ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 68.

An Act for continuing the Term and altering and enlarging the Powers of Two Acts, passed in the First and Twenty-third Years of the Reign of His present Majesty, for making a Road from the North East Side of the *Goswell Street Road*, next *Islington*, and near to the Road called *The New Road* over the Fields to *Old Street*, and from the *Dog House Bar* to the End of *Chiswell Street*, by the *Artillery Ground*, in the County of *Middlesex*.

[11th *June* 1803.]

WHEREAS an Act was passed in the First Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for making, widening, and repairing a Road from the North East Side of the* Goswell Street Road, *next* Islington, *in the County of* Middlesex, *and near to the Road called* The New Road, *over the Fields and Grounds to* Old Street Road, *opposite to the* Dog House Bar, *and at* 1 Geo. 3.

and from the Dog Houſe Bar *to the End of* Chiſwell Street, *by the* Artillery Ground: And whereas an Act was paſſed in the Twenty-third Year of the Reign of His ſaid preſent Majeſty, for enlarging the Term and Powers of the ſaid Act: And whereas the Truſtees appointed in or by virtue of the ſaid Acts, have proceeded to put the ſame in Execution, and ſeveral conſiderable Sums of Money have been from Time to Time borrowed on the Credit of the Tolls thereby authorized to be taken; which Money ſtill remains due, and cannot be repaid, nor can the ſaid Road be properly maintained and improved, unleſs the Term of the ſaid Acts is further continued, and ſome of the Powers and Proviſions thereof altered, amended, and enlarged: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, paſſed in the Firſt and Twenty-third Years of the Reign of His preſent Majeſty, and all and every the Tolls, Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things whatſoever therein contained (except ſuch as relate to Exemptions from Stamp Duties, or as are hereby varied, altered, or repealed), ſhall be and the ſame are hereby further continued for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act; but ſubject nevertheleſs to the Amendments, Alterations, Variations, and Additions herein contained; and which ſhall commence and take Effect immediately upon the paſſing of this Act; and this Act, and the additional Term hereby granted, ſhall be ſubject and liable to the Payment of all Money now due and owing on the Credit or on Account of the ſaid recited Acts, or which may hereafter be borrowed on the Credit of the ſaid recited Acts and this Act, and the Intereſt due and to grow due thereon reſpectively.

23 Geo. 3. recited and further continued.

Recited Acts further continued.

II. And be it further enacted, That if any Perſon or Perſons ſhall put or caſt, or cauſe to be put or caſt, out of any Cart, Tub, or otherwiſe, any Night Soil or other Filth upon the ſaid Road, or within Two hundred Yards from the Centre thereof, it ſhall be lawful for the Surveyor of the ſaid Road, or any other Perſon or Perſons, to apprehend and carry the Perſon or Perſons committing ſuch Offence before ſome Juſtice of the Peace for the ſaid County of *Middleſex*, who (upon Proof on Oath of ſuch Offence having been committed), ſhall commit ſuch Offender or Offenders to the Houſe of Correction for the ſaid County, for any Time not exceeding One Calendar Month nor leſs than Seven Days, and the Owner or Owners of any Cart, Carriage, Horſe, or Beaſt, employed in and about removing and emptying ſuch Night Soil, ſhall forfeit any Sum not exceeding Forty Shillings nor leſs than Twenty Shillings, and it ſhall be lawful for any Perſon or Perſons to ſeize ſuch Carts or Carriages, or the Horſes or Beaſts drawing the ſame, and drive, remove, or take ſuch Carts or Carriages, Horſes or Beaſts to ſuch Place adjacent to the ſaid Road, as the Truſtees for executing the ſaid Acts and this Act ſhall order and direct, there to be detained until the Owner or Owners ſhall pay the ſaid Penalty, together with all Charges relating thereto; and in caſe the ſame ſhall not be claimed by the Owner thereof,

To prevent Nuiſances by ſhooting Night Soil.

and

and the ſaid Penalty and Charges paid within Five Days next after ſuch Seizure, then it ſhall be lawful for the Surveyor appointed by the ſaid Truſtees to order the ſame to be appraiſed and ſold, and the Money ariſing therefrom ſhall be applied in Payment of ſuch Penalty and Charges, returning the Overplus (if any) to the Owner or Owners thereof if known, on Demand; any Thing contained in the ſaid recited Acts, or either of them, to the contrary thereof notwithſtanding.

Collectors of *Sunday* Tolls to have their Names painted on a Board, and hung on the Toll Houſe.

III. And whereas by virtue of ſeveral Acts now in force for collecting a Toll (commonly called *A Sunday Toll*), on the ſeveral Roads leading out of the Metropolis, certain Perſons are from Time to Time appointed and have Authority to collect ſuch Tolls at the Toll Gate erected by virtue of the ſaid recited Acts, and great Inconvenience frequently ariſes from the Names of ſuch Perſons not being known to Perſons liable to pay the ſaid Tolls; be it therefore enacted, That all Perſons hereafter appointed to collect ſuch *Sunday* Tolls as aforeſaid, at the ſaid Toll Gate or Gates erected or to be erected on the ſaid Road by virtue of the ſaid recited Acts or this Act, ſhall cauſe their Chriſtian and Surnames, with the Words "SUNDAY TOLL," to be painted on a Board on a Black Ground in White Letters, of not leſs than Three Inches in Length, and of a proportionate Breadth, and ſhall cauſe ſuch Board to be hung up in ſome conſpicuous Place on the Front of the Toll Houſe or Toll Gate at which the ſaid Collector or Collectors ſhall attend to collect the ſaid Tolls; and if any Perſon ſhall demand Payment of or ſhall receive any ſuch Toll without having ſuch Board hung up as aforeſaid, or ſhall refuſe upon Demand to tell his or her real Name and Place of Abode, he or ſhe ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees authorized to pave the Road, or any Part thereof.

IV. And whereas it is by the ſaid firſt recited Act provided and directed, that no Part of the ſaid Road ſhall be paved; which Reſtriction, from the Increaſe of Houſes and Buildings in the Neighbourhood of ſome Part of the ſaid Road, and the great Wear of ſome Parts thereof, hath been found inconvenient; be it therefore further enacted, That ſo much of the ſaid firſt recited Act as reſtrains the ſaid Truſtees from paving any Part of the ſaid Road, ſhall be and the ſame is hereby repealed; and that it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, from Time to Time to cauſe ſuch Part or Parts of the ſaid Road to be paved as they ſhall deem neceſſary and expedient for the better Accommodation of the Publick, and ſuch Pavement to be repaired from Time to Time in ſuch Manner as they ſhall think proper; and to defray the Expence of ſuch paving and repairing of the Pavement from Time to Time by and out of the Monies collected or to be collected upon the ſaid Road by virtue of the ſaid recited Acts and this Act.

Water Companies to repair Pipes, &c.

V. And whereas Water Companies and other Perſons frequently lay and place Pipes into, along, and acroſs the ſaid Road, for the Purpoſe of conveying Water into Houſes and other Places near to the ſaid Road, and which by their frequently burſting, and not being replaced or repaired in due Time, occaſion great Damage to the ſaid Road, and endanger the Lives of the Paſſengers; for Remedy whereof, be it further enacted, That when any Pipe or Pipes now laid and placed, or hereafter to be laid

and

and placed into, acroſs, or on the Sides of any Part of the ſaid Road, ſhall break or burſt, ſo as to injure or occaſion any Damage to the ſaid Road, and the ſame ſhall not be replaced or amended, and the ſaid Road made good, within Five Days after Notice given in Writing by the Surveyor of the ſaid Road to the Company or other Perſon or Perſons to whom the ſame ſhall belong, or their known Clerk or Agent, or left at his or their Place of Abode, then and in ſuch Caſe it ſhall be lawful for the Surveyor of the ſaid Road to remove ſuch faulty or decayed Pipe or Pipes, and to make good ſuch Part and Parts of the ſaid Road as ſhall have been injured and damaged by ſuch decaying or burſting, and the Expence thereof ſhall be paid to the ſaid Surveyor by the Company or other Perſon or Perſons to whom ſuch Pipe or Pipes ſhall belong, and in caſe Default ſhall be made in Payment of the Expences ſo incurred, or any Difference or Diſpute ſhall ariſe thereupon, then and in ſuch Caſe it ſhall be lawful for any Juſtice of the Peace for the ſaid County of *Middleſex* to ſummon the Party or Parties ſo making Default, to appear before him, and upon appearing or making Default after due Notice, to proceed to hear the Complaint, and make ſuch Order for the Payment of ſuch Sum and Sums of Money as ſhall appear to him juſt and reaſonable.

For preventing Annoyances.

VI. And whereas the ſaid Road is greatly frequented by Foot Paſſengers as well as by Carriages and Perſons on Horſeback, and the Practice of Stable Keepers, Horſe Dealers, and other Perſons exerciſing and breaking in Horſes in Carriages and otherwiſe, is of late become a great Nuiſance, and frequently endangers the Lives of His Majeſty's Subjects paſſing and repaſſing upon the ſaid Road; for Remedy whereof, be it further enacted, That if any Perſon or Perſons ſhall exerciſe or drive any Horſe, Mare, or Gelding in any Carriage upon the ſaid Road, in Manner and for the Purpoſe above mentioned, every ſuch Perſon ſo offending, or the Stable Keeper, Horſe Dealer, or Stable Keepers, under whoſe Care and Controul the ſaid Horſes and Carriages ſhall then be, ſhall forfeit and pay for every Offence any Sum not exceeding Forty Shillings; or if any Perſon or Perſons ſhall run or drive any Wheel or Wheelbarrow or Sledge upon any Part of the Footpath belonging to the ſaid Road, or ſet or place, or cauſe to be ſet or placed thereon, or upon any Part of the ſaid Road or Footpath any Stall, Shewboard, Caſk, Package, Timber, Stones, Bricks, Lime, or any other Thing whatſoever, ſo as to obſtruct the free Paſſage of the ſaid Road or Footpaths, he, ſhe, or they ſhall, for every ſuch Offence, forfeit any Sum not exceeding Ten Shillings; which ſaid Penalties or Forfeitures ſhall be recovered before any One of His Majeſty's Juſtices of the Peace for the ſaid County, and ſhall alſo be applied in like Manner as any other Penalty or Forfeiture is in and by the ſaid firſt recited Act directed to be recovered and applied.

Power to apprehend Offenders.

VII. And be it further enacted, That it ſhall be lawful for any Perſon or Perſons, without any Warrant or other Authority than this Act, to apprehend any Offender or Offenders in the Premiſes againſt this Act, and with all convenient Speed to convey and deliver him, her, or them, to the Conſtable or other Peace Officer neareſt to be found to the Place where the Offence ſhall have been committed, who is hereby authorized and required to take ſuch Offender into Cuſtody, in order to his, her, or their being taken or conveyed before a Magiſtrate to be dealt with according to Law.

VIII. And

Exemption from Toll, 23 Geo. 3. repealed in Part.

VIII. And whereas in and by the ſaid laſt recited Act, it is provided and enacted, that no Toll ſhall be demanded or taken by virtue of the ſaid recited Acts, from any Perſon paſſing to or from *Old Street* with any Horſe or Carriage to or from the Fields to which a Cartway formerly led on the Eaſt Side of the ſaid Road, and which had been ſtopped up and incloſed in purſuance of the ſaid firſt recited Act: And whereas the ſame hath been found prejudicial to the ſaid Road; be it therefore further enacted, That ſo much of the ſaid recited Act, paſſed in the Twenty-third Year of His preſent Majeſty's Reign, as reſtrains the ſaid Truſtees from the taking of Tolls as above mentioned, ſhall be, and the ſame is hereby declared to be repealed, except as herein-after mentioned.

Brick Carts exempted from Toll in paſſing from Old Street to the Fields.

IX. Provided nevertheleſs, and be it further enacted, That no Toll ſhall be demanded or taken from any Perſon or Perſons paſſing from *Old Street* to the Fields to which a Cartway formerly led, on the Eaſt Side of the ſaid Road, with any Horſe or Horſes drawing any Cart or Carriage laden with Lime, Sand, Breeze, Aſhes, or other Material for the Purpoſe of making Bricks, or with Rubbiſh for filling in the Ground from which Brick Earth ſhall or may have been dug, or returning from the ſaid Fields to *Old Street* empty, or laden with Bricks only.

Grain Carts to be weighed and pay Toll.

X. And whereas very heavy Loads of Fodder and Manure are carried and conveyed upon and along the ſaid Road, which Practice materially injures the ſame; be it therefore further enacted, That, from and after the paſſing of this Act, all Waggons, Carts, Drays, and other Carriages laden with Grains, Turnips, or other Fodder, or with Manure of any Kind for manuring Land, or to be uſed for any other Purpoſe, ſhall be ſubject and liable to be weighed at any Weighing Engine erected or to be erected upon the ſaid Road by virtue of the ſaid recited Acts and this Act, and ſhall pay Toll for Over-weight thereof, in like Manner as any other Waggon, Cart, or Carriage is now liable to pay for Over-weight of lading therein.

Application of the Compenſation Money where exceeding 200*l.*

XI. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts and this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatick, or Perſon or Perſons under any Diſability or Incapacity as in the ſaid firſt recited Act particularly mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for the executing the ſaid Acts and this Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Grounds, or Hereditaments, in Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Grounds, or Hereditaments, or affecting other Lands, Grounds, or Hereditaments ſtanding ſettled therewith to the ſame or the

like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, Lands, Grounds, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Lands, Grounds, and Hereditaments which ſhall be ſo purchaſed or taken or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery upon Application thereto, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation Money does not exceed 200 *l.* and above 20 *l.*

XII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Grounds, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall (at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands) be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-after directed, or otherwiſe the ſame ſhall be paid (at the like Option) to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Princpal Money and Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20 *l.*

XIII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid Acts and this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their

their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

For paying the Expences of the Act.

XIV. And be it further enacted, That all Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act, ſhall be paid and diſcharged out of any Money which hath ariſen by virtue of the ſaid recited Acts, or out of the Firſt Money which ſhall ariſe by virtue thereof and of this Act, in Preference to all other Payments whatſoever.

Publick Act.

XV. And be it further enacted, That this Act ſhall be deemed, taken, and adjudged to be a publick Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Term of Act.

XVI. And be it further enacted, That the Term granted and continued by the ſaid recited Acts, ſhall upon the paſſing hereof ceaſe and determine, and that the ſaid Acts (ſubject to the Alterations hereinbefore mentioned) and this Act ſhall from thenceforth continue and be in Force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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