or permit or suffer to be thrown, cast, laid, or spilt, any Night Soil in or upon the said Road or any Part thereof, or into the Drains and Watercourses belonging thereto or within Two hundred Yards of the said Road, such Person or Persons, being thereof convicted upon the Oath of One or more Witness or Witnesses, or by his, her, or their own Confession, before One or more Justice or Justices of the Peace for the County of *Middlesex*, shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, over and above the Charge of removing such Nuisance; and the said Trustees are hereby authorized to remove or cause to be removed all such Night Soil.

Turnpikes &c. vested in Trustees.

LXIX. And be it further enacted, That the Right and Property of all and every the Gates, Bars, Turnpikes, Toll Houses, Weighing Machines, Milestones, Posts, Benches, Rails, Implements, Utensils, and Things whatsoever which may hereafter belong to the said Road, or which shall be continued, erected, and set up or provided by the said Trustees, or by their Order, or otherwise belonging to or used by them for putting this Act in execution, and also the Right and Property of all such Lamps as shall be erected or fixed in pursuance of this Act, with the Posts, Irons, and other Furniture and Materials of such Lamps, shall be vested in the Trustees for the Time being, and they are hereby empowered to dispose of the same for the Use and Benefit of the said Road as they shall think fit, and to bring Actions and to prefer and prosecute Bills of Indictment against any Person or Persons who shall steal, secrete, injure, damage, or dispose of the same or any of them respectively to their own Use or Uses, or shall disturb them the said Trustees, or their Surveyors, or other Persons acting under them, in the Possession of the Property thereof; in all which Bills of Indictment it shall be sufficient to allege the Property to be the Property of "The Trustees of the Archway and *Kentish Town* Junction Road," and no further or other Description of the said Trustees or of the Proprietors of the said Road shall be necessary; and if any Person or Persons shall wilfully break, throw down, deface, or damage any of the said Milestones, Posts, Benches, or other Requisites to be provided as aforesaid, it shall be lawful for any Person or Persons whomsoever who shall see such Offence committed to apprehend, and also for any other Person or Persons to assist in apprehending, the Offender or Offenders, and, by Authority of this Act, without any other Warrant, to cause him, her, or them to be conveyed before some Justice of the Peace for the County of *Middlesex*, and such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties

accused shall be convicted of all or any of the Offences aforesaid, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they so convicted shall forfeit and pay for every such Offence to the said Trustees any Sum not exceeding Forty Shillings, and shall also make Satisfaction to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not upon Conviction pay such Forfeiture and make Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the nearest Bridewell or House of Correction for the said County of *Middlesex*, there to be kept to hard Labour for any Time not exceeding Twenty-one Days; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall have been so committed, unless such Penalty or Forfeiture and Satisfaction shall be sooner paid or given.

Trustees may make Contracts for the Performance of any Part of the Works.

LXX. And be it further enacted, That the said Trustees shall and they are hereby authorized and empowered from Time to Time at any of their said Meetings, as Occasion may require, to contract and agree with any fit Person or Persons, Artificers, Workmen, and others, for the making and doing of all and every or any Part of the Work or Business to be done in and about all and every the Matters and Things authorized and directed to be done and performed by this Act, or for supplying any of the Materials for the same; which Contract or Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of the Nonperformance thereof, and shall be signed by Three or more of the said Trustees, and also by the Person or Persons contracting to perform such Works respectively.

Trustees to cause Works to be surveyed; and may sue for Breach of Contract.

LXXI. And be it further enacted, That the said Trustees shall cause all and every of the Works to be done in pursuance of this Act to be inspected by the Surveyor or Surveyors, or such other Person or Persons as they shall for that Purpose appoint; and in case the same shall not be well and sufficiently performed according to the Intent and Meaning of such Contract or Contracts, or shall not be finished and completed within the Time or Times specified in such Contract or Contracts, then the said Trustees may cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster* against any such Contractor for any Penalty contained in his Contract; and on Proof of the signing of the said Contract and Nonperformance thereof at the Time or Times for that Purpose to be therein mentioned, and the said Trustees shall be entitled to and shall recover the full Penalty contained in such Contract, and when recovered the same shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for the said Trustees (if they shall think fit) to compound and agree with any such Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract for such Sum of Money as the said Trustees shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of any such Contract, and all Costs, Charges, and Expences which shall be occasioned thereby.

Trustees may componnd for Breach of Contract.

LXXII. And

Penalty on assaulting Officers.

LXXII. And be it further enacted, That if any Person or Persons shall assault, interrupt, or forcibly hinder or disturb, or cause, promote, or encourage so to be assaulted, interrupted, hindered, or disturbed, the Collectors of the said respective Tolls or any of them, or the Turnpike Surveyor or Surveyors, or any Person or Persons whomsoever employed by the said Trustees, in the Execution of any Part of this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Justices may proceed by Summons in the Recovery of Penalties.

LXXIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was exhibited.

For securing transient Offenders.

LXXIV. And whereas Offences may be committed against this Act by Persons unknown to the Collectors or other Officers; be it therefore further enacted, That it shall be lawful for any of the said Trustees, or their Clerk or Clerks, or their Collectors or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice or Justices of the Peace for the said County of *Middlesex*; and such Justice or Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to Law.

For compelling Witnesses to attend.

LXXV. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to give Evidence before any Justice of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutors or the Person or Persons accused, shall, on being paid or tendered a reasonable Sum for his, her, or their Time, Attendance, and Expences, refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath, (or, in case of a Quaker or Quakers, on solemn Affirmation,) and to give Evidence before such Justice of the Peace, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Recovery and Application of Penalties.

LXXVI. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not herein otherwise directed,) shall, upon Proof and Conviction of the Offences respectively before any Justice of the Peace for the County of *Middlesex*, either by the

the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justice is in every such Case hereby fully authorized to administer,) be levied, together with Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant); and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner and Owners of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his, her, or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking such Security, and which Security the said Justice is hereby empowered to take, by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the County or Place where the Offender shall be or reside, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid, one Moiety thereof to the Informer or Person suing for and recovering the same, and the other Moiety to the Treasurer or Treasurers to the said Trustees, and applied and disposed of for the Purposes of this Act.

Conviction to take place within Three Calendar Months.

LXXVII. Provided also, and be it further enacted, That no Conviction before any Justice or Justices of the Peace for any Offence committed against this Act shall take place after Three Calendar Months from the Day of the Offence being committed, any thing in this Act or any Act or Acts contained to the contrary notwithstanding.

Power to reward Informers.

LXXVIII. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Trustees, if they shall see Cause, from Time to Time to pay and apply any Part of any Penalty or Forfeiture for Offences committed against this Act to and for the Use of the Informer or Informers, or any Person or Persons (not being a Witness or Witnesses) aiding or assisting in the Apprehension of any Offender or Offenders, or any of them; any thing herein contained to the contrary notwithstanding.

Levying of Distress.

LXXIX. And be it further enacted, That in all Cases of Distress which shall be taken by virtue of this Act for any Sum or Sums of Money which shall be due and unpaid for or in respect of any Tolls, Compositions, Rates, Charges, or otherwise (except for Penalties and Forfeitures aforesaid), every such Distress shall and may be kept and detained for the Space of Five Days from the Time of taking thereof, unless the Sum or Sums for which such Distress shall be so taken, together with the reasonable Charges of taking and keeping the same, be sooner paid; and after the Expiration of the said Five Days it shall be lawful for the Person or Persons making such Distress to sell and dispose of the same, returning the Overplus (if any be) to the Owner or Owners thereof, on Demand, after such Sum or Sums of Money for which such Distress had been so made, with the reasonable Charges of taking, keeping, and selling such Distress, shall be deducted and paid.

Persons aggrieved may appeal to Quarter Sessions.

LXXX. Provided also, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Order, Judgment, or Determination made or by any Matter or Thing done by any Justice or Justices of the Peace, or by the said Trustees, in pursuance of this Act, (except where the Order, Judgment, or Determination of any such Justice or Justices or Trustees are hereby declared to be final and conclusive, and except under the particular Circumstances herein-after mentioned,) and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justice of the Peace at the General or Quarter Sessions of the Peace to be holden for the County or Place where the Cause shall have arisen within Four Calendar Months after such Cause of Appeal shall have arisen, such Appellant first giving or causing to be given to such Justice or Trustees by whose Act or Acts such Person shall think himself or herself aggrieved Notice in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, within Six Days after the Cause of such Complaint shall arise, and within Four Days after such Notice entering into Recognizances before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal at and abide the Order of and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions, and also to pay the Penalty or Forfeiture in case the Conviction shall be confirmed; and each and every Justice of the Peace, or Trustee, having received Notice of such Appeal as aforesaid, shall return all Proceedings whatever had before him respectively touching the Matter of such Appeal to the said Justices at their General or Quarter Sessions aforesaid; and the said Justices at such Sessions, upon the Proof of such Notice having been given as aforesaid, and of such Recognizance having been entered into in manner before directed, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper, to be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons against whom such Determination shall be given; and the Determination of such General or Quarter Sessions shall be final and conclusive to all Intents and Purposes; and no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or removed by Certiorari, or any other Writ or Process whatever, into any of His Majesty's Courts of

Record at *Westminster*, any Law or Statute to the contrary notwithstanding: Provided always, that in case there shall not be Time to give such Notice and enter into such Recognizances as aforesaid before the next Sessions to be holden after the Conviction of the Appellant, then and in every such Case such Appeal may be made to the next following Sessions, and shall be there heard and determined: Provided also, that no Appeal shall be allowed against any Conviction for any Penalty or Forfeiture which shall not exceed the Sum of Forty Shillings.

Distress not to be deemed unlawful for Want of Form.

LXXXI. And be it further enacted, That when any Distress shall be made by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or in the Appointment of the Collector or Collectors, Surveyor or Surveyors, or any other Proceeding relating thereto, nor shall the said Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall happen to be done in making such Distress, but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage which he, she, or they shall have sustained thereby, with usual Costs, and no more, in an Action of Trespass or on the Case, at the Election of the Party or Parties so aggrieved.

Plaintiff not to recover if Tender of Amends made.

LXXXII. Provided nevertheless, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity as aforesaid if Tender of good and sufficient Amends shall have been made by or on behalf of the Party or Parties distraining before such Action brought, nor if Tender of Amends shall be made at any Time after the said Action brought, and before the Trial thereof, with Costs of Suit at the Time of such last-mentioned Tender; but on Proof made of such Tender on any Trial to be had in such Action the Plaintiff or Plaintiffs shall suffer Judgment as in Cases of Nonsuit, with Double Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law.

Trustees to indemnify Persons acting under their Directions.

LXXXIII. And be it further enacted, That in case any Action or Prosecution shall be commenced or prosecuted in pursuance of this Act under the Authority or by the Direction of the said Trustees, they the said Trustees shall, out of the Monies arising by virtue of this Act, allow and pay to the Prosecutor, or such Person or Persons in whose Name or Names such Action or Prosecution shall be commenced and prosecuted, all such reasonable Costs and Charges as such Person or Persons shall be really and *bonâ fide* out of Pocket for or by reason of such Action or Prosecution, or any Judgment or Determination thereof, and likewise indemnify all such Persons as shall be prosecuted or have any Action or Actions brought against them for or by reason of any thing done, in pursuance of this Act, under the Authority and by the Direction of the said Trustees.

Limitation of Actions.

LXXXIV. Provided always, and be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done in pursuance of this Act until Ten Days Notice shall be thereof given to the Clerk to the said Trustees, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved,

aggrieved, nor after Four Calendar Months next after the Fact committed; and every Action or Suit shall be laid, brought, and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his or their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence on any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought before Ten Days Notice thereof shall be given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law.

General Issue.

Treble Costs.

Forms in the Schedule annexed to be used.

LXXXV. And be it further enacted, That the Forms of proceeding relative to the several Measures contained in this Act which are set forth and expressed in the Schedule hereunto annexed may be used upon all Occasions, with such Additions and Variations only as may be necessary to adapt them to the particular Exigencies of the Case; and no Objection shall be made or Advantage taken for Want of Form in any such Proceeding by any Person or Persons whomsoever.

For authorizing Commissioners of Metropolis Roads to purchase this Road.

LXXXVI. And be it further enacted, That it shall and may be lawful to and for the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, acting under and by virtue of a certain Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of the Metropolis North of the River* Thames, and also of a certain other Act passed in the Tenth Year of the Reign of His said late Majesty, intituled *An Act to amend an Act of the Seventh Year of His present Majesty, for consolidating the Trusts of the several Turnpike Roads in the Neighbourhood of the Metropolis North of the River* Thames, *and to make and maintain Two new or Branch Roads to communicate with the said Metropolis Roads*, or for any Three or more of such Commissioners, at any Time or Times during the Continuance of this Act, to contract and agree with the said Trustees, or any Three or more of them, (who are hereby authorized to enter into such Contract at any Meeting of the said Trustees to be held for that Purpose,) for the absolute or conditional Purchase of the said Road, and of all the Property and Estate and Interest of the said Trustees in or to the same, and for Payment to the said Trustees, on behalf of themselves and the Person or Persons entitled to receive the same, of all or such Portion of the Principal Sum and Sums of Money which have been subscribed and paid for making the said Road, together with the Interest due thereon, as may be agreed upon, and for Payment to the several Creditors upon such Road of the whole or such Portion of their several and respective Debts then due to them respectively as may be agreed to be accepted by the said Trustees in discharge

discharge of the whole of such Principal Sum or Sums and Interest; and upon Payment of such Sum or Sums, or such Composition in lieu thereof as aforesaid, all and every the Powers and Provisions of this Act shall cease to be carried into effect by the Trustees appointed or to be appointed under this Act; and from thenceforth the said Road and every Part thereof, and all Turnpikes, Toll Houses, Furniture belonging to Toll Houses, Gates, Carts, Watchboxes, Lamps, Lamp Posts, Pumps, and any other Erections and Buildings on the said Road which have been or may be erected under or by virtue of the said several repealed Acts or of this Act, and also the Estate, Right, Title, and Interest of the said Trustees acting in execution of the said several repealed Acts or of this Act of and in all Lands, Houses, Quarries, and Gravel Pits, or other Hereditaments whatsoever, purchased for making, widening, improving, altering, or repairing the said Road, shall, from and after Payment of such Sum or Sums, or such Composition in lieu thereof as aforesaid, be and remain in the said Commissioners of the Metropolis Turnpike Roads North of the *Thames* for the Time being; and all Materials, Tools, Barrows, and other Things which at the Time of the said Payment shall belong to the said Trustees, and shall have been provided for the Use of the said Road or any Part thereof, shall from thenceforth belong to and be the Property of the said Commissioners, in the same Manner, to all Intents, Effects, Constructions, and Purposes, and as fully and absolutely, as any other Road Materials, Estate, or Effects now under the Charge and Management of the said Commissioners; and then and from thenceforth the said Road shall be and become a Portion of the Ninth District of the said Metropolis Turnpike Roads North of the *Thames*; and it shall be lawful for the said Commissioners, or their Lessees or Collectors, or any present or future Mortgagees, when in actual Possession, to demand, receive, and take at each of the Gates and Bars erected or to be erected on or by the Side of the said Road the several Tolls authorized to be taken at the Gates and Bars erected on or by the Side of the several Roads comprised within the said Ninth District of the said Metropolis Turnpike Roads North of the *Thames*, and then and from thenceforth all and every the Clauses, Powers, Provisions, Authorities, Exemptions, Rules, Remedies, Penalties, Forfeitures, Articles, Matters, and Things contained in the said recited Acts passed in the Seventh and in the Tenth Years of the Reign of His said late Majesty, and applicable to the several Roads comprised in the said Ninth District of the said Metropolis Turnpike Roads North of the *Thames*, shall apply to and are hereby declared to be in full Force and Effect, and shall extend to, and be used, executed, applied, enforced, and put in execution, as to the said Road, and the Tolls payable in respect of the said Road, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the said Road had been declared by the said recited Act of the Tenth Year of the Reign of His said late Majesty to form Part of the Ninth District of the said Metropolis Turnpike Roads North of the *Thames*.

Public Act.

LXXXVII. 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.

Commencement and Continuation

LXXXVIII. And be it further enacted, That this Act shall commence and take effect on the Second *Tuesday* next after the passing thereof; and when

of Act and Tolls.

when and so soon as the said Sum of Twenty-one thousand nine hundred and seventy-four Pounds Fifteen Shillings and Three-pence, subscribed for the making the said Road, shall have been fully repaid to the Proprietors of the Shares of the said Undertaking, all Tolls on the said Roads shall cease, and the Toll Gates, Toll Houses, and other Erections and Buildings upon the said Road erected and set up by the said Trustees shall be forthwith taken down and removed; and the same, or the Materials constituting the same, shall be sold for the best Price or Sums of Money that can be got for the same, and the Money arising by such Sale shall be applied for the Purposes of this Act; and from and immediately after such Sale all the Powers granted to the said Trustees by virtue of this Act shall thereupon cease and determine, and this Act and every Part thereof shall thereupon become wholly void and of no effect, as if the same had been wholly repealed: Provided always, that this Act shall continue in force for Thirty-one Years from the passing thereof, unless the said Sum of Twenty-one thousand nine hundred and seventy-four Pounds Fifteen Shillings and Three-pence be sooner paid and discharged.

The

The SCHEDULE to which the foregoing Act refers.

No. 1.

Notice for letting Tolls.

NOTICE is hereby given, That the Tolls arising at the Toll Gate [*or* Toll Gates, *if more than One*] upon the Road called "The Archway and Kentish Town Junction Road," will be let by Auction to the best Bidder, at on the Day of next, between the Hours of and in the Manner directed by an Act passed in the Third Year of the Reign of King William the Fourth [*here insert the Title of this Act*], which Tolls produced the last Year the Sum of above the Expences of collecting them, and will be put up at that Sum. Whoever happens to be the best Bidder must at the same Time pay One Month in advance (if required) of the Rent at which such Tolls may be let, and give Security, with sufficient Sureties, to the Satisfaction of the Trustees of the said Road, for Payment of the rest of the Money monthly [*or in such other Proportions as shall be directed*].

Clerk to the Trustees of the said Road.

No. 2.

Warrant from a Justice of the Peace to enter the Toll-gate House, and remove the Persons therein.

County of Middlesex, to wit. } To the Constable [Headborough *or* Tithingman] of in the said County.

WHEREAS Complaint hath been made unto me, *A. B.* Esquire, one of His Majesty's Justices of the Peace for the said County, upon the Oath of and other Evidence now produced to me, that *C. D.*, who now inhabits the Toll-gate House upon the Road leading from Kentish Town to Upper Holloway, and was appointed to collect the Tolls there, hath been duly discharged by the Trustees of the said Road from any further collecting or receiving the Tolls arising at the said Gate, and hath refused and still doth refuse to quit Possession of the said House; and the said *C. D.* having been summoned to appear before me this Day to show Cause why he should not be removed from the said House, and having shown no sufficient Cause for that Purpose [*or* not having appeared], I do hereby authorize and require you, with such Assistance as shall be necessary, to enter the said Toll House and the Buildings belonging thereto in the Day-time, and to remove the said *C. D.* and all such Persons as shall be found therein, together with his and their Goods, out of such House and Buildings, and to put *E. F.*, the Person lately appointed by the Trustees to collect such Tolls, into the Possession thereof; for which this shall be your sufficient Warrant. Given under my Hand and Seal this Day of .

[*This Form may be varied to suit the Widow or Family of a deceased Collector.*]

No. 3.

Summons for any Person or Persons to attend a Justice or Justices.

County of Middlesex, to wit. } To *A.B.* of .

WHEREAS Complaint and Information hath been made before me *C.D.*, one of His Majesty's Justices of the Peace for the said County, by *E.F.* of That, &c. [*here state the Nature and Circumstances of the Case, as far as it shall be necessary to show the Offence, and to bring it within the Authority of the Justice; in doing that, follow the Words of this Act as near as may be*]: These are therefore to require you personally to appear before me [*or* the Justices to be assembled at their Special Sessions to be holden] at in the said County, on the Day of next, at the Hour of in the noon, to answer to the said Information made by the said *E.F.*, who is likewise to be directed to be then and there present to make good the same. Herein fail not. Given under my Hand this Day of .

No. 4.

Information.

County of Middlesex, to wit. } BE it remembered, That on the Day of *A.B.* of in the said County, informeth me one of His Majesty's Justices of the Peace for the said County, that in the said County, [*here describe the Offence, with the Time and Place, and follow the Words of this Act as near as may be,*] contrary to the Act passed in the Third Year of the Reign of King William the Fourth, for [*here insert the Title of this Act*], which hath imposed a Forfeiture of for the said Offence. Taken the Day of before me,

A.B.

No. 5.

Form of Conviction.

County of Middlesex, to wit. } BE it remembered, That on the Day of in the Year of the Reign of and in the Year of our Lord *A. B.* is convicted before me one of His Majesty's Justices of the Peace for the said County, for [*here specify the Offence, and when and where committed*], contrary to an Act passed in the Third Year of the Reign of King William the Fourth, for [*here set forth the Title of this Act*]; and I do hereby declare and adjudge that the said *A.B.* hath forfeited for the said Offence the Sum of [*or* shall be committed to for the Space of *as the Case may be*]. Given under my Hand and Seal the Day and Year first above written.

C. D.

No. 6.

Warrant to distrain for Forfeiture.

County of Middlesex, to wit } To the Constable [Headborough *or* Tithingman] of

WHEREAS *A. B.* of in the County of is this Day convicted before me, *C. D.* Esquire, one of His Majesty's Justices of the Peace for the County of Middlesex, upon the Oath of *G. H.*, a credible Witness, for the said *A. B.* hath [*here set forth the Offence, describing it particularly in the Words of the Statute as near as may be*], contrary to the Statute in that Case made and provided, by reason whereof the said *A. B.* hath forfeited the Sum of to be distributed as herein is mentioned, which he hath refused to pay: These are therefore, in His Majesty's Name, to command you to levy the said Sum of by Distress of the Goods and Chattels of him the said *A. B.*; and if within the Space of Four Days next after such Distress by you taken the said Sum, together with the reasonable Charges of taking and keeping the same, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and out of the Money arising by such Sale that you do pay one Half of the said Sum of to *E. F.* of who informed me of the said Offence, and the other Half of the said Sum of to *I. K.* the Clerk of the said Road, [*describing it*], returning the Overplus, on Demand, to him the said *A. B.* (the reasonable Charges of taking, keeping, and selling the said Distress being first deducted); and if sufficient Distress cannot be found of the Goods and Chattels of the said *A. B.* whereon to levy the said Sum of that then you certify the same to me, together with this Warrant. Given under my Hand and Seal this Day of .

No. 7.

Return of the Constable to be made upon the Warrant of Distress where there are no Effects.

I *A. B.*, Constable of the [Parish, &c.] of in the County of do hereby certify and make Oath, That by virtue of this Warrant I have made diligent Search for the Goods of the within-named and that I can find no sufficient Goods whereon to levy the within Sum of . As witness my Hand the Day of *A. B.*

Sworn before me the Day and Year, &c.

C. D.

No. 8.

Commitment for Want of Distress.

County of } To the Constable of
to wit. } in the said County, and to the Keeper of the Common Gaol [*or* the House of Correction] at in the said County.

WHEREAS *A. B.* of in the said County was on the Day of convicted before me, *C. D.* Esquire, one of His Majesty's Justices of the Peace in and for the said County, upon the Oath of *E. F.*, a credible Witness, for that he the said *A. B.* [*here set forth the Offence*], contrary to the Statute made in the Third Year of the Reign of His Majesty King William the Fourth, for [*here insert the Title of this Act*], by reason whereof the said *A. B.* hath forfeited the Sum of :
And whereas on the Day of in the Year aforesaid I did issue my Warrant to the Constable of to levy the said Sum of by Distress and Sale of the Goods and Chattels of him the said *A. B.*, and to distribute the same according to the Directions of the said Statute: And whereas it duly appears to me, upon the Oath of the said Constable, that the said Constable hath used his best Endeavours to levy the said Sum on the Goods and Chattels of the said *A. B.* as aforesaid, but that no sufficient Distress can be had whereon to levy the same: These are therefore to command you the said Constable of aforesaid to apprehend the said *A. B.*, and him safely to convey to the Common Gaol [*or* House of Correction] at in the said County, and there to deliver to the Keeper thereof, together with this Precept; and I do also command you the said Keeper to receive and keep in your Custody the said *A. B.* for the Space of Calendar Months, unless the said Sum shall be sooner paid, pursuant to the said Conviction and Warrant; and for so doing this shall be your sufficient Warrant. Given under my Hand and Seal the Day of in the Year of our Lord .

C. D.

No. 9.

Notice of Appeal to the Quarter Sessions.

A. B. Take notice, That I intend to appeal to the next General Quarter Sessions of the Peace to be holden for the [County, *&c.*] of against an Order [Conviction, *or other Proceeding, as the Case may be, particularly specifying the Purport of such Order, &c., and assigning the Grievance and Cause of Complaint*]. Dated the Day of .

C. D.

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