ANNO SEXTO

GEORGII IV. REGIS.

Cap. clvii.

An Act for more effectually repairing, widening, and improving the Road from *Knightsbridge* to *Counters Bridge*, and certain other Roads in the County of *Middlesex*; and for lighting, watching, and watering the said Roads. [10th *June* 1825.]

WHEREAS an Act was passed in the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing the Road from* Hyde Park Corner *to* Counters Bridge, *and certain other Roads in the County of* Middlesex, *and for other Purposes therein mentioned:* And whereas another Act was passed in the Fifty-first Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from* Hyde Park Corner *to* Counters Bridge, *and certain other Roads in the County of* Middlesex: And whereas by an Act passed in the Fifty-third Year of His said late Majesty, intituled *An Act for more effectually paving, cleansing, lighting, watching, and regulating certain Parts of* Piccadilly *and* Park Lane, *in the Parish of* Saint George Hanover Square *in the County of* Middlesex, *and also several Squares, Streets, Lanes, and other public Passages and Places within the said Parish; and for altering and enlarging the Powers of an Act of the Twenty-ninth Year of His present Majesty, relative to the above Purposes and to the Poor of the said Parish;* it is (among other Things) enacted, that in order to enable the Committee of Paving of the said Parish of *Saint George Hanover Square* more effectually to pave, cleanse, light,

35 G. 3. c. 142.

51 G. 3. c. 13.

53 G. 3. c. 38.

light, keep in repair, and regulate the said Roads leading from the End of *Clarges Street* to the Turnpike Gate near *Hyde Park Corner*, and from the South End of *Park Lane* to the North Side of *Hertford Street* in the said Parish of *Saint George Hanover Square*, and the other Streets, Lanes, public Passages, and Places under the Jurisdiction of the said Committee of Paving, the Trustees for the Time being for repairing the several Roads by the said recited Acts of the Thirty-fifth and Fifty-first Years of the Reign of His late Majesty directed to be repaired, shall pay or cause to be paid yearly and every Year, to the said Committee of Paving of the said Parish of *Saint George Hanover Square*, or any Five or more of them, the Sum of One thousand Pounds of lawful Money of *Great Britain*, free from all Deductions whatsoever, at the Times and in Manner and for the Purposes in the said Act mentioned: And whereas the Trustees appointed by or in pursuance of the said Two first-recited Acts, have made great Progress in amending, widening, and improving the several Roads in the said Two first-recited Acts mentioned, and in carrying into execution the Powers and Authorities thereby vested in them, and have paid off and discharged the Whole of the Monies borrowed on the Credit of the Tolls authorized to be taken on the said Roads, and have also equalized the said Tolls, by reducing the Tolls payable at several of the Gates upon the said Roads: And whereas the said Roads cannot be effectually amended, widened, improved, maintained in repair, cleansed, lighted, watched, and watered, and the said annual Sum of One thousand Pounds be paid to the said Committee of Paving for *Saint George Hanover Square*, unless the Term granted by the said Two first-recited Acts be further enlarged, and the Powers thereof altered and varied, and further Provisions be made for that Purpose: And whereas an Act was passed
3 G. 4. c. 126. in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled
4 G. 4. c. 95. *An Act to explain and amend an Act passed in the Third Year of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fifth Year of the Reign of His
5 G. 4. c. 69. present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*; 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,

Recited Acts of 35 & 51 G. 3. repealed, and this Act to take effect.

That from and after the Thirtieth Day of *September* One thousand eight hundred and twenty-five, the said recited Acts passed in the Thirty-fifth and Fifty-first Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby repealed, and instead thereof this Act shall from thenceforth commence and take effect, and be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, improving, repairing, and keeping in repair, cleansing, lighting, watching, and watering the several Roads herein-after mentioned; (that is to say), the Roads leading from the West Side of the great Sewer, commonly called *The Ranelagh Sewer*, at *Knightsbridge*, to *Counters Bridge*, and from *Knightsbridge* to *Fulham Bridge*, and from *Fulham* through *Fulham Fields* to the Corner of the

Garden Wall formerly belonging to *Michael Impey* deceased, opposite the Chapel at *Hammersmith*, and from *Walham Green* to the Great Western Road near the East End of the Town of *Hammersmith*, and from the House known by the Sign of *The Bell and Horns* at *Brompton* to *Earl's Court*, and from thence to the said Great Western Road near *Holland House*, and from the West Side of the said Sewer called *Ranelagh Sewer* near *Chelsea Bun House*, to the North End of *Battersea Bridge* in the Parish of *Chelsea*, and from *Chelsea Church* along *Hogmore Lane* to the said Great Western Road near the East End of the Town of *Kensington*, and from *Chelsea Hospital* by *Blacklands* to the Road leading from *Knightsbridge* to *Fulham*, and from the *King's Arms* in *Fulham* to the Entrance to the *King's Road*, and the Road called *Church Lane* leading from the Town of *Kensington* to the House known by the Name of *The Swan* at *Kensington Gravel Pits*, which said several Roads lie within the Parishes of *Saint Margaret Westminster*, *Saint Mary Abbotts Kensington*, *Saint Luke Chelsea*, and *All Saints Fulham*, in the said County of *Middlesex*, and comprise a Space of Fifteen Miles or thereabouts.

Powers of recited Acts of 3, 4, and 5 Geo. 4. extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or varied, altered, or otherwise provided for by this Act), and also the said recited Acts passed in the Fourth and Fifth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), shall respectively be as good, valid, and effectual for carrying this Act into Execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

New Term and Tolls to be subject to Payment of 1,000*l.* per Annum, and to former Debts.

III. And be it further enacted, That the Tolls and Duties by this Act granted and imposed shall, for and during the Term of this Act, be charged with and made subject and liable to the said annual Payment of One thousand Pounds to the Committee of Paving for *Saint George Hanover Square* aforesaid, and all Arrears (if any) thereof; and to the Payment of all current Expences incurred on the Credit of the said Two first-recited Acts; and that all and every Person and Persons owing any Sum or Sums of Money to the said Trustees for executing the said recited Acts of the Thirty-fifth and Fifty-first Years of the Reign of His said late Majesty, shall be liable to the Payment thereof to the Trustees for executing this Act; and all Bonds, Covenants, Agreements, Contracts, and Securities duly entered into by any Person or Persons to or with the said Trustees for executing the said last-mentioned Acts, for or concerning any Matters or Things respecting the said Roads, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity until the same are fully satisfied and performed on account and for the Benefit of the said Roads; and all Leases, Contracts, or Agreements duly made or entered into by the Trustees for executing the said last-mentioned Acts, to or with any Person or Persons, shall remain in full

full Force and Effect, and be observed and kept by the Trustees under this Act, according to the Terms or Stipulations thereof respectively, notwithstanding the Repeal of the said last-mentioned Acts.

Officers under former Acts to account to Trustees under this Act.

IV. And be it further enacted, That all Officers or other Persons, who are or have been employed, or who have received or shall receive any Tolls, Penalties, or other Monies by virtue or on account of the said Acts hereby repealed, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the said Roads, shall account for, pay, and deliver over the same, and every Part thereof, to the Trustees hereby appointed, in like Manner, and under the like Pains and Penalties, and with the like Powers to the Trustees for enforcing the Recovery thereof, as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, are required to pay or account for the same.

Books under former Acts, to be Evidence under this Act.

V. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Trustees.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being, acting for the County of *Middlesex*, together with *Lord Althorpe*, the Right Honourable *Charles Arbuthnot*, *Ferdinand Anderdon*, the Reverend *Francis Atwood*, *John Alexander*, *Robert Ashton*, Lord *Belgrave*, *Charles Barclay*, *John Boodle*, *George Barke*, *Edward Boodle*, *Edward Boodle* the younger, *Henry Blunt*, *Matthew Burchell*, the Reverend *Weedon Butler*, *Basil Burchell*, *John Batty*, *Stephen Bird*, *Frederick Pratt Barlow*, *Henry Cavendish*, *Frederick Crace*, *Frederick Arnand Clarke*, *Alexander Copland*, *John Wilson Croker*, *Francis Godman Capel*, *John Crowther*, Vice Admiral *Ross Donelly*, Lord *Duncannon*, *Charles Deare*, *Samuel Drew*, *Joseph Delafield*, *John Elliot*, *William Farlar*, *Evan Foulkes*, *John George Fitzgerald*, *Thomas Goding*, *James Gray*, *William Gibbs*, *James Goding*, *James Greenwell*, *John Groome*, *James Goding* the younger, Sir *Henry Hardinge* K.C.B., *William Holmes*, *John Cam Hobhouse*, *Samuel Hutchins*, *Lancelot Holland*, *Francis G. Hanrott*, *Frederick Hodgson*, *Samuel Harrison*, *John Higham*, *Thomas Hasker*, Viscount *Kensington*, *William Knight*, Lord Viscount *Lowther*, *Thomas George Lambton*, *James Lee*, *John Wakeman Long*, the Reverend *Charles Lane*, *Richard Edward Nathaniel Lee*, Lord Viscount *Milton*, Lord *Morpeth*, *Richard Magennis*, *Alexander Milne*, *Robert Moate*, *Joseph Moate*, *John Merriman*, *George Matyear*, *Philip Egerton Ottey*, the Honourable *Berkly Paget*, *Robert Barlow Pratt*, *William Robert Phillimore*, *William Stephen Poyntz*, *John Panter*, *Joseph Phillimore*, *Robert Blemell Pollard*, *Thomas Chimnall Porter*, *William Perry*, the Reverend Archdeacon *Pott*, *Henry Rowed*, *George Holme Sumner*, *George Smith*, *George Scott*, *James Scott*, *Samuel Everingham Sketchley*, *William Smith*, *Daniel Sutton*, *Daniel Sutton* junior, *Charles Thompson*, *William Tebbs*, *John Taylor*, *John Williams*, *William Warwick*, the Reverend *William Wood*, *William Whitehead*, *Henry Wilmott*,

Wilmott, *George Woolley*, *Samuel Ware*, *Samuel Charles Whitbread*, and their Successors, being duly qualified in manner directed by the said Acts passed in the Third and Fourth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, widening, altering, improving, repairing, and keeping in repair, cleansing, lighting, watching, and watering the said Roads by this Act intended to be amended, widened, altered, improved, repaired, and kept in repair, and for otherwise putting in Execution this Act, and such of the Powers and Provisions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty as are not expressly varied, altered, or otherwise provided for by this Act.

Appointment of additional Trustees at the First Meeting.

VII. And be it further enacted, That it shall be lawful for the said Trustees, at a Meeting to be held for that Purpose (of which Meeting, and of the Purposes thereof Ten Days Notice shall be given in Manner directed by the said recited Act of the Third Year of the Reign of His present Majesty, repecting the Appointment of Trustees on Vacancies), in pursuance of this Act, to elect any Number of fit and proper Persons, being duly qualified in manner by the said Acts passed in the Third and Fourth Years of the Reign of His present Majesty directed, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected shall be and are hereby invested with the same Powers and Authorities for executing the said recited Acts of the Third and Fourth Years aforesaid, and this Act, as if they had been herein named and appointed.

First Meeting.

VIII. And be it further enacted, That the said Trustees shall meet at the House known by the Name of the *King's Arms Tavern* or some other convenient Place in *Kensington*, on the First *Monday* in *October* next after the Commencement of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon, and shall then proceed to carry the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, into Execution.

No Adjournment for longer than Five Weeks.

IX. And be it further enacted, That no Adjournment of any Meeting of the said Trustees shall be made for a longer Space of Time than for Five Weeks.

Old Officers (except the Treasurer) may continue.

X. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers (except the Treasurer) nominated and appointed under or by virtue of the said recited Acts hereby repealed, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for carrying this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated and appointed by virtue of this Act.

Clerk and Treasurer not to be the same Person.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of the Partner or Partners of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; 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 any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of the Partner or Partners of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers, or being the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of the Partner or Partners of any such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such 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.

For Removal of Gate at Hyde Park Corner and Pimlico.

XII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and required, as soon as conveniently may be after the Commencement of this Act, to cause the Toll Gates and Toll Houses, and Weighing Engines, now being at *Hyde Park Corner* and *Pimlico*, to be pulled down and removed.

Power to erect and continue Toll Gates.

XIII. And be it further enacted, That for the Purposes of collecting and receiving the Tolls hereby granted, the Trustees appointed or to be appointed in or by virtue of this Act shall and may, and they are hereby authorized and empowered to continue all or any of the Toll Gates, Toll Bars, Toll Houses, and Weighing Engines, erected by virtue of the said recited Acts hereby repealed (except as aforesaid), and shall and may erect, or cause to be erected, such and so many other Toll Gates, Toll Bars, Toll Houses, and Weighing Engines, in, upon, or across such Parts of the said Roads by this Act directed to be maintained, repaired, and kept in repair, and also such and so many Toll Gates on the Sides of the said Roads as they the said Trustees shall think proper and expedient, subject nevertheless to such Regulations, Restrictions, and Directions as in this Act, or the said Acts of the Third and Fourth Years of the Reign of His present Majesty, are mentioned or contained

concerning the placing or erecting of such Toll Gates or Weighing Engines.

Power to remove Toll Gates.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven of them, and they are hereby empowered from Time to Time, when and so often as they shall think proper, to cause any of the Toll Gates erected by the Authority of the said Acts hereby repealed, or which shall be continued or erected by virtue of this Act in, upon, or across the said Road, or on the Side or Sides of any Part thereof, or to be erected in, upon, or across, or on the Side or Sides of any Part thereof, to be removed to and erected in, upon, or across, or on the Side or Sides of such other Part or Parts of the said Roads hereby directed to be maintained and kept in repair, or otherwise to be wholly removed and taken away, as the said Trustees or any Seven or more of them shall from Time to Time order and direct; provided that none of the said Toll Gates shall be removed or taken away as aforesaid, unless Notice in Writing of the Intention to remove or take away the same shall have been affixed upon all the Toll Gates then standing upon the said Roads, nor unless such Notice shall have been advertised in some Newspaper published in the said County of *Middlesex*, Twenty Days at least previously to such Order being made.

Power to take Tolls.

XV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Person or Persons to be appointed by virtue of the said recited Act of the Fourth Year of the Reign of His present Majesty, or of this Act, Collector or Collectors of the Tolls herein-after specified, and they are hereby authorized and required to demand, receive, and take, (subject to the Restrictions and Exemptions herein-after mentioned) at each and every of the Toll Gates erected or to be erected on the said Roads, from all Persons not producing a Ticket from any one of the other Gates continued or to be erected by virtue of this Act on the said Roads, before any Horse, Mule, Ass, Beast, or other Cattle, or any Coach, Chaise, Waggon, Cart, or other Carriage, shall be permitted to pass through such Gates, the several Tolls and Duties following; (that is to say),

For every Horse, Mule, or other Beast drawing any Coach, Hearse, Berlin, Landau, Chariot, Curricle, Chaise, Chair, Waggon, Wain, Van, Cart, Dray, or other Carriage, drawn by more than One Horse, Mule, or other Beast, the Sum of One Penny Halfpenny:

For every Horse or Mule drawing any Coach, Hearse, Berlin, Landau, Chariot, Curricle, Chaise, Waggon, Wain, Van, Cart, Dray, or other Carriage, and drawn by One Horse only, the Sum of Three-pence:

For every Horse or Mule, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Ass, drawing or not drawing, the Sum of One Penny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number.

XVI. And

Power to Trustees to erect Gates in any Street communicating with Roads under their Care across the Ranelagh Sewer.

XVI. And be it further enacted, That from and after the Commencement of this Act, it shall and may be lawful to and for the said Trustees to erect and place a Toll Gate, Toll Bar, and Toll House, or Toll Gates, Toll Bars, and Toll Houses, across any Street or Road that now communicates with, or at any Time hereafter may be made to communicate with any of the Roads under the Care and Management of the said Trustees, across the before-mentioned Sewer called *The Ranelagh Sewer*, (such Toll Gates, Toll Bars, and Toll Houses to be erected and placed, as near as may be, on the Western Side of the said Sewer), and from and immediately after the erecting and placing the said Toll Gates, Toll Bars, and Toll Houses, it shall and may be lawful to and for the said Trustees, and to and for any Person or Persons appointed or to be appointed Collector or Collectors of the Tolls hereby authorized to be taken, and they are hereby authorized and required to demand, receive, and take at the said last-mentioned Toll Gates or Toll Bars, from all Persons not producing a Ticket from any one of the other Gates continued or to be erected by virtue of this Act on the Roads under the Management of the said Trustees, before any Horses or Carriages shall be permitted to pass through such Gate or Gates (notwithstanding such Horses or Carriages shall not have passed above One hundred Yards on any of the said Roads) the several Tolls and Duties herein-before specified; any thing in the said recited Act of the Third Year of His present Majesty to the contrary notwithstanding.

Tolls vested in Trustees.

XVII. And be it further enacted, That all and every the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, respectively authorized to be taken, and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be vested in the said Trustees for the Time being, and the same and every Part thereof shall be levied, collected, applied, disposed of, and assigned in manner directed by the said last-mentioned Acts and this Act; and the same Tolls and every Part thereof, and all and every Sum and Sums of Money remaining in the Hands of the Treasurer of the said Trustees, under the said Acts hereby repealed, shall (subject nevertheless to the Payment of the said annual Sum of One thousand Pounds to the Committee of paving *Saint George Hanover Square*, and to the Payment of all and every Sum and Sums of Money due and owing on the Credit of the said Acts, or hereafter to be borrowed on the Credit of this Act, and the Interest thereof,) be from Time to Time applied in erecting, removing, or altering Turnpike Gates and Toll Houses, and in amending, widening, paving, draining, and repairing and keeping in repair the said Roads and Footpaths, and in cleansing, watering, watching, and lighting the same, and in defraying all necessary Costs, Charges, and Expences attending the Execution of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, in such Manner as the said Trustees shall direct.

Exemption from Toll for Horses belonging to or drawing any Carriage belonging to His Majesty.

XVIII. Provided always, and be it enacted, That no Toll shall be demanded or taken for or in respect of any Horses belonging to His Majesty, or for any Horses drawing any Carriage belonging to His Majesty, at any Toll Gate or Toll Gates erected or to be erected on the said Roads; any thing herein or in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained to the contrary notwithstanding.

XIX. Pro-

Tolls payable but once in the same Day.

XIX. Provided always, and be it further enacted, That in case the said Toll shall have been paid for or in respect of any Horse, Beast, Cattle, or Carriage, passing through any of the Turnpikes, Toll Gates, or Side Gates to be erected by virtue of this Act, no Toll shall be demanded or taken for or in respect of such Horse, Beast, Cattle, or Carriage, for returning, passing, or repassing through the same or any other Turnpike, Toll Gate, or Side Gate on the said Roads the same Day, before Twelve of the Clock at Night, with the same Horse, Beast, Cattle, or Carriage for which Toll shall have been paid on that Day (except in the Cases herein-after mentioned), but that every such Person, on producing a Note or Ticket denoting the Payment of such Toll, shall be permitted to pass through such Turnpike, Toll Gate, or Side Gate, with such Horse, Beast, Cattle, or Carriage, Toll-free.

Post Chaises to pay every Time of a fresh Hiring; and Hackney Coaches and Cabriolets with a fresh Fare.

XX. And be it further enacted, That it shall and may be lawful to and for the said Trustees to demand and take, or cause to be demanded and taken, the Tolls hereby made payable in respect of any Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, every Time of passing and repassing along the said Roads in the same Day, as often as a fresh Hiring thereof shall take place; and also to take, or cause to be demanded and taken, for the Horses or other Beasts drawing any Hackney Coach, or Hackney Chariot, or Hackney Cabriolet, passing through any of the Gates erected or to be erected on the said Roads, the Tolls payable by virtue of this Act, in respect of such Horses or other Beast, every Time such Hackney Coaches, or Hackney Chariots, or Hackney Cabriolets, shall pass through any of the said Gates with a fresh Fare, save and except the Person or Persons Inside of such Coach or Coaches, Chariot or Chariots, Cabriolet or Cabriolets, or other Person or Persons hiring the same, shall produce a Ticket denoting such Toll to have been paid on that Day, in respect of the Horses or other Beasts drawing such Coach or Coaches, Chariot or Chariots, Cabriolet or Cabriolets; and each and every Collector or Collectors of the said Tolls shall, and he and they is and are hereby required to deliver to the Person or Persons hiring such Coach or Coaches, Chariot or Chariots, Cabriolet or Cabriolets, a Ticket or Tickets denoting the Payment of the said Tolls; and in case any such Collector shall refuse or neglect to deliver such Ticket or Tickets *gratis* to such Person or Persons, then and in every such Case such Collector or Collectors shall forfeit and pay any Sum not exceeding the Sum of Five Pounds, to be paid to the said Trustees, and applied for the Purposes of this Act.

Stage Coaches to pay every Second Time of passing.

XXI. Provided always, and be it enacted, That all Horses and other Beasts of Draught, drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage, conveying Passengers or Goods for Pay, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, shall be chargeable with Toll for repassing a Second Time through such Toll Gate, in the like Manner as if no Toll had been before paid thereat.

Trustees may remove Collectors.

XXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees or any Seven or more of them, assembled at a Meeting in pursuance of this Act, to remove any Collector or Collectors of

of the said Tolls whenever they shall think proper, notwithstanding such Collector or Collectors may have been appointed by the Lessee or Lessees of the said Tolls for the Time being; any thing in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or in this Act, to the contrary notwithstanding.

Lessee not to appoint Collector that has been removed by Trustees.

XXIII. And be it further enacted, That if any Lessee or Lessees of the said Tolls, without the Consent of the said Trustees, shall appoint any Person or Persons a Collector or Collectors of the said Tolls who shall have been removed in manner aforesaid, every such Lessee shall forfeit and pay any Sum not exceeding Forty Shillings for each and every Day that such Person or Persons shall continue such Collector or Collectors.

Application of Tolls.

XXIV. And be it further enacted, That out of the Tolls herein-before authorized to be collected, or out of the Money now in their Hands, or to be borrowed on the Credit thereof, the said Trustees shall, in the first Place, pay and discharge the Costs and Expences incident to and attending the procuring and passing this Act, and shall apply the Remainder of such Tolls and Monies, and also all other Money which shall come to the Hands of the said Trustees or their Treasurer by virtue of this Act, in defraying the Expences of repairing and keeping in repair, widening, and improving the said several Roads and Footpaths, and in cleansing, lighting, watching, and watering the said Roads, and all other the necessary Costs, Charges, and Expences attending the Execution of the Trusts and Powers by this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty vested in the said Trustees, and in paying the said One thousand Pounds *per Annum* to the Committee for Paving of the said Parish of *Saint George Hanover Square*, and in paying the Interest of any Monies which shall or may be borrowed on the Credit of the said Tolls by virtue of this Act, and afterwards in paying off the Principal Money to be borrowed on the Credit of such Tolls.

Not to interfere with Footpaths in the Town of Kensington.

XXV. Provided always, and be it further enacted, That nothing in this Act contained shall empower or authorize the said Trustees to repair or otherwise interfere with the Footpaths of the High Street of the Town of *Kensington* aforesaid.

For preventing Encroachments or Annoyances.

XXVI. And for the better preventing and removing Encroachments and Annoyances in and upon the said Roads, Footpaths, and Causeways, be it further enacted, That if any Owner or Occupier of any Lands, Tenements, or other Premises adjoining to the said Roads and Footpaths, shall refuse or neglect, by the Space of Forty-eight Hours after Notice in Writing given to him or her, or left at his or her usual Place of Abode, under the Hand of any Surveyor appointed by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or this Act, to pull down or take away any Encroachment, Posts, Rails, Stall Boards, Signs, Sign Posts, Sign Irons, Pent Houses, Shew Boards, Spouts and Gutters, Water Butts or Tubs, Porter's Blocks or Resting Places, Chopping Block, Shew Board on Hinges or otherwise, Basket, Wares, Merchandize, Casks, or Goods of any Kind whatsoever, or other Annoyances projecting into, over, or upon, or discharging themselves upon the said Roads or Footpaths; or if any Person or Persons shall suffer his or her Sink or Drain to run into the said Roads, or on the said

Footpaths, or shall throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, or laid, any Timber, Stone, Hay, Straw, Dust, Dirt, Ashes, Rubbish, Grains, Compost, Dung, or other Filth or Annoyance, into or upon the said Roads, Causeways, or Footpaths, or into or in any of the Ditches, Drains, or Watercourses thereto belonging; or if any Occupier or Occupiers of Houses or Shops on the Sides of the said Roads, or any other Person or Persons, shall expose to public View for Sale or otherwise, upon the said Roads, Footpaths, Causeways, or Ground between the Carriage Road and Footpaths, any Goods, Wares, or Merchandize, or any Butcher's Meat, Fish, Fruit, Vegetables, or other Matter or Thing whatsoever, (except in a Dwelling House or Shop), or shall inclose or make any Encroachment on any Waste Lands or Grounds lying on the Sides of the said Roads or Footpaths, and over which the King's Subjects have been used and accustomed to pass, or shall obstruct or incommode, hinder or prevent the free Passage of any Footway or Causeway, or shall leave open any Cellar Flap or Flaps within Ten Yards from the Sides of the said Roads; it shall be lawful for such Surveyor or Surveyors, and for any Person by him or them employed, to abate or pull down and take away any such Encroachment or Nuisance, and to remove such Timber, Stones, Hay, Straw, Dust, Dirt, Ashes, Rubbish, Grains, Compost, Dung, or other Filth or Annoyance, and also such Goods, Wares, Flaps, Merchandize, Butcher's Meat, Fish, Fruit, Vegetables, or other Matter or Thing whatsoever, from the said Roads, Causeways, and Footpaths, or the Sides thereof, or from the said Ditches, Drains, or Watercourses; and in any of the said Cases, by Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex*, to levy the Charges thereof (the same being first settled and ascertained by such Justice) by Distress and Sale of the Goods and Chattels of such Owner or Occupier, or other Person or Persons, rendering upon Demand, to the Person whose Goods and Chattels shall be so distrained and sold, the Overplus (if any), after deducting the Charges of such Distress and Sale; and every Person or Persons who shall have permitted or suffered his or her Sink or Drain to run into the said Roads, or on the said Footpaths, or any Part thereof, or who, after the Abatement or Removal of any Encroachment or Annoyance as aforesaid by him or her made, caused, or permitted, shall again offend in the like Manner, shall forfeit and pay any Sum not exceeding the Sum of Five Pounds, over and above the Charges of removing every such Encroachment and Annoyance, to be settled and ascertained as aforesaid.

Penalty on laying Night Soil on Road.

XXVII. And whereas it hath been a Practice with the Drivers of Night Carts to put or cast their Night Soil on the said Roads, to the great Nuisance and Annoyance of Persons passing along or residing near the said Roads; for preventing thereof for the future, be it further enacted, That if any Person or Persons shall cast or lay, or suffer to fall or spill, any Night Soil from any Cart or Carriage, or otherwise, upon any Part of the said Roads, or into any of the Drains or Watercourses belonging thereto, or within Two hundred Yards thereof, it shall be lawful for any Person or Persons who shall see the Offence committed to seize such Offender or Offenders without any Warrant, and to convey him or them before any Justice of the Peace for the said County, and upon Conviction of such Person or Persons of the Offence aforesaid, he or they shall forfeit and pay the Sum of Forty Shillings, over and above the Charges and Expences

of

of removing such Night Soil, (to be ascertained by the Justice before whom such Conviction shall be had), and in default of immediate Payment of the said Penalty, Charges, and Expences, such Offender or Offenders shall be committed to the Common Gaol or House of Correction, there to remain for any Time not exceeding Three Calendar Months, nor less than One Calendar Month, unless the said Penalty, Charges, and Expences shall be sooner paid and satisfied; and in case any such Offender shall not be apprehended at the Time of the Offence committed, or cannot be discovered, then the Owner of such Cart or other Carriage shall incur the said Penalty of Forty Shillings, together with the Charges and Expences of removing the said Night Soil as aforesaid, and such Owner may recover the same from the Offenders in like Manner as any Penalty can or may by virtue of this Act be recovered.

Leaving Waggons, &c. on the Sides of Roads.

XXVIII. And be it further enacted, That if any Person shall set, place, or leave any Waggon, Cart, Coach, or other Carriage, laden or unladen, on any Part of the said Roads or Footpaths, and shall suffer the same to remain longer than shall be necessary for loading or unloading, or taking up or setting down any Passengers or Persons, or shall place such Waggon, Coach, or other Carriage on the Sides of the said Road, so as to interrupt or hinder the free Passage thereof, or of any of the general or usual Crossings thereof, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Persons taking up Pipes, &c.

XXIX. And whereas Pipes are laid under many Parts of the said Roads and Footpaths for the Purpose of conveying Water and Gas, and which by bursting or otherwise frequently occasion Injury to the said Roads and Footpaths; be it therefore enacted, That whenever the Owner or Owners of any such Pipes, or his, her, or their Agents or Workmen, shall open the Ground in or upon any Part of the said Roads or Footpaths, or on the Sides thereof, for the Purpose of laying or amending any Water Pipes, Gas Pipes, or Plugs, the same shall be done and the Ground filled in and made good by and at the Expence of such Owner or Owners, with as much Expedition as may be; and in the meantime such Owner or Owners, his, her, or their Agents or Workmen, shall fence off and secure, or cause to be fenced off and secured, the Ground so opened, in such Manner as not to be dangerous to Passengers, Cattle, or Carriages, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Hour the said Ground shall remain open and not secured in manner aforesaid, and shall be answerable and amenable for any Accident or Damage that may arise therefrom or be occasioned thereby; and whenever it shall happen that, by the Decay, bursting, or breaking of any such Water Pipe or Plug, the Water shall overflow any Part of the said Carriage Road or Footways, so as to occasion any Danger or Inconvenience to Passengers, Cattle, or Carriages, the Surveyor to the said Trustees shall give Notice thereof in Writing to the Owner or Owners of such Pipe or Plug, or his, her, or their known Clerk or Agent, and in case such Owner or Owners shall not within Twenty-four Hours after Delivery of such Notice, or with all convenient Expedition, cause the Ground over such defective Pipe or Plug to be fenced off and secured so as to prevent such Damage or Inconvenience as aforesaid, and shall not within Forty-eight Hours after the Delivery of such Notice, or with all convenient Expedition, repair such Pipe or Plug, and make good the said Road, the Owner or Owners thereof shall

shall forfeit and pay the Sum of Forty Shillings; and in such Case it shall be lawful for the Surveyor to the said Trustees to cause the Ground over such Pipe or Plug to be fenced off or secured, or such Pipe or Plug to be properly repaired, as the Case may require, and all Expences attending the same shall be paid to the said Trustees by the Owner or Owners of such Pipe or Plug, which Expences shall be settled by the said Trustees, and may be recovered in like Manner as any Penalties incurred for Offences against this Act are to be recovered.

Penalty on Persons, except Water Companies, for breaking up Roads.

XXX. And be it further enacted, That if any Person or Persons (not being the Agent or Workman, or Agents or Workmen, or other Person or Persons in the Service or Employ of the Governor and Company of *Chelsea* Water Works, or the Grand Junction Water Works Company, or the Company of Proprietors of the *West Middlesex* Water Works), shall break or open any Part of the Surface of any of the said Roads, without Permission of the said Trustees in Writing first had and obtained for that Purpose, such Person or Persons shall forfeit and pay to the said Trustees the Sum of Twenty Shillings for every Square Yard of the said Roads which shall be so opened or broken up as aforesaid.

Not to injure any Dwelling House, Garden, &c. except certain Premises.

XXXI. And be it further enacted, That in widening, turning, or diverting any Part or Parts of the said Roads or Footpaths, nothing herein or in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained shall extend to the taking down or in anywise injuring or damaging any Dwelling House, Outhouse, or other Building, or to take or lay into any of the said Roads any Garden, Orchard, Yard, Court, Park, Paddock, Nursery Ground, planted Walk, or Avenue to any House, except certain Houses and other Buildings, and certain Yards, Gardens, and Nursery Grounds, herein-after particularly mentioned; (that is to say), in the *High Street Kensington*, certain Messuages or Tenements, situate on the South Side of the said Street, in the several Occupations of *Elizabeth Kingston*, *Charles Chesterton*, *James Rowe*, *William Abbott*, *Henry Lucas*, *Thomas Chancellor*, *Children Shoobridge*, *Matthew Stapley*, and a small Tenement behind the same, being Number One in *Gardener's Buildings*, in the Occupation of *John Dove*, which said several Messuages or Tenements respectively belong to *Elizabeth Kingston*, *Charles Chesterton*, *William Knight*, *John Clarke*, *John Alexander*, and *Robert Slater*; Town of *Fulham*, in the *High Street*, Fifteen Messuages or Tenements, in the several Occupations of *Sarah Goodman*, *William Beckett*, *George Hawkins*, *Sarah Redman*, *John James*, *Samuel Day*, *Sarah Mandens*, *James Carless*, *James Edwards*, *William House*, *William Fennell*, *John Wells*, *Thomas Cotton*, *Nancy Pearce*, and *Thomas Richardson*, respectively belonging to *Sarah Goodman* and *Thomas Catcott*, and a small Slip of Land, being Part of the Fore Court of the Workhouse belonging to the Parish of *Fulham*; in the Road near *Queen's Elm Gate* and *Selwood Lane*, a Messuage or Tenement and Part of the Nursery Ground in the Occupation of *William Salisbury*, belonging to the Earl of *Harrington* and *John Lewis Fleming*, Part of certain Garden Ground in *Selwood Lane*, and fronting the *Fulham* Road, in the respective Occupations of *William Harris* and *Thomas Street*, belonging to the Trustees of *Henry Smith* deceased.

Misnomer or inaccurate Description not to prevent the Execution of Act.

XXXII. Provided always, and be it further enacted, That if any or either of the Premises lastly mentioned and described, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Owners thereof shall happen to be misnamed or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Trustees in the Execution of this Act, but the same Premises and every Part thereof shall and may be used, sold, conveyed, disposed, and applied to and for the Purposes of this Act, as fully and effectually to all Intents and Purposes as if the same or any Part thereof were more particularly described or named, any thing herein contained to the contrary notwithstanding; provided it shall be made appear to the Satisfaction of any Two or more Justices of the Peace for the said County of *Middlesex*, and be by them certified under their Hands, that such Misnomer or inaccurate Description proceeded from Mistake.

Trustees not to pull down Houses, &c. except as herein mentioned.

XXXIII. Provided always, and be it further enacted and declared, That the Powers and Authorities hereby given to the said Trustees for putting this Act into Execution shall not extend to the taking down of any Dwelling House or other Building, or taking in the Site of any House or other Building, or to the taking of any Garden, Orchard, Yard, Court, Park, Paddock, inclosed Shrubbery, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners and Proprietors thereof respectively, save and except the several Hereditaments and Premises hereinbefore mentioned and described.

Power for Trustees to purchase Buildings, &c. within Five Years.

XXXIV. And be it further enacted, That in case the Trustees shall not purchase such Houses and other Premises within the Space of Five Years from the passing of this Act, then and in such Case it shall not be lawful for the said Trustees to purchase any of the said Houses or other Premises so remaining unpurchased, without the Consent in Writing of the Owner thereof first had and obtained.

Trustees may appoint Watchmen.

XXXV. And be it further enacted, That the said Trustees may appoint a competent Number of fit and able-bodied Men as Watchmen, for the Purpose of guarding the said Roads, and make such Allowances to such Watchmen, and give such Orders and Directions concerning them, and the Manner in which they shall be armed and stationed upon the said Roads and Footpaths, and for the due and regular Performance of the said Service, as they the said Trustees shall judge expedient, and from Time to Time to remove any of the said Watchmen and appoint others.

Watchmen vested with the Powers of Constables.

XXXVI. And be it further enacted, That all Watchmen and Serjeants of the Night shall be sworn in as Constables before any Justice or Justices of the Peace of the said County of *Middlesex*, and act as such while in the Execution of the Powers and Authorities of the said Two last-recited Acts, or of this Act, and they are hereby invested with, and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with or have and enjoy by Law.

XXXVII. And

Watchmen to prevent Robberies.

XXXVII. And be it further enacted, That the said Watchmen shall, during the Time of their being upon Duty, use their best Endeavours to prevent Murders, Robberies, and all other Outrages and Misdemeanors; and to that End it shall be lawful for the said Watchmen, or any of them, to apprehend and secure all Rogues, Vagabonds, and other disorderly Persons, who shall be found loitering, wandering, or misbehaving themselves, or committing any Disorders or Offences upon any Part of the said Roads and Footpaths, or whom the said Watchmen shall have reason to suspect of any evil Designs, and to take such Persons before some Justice of the Peace for the County of *Middlesex*, or may deliver such Persons, as soon as conveniently may be, into the Hands of a Constable or other Peace Officer, who is hereby authorized and required to convey such Persons before some Justice of the Peace for the County of *Middlesex*, to be examined and dealt with according to Law.

Power to get Water for watering the Roads.

XXXVIII. And be it further enacted, That the Surveyor or Surveyors to the said Trustees, and such Person or Persons as shall be employed by him or them, having an Order for that Purpose from the said Trustees, shall and may, and he and they is and are hereby authorized and empowered to take and carry away any Water for the Purpose of watering any Part of the said Roads, from and out of any common Pond, River, Brook, Stream, Spring, or Well, in, upon, or under the said Roads, or any of them, or any Part thereof, or in any Common or Waste Ground lying near or adjoining to the said Roads, and to make any Way, Path, or Passage to and from the same, and to dig or bore and search for any Spring of Water in, upon, or under the said Roads, or in and upon any Common or Waste Ground, and to erect any Engine, Pump, or Machine in such Pond, River, Brook, Stream, or Spring, without paying any thing for the same, such Surveyor or Surveyors, or other Person or Persons as aforesaid, levelling the Ground, and fencing off such Holes, Ponds, or Places as they shall dig or make in searching for or carrying away the said Water, so that the same may not be dangerous to Passengers or Cattle.

Green Yard.

XXXIX. And be it further enacted, That it shall and may be lawful to and for the said Trustees to purchase, or rent upon Lease, any House, Warehouse, Yard, or other Place, to be called *The Green Yard*, for the Reception, Deposit, and safe Custody of any Article seized and removed by virtue of this Act, or of any Horses, Beasts, Cattle, or other Animals, or any other Thing which shall be in or about any of the said Roads, and which by this Act may be impounded, and may appoint any Person to take care of and superintend such Green Yard.

Application of Purchase Money amounting to 200*l.* and upwards.

XL. And be it further enacted, That if any Money shall be contracted to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Tenant for Life, or in Fee Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to or exceed 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 Court of Exchequer, to be placed to his Account,

Account, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of
1 G. 4. c. 35. King *George* the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, 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, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the said Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, 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 Lands, Tenements, and Hereditaments, which shall be purchased, taken, or used for the Purposes of this Act, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto as aforesaid, 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 meantime, 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 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 said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement thereof were then actually made.

When less than 200*l.* and exceeding 20*l.*

XLI. Provided always, and be it further enacted, That if any Money so to be paid for any Lands, Tenements, or Hereditaments, to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Tenant for Life, or in Tail, or for Years, Trustee, Feme Covert, Infant, Lunatic, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than Two hundred Pounds, and shall exceed 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 Cases of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, and be placed to his Account as afore-

said, in order to be applied in manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be named by the Person or Persons making such Option, and approved of by Three or more of the said Trustees for executing this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends to arise thereon, or the Interest thereof, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When not exceeding 20*l.*

XLII. Provided always, and be it further enacted, That where such Money so contracted and agreed to be paid as last-before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall belong absolutely, and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased, taken, or used, for the Purposes of this Act, in such Manner as the said Trustees or any Three or more of them shall think fit; or in Cases of Infancy, Idiotcy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons entitled cannot be found.

XLIII. And be it further enacted, That in case the Person or Persons, to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be so purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded or assessed as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded or assessed as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, (mentioning and specifying for what and for whose Use the same is or are received), to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession to be deemed lawfully entitled.

XLIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments so purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in the Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchases to be allowed by the Court.

XLV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, Body or Bodies, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the Court of Exchequer to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Convictions to be within Three Months.

XLVI. Provided always, and be it further enacted, That no Conviction before any Justice or Justices of the Peace, for any Offence committed against the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or either of them, or of this Act, shall take place after the Expiration of Three Calendar Months after the Offence committed; any thing in the said last-recited Acts or either of them to the contrary notwithstanding.

Not to prejudice Rights of Commissioners of Sewers.

XLVII. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City and Liberty of *Westminster*, and Part of the County of *Middlesex*, and all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

XLVIII. Pro-

Saving Rights of Water Companies.

XLVIII. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, or take away any Right, Power, Interest, Privilege, Advantage, or Authority which by Law is now vested in the Governor and Company of *Chelsea* Waterworks, Grand Junction Waterworks Company, and the Company of Proprietors of the *West Middlesex* Waterworks; but that all and every the Rights, Powers, Interests, Privileges, Advantages, and Authorities so vested in the said Companies respectively, may be exercised and enjoyed in as full and ample a Manner to all Intents and Purposes as the same were or was exercised and enjoyed by the said Companies respectively immediately before the passing of this Act.

Public Act.

XLIX. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without being specially pleaded.

Commencement and Duration of Act.

L. And be it further enacted, That this Act shall commence and take place upon the First Day of *October* One thousand eight hundred and twenty-five, and 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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