ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

***** ***

Cap. 66.

An Act for continuing the Term, and altering and enlarging the Powers of an Act, paſſed in the Twenty-fifth Year of the Reign of His preſent Majeſty, for amending and keeping in Repair the Road from *Whitechapel* Church in the County of *Middleſex*, to *Shenfield*, and the furthermoſt Part of the Pariſh of *Woodford* towards *Epping*, and from the Cauſeway in the Pariſh of *Low Layton* to the End of the ſaid Pariſh of *Woodford* next *Chigwell*, and through the Pariſhes of *Chigwell* and *Lambourn*, in the County of *Eſſex*; and for lighting and watching the ſaid Road from *Whitechapel* Church to the Four Mile Stones in the *Rumford* and *Woodford* Roads.

[11th *June* 1803.]

WHEREAS an Act was paſſed in the Twenty-fifth Year of the Reign of His preſent Majeſty King *George* the Third, intituled, *An Act for amending and keeping in Repair the Road from* Whitechapel *Church in the County of* Middleſex, *to* Shenfield, *and the furthermoſt Part of the Pariſh of* Woodford *towards* Epping, *and from the Cauſeway in the Pariſh of* Low Layton *to the End of the ſaid Pariſh of* Woodford *next* Chigwell, *and through the Pariſhes of* Chigwell *and* Lambourn, *in the County of* Eſſex; *and for lighting and watching the ſaid Road from* Whitechapel *Church to the Four Mile Stones in the* Rumford *and* Woodford *Roads*: And whereas the Truſtees appointed in or by virtue of the ſaid recited Act have proceeded to put the ſame in Execution, for which Purpoſe they have borrowed conſiderable Sums of Money on the Credit of the Tolls granted by the ſaid recited Act, 25 Geo. 3.

which Money ſtill remains due and cannot be paid off, nor can the ſaid Roads be effectually amended, improved, and kept in Repair, unleſs the Term of the ſaid recited Act be continued, and ſome of the Powers and Proviſions thereof amended, altered, or enlarged; and it is neceſſary that the Tolls thereby granted ſhould be increaſed: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act, and all and every the Authorities, Powers, Privileges, Proviſions, Penalties, Clauſes, Matters, and Things therein contained (except ſuch as relate to Exemptions from Stamp Duties, and ſuch as are hereby varied, altered, or repealed) ſhall be and continue in full Force and Effect, and be executed 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 upon the paſſing of this Act; and this Act, and the additional Term and Tolls hereby granted, ſhall be and the ſame are hereby made ſubject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the ſaid recited Act, or hereafter to be borrowed on the Credit thereof, and of this Act, and of all Intereſt due and to grow due thereon reſpectively.

Said Act continued.

II. And whereas the Tolls authorized by the ſaid recited Act to be taken on the ſaid Roads have been found inſufficient for the Purpoſes of the ſaid Act; be it therefore enacted, That the ſaid Tolls ſhall on the Twenty-ninth Day of *September* next, ceaſe and be no longer paid or payable; and that inſtead thereof the reſpective Tolls following ſhall be demanded and taken at the ſeveral and reſpective Gates or Turnpikes which have been or ſhall be erected in, upon, or on the Side or Sides of the ſaid Roads; that is to ſay,

For repealing former Tolls and granting new ones.

Tolls.

For every Coach, Chariot, Chaiſe, or Calaſh, drawn by One Horſe or Beaſt of Draught, the Sum of Sixpence:

For every Coach, Chariot, Chaiſe, Berlin, Landau, Calaſh, Hearſe, or Pleaſure Carriage, drawn by Two Horſes or Beaſts of Draught, the Sum of Eight-pence; and drawn by Three or Four Horſes or Beaſts of Draught, the Sum of One Shilling; and drawn by Five or Six Horſes or Beaſts of Draught, the Sum of One Shilling and Four-pence:

For every Cart or other ſuch like Carriage, with Wheels of the Breadth of Six or leſs than Nine Inches in the Fellies thereof, and drawn by Two Horſes or other Beaſts of Draught abreaſt, the Sum of Eight-pence:

For every Waggon, Wain, or other ſuch like Carriage, with Wheels of leſs Breadth than Six Inches in the Fellies thereof, and drawn by Two or more Horſes or Beaſts of Draught, the Sum of One Shilling and Sixpence:

For every Car or other ſuch like Carriage, drawn by One Horſe or other Beaſt of Draught only, the Sum of Eight-pence:

For every Dray or other ſuch like Carriage, drawn by One or more Horſe or Horſes, or other Beaſt or Beaſts of Draught, the Sum of One Shilling:

For every Waggon, Wain, Cart, or other ſuch like Carriage, with Wheels of Six Inches or more, and drawn by more than One Horſe or Beaſt of Draught, the Sum of One Shilling:

For every Waggon, Wain, Cart, or other ſuch like Carriage, with Wheels of Nine Inches or more, and drawn by more than Two Horſes or Beaſts of Draught, the Sum of One Shilling and Sixpence:

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of Two-pence:

For

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:

And 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:

Tolls vested in the Trustees.

Which said Tolls shall be and the same are hereby vested in the Trustees for putting the said recited Act and this Act in Execution; and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, lessened, varied, and disposed of in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisions, Exemptions, and Restrictions, as are contained in the said recited Act respecting the Tolls thereby authorized to be taken on the said Roads.

Penalty on Persons leaving Waggons, *etc.* on the Roads.

III. And be it further enacted, That if any Owner or Driver of any Waggon, Wain, Cart, Coach, or other Carriage, laden or unladen, shall set, place, or leave the same (except on Account of some Accident having happened thereto, and then only until such Time as the same can be conveniently removed or repaired) in any Part of the said Roads; or if any Person or Persons shall leave or put any Rubbish, Dung, Compost, Clay, or Grain, or shall suffer any Oxen, Cows, Sheep, Lambs, Hogs, or other Cattle to lie or loiter in the said Roads, or any Part thereof; or shall set, place, or leave any Timber or Trees, or other Matter or Thing thereon, every Person so offending, and being lawfully convicted thereof either on his own Confession, or by the Oath of One or more credible Witness or Witnesses, before any One Justice of the Peace for the said respective Counties, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings, which said Penalty shall be levied and recovered by Distress and Sale of the Offender or Offenders Goods and Chattels, by Warrant under the Hand and Seal of such Justice; and for want of sufficient Distress within such respective Counties, such Justice is hereby empowered and required to commit such Offender or Offenders to the Common Gaol or House of Correction for such respective County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty shall be sooner paid and satisfied.

For preventing Annoyances on the Roads.

IV. And whereas Persons concerned in building and repairing Houses and other Works, frequently inclose or otherwise occupy Part of the said Roads for the making of Mortar and the depositing of Bricks, Lime, Timber, and other Materials, to the great Annoyance, Obstruction, and Danger of Passengers and Carriages passing and repassing on the said Roads, and to the Detriment thereof; be it therefore further enacted, That if any Person or Persons shall erect, build, or set up, or cause to be erected, built, or set up, any Inclosure, Posts, Bars, or Rails, or lay, place, or deposit any Bricks, Lime, Timber, or other Materials in or upon any Part of the said Roads, without the Consent of the said Trustees in Writing first had and obtained, or beyond such Bounds or Limits, or without such Inclosure or Hoard as shall be directed and allowed by the said Trustees, it shall be lawful for the said Trustees, or their Surveyor or Surveyors, to cause the same to be removed, taken, or carried away, and deposited in such Place or Places as the said Trustees shall direct or appoint, there to remain and be kept until the Offender or Offenders shall have paid and discharged all Costs, Charges, and Expences attending the removing, taking, carrying away, depositing, and keeping the same as aforesaid, such Costs and Expences being first settled and ascertained by any One Justice of the Peace for the said respective Counties; and such Offender or Offenders shall forfeit and pay

any

any Sum not exceeding Five Pounds nor leſs than Forty Shillings to be aſcertained by ſuch Juſtice.

For preventing Accidents by Perſons furiouſly driving their Carts, *etc.* againſt any other Carts, *etc.*

V. And whereas Accidents do happen, and Miſchiefs are frequently done by Perſons driving Carts and other Carriages on the ſaid Roads, for Remedy whereof in future, be it enacted, That if the Driver or any other Perſon or Perſons having the Care of any Cart, Car, Dray, Wain, or Waggon, ſhall by Negligence or wilful Miſbehaviour cauſe any Hurt, Damage, or Injury to any Perſon or Perſons, or to any Coach, Cart, or other Carriage travelling on the ſaid Roads, or ſhall quit the ſaid Roads, and go on the other Side of the Hedge or Fence incloſing the ſaid Roads, or wilfully be at ſuch a Diſtance from ſuch Cart, Car, Dray, Wain, or Waggon, or in ſuch a Situation (whilſt the ſame ſhall be paſſing on the ſaid Roads) that he or they cannot have the Direction, Care, and Management of the Horſes drawing the ſame, or ſhall by Negligence or wilful Miſbehaviour prevent, hinder, or interrupt the free Paſſage of any other Carriage whatever, or of any of His Majeſty's Subjects; or if the Driver of any empty or unloaded Cart, Car, Dray, Wain, or Waggon, ſhall refuſe or neglect to turn aſide and make way for any Coach, Chariot, Chaiſe, loaded Waggon, Cart, or other loaded Carriage; or if any Perſon ſhall drive or act as the Driver of any ſuch Coach, Chaiſe, Poſtchaiſe, or other Carriage let for Hire, or any Waggon, Wain, or Cart, not having the Name or Names of the Owner or Owners thereof painted thereon as by Law required, or ſhall cover over and conceal ſuch Name or Names from being ſeen and read, or ſhall refuſe to diſcover the real and true Chriſtain and Surname, and Place or Places of Abode of the Owner or Owners of ſuch Carts or other Carriages, every Perſon or Perſons ſo offending in any of the Caſes aforeſaid, and being lawfully convicted of any ſuch Offence, ſhall forfeit and pay any Sum of Money not exceeding Forty Shillings, in caſe ſuch Driver be not the Owner of ſuch Cart or other Carriage; and in caſe the Offender or Offenders be the Owner or Owners of ſuch Cart or other Carriage, then any Sum not exceeding Five Pounds, and in caſe of Non-payment of ſuch Penalties upon Demand, ſuch Perſon or Perſons ſhall be committed to the Common Gaol or Houſe of Correction for the ſaid reſpective Counties, for any Time not exceeding Two Calendar Months, there to remain until ſuch Penalty ſhall be ſooner paid and ſatisfied; and the Driver of any ſuch Carts or other Carriages in any or either of the ſaid Caſes, ſhall and may by Authority of this or the ſaid recited Act, with or without any other Warrant or Authority than this Act, be apprehended by any Perſon or Perſons who ſhall ſee ſuch Offence committed, and ſhall be immediately conveyed and delivered over to a Conſtable or other Peace Officer, in order to be conveyed before ſome Juſtice of the Peace for the ſaid reſpective Counties, to be dealt with according to Law; and if any ſuch Driver, in any of the ſaid Caſes, ſhall refuſe to diſcover his Name and Place of Abode, it ſhall be lawful for the Juſtice before whom he ſhall be taken, or to whom any ſuch Complaint ſhall be made, to commit ſuch Driver to the Common Gaol or Houſe of Correction for the ſaid reſpective Counties, there to remain for any Time not exceeding Three Calendar Months, or otherwiſe to proceed againſt him for ſuch Penalty as aforeſaid in ſuch Manner as ſuch Juſtice ſhall think proper, for the Recovery thereof; and the Owner or Owners of ſuch Cart, Car, Dray, Wain, Waggon, or other Carriage ſhall be anſwerable for ſuch Penalty or Penalties incurred and forfeited by the Driver or Drivers thereof.

Carriages laden with Potatoes, *etc* ſubject to be weigh-

VI. And whereas great Damage and Injury are frequently done to the ſaid Roads by Carts, Waggons, and other Carriages employed in carrying and conveying

conveying Potatoes, Turnips, Cabbages, Waſh, Grains, and other ſuch like Articles, carrying heavy and exceſſive Weights, and which by the Laws now in Force are not ſubject to any of the Regulations and Reſtrictions made and eſtabliſhed reſpecting the Weight of Lading by an Act paſſed in the Thirteenth Year of His preſent Majeſty's Reign, relating to the Turnpike Roads within this Kingdom; be it therefore enacted, That, from and after the paſſing of this Act, all Carts, Waggons, and other Carriages which ſhall be employed in carrying and conveying any Potatoes, Turnips, Cabbages, Waſh, Grains, and ſuch like Articles, or with any or either of them, ſhall be and the ſame are hereby declared to be ſubject and liable to be weighed at any Weighing Machine erected or to be erected in purſuance of the ſaid firſt recited Act or this Act; and ſhall be ſubject to the ſeveral Directions, Regulations, and Reſtrictions, reſpecting the Weight of Lading, and to all the Penalties and Forfeitures for Over-weight as are contained in the ſaid Act paſſed in the Thirteenth Year of His ſaid preſent Majeſty's Reign, any Thing herein or in the ſaid firſt-recited Act to the contrary notwithſtanding.

ed at the Weighing Machines.

VII. And be it further enacted, That the ſaid Truſtees may ſue and be ſued in the Name of their Clerk or Treaſurer; and that no Action to be brought or commenced by or againſt the ſaid Truſtees, by virtue or on Account of the ſaid firſt herein-before recited Act, or of this Act, in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death or Removal of ſuch Clerk or Treaſurer, or by the Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees, but the Clerk or Treaſurer for the Time being reſpectively to the ſaid Truſtees ſhall always be deemed the Plaintiff or Defendant, in ſuch Action (as the Caſe ſhall be): Provided always, that ſuch Truſtees, and every ſuch Clerk or Treaſurer in whoſe Name any ſuch Action ſhall be commenced, ſued, proſecuted, or defended in purſuance of the ſaid firſt herein-before recited Act and this Act, ſhall always be reimburſed and paid out of any Money to ariſe by virtue of the ſaid Act and this Act, all ſuch Coſts, Charges, Damages, and Expences, as by the Event, or in conſequence of any ſuch Proceedings they or he ſhall reſpectively be put unto, or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant as aforeſaid.

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

VIII. 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 firſt herein-before recited Act 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 herein before recited Act particularly mentioned, 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 High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid Act 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 the 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

Application of Compenſation Money when exceeding 200 *l.*

or the like Uſes, Truſts, Intents, and 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 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 Lands, Grounds, and Hereditaments, which ſhall be ſo purchaſed, 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 ſaid Court, 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.*

IX. 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 Lands, Grounds, and 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, and be placed to his Account as aforeſaid, in order to be applied in Manner herein 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 Principal Money, and the 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 ſaid Court of Chancery.

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

X. 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 Lands, Grounds, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid Act and this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit; or in caſe of Infancy 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.

For paying the Expences of the Act

XI. And be it further enacted, That all the Coſts, Charges, and Expences, incident to and attending the obtaining and paſſing of this Act, ſhall be

be paid and discharged by the Trustees for putting the said first herein-before recited Act and this Act in Execution, out of any Money which hath arisen by virtue of the said Act, or out of the first Money which shall arise by virtue thereof and of this Act in preference to all other Payments whatsoever.

Declaring the Act publick.

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

Fixing the Term of the Act.

XIII. And be it further enacted, That the Term granted by the said first herein-before recited Act shall upon the passing hereof, cease and determine; and that the said Act (subject to the Alterations herein before 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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