'apprehended that the Provisions of the said Sixth Section of the Principal Act are controlled by the Thirty-fifth Section of the same Act, and that Justices cannot act under 'the first-mentioned of the said Two Sections in the Cases mentioned in the said Thirty-'fifth Section: And whereas it is expedient that the Principal Act should be amended as 'herein-after provided:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Amendment of Sections 6. and 35. of 11 & 12 Vict. c. 43.

1. The Thirty-fifth Section of the Principal Act shall not apply to or control the Sixth Section of the same Act; and such last-mentioned Section shall be construed as if the Thirty-fifth Section were not and never had been contained in the Principal Act; and any Acts done or Orders made by Justices previously to the passing of this Act which would have been valid if this Act had been passed at the respective Dates of such Acts being done or Orders made shall be and are hereby declared to be valid accordingly.

CAP. LXXVIII.

An Act to amend the Acts relating to the Turnpike Roads in the Neighbourhood of the Metropolis North of the River *Thames*. [28th *July* 1863.]

7 G. 4. c. 142.

'WHEREAS by the Act of the Seventh Year of *George* the Fourth, Chapter One hundred and forty-two, intituled *An Act for consolidating the Trusts of the several 'Turnpike Roads in the Neighbourhood of the Metropolis North of the River* Thames, (in this 'Act called "the Act of 1826,") the several Roads in the Neighbourhood of the Metropolis 'North of the River *Thames* which are specified in the First Schedule to the reciting Act 'annexed were placed under the Care and Superintendence of the Commissioners of the 'Metropolis Turnpike Roads North of the *Thames* (in this Act called "the Commissioners"), 'who were thereby appointed Commissioners for making, amending, widening, improving, 'repairing and keeping in repair, cleansing, lighting, watching, and watering those Roads: 'And whereas under the Act of the Tenth Year of *George* the Fourth, Chapter Fifty-nine,

10 G. 4. c. 59.

'intituled *An Act to amend an Act of the Seventh Year of His present Majesty, for consoli-'dating 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 com-'municate with the said Metropolis Roads*, (in this Act called "the Act of 1829,") the Parts 'specified in Section 7 of the reciting Act of the Roads specified in the First Schedule to 'the Act of 1826 annexed ceased to be maintainable by the Commissioners, and became 'Common Highways maintainable by the Parishes in which the same are respectively 'situate: And whereas by the Act of 1829 Provision was made (Section 15) for the 'Appropriation between the Vestry of the Parish of *Paddington* and the Vestrymen of the 'Parish of *Saint Marylebone* and the Commissioners of the Rents and Profits of *Lyon*'s 'Estates, which (as was recited in the Act of 1826, Section 29,) were applicable for repair-'ing and amending the Highway from the Town of *Harrow-upon-the-Hill* into the City of '*London*, and the Common Highway from the Town of *Edgeware* in the County of *Middlesex* 'and the City of *London* respectively; and Provision was made (Section 16) for the 'Appropriation between the Vestry of the Parish of *Paddington* and the Vestrymen of the 'Parish of *Saint Marylebone* and the Commissioners of the Rents and Profits of *Harvist*'s 'Estate, which (as was recited in that Section) were applicable for the repairing and 'amending of the Highway between *Tyburn* and *Edgeware* in the County of *Middlesex*: 'And whereas by the Act of the Ninth Year of *George* the Fourth, Chapter Sixty-four,

9 G. 4. c. 64.

'intituled *An Act to extend the Jurisdiction of the Commissioners acting in the Execution of 'Two Acts for paving and regulating the* Regent's Park, *together with the new Street from 'thence to* Pall Mall, *and to amend the said Acts*, Provision was made with respect to Parts 'of the Roads specified in the First Schedule to the Act of 1826 annexed: And whereas 'by the Act of the Session of the Eighth and Ninth Years of Her present Majesty, Chapter

'One

'One hundred and forty-three, intituled *An Act for better paving, lighting, cleansing, regulating, and improving the Parish of* Saint Luke Chelsea (*exclusive of the District of* Hans Town) *in the County of* Middlesex, further Provision was made with respect to Parts of the Roads specified in the First Schedule to the Act of 1826 annexed: And whereas by "The *New North Road* Act, 1849," Provision was made for the Management by the Commissioners of the *New North Road* from *Highbury Place, Islington,* to *Haberdashers Walk, Shoreditch,* but the Term of that Act has ceased: And whereas by "The *Marylebone* and *Finchley* Turnpike Roads Extension Act, 1850," the Management of the *Marylebone* and *Finchley* Turnpike Roads was transferred to the Commissioners, but those Roads are maintained by the Parishes in which they lie: And whereas by "The Metropolis Roads (*Harvist*'s Estate) Act, 1855," *Harvist*'s Estate was vested in the Commissioners, and Provision was made for the Appropriation, in accordance with the Act of 1829, of the Rents and Profits of *Harvist*'s Estate, and of the Dividends of the Trust Stock referred to in the reciting Act, or the Rents and Profits of the Lands purchased with the Proceeds of the Trust Stock: And whereas it is expedient that the several Roads now maintained by the Commissioners situate in the several Parishes specified in the First Column of the First Schedule to this Act annexed (being Parts of the Roads now maintainable by the Commissioners) should, with the Exception of the Portions of Roads specified in the Second Column of that Schedule, cease to be maintainable by the Commissioners, and should be Common Highways and maintainable accordingly, and that some of the Provisions of the Acts of 1826 and 1829 respectively should be amended:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict. c. cxliii.

12 & 13 Vict. c. lxvi.

13 & 14 Vict. c. xxxii.

Short Titles.

1. The Acts of 1826 and 1829 and this Act respectively may for all Purposes be cited as follows; (that is to say,)

The Act of 1826 (of the Seventh Year of *George* the Fourth, Chapter 142,) as "Metropolis Roads Act, 1826":

The Act of 1829 (of the Tenth Year of *George* the Fourth, Chapter 59,) as "Metropolis Roads Act, 1829":

This Act as "Metropolis Roads Act, 1863."

Supply of Vacancies in Commission.

2. In the Case of any Vacancy which has already occurred, and if and when any Vacancy shall hereafter occur, in the Number of the Commissioners from Time to Time appointed by the Commissioners of Her Majesty's Treasury in pursuance of the Act of 1826, the Commissioners of Her Majesty's Treasury, as in the Case of an original Appointment in pursuance of the Act of 1826, may appoint a Commissioner or Commissioners to supply the Vacancy, and every Commissioner so from Time to Time appointed shall to all Intents be deemed to be appointed in pursuance of the Act of 1826.

After 1st July 1864 Roads in Parishes specified in First Schedule to cease to be maintained by Commissioners;

3. On and after the First Day of *July* One thousand eight hundred and sixty-four such of the Roads now maintainable by the Commissioners as are situate in the several Parishes which are specified in the First Column of the First Schedule to this Act annexed (except only such Portions of those Roads as are specified in the Second Column of that Schedule) shall cease to be maintained, repaired, lighted, watched, or watered by the Commissioners, and to be subject to the Superintendence and Management of the Commissioners, and to be Turnpike Roads, and shall be Common Highways; and the Roads so made Common Highways are in this Act referred to as "the Parish Highways": Provided, that if and whenever the Commissioners erect or maintain any Turnpike Gate or Bar (not being a Side Gate or Side Bar) across any Road now maintainable by the Commissioners, they shall continue to maintain and repair as heretofore One Quarter of a Mile in Length of the Main Road on the City of *London* Side of the Turnpike Gate or Bar, and notwithstanding that any Part of that Length of the Main Road be within any Parish which but for this Provision would under this Act be bound to maintain and repair the same; and provided further, that the Commissioners shall, up to the First Day of *July* One thousand eight hundred and sixty-four, continue to maintain and repair in every respect as heretofore all the Roads which are now maintained and repaired by them.

and afterwards shall be maintained by the Parishes in which they lie.

4. On and after the First Day of *July* One thousand eight hundred and sixty-four so much of the Parish Highways as lies within any Parish specified in the First Column of the First Schedule to this Act annexed shall be maintained, repaired, watched, lighted, watered, and dealt with in all respects as Part of the Common Highways within that Parish, under and subject to all the Provisions contained in any Act or Acts from Time to Time in force within that Parish applicable to Highways, Streets, Footpaths, and Footways, and under and subject to the Metropolis Local Management Acts, and all Quitrents and other Outgoings payable in respect thereof shall be paid accordingly as Part of the Expenses of maintaining the same.

Apportionment between Two Parishes of Portions of Parish Highways in both Parishes, as in Second Schedule.

5. 'Whereas the several Portions which are specified in the First Column of the Second 'Schedule to this Act annexed of the Parish Highways are partly in each of Two Parishes 'as is in that Schedule expressed, the Boundary Line between the Two Parishes running in 'most Cases along or nearly along the Centre of the Portion of Parish Highway, and it is 'expedient that special Provision be made in that Behalf:' Therefore the several Portions of the Parish Highways which are specified in the Second Schedule to this Act annexed shall, for the Purposes of the maintaining, repairing, lighting, watching, and watering of the same, be deemed to be situate in the several Parishes in that Behalf specified in that Schedule, and not in any other Parish: Provided, that this Enactment shall not alter or affect the Boundaries of any of those Parishes, or any Jurisdiction as to the Houses, Buildings, Tenements, or Hereditaments abutting on those Portions of the Parish Highways, or the Parochial or other Rates or Assessments thereon, or vary any Jurisdiction as to the Footways of the said Highway; and provided further, that no Alteration whatsoever shall be made in the Level of the Channels of the said Highways or any Portion thereof without the mutual Consent of the Vestries or District Boards of the said Two Parishes for that Purpose in Writing first had and obtained.

Inhabitants of Houses near to Parish Highways not to be assessed under the Act of 1826.

6. After the First Day of *July* One thousand eight hundred and sixty-four inclusive no Rate or Assessment shall be made under Section 101 of the Act of 1826 on any Person by reason only of his inhabiting, holding, using, possessing, occupying, or enjoying any House, Shop, Warehouse, Coach-house, Stable, or other Building, Yard, Garden, or Ground near to any of the Parish Highways, but in all other respects the Powers of rating given by the Act of 1826, and all Provisions relating thereto, which if this Act were not passed would be in force, shall respectively continue in full Force.

Toll Houses, &c. to be removed, with Option to Parishes to purchase Pumps, &c.

7. In the Month of *July* One thousand eight hundred and sixty-four the Commissioners shall remove all Toll Houses, Turnpike Gates, Side Gates, Bars, Pumps, Stand Posts, Water Meters, Troughs, and other Conveniences then belonging to the Commissioners, and being on or by the Side of the Parish Highways, and shall sell and dispose of the same, or the Materials thereof, and shall apply the net Monies arising from the Sale to the general Purposes of the Commissioners under the Acts of 1826 and 1829 and this Act respectively: Provided, that if before the First Day of *July* One thousand eight hundred and sixty-four the Vestry or District Board within whose Parish or any of whose Parishes any such Pump, Stand Post, Water Meter, Trough, or other Convenience is then situate shall, by Notice in Writing to the Commissioners, elect to purchase the same, or any of them, they may do so at a Price agreed on between the Vestry or District Board and the Commissioners, or which, if not so agreed on, shall be ascertained by the Valuation of Two Valuers (One to be named by the Vestry or District Board, and the other by the Commissioners), or their Umpire.

Provisions of other Acts relating to Parish Highways continued.

8. Notwithstanding that the Parish Highways cease to be Turnpike Roads and become Common Highways, all the Provisions of every Act of Parliament (other than the several recited Acts) relating to the several Portions of the Roads which so cease to be Turnpike Roads, or to the Commissioners or their Agents, Officers, or Servants with respect to the same, and on the First Day of *July* One thousand eight hundred and sixty-four in force, shall be of like Force as if the Cesser had not happened, and may be exercised, enforced, and enjoyed by and against the respective Vestries or District Boards having the Maintenance of the Parish Highways respectively, and their Agents, Officers, and Servants respectively,

respectively, in as full and beneficial a Manner to all Intents and Purposes as the same respectively might, if the Cesser had not happened, be enforced and enjoyed by and against the Commissioners, and their Agents, Officers, and Servants respectively.

Apportionment of the Income from Lyon's Estates.

9. From and after the First Day of *July* One thousand eight hundred and sixty-four inclusive the clear yearly Income of the Commissioners from *Lyon*'s Estates shall be apportioned and applied as follows; that is to say,

First.—As to the clear yearly Income of the Commissioners from those Parts of *Lyon*'s Estates which were conveyed by an Indenture of the Sixth Day of *July* in the Twenty-first Year of *Elizabeth*:

Four Thirty-ninth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of *Paddington*, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the *Kilburn Road* which will be maintainable by that Parish:

Nine Thirty-ninth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of *Saint Marylebone*, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the *Kilburn Road* which will be maintainable by that Parish:

The remaining Twenty-six Thirty-ninth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the *Kilburn Road* to *Edgeware*:

Secondly.—As to the clear yearly Income of the Commissioners from those Parts of *Lyon*'s Estates which were conveyed by an Indenture dated the Nineteenth Day of *December* in the Twenty-fifth Year of *Elizabeth*:

Four Twentieth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of *Paddington*, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the *Harrow Road* which will be maintainable by that Parish:

Three Twentieth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of *Saint Marylebone*, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the *Harrow Road* which will be maintainable by that Parish:

One Twentieth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of *Saint Luke Chelsea*, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the *Harrow Road* which will be maintainable by that Parish:

And the remaining Twelve Twentieth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the *Harrow Road* to *Harrow-on-the-Hill*.

Apportionment of the Income from Harvist's Estate.

10. From and after the First Day of *July* One thousand eight hundred and sixty-four inclusive the clear yearly Income of the Commissioners from *Harvist*'s Estate shall be apportioned and applied as follows; that is to say,

One Eighth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of *Paddington*, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the *Kilburn Road* which will be maintainable by that Parish:

One Eighth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of *Saint Marylebone*, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the *Kilburn Road* which will be maintainable by that Parish:

And the remaining Six Eighth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the *Kilburn Road* to *Edgeware*.

11. Pro-

The other Roads now under Care of Commissioners to continue so subject, and to be divided into Districts, as in the Third Schedule.

11. Provided that, except only as is by this Act otherwise expressly provided, the several excepted Portions of Roads which are specified in the Second Column of the First Schedule to this Act annexed, and all such other Parts of the Roads now maintainable by the Commissioners as are not Part of the Parish Highways, shall continue to be subject to the Superintendence and Management of the Commissioners under the Powers and Provisions of the Acts of 1826 and 1829, and of this Act; and on and after the First Day of *July* One thousand eight hundred and sixty-four those several Roads shall, for the Purposes of collecting Tolls thereon, be divided into the Thirteen Districts specified in the Third Schedule to this Act annexed.

Cesser of Liability of Commissioners to maintain other Roads.

12. On and after the First Day of *July* One thousand eight hundred and sixty-four the Liability of the Commissioners under the Acts of 1826 and 1829 respectively with respect to the maintaining, repairing, lighting, watching, or watering, or the Superintendence or Management, of the several Roads comprised in those Acts, or either of them, other than such of those Roads as are specified in the Third Schedule to this Act annexed, shall absolutely cease: Provided that this Cesser of Liability of the Commissioners shall be without Prejudice to their Liability under this Act with respect to the Maintenance or Repair of any Portion of Main Road situate on the City of *London* Side of and within One Quarter of a Mile from any Turnpike Gate or Bar of the Commissioners across the Road.

Map of Districts to be deposited with Clerks of Peace.

13. Within Nine Months after the passing of this Act the Commissioners shall deposit with the respective Clerk of the Peace for each of the Counties of *Middlesex*, *Essex*, and *Hertford* a Map signed by the General Surveyor of the Commissioners, showing the Thirteen Districts of Roads specified in the Third Schedule to this Act annexed, and distinguishing the Districts by the Colours specified in that Schedule; and the Clerks of the Peace shall keep the same, and allow Inspection thereof, and make Copies and Extracts of the same, in like Manner, on like Terms, and under like Penalty for Default, as is provided with respect to Documents therein referred to by the Act of the First Year of Her present Majesty, Chapter Eighty-three.

Power to put up Toll Gates, &c.

14. On or after the First Day of *July* One thousand eight hundred and sixty-four the Commissioners, when and as they from Time to Time think fit, may erect, provide, and maintain any Toll Houses, Turnpike Gates, Side Gates or Bars across or by the Sides of any of the Roads which are specified in the Third Schedule to this Act annexed, and across any Streets, Roads, or Lanes from Time to Time leading into any of those Roads; provided that no Side Gate or Bar across any Street, Road, or Lane leading into any of those Roads shall be more than Twenty Yards distant from the Side of the respective Road.

Tolls under Act of 1829 to cease.

15. On and after the First Day of *July* One thousand eight hundred and sixty-four the several Tolls by the Act of 1829 (Section 19) authorized to be taken shall cease to be payable.

Tolls specified in Fourth Schedule.

16. On and after the First Day of *July* One thousand eight hundred and sixty-four the Commissioners or their Lessees or Collectors from Time to Time may demand, receive, and take, at every Turnpike Gate, Side Gate and Bar, already or hereafter erected on or by the Side of the several Roads specified in the Third Schedule to this Act annexed, or across any Street, Road, or Lane leading into any of those Roads, any Tolls not exceeding the several Tolls specified in the Fourth Schedule to this Act annexed.

Repeal of Sections of Acts of 1826 and 1829 specified in Fifth Schedule.

17. On the First Day of *July* One thousand eight hundred and sixty-four the several Sections of the Acts of 1826 and 1829 respectively which are specified in the Fifth Schedule to this Act annexed shall be by this Act repealed: Provided that the Repeal of those Sections, or any of them, shall not have any retroactive Operation.

Repeal of Section 141 of the Act of 1826 and Restrictions

18. On the First Day of *July* One thousand eight hundred and sixty-four Section 141 of the Act of 1826 shall be by this Act repealed so far only as it applies to the Parish Highways within the Parish of *Saint Luke Old Street*; but no Building prohibited by that Section shall hereafter be erected on the Fore Courts or Gardens of Houses and Buildings

Buildings in the *City Road* on either Side thereof between *Old Street* and *Oakley Crescent*, including the Houses adjoining *Oakley Crescent*, save under the following Conditions and Restrictions; that is to say, and Regulations as to Erection of Buildings in the City Road.

Every Building shall be so placed as to have a Space for a Footway of a Width of Twelve Feet between it and the Carriageway, and sufficient Land shall, on the Erection of any Building on the Fore Court of the Premises, be thrown into and form Part of the Footway, so that the Width of the Footway may be Twelve Feet at least:

No such Building shall be erected except with the Consent of the Metropolitan Board of Works, signified in Writing under the Hand of the Clerk of that Board:

Any Building erected in violation of any or either of these Provisions may be removed by the Vestry of the Parish or Board of Works of the District in which the Building may be situate, in the same Manner as if such Building had been erected in violation of the Provisions of the Act of the Twenty-fifth and Twenty-sixth *Victoria*, Chapter One hundred and two, intituled "The Metropolis Local Management Amendment Act, 1862:"

Provided, that nothing herein contained shall interfere with the Rights of Owners of Property with respect to Buildings already existing, or which may be erected at a Distance of more than Forty Feet from the Carriageway of the *City Road*: Provided also, that nothing in this Act contained shall give or be construed to give or create any Powers over any Building to be erected under the Provisions of the *Saint Luke's Middlesex* Workhouse and Vestry Hall Act, 1863.

Provision as to Lea Bridge.

19. The Exemptions and Provisions with respect to Tolls contained in the General Turnpike Acts shall (except as the same are altered, varied, or repealed by the Acts of 1826 and 1829 and this Act respectively) extend to any Gate already or hereafter erected on *Lea Bridge*; and (except as is by the Acts of 1826 and 1829 and this Act respectively otherwise expressly provided) *Lea Bridge* shall, for all Purposes of the General Turnpike Acts and the Acts of 1826 and 1829 and this Act respectively, be considered as Part of the Road comprised in the Thirteenth District specified in the Third Schedule to this Act annexed.

Increase of Tolls in 13th District, when Repairs of Lea Bridge exceed 1,000*l.*

20. Provided, that if and whenever any Repairs of *Lea Bridge* costing more than One thousand Pounds are necessary, the Commissioners may increase the Tolls on the Roads comprised in the Thirteenth District to One Half more in Amount than the Tolls in that Behalf specified in the Fourth Schedule, and continue the Increase until the Cost of the Repairs be repaid to the Commissioners by means of the increased Tolls.

Provisions of 24 & 25 Vict. c. 70. to apply.

21. All the Clauses and Provisions of the Locomotive Act, 1861, shall apply to the several Turnpike Roads which under this Act shall continue to be maintainable by the Commissioners.

Horses, &c. going to depasture on Walthamstow Marsh exempt from Toll in 13th District.

22. Provided, that no Toll shall be demanded or taken on the Road comprised in the Thirteenth District for any Horse or other Cattle whatsoever going to *Walthamstow Marsh* or *Low Layton Marsh* only for the Purpose of depasturing there or returning from the same.

Tolls to be paid only once a Day in the same District.

23. Provided, that when the Toll by this Act authorized to be taken is once paid at any Gate or Bar in any District for any Animal, then (except only as is by this Act otherwise expressly provided) no further Toll shall be demanded or taken during the same Day for the same Animal at any other Gate or Bar within the same District, or on returning or repassing through the same Gate or Bar; but (except as is by this Act otherwise provided) the Payment of Toll in any One District shall not entitle the Party paying the same to any Exemption from Toll during the same Day in any other District.

Horses, &c. drawing different Carriages to pay each Time of passing.

24. Provided, that no Horse, Ass, or other Beast drawing any Waggon, Cart, or other such Carriage laden shall be exempt from Toll in any of the Districts by reason of any previous Payment of Toll within the same District during the same Day, unless the Beast at the Time of the previous Payment drew the same Carriage as that which he draws when the Exemption is claimed.

25. Pro-

Postchaises to pay on every fresh Hiring.

25. Provided, that no Horse or other Beast drawing any Postchaise or other Carriage returning with any Person therein, and passing through any of the Gates or Bars of any of the Districts, shall be exempt from Toll unless a Ticket be produced denoting that the Toll was already paid on that Day by the Person then in or hiring the Postchaise or other Carriage.

Stage Coaches to pay each Time of passing.

26. Provided, that the Tolls shall be paid in every District for every Horse or Beast drawing any Stage Coach, Omnibus, Van, Caravan, Waggon, or other like Carriage conveying Passengers or Goods for Pay, Hire, or Reward, for every Time of passing along any of the Roads in that District.

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

27. Provided, that the Tolls shall be paid in every District for every Horse or Beast drawing any Hackney Coach, Chariot, or Cabriolet for every Time of passing through any Gate or Bar of that District, unless the Person by whom the same is then hired already during the same Day paid Toll for the same within that District, and produces a Ticket denoting the Payment, or unless such Hackney Coach, Chariot, or Cabriolet shall be returning empty after having set down a Person who during that Day paid Toll for the same.

Carts laden with Bricks, &c. to pay each Time of passing.

28. Provided no Horse, Ass, or other Beast drawing any Waggon, Cart, or other Carriage laden with Bricks, Tiles, Stones, Lime, Timber, Coals, Iron in Bars, or Lead in Sheets shall be exempt from Toll in any District by reason of any previous Payment of Toll within the same District, except where the Beast at the Time of the previous Payment of Toll was going with the same Carriage, empty or laden with Breeze or Ashes for making Bricks, to fetch the Load which he draws when the Exemption is claimed.

Additional Tolls in respect of narrow Wheels.

29. On all the Roads within every District One Half more than the Tolls specified in the Fourth Schedule to this Act annexed as payable in that District for any Horse, Ass, or other Beast drawing shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof; and One Fourth more than the Toll so specified shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any such Carriage having the Bottom or Soles of the Fellies of the Wheels of the Breadth of Four and a Half Inches but less than Six Inches; and One Half more than the Toll so specified shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any such Carriage having the Bottom or Soles of the Fellies of the Wheels of the Breadth of Six Inches or more, and having any Tire or Tires of the Wheels deviating more than One Half of an Inch from a flat Surface, or not having the Nails of the Tire or Tires so countersunk as not to project beyond One Quarter of an Inch above any Part of the Surface thereof, anything in any other Act to the contrary notwithstanding: Provided, that nothing in this Section shall make any additional Toll payable where any Cart is not drawn by more than One Horse or Two Oxen.

Power to direct that Payment of Toll in One District shall exempt from Payment in another.

30. In addition to the Powers by the Act of 1826 given to the Commissioners for reducing, advancing, and altering Tolls, the Commissioners may from Time to Time direct that Payment of any Toll specially appointed by them for the Purpose, and being of greater Amount than the Tolls specified in the Fourth Schedule to this Act annexed, or not, as they deem proper, shall exempt the Person paying it from any further Payment of Toll during the same Day in respect of the Animal in respect of which it was paid, not only within the District in which it was paid, but also in all or any of the other Districts.

Special Ticket for denoting special Exemption.

31. When the Commissioners make any such Direction they shall appoint a special Ticket denoting the special Exemption to be issued, and every Person passing through any Gate or Bar in the District to which the Direction relates shall, at his Option, be entitled either to the ordinary Ticket for exempting from further Toll within the same District only, in which Case only the ordinary Toll shall be demanded or taken, or to the special Ticket denoting the special Exemption, in which Case the Toll appointed for the Purpose, and no less Toll, shall be demanded and taken.

32. If

Penalty on Collector, &c. for giving false special Ticket.

32. If any Collector or Gate Keeper issue a Ticket denoting the special Exemption or Payment of any less Toll than the Toll appointed for that Purpose, every Person so offending shall for every such Offence forfeit not exceeding Twenty Pounds, to be recovered, levied, and applied as directed by the General Turnpike Act of the Third Year of *George* the Fourth with respect to the Penalties thereby imposed.

Compensation for Officers of Commissioners for Loss of Salary, &c.

33. Inasmuch as after the passing of this Act it will be the Duty of the Commissioners to revise and reduce the Salaries and Emoluments of Officers now employed by them, the Commissioners may, with the Consent of One of Her Majesty's Principal Secretaries of State, allow to any Person or Persons in their Employ such Compensation as is so approved, the same to be paid out of any Balances in their Hands, or out of Tolls collected under this Act.

Provisions of Act of 1826 applicable to Tolls under this Act.

34. The several Provisions, Restrictions, and Exemptions contained in the Act of 1826 with respect to the Tolls by that Act authorized to be taken, and the Collection, letting, Advancement, Reduction, and Alteration thereof, and with respect to the Application of the Monies arising therefrom, shall, so far as they are now in force, and except so far as they are altered by this Act, extend and apply to the Tolls by this Act authorized, and the Monies to arise therefrom, in the same Manner and as fully as if they had been specially re-enacted with reference to those Tolls and Monies.

Exercise of Powers to remove Nuisances given by Acts of 1826 and 1829.

35. Except only so far as is by this Act otherwise expressly provided, all the Powers and Means of removing Nuisances and preventing Encroachments and Annoyances which by the Acts of 1826 and 1829 respectively were given to and vested in the Commissioners shall, so far as the same relate to the Parish Highways, be vested in and exercised by the several Vestries or District Boards by which respectively the Parish Highways are from Time to Time maintainable, in addition to the Powers and Authorities for the like Objects vested in and which may be exercised by the several Vestries and District Boards under any Act or Acts from Time to Time in force, and that in as full, ample, and beneficial a Manner to all Intents and Purposes and subject to the like Conditions and Restrictions as the same would be vested in and exerciseable by the Commissioners if this Act were not passed; provided that, so far as those Powers and Means relate to the Roads from Time to Time maintainable by the Commissioners, the same shall continue to be vested in and exerciseable by them.

As to Offences under Section 157 of Act of 1826.

36. The Offences which by Section 157 of the Act of 1826 are declared to be Felony shall not be Felony, but shall be Misdemeanor, and shall be punishable accordingly.

Provisions of Acts of 1826 and 1829 to continue applicable to Roads maintained by Commissioners.

37. Except only so far as is by this Act otherwise expressly provided, the several Powers and Provisions of the Acts of 1826 and 1829 respectively relating to the Roads now maintainable by the Commissioners, and which immediately before the First Day of *July* One thousand eight hundred and sixty-four shall be in force, and which shall not be on that Day by this Act repealed, shall (subject to the Provisions of this Act) continue in force with respect to so much of the Roads now maintainable by the Commissioners as shall from Time to Time after that Day continue to be maintainable by them.

Highways not to be lessened in Width.

38. No Portion of a Road which under this Act ceases to be Turnpike Road and becomes Common Highway shall at any Time thereafter be in any Part thereof lessened in Width.

Commissioners not bound to light or watch Roads.

39. It shall not be obligatory on the Commissioners to light any Part of the Roads which after the First Day of *July* One thousand eight hundred and sixty-four will be maintainable by them, and they shall not watch any Part of those Roads.

Times for making up yearly Accounts and holding yearly Meetings of Commissioners.

40. Inasmuch as the Practice of the Commissioners has been to make up their yearly Accounts to *Lady Day*, and to hold their yearly Meeting in *April*, therefore the Practice heretofore in that respect shall be deemed to have been correct; but if and when One of Her Majesty's Principal Secretaries of State shall by Notice in Writing to the Commissioners so require, they henceforth shall make up their yearly Accounts to the Thirty-first Day of *December*, and hold their yearly Meeting before *Lady Day*.

41. From

Provision for Portions of Roads ceasing in future to be maintainable by Commissioners;

41. From Time to Time, after the First Day of *July* One thousand eight hundred and sixty-four, any Portion of the Roads now maintainable by the Commissioners which are not Part of the Parish Highways, with the Consent of the Vestry, District Board, Improvement Commissioners, Trustees, or other Local Board having the Maintenance of the other Roads within the Parish within which the respective Portion of the Roads is situate, and in Places where there is no such District Board, Improvement Commissioners, or other such Local Board, then with the Consent of the Vestry, and with the Consent also of the Commissioners, and with the Approval of One of Her Majesty's Principal Secretaries of State, shall on and after a Day so consented to and approved cease to be maintained, repaired, lighted, watched, or watered by the Commissioners, and to be subject to the Superintendence and Management of the Commissioners, and to be Turnpike Roads, and shall be Common Highways: Provided always, that where all the Parishes in which any One District of Road is situate shall agree to maintain and repair the whole of that District of Road as Common Highways, and shall give Notice of the Agreement to One of Her Majesty's Principal Secretaries of State, he may, if he think fit, make in the Bill for the then next General Turnpike Continuance Act such Provision as he thinks expedient that the District of Road shall cease to be maintained, repaired, or watered by the Commissioners, and shall be maintained, repaired, and watered by the Parishes accordingly, and such Provision for any Matters incidental thereto as may be necessary.

and being thenceforth maintained by the Parishes in which they lie.

42. On and after the respective Day so consented to and approved the respective Portion of the Roads which from Time to Time so ceases to be Turnpike Road, and is made Common Highway, shall be maintained, repaired, watched, lighted, and watered as Part of the Common Highways within the Parish within which the respective Portion of the Roads is situate, and all Quitrents (if any) and other Outgoings in respect thereof shall be paid accordingly as Part of the Expenses of maintaining the same.

Provision as to Toll Houses, &c. thereon.

43. The Provisions of this Act with respect to Toll Houses, Turnpike Gates, Side Gates, Bars, Pumps, and other Works and Conveniences on or by the Side of the Parish Highways, and the several other Provisions of this Act applicable to the Portions of the Roads which on the First Day of *July* One thousand eight hundred and sixty-four become the Parish Highways, shall apply, *mutatis mutandis*, to the respective Portion of the Roads which from Time to Time after that Day ceases to be Turnpike Road and is made Common Highway.

Term of Act.

44. This Act shall (unless Parliament otherwise enacts) continue in force for the Term of Twenty-one Years from and after the passing thereof and until the End of the then next Session of Parliament, and from and after the Expiration of the Term of this Act all the Roads immediately before the Expiration thereof maintainable by the Commissioners shall be Common Highways, and maintainable accordingly.

Application to Parliament for Regulation of Roads, &c. after Expiration of Term of Act.

45. It shall be the Duty of the Commissioners, not more than Five nor less than Two Years before the Expiration of the Term of this Act, to promote a Bill in Parliament for an Act for making Provision for the maintaining, repairing, watching, lighting, and dealing in all respects with the Roads after the Expiration thereof, and for regulating the Application thenceforth of the clear yearly Income arising from *Lyon*'s Estates and *Harvist*'s Estate respectively, and for all incidental Matters, including a Saving of the Rights of *Harrow* School in respect of surplus Income arising from *Lyon*'s Estates.

Application to Chancery for interim Order for Application of Income from Trust Estates.

46. If and so far as any Period intervenes between the Expiration of the Term of this Act and the coming into force of any Regulations by Parliament for the Application of the clear yearly Income arising from *Lyon*'s Estates and *Harvist*'s Estate respectively, the Court of Chancery, on the Application in a summary Way by Petition, Summons, or Motion of Her Majesty's Attorney General on the Relation of the Commissioners, or of any of the Parishes then claiming to be entitled under the Trusts of those Estates respectively to participate in the clear yearly Income arising from the same respectively, may make such Orders as the Court may think fit for the Application of the same clear yearly Income in accordance with those Trusts respectively, or as near thereto as the Court may think fit.

The FIRST SCHEDULE to which the foregoing Act refers.

ROADS TRANSFERRED TO PARISHES.

Turnpike Roads which are to cease to be maintainable by the Commissioners, and are to be Parish Highways maintainable by the Parishes in which they are situate.	Portions of Turnpike Roads still to be maintained by the Commissioners.
The Turnpike Roads in the following Parishes, which are now maintained by the Commissioners:	
St. Margaret Westminster.	
St. Luke Chelsea.	Except that Part of the Harrow Road which lies partly in the Parish of St. Mary Abbott Kensington and St. Peter and St. Paul Hammersmith on the South Side, and partly in the Parish of Willesden on the North Side, and which excepted Portion of Road forms Part of the Seventh District of Roads specified in the Third Schedule to the aforegoing Act annexed.
St. Mary Abbott Kensington - St. Peter and St. Paul Hammersmith	
Fulham.	
St. George Hanover Square.	
Paddington.	
St. Marylebone.	
St. John Hampstead - - - - -	Except that Part of the Kilburn Road which lies partly in the Parish of St. John Hampstead, and partly in the Parish of Willesden, and which excepted Portion of Road forms Part of the Eighth District of Roads specified in the Third Schedule to the aforegoing Act annexed.
St. James and St. John Clerkenwell.	
St. Pancras.	
St. Mary Islington.	
St. Luke Old Street.	
St. Leonard Shoreditch.	
St. Matthew Bethnal Green.	
Hackney.	
St. Mary Stoke Newington and Hornsey -	Except so much of the Green Lanes Road which lies partly in the Parish of St. Mary Stoke Newington, and partly in the Parish of Hornsey, as is situate Northward of the Metropolitan High Level Main Drainage Sewer, and so much of the Seven Sisters Road which lies partly in the Parishes of St. Mary Stoke Newington, Hornsey, and Tottenham, as is situate North-eastward of the North-eastern Boundary of the Parish of St. Mary Islington, and which excepted Portions of Roads form Part of the Tenth District of Roads specified in the Third Schedule to the aforegoing Act annexed.
Twickenham.	
Teddington.	

The SECOND SCHEDULE to which the aforegoing Act refers.

DIVISION OF ROADS BETWEEN PARISHES.

Portion of Parish Highway lying in Two Parishes.	Division between the Two Parishes of the Portion of Parish Highway.
So much of the Fulham Road, partly in the Parish of St. Mary Abbott Kensington, and partly in the Parish of St. Luke Chelsea, as extends from the Boundary Line between the Parishes of St. Mary Abbott Kensington, and St. Luke Chelsea, at the End of Marlborough Road, to the Boundary between the Parishes of St. Luke Chelsea and Fulham at Stamford Bridge.	1. To be deemed in the Parish of St. Mary Abbott Kensington. The Carriageway and Channels of so much of the Fulham Road as lies between the Boundary Line between the Parishes of St. Mary Abbott Kensington and St. Luke Chelsea at the End of Marlborough Road, and the Eastern Side of Thistle Grove. 2. To be deemed in the Parish of St. Luke Chelsea. The Carriageway and Channels of so much of the Fulham Road as lies between the Eastern Side of Thistle Grove and the Boundary Line between the Parishes of St. Luke Chelsea and Fulham at Stamford Bridge.
So much of the Kilburn Road, partly in the Parish of Paddington, and partly in the Parish of St. Marylebone, as extends from the Canal Bridge at Maida Hill to the Southern Boundary of the Parish of Hampstead.	1. To be deemed in the Parish of Paddington. The Carriageway and Channels of so much of the Kilburn Road as lies between the Canal Bridge at Maida Hill and a Point 100 Yards Southward of Abercorn Place at Maida Vale. 2. To be deemed in the Parish of St. Marylebone. The Carriageway and Channels of so much of the Kilburn Road as lies between a Point 100 Yards Southward of Abercorn Place at Maida Vale and the Southern Boundary of the Parish of Hampstead.
So much of the Uxbridge Road, partly in the Parish of St. George Hanover Square and partly in the Parish of Paddington, as extends from the Western Boundary of the Parish of St. Marylebone at Tyburn to the Eastern Boundary of the Parish of Paddington, where it crosses the Road at Bayswater, and lies Southward of the Footway on the Northern Side of that Portion of the Uxbridge Road.	1. To be deemed in the Parish of St. George Hanover Square. One Ninth Part in Length (at the Eastern End) of the Carriageway and Channels and of the Footway on the Southern Side of so much of the Uxbridge Road as lies between the Western Boundary of the Parish of St. Marylebone at Tyburn and the Eastern Boundary of the Parish of Paddington where it crosses the Road at Bayswater. 2. To be deemed in the Parish of Paddington. The remaining Eight Ninth Parts in Length of the Carriageway and Channels and of the Footway on the Southern Side of so much of the Uxbridge Road as lies between the Western Boundary of the Parish of St. Marylebone at Tyburn and the Eastern Boundary of the Parish of Paddington where it crosses the Road at Bayswater.

So much of the Kensington Road, partly in the Parish of St. Mary Abbott Kensington and partly in the Parish of St. Margaret Westminster, as extends from the Boundary Line between the Parishes of St. Margaret Westminster and St. Mary Abbott Kensington, where the same abuts on the Northern Side of the High Street Kensington, to the Eastern Boundary of the Parish of St. Mary Abbott Kensington abutting upon the Kensington Road at Hyde Park Terrace, Kensington Gore.

1. To be deemed in the Parish of St. Mary Abbott Kensington.

The Carriageway and Channels of so much of the Kensington Road as lies between the Boundary Line between the Parishes of St. Margaret Westminster and St. Mary Abbott Kensington on the Northern Side of the High Street Kensington and the Western Side of the Gloucester Road where the same adjoins the Kensington Road.

2. To be deemed in the Parish of St. Margaret Westminster.

The Carriageway and Channels of so much of the Kensington Road as lies between the Western Side of the Gloucester Road and the Eastern Boundary of the Parish of St. Mary Abbott Kensington at Hyde Park Terrace, Kensington Gore.

The THIRD SCHEDULE to which the aforegoing Act refers.

DISTRICTS.

THE FIRST DISTRICT. To be coloured Crimson Lake on the Map referred to in the Thirteenth Section of the aforegoing Act.

The Great Western or Old Brentford Road, from the Western Boundary of Hammersmith Parish to Brentford Bridge.

THE SECOND DISTRICT. To be coloured Orange on the Map.

The Great Western Road, from Brentford Bridge to the Town Hall in Hounslow and the Isleworth Roads, being the Road leading out of the Great Western Road through Sion Lane to and including the Bridge over Mother Ivy's Water, and the Road called Pound Lane or Lower Wood Lane, leading out of the Great Western Road to Isleworth.

THE THIRD DISTRICT. To be coloured Yellow on the Map.

The Great Western Road, from the Town Hall in Hounslow to Baber Bridge, and the Road from Hounslow to Cranford Bridge.

THE FOURTH DISTRICT. To be coloured Blue Purple on the Map.

The Uxbridge Road, from the Western Boundary of Hammersmith Parish to the Seventh Mile Post on the Uxbridge Road.

THE FIFTH DISTRICT. To be coloured Sepia on the Map.

The Uxbridge Road, from the Seventh to the Eleventh Mile Posts on that Road and Boston Lane.

THE SIXTH DISTRICT. To be coloured Vermilion on the Map.

The Uxbridge Road, from the Eleventh Mile Post thereon to Uxbridge.

THE SEVENTH DISTRICT. To be coloured Emerald Green on the Map.

The Harrow Road, from the Western Side of Kilburn Lane to Harrow.

THE EIGHTH DISTRICT. To be coloured Carmine on the Map.

The Kilburn Road, from the Southern Boundary of Hampstead Parish to the Eighth Mile Post on the Kilburn Road.

THE NINTH DISTRICT. To be coloured Light Blue on the Map.

The Kilburn Road, from the Eighth Mile Post thereon to Sparrows Herne.

THE TENTH DISTRICT. To be coloured Red Purple on the Map.

The Green Lanes Road, from the Crossing thereof by the Metropolitan High Level Main Drainage Sewer to Bush Hill, and the Seven Sisters Road, from the Eastern Boundary of Islington Parish to the Stamford Hill Road at Page Green.

THE ELEVENTH DISTRICT. To be coloured Sienna on the Map.

The Stamford Hill Road, from the Northern Boundary of Hackney Parish to the Junction of that Road with the Edmonton and Enfield Road.

THE TWELFTH DISTRICT. To be coloured Blue on the Map.

The Stamford Hill Road, from the Junction of that Road with the Edmonton and Enfield Road to the Boundary of the County of Middlesex, and the Edmonton and Enfield Road from that Junction to Enfield.

THE THIRTEENTH DISTRICT. To be coloured Green on the Map.

The Lea Bridge Road, from the Northern Boundary of Hackney Parish to the Junctions of that Road with the Middlesex and Essex Turnpike Road at Snaresbrook and at Woodford respectively.

The FOURTH SCHEDULE to which the aforegoing Act refers.

TOLLS.

	s.	*d.*
For every Horse, Ass, or other Beast not drawing - - - -	0	1
For every Horse or other Beast (except an Ass) drawing - - -	0	2
For every Ass drawing - - - - - - -	0	1
For every Score of Oxen, Cows, or Neat Cattle (and so in proportion for any greater or less Number) - - - - - - -	0	5
For every Score of Calves, Sheep, Lambs, or Swine (and so in proportion for any greater or less Number) - - - - - - -	0	2½

N.B.—Payment of Toll on any Two of the First, Second, and Third Districts clears the other of those Districts, and Payment of Toll on any Two of the Fourth, Fifth, and Sixth Districts clears the other of those Districts.

The FIFTH SCHEDULE to which the aforegoing Act refers.

Sections of Acts repealed.

Act of 1826.

Sections 37 and 38, relating to Roads which under the Act of 1829 have ceased to be maintainable by the Commissioners.
Section 71, relating to the lighting of Roads.
Sections 72 to 76, both inclusive, relating to the watching of Roads.
Sections 88 and 89, relating to Exemptions from Tolls.
Section 90 relating to Tolls.
Sections 92 and 93 and 94, relating to Overweight.
Sections 117 and 118, relating to Annuities which have ceased to be payable.

Act of 1829.

Section 15, relating to the Rents of Lyon's Estates.
Section 16, relating to the Rents of Harvist's Estate.
Section 18, relating to Districts for Tolls.
Sections 19 to 31 both inclusive, relating to Tolls.