ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. lxxvi.

An Act for more effectually repairing the Roads between *Tyburn* and *Uxbridge*, and the Road leading from *Brent Bridge* over *Hanwell Heath* to the Great Western Road, and also for making and maintaining a Turnpike Road from the *Uxbridge* Road at *Shepherd's Bush Common* to the said Great Western Road near *Turnham Green*, all in the County of *Middlesex*; and for lighting, watching, and watering the said Roads. [5th *May* 1826.]

WHEREAS an Act was passed in the First Year of the Reign of His Majesty King *George* the First, intituled *An Act for repairing and amending the Highways between* Tyburn *and* Uxbridge *in the County of* Middlesex: And whereas an Act was passed in the Twelfth Year of the Reign of His said Majesty King *George* the First, intituled *An Act for enlarging the Term granted by an Act made in the First Year of His present Majesty's Reign, intituled* 'An Act for repairing and amending the Highways 'between Tyburn *and* Uxbridge *in the County of* Middlesex;' *and for making the said Act more effectual:* And whereas an Act was passed in the Fifteenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for enlarging the Term and Powers granted by Two Acts of Parliament, one of the First and the other* 1 G. 1. c. 25. 12 G. 1. c. 17. 15 G. 2. c. 9.

of the Twelfth Year of the Reign of His late Majesty King George *the First, for repairing the Highways between* Tyburn *and* Uxbridge *in the County of* Middlesex, *and for amending the Road leading from* Brent Bridge *over* Hanwell Heath, *through the Parishes of* Hanwell, New Brentford, *and* Ealing, *to the Great Western Road in the said County:* And whereas an Act was passed in the Seventh Year of the
7 G. 3. c. 102. Reign of His late Majesty King *George* the Third, intituled *An Act to continue and render more effectual Three Acts, for repairing the Highways between* Tyburn *and* Uxbridge *in the County of* Middlesex, *and for amending the Road leading from* Brent Bridge *over* Hanwell Heath, *through the Parishes of* Hanwell, New Brentford, *and* Ealing, *to the Great Western Road in the said County; and for lighting, watching, and watering the Highway between* Tyburn *and* Kensington Gravel Pits: And whereas an Act was passed in the Thirty-fourth Year of the Reign of His said late Majesty King *George* the Third,
34 G. 3. c. 131. intituled *An Act to continue the Term and enlarge the Powers of several Acts of Parliament, for repairing the Highways between* Tyburn *and* Uxbridge *in the County of* Middlesex, *and for amending the Road leading from* Brent Bridge *over* Hanwell Heath, *through the Parishes of* Hanwell, New Brentford, *and* Ealing, *to the Great Western Road in the said County, and for lighting, watching, and watering the Highway between* Tyburn *and* Kensington Gravel Pits: And whereas an Act was passed in the Forty-second Year of the Reign of His
42 G. 3. c. 77. said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of several Acts, passed in the First and Twelfth Years of the Reign of King* George *the First, the Fifteenth Year of the Reign of King* George *the Second, and the Seventh and Thirty-fourth Years of the Reign of His present Majesty, for repairing the Highways between* Tyburn *and* Uxbridge *in the County of* Middlesex, *and for amending the Road leading from* Brent Bridge *over* Hanwell Heath, *through the Parishes of* Hanwell, New Brentford, *and* Ealing, *to the Great Western Road in the said County; and for lighting, watching, and watering the Highway between* Tyburn *and* Kensington Gravel Pits: And whereas an Act was passed in the Fifty-fourth
54 G. 3. c. 209. Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of several Acts, passed for repairing the Highways between* Tyburn *and* Uxbridge *in the County of* Middlesex, *and for amending the Road leading from* Brent Bridge *over* Hanwell Heath, *through the Parishes of* Hanwell, New Brentford, *and* Ealing, *to the Great Western Road in the said County, and for lighting, watching, and watering the Highway between* Tyburn *and* Kensington Gravel Pits, *and for exempting certain Carriages from the Payment of Toll:* And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, in-
3 G. 4. c. 126. tituled *An Act to amend the general Laws now in being for regulating certain Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth Year of the Reign of
4 G. 4. c. 95. His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign 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 an Act was passed in the Fifth Year of the Reign of His present Majesty,
5 G. 4. c. 69. intituled *An Act to enable Justices of the Peace for Ridings, Divisions,*

or Sokes, to act as Trustees for repairing and amending Turnpike Roads: And whereas the Trustees appointed in and by virtue of the said Acts of the First and Twelfth Years of the Reign of His Majesty King *George* the First, the Fifteenth Year of the Reign of His Majesty King *George* the Second, the Seventh, Thirty-fourth, Forty-second, and Fifty-fourth Years of the Reign of His said late Majesty King *George* the Third, have proceeded to put the same in execution; and considerable Sums of Money have been borrowed on the Credit of the Tolls by the said Acts or some of them granted, Part of which Monies still remain due and owing: And whereas the said Road will be more effectually amended, improved, and kept in repair, if the Term granted by the said recited Acts or some of them be further continued; and it would be more convenient if the said recited Acts of the First and Twelfth Years of the Reign of His Majesty King *George* the First, the said Act of the Fifteenth Year of the Reign of King *George* the Second, and the Acts of the Seventh, Thirty-fourth, Forty-second, and Fifty-fourth Years of the Reign of His said late Majesty King *George* the Third, were repealed, and other Powers and Provisions granted in lieu thereof: And whereas the making and maintaining a Turnpike Road from the *Uxbridge* Road at *Shepherd's Bush Common* in the Parish of *Fulham* and Hamlet of *Hammersmith* in the said County of *Middlesex*, to the said Great Western Road near *Turnham Green* in the Parish of *Acton* in the said County of *Middlesex*, would be of great public Utility; but the several beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *June* next after the passing of this Act, the said recited Acts passed in the First and Twelfth Years of the Reign of His Majesty King *George* the First, the Fifteenth Year of the Reign of His Majesty King *George* the Second, and the Seventh, Thirty-fourth, Forty-second, and Fifty-fourth Years of the Reign of His said Majesty King *George* the Third, shall be and the same are hereby declared to be repealed and null and void to all Intents and Purposes whatsoever; 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, as well for the Purpose of more effectually amending, widening, and otherwise improving the said Highways or Roads between *Tyburn* and *Uxbridge*, the Road leading from *Brent Bridge* over *Hanwell Heath*, through the Parishes of *Hanwell*, *New Brentford*, and *Ealing*, to the Great Western Road, all in the said County of *Middlesex*, as also for making, maintaining, and from Time to Time repairing and otherwise improving the said intended new Road from *Shepherd's Bush Common* in the said Parish of *Fulham* and Hamlet of *Hammersmith*, to the said Great Western Road near *Turnham Green* in the said County of *Middlesex*.

Recited Acts of 1 and 12 G. 1., 15 G. 2, and 7, 34, 42, and 54 G. 3. repealed, and this Act to take effect.

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,

Powers of the General Turnpike Acts extended to this Act.

Remedies, Matters, and Things therein contained (save and except such Parts thereof as are 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 contained, (save and except such Parts thereof as are 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 liable to former Debts.

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls authorized by the said recited Acts of the First and Twelfth Years of the Reign of His Majesty King *George* the First, the Fifteenth Year of the Reign of King *George* the Second, and the Seventh, Thirty-fourth, Forty-second, and Fifty-fourth Years of the Reign of His late Majesty King *George* the Third, or any of them, to be taken at the several Turnpikes, Toll Gates, and Side Gates erected upon, across, or by the Sides of any Part of the Roads aforesaid, and of all Interest due and to grow due thereon respectively, as fully and effectually, to all Intents and Purposes, as if such Money had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act.

Bonds and Securities entered into under the Acts repealed, to remain in force until satisfied and paid.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with any of the Trustees for executing the said recited Acts of the First and Twelfth Years of the Reign of King *George* the First, the Fifteenth Year of the Reign of King *George* the Second, and the Seventh, Thirty-fourth, Forty-second, and Fifty-fourth Years of the Reign of His late Majesty King *George* the Third, or to or with any of their Officers by their Order or Direction, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same are fully paid, satisfied, and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities duly made or entered into by the Trustees for executing the said recited Acts hereby repealed, or by any of their Officers by their Order and Direction, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, and shall be observed and kept by them according to the Terms, Stipulations, and Tenor thereof respectively.

Books used under former Acts to be Evidence.

V. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed, or of any other Act heretofore passed relating to the said Roads, and made Evidence thereby, shall and may be

be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, Actions, and Proceedings whatsoever, touching any Question arising by virtue of any thing done in pursuance or under the Authority of this Act, in the same Manner as if the said recited Acts had not been repealed.

Officers under former Acts to account to the Trustees for executing this Act.

VI. And be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts of the First and Twelfth Years of the Reign of His Majesty King *George* the First, the Fifteenth Year of the Reign of His Majesty King *George* the Second, and the Seventh, Thirty-fourth, Forty-second, and Fifty-fourth Years of the Reign of His late Majesty King *George* the Third, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, or any of them, inflicted in respect of Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of the said Acts and of this Act.

Trustees.

VII. 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 the Reverend *William Antrobus*, *William Arabin*, *John Baker*, *George Baillie*, *Arthur Benson*, *Joseph Benson* Doctor in Divinity, *Thomas Bent*, *Nathaniel Bent*, Sir *Richard Birnie*, *Robert Willis Blencowe*, *Robert Blencowe*, *George Bridges*, *George Byng*, *Thomas Hayward Budd*, *John Chippendale*, *John B Clifton*, *James Clitherow*, *Thomas Truesdale Clarke*, *John Collins* Doctor in Divinity, *Richard Henry Cox*, *Frederick Crace*, *Alexander Copland*, *Thomas Horsley Curteis*, *Charles Curtis*, *Thomas Dagnall*, *George Henry Elliott*, *Jacob Jeddere Fisher*, *Joseph Fletcher*, *William Flower*, *Charles Gray Graves*, *John Gordon*, *Benjamin Hamilton*, *Thomas Harrington*, *John Hanson*, *Richard Heming*, the Reverend *John Hilliard*, the Reverend *Anthony Hinton*, the Very Reverend *Robert Hodgson*, *John Thomas Hope*, *Richard Hunt*, *Vitruvius Lawes*, *James Lawson*, *John Laidley*, *Edmund Henry Lushington*, *William Medley*, *William Mellish*, *John Morris* Doctor in Divinity, *Edward William Morse*, *John Morrison*, *George Nicholas* Doctor in Divinity, the Reverend *Herbert Oakley*, *Edward Orme*, *William Perry* Doctor of Medicine, *Robert Piper*, the Reverend *Edward Polehampton*, the Reverend Archdeacon *Pott*, *Samuel Purkis*, the Reverend *Herbert Randolph*, *Edward Roberts*, *John Robins*, *George Saunders*, *Thomas Smith*, *John Tatham*, *George Tennant*, *Henry Thompson*, *William Tomson*, *Edmund Treherne*, the Reverend *Henry Scott Trimmer*, *James Rustat Trimmer*, *Joshua Kirby Trimmer*, Sir *Hilgrove Turner*, *Charles Turner*, *Thompson Tyndall Walmsley* Doctor in Divinity, *Frederick Augustus Wetherall*, *Edward Webster Bullock Webster*, *Samuel Charles Whitbread*, *Richard White*, *Thomas Willan*, *George Wood*, *Thomas Wood*, *Joseph Wood*, *Joseph Carter Wood*, Sir *George Wood*, *James Richard Wood*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts of the Third, Fourth, and Fifth

Years of the Reign of His said present Majesty, shall be and they are hereby appointed the Trustees for putting this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty into Execution.

Power to appoint additional Trustees.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First and Second Meetings to be holden in pursuance of this Act, or either of them, to elect any Number of Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, in addition to the Trustees hereby appointed; and such Trustees so elected, and being qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, shall be and they are hereby invested with the same Powers and Authorities for executing this and the said recited Acts of the Third, Fourth, and Fifth Years aforesaid, as if they had been herein named and appointed.

First Meeting of Trustees.

IX. And be it further enacted, That the said Trustees shall meet at the *Old Hats Inn* on the *Uxbridge* Road, or at some other convenient House or Place on or near the said Road, on the Third Day of *June* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Two in the Afternoon, or as soon after that Time as conveniently may be, for the Purpose of carrying this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty into Execution, notwithstanding any Adjournment may then have been made by the said Trustees under or by virtue of the said recited Acts hereby repealed, and shall and may adjourn themselves from Time to Time, and meet at the said Inn, or at such other House or Place on or near the said Roads as they may think proper; and if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned, and Two Trustees shall be sufficient for the Purpose of Adjournment only; and in case the said Trustees or any of them shall not attend, or shall omit to adjourn, then the Clerk or Clerks to the said Trustees shall adjourn the said Meeting, and appoint the said Trustees to meet at the House or Place where such last Meeting was appointed to be held, and shall cause Notice thereof to be affixed on the several Turnpike Gates on the said Roads, at least Seven Days before such Meeting; and no Adjournment of any Meeting of the said Trustees shall be made for a longer Space of Time than Eight Weeks.

Present Officers to continue in Office (except the Treasurer).

X. Provided always, and be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer or Officers (except the Treasurer), nominated and appointed under and 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 the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and

this Act, 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 or appointed under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or this Act.

Treasurer and Clerk not to be the same Person.

XI. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who hath or have been or who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners 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 his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who hath or have been or who 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 his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and if any Person shall continue in or 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 his or their Partner or Partners, shall accept the Office of Treasurer, or being the Partner 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 his or their Partner or Partners, 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.

Trustees may continue, alter, or increase Turnpike Gates.

XII. And be it further enacted, That the said Trustees shall and may either continue or remove all or any of the present Turnpikes and Toll Gates which now stand across or on the Side or Sides of the said Roads, and set up in lieu thereof or in addition thereto respectively One or more Turnpike or Turnpikes, Toll Gate or Toll Gates, and Weighing Machine or Weighing Machines, in, upon, across, or on the Side or Sides of any Part of the said present Roads; and also erect and set up, or cause to be erected and set up, One or more Turnpike or Turnpikes, Toll Gate or Toll Gates, and Weighing Machine or Weighing Machines, upon, across, or on the Sides of the said intended new Road herein-before mentioned; and erect or cause to be erected such Toll Houses, with suitable Outbuildings thereto, and inclose from any Grounds adjoining thereto such Garden Plots for the said Toll Houses respectively, not exceeding One Eighth Part of

of a Statute Acre for each Toll House, as they may judge proper; and shall and may cause all or any of such Turnpikes or Toll Gates, Toll Houses and Weighing Machines, from Time to Time to be taken down and set up again, and to be removed, altered, and placed in such other Situations as they shall judge proper; subject nevertheless to such Regulations, Restrictions, and Directions as in this Act or the said recited 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: Provided always, that it shall not be lawful for the said Trustees to erect and set up, or cause to be erected and set up, any Gate or Side Bar between the Western Entrance of *Oxford Street* and the Toll Gate now standing at *Bayswater*.

Proviso.

Power to take Tolls.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said 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 at which the said Tolls are herein-after appointed to be taken, 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),

Tolls.

For every Horse or other Beast (except an Ass), laden or unladen and not drawing, the Sum of Two-pence:

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

For every Horse or other Beast (except an Ass) drawing any Coach, Chaise, or other Carriage, the Sum of Four-pence:

For every Ass drawing any Chaise, Cart, or other Carriage, the Sum of Two-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and an Half, the Sum of Four-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and an Half, and less than Six Inches, the Sum of Three-pence Halfpenny:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches and upwards, the Sum of Three-pence:

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

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

XIV. And

Tolls vested in the Trustees.

XIV. And be it further enacted, That all and every the Tolls hereby granted and authorized to be taken, and also all and every the Tolls and Duties which are authorized to be taken by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, shall be and they are hereby vested in the said Trustees, and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, varied, and disposed of, in such Manner as herein and in the said recited Acts of the Third and Fourth Years of His said present Majesty are mentioned and provided.

Directing how the Tolls shall be taken.

XV. And be it further enacted, That the said respective Tolls imposed by this Act shall be demanded and taken at the several Gates erected or to be erected between *Tyburn* Turnpike and the Eighth Milestone on the said Road, and at the several Gates erected or to be erected between the said Eighth Milestone and the Fifteenth Milestone in the Town of *Uxbridge*, and also at the several Gates to be erected upon the intended new Road leading from *Shepherd's Bush Common* to the Great Western Road at *Turnham Green*.

Tolls to be paid only Once a Day.

XVI. Provided always, and be it further enacted, That for or in respect of any Horse or other Beast passing through any of the Turnpikes or Toll Gates to be continued or erected by virtue of this or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, no more than One full Toll shall be demanded or taken in any one Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night (except in the Cases herein-after mentioned), but on a Ticket being produced denoting the Payment of such Toll, the same Horse or other Beast shall be permitted to pass and repass Toll-free during such Day through all the Turnpikes or Toll Gates to be continued or erected upon the said Roads, and which Tickets the Collectors of the Tolls are hereby required to deliver *gratis* on the Receipt of such Tolls.

Post Chaises &c. to pay on every new Hiring.

XVII. And be it further enacted, That it shall be lawful 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 along the said Roads on 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 Tolls 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 Five Pounds, to be paid to the said Trustees and applied for the Purposes of this Act.

Stage Coaches to pay for the First and Second Times, and then free for the Day.

XVIII. Provided always, and be it further enacted, That all Horses and other Beasts 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 passing a Second Time through such Toll Gate, in the like Manner as if no Toll had been before paid thereat, and from and after Payment of such Toll a Second Time the same respectively shall be permitted to pass Toll-free for the Remainder of that Day.

Waggons, &c. laden with Bricks, &c. to pay Toll each Time they pass any Gate.

XIX. And be it further enacted, That all Waggons, Carts, and other Carriages laden with Bricks, Tiles, Stone, Lime, and Timber, shall be charged with and are hereby made liable to the Payment of the Tolls hereby granted for every Time or Times such Waggons, Carts, and other Carriages, so laden, shall pass in the same Day, such Day to be computed as aforesaid, through any Turnpike Gate or Bar where Tolls are, by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, to be received; any thing herein contained to the contrary thereof in anywise notwithstanding.

Exemptions from Toll for Horses belonging to His Majesty.

XX. Provided always, and be it further enacted, That no Toll shall be demanded or taken for or in respect of any Horse or Horses belonging to His Majesty, or for any Horse or Horses drawing any Carriage belonging to His Majesty, at any Toll Gate or 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.

One Horse Carts may be weighed.

XXI. And whereas it frequently happens that Carts drawn by One Horse carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore further enacted, That all Carts passing along the said Roads, drawn by One Horse only, shall and may be weighed at any Weighing Machine now erected or to be erected on the said Roads, and the like additional Tolls demanded, received, and recovered for the Overweight thereof, as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Roads drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

XXII. And

Trustees may remove Collectors.

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

Lessees not to re-appoint removed Collectors without Consent of 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 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 of the said Tolls, the said Trustees shall in the first Place, and in preference to all other Payments whatsoever, pay and discharge all the Costs, Charges, 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 the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, in defraying the Expences of making and maintaining the said new Road from *Shepherd's Bush Common* to the Great Western Road near *Turnham Green*, and in repairing and keeping in repair, widening, paving, draining, and improving as well the said last-mentioned Road as the said other Roads or Highways mentioned in this Act, and the several Footpaths of the said Roads respectively; and in cleansing, lighting, watching, and watering the said Roads; and all other 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 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, and to and for no other Use or Purpose whatsoever.

Power to set out and make the new Road from Shepherd's Bush to the Great Western Road at Turnham Green.

XXV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to set out and make the said Road herein-before mentioned and described, leading from *Shepherd's Bush Common* to the Great Western Road near *Turnham Green*, in such Manner as to them shall seem right and proper, and for that Purpose to take and use any Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, they the said Trustees first making Satisfaction to the Owners and Occupiers of such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, or such Part or Parts thereof as they the said

said Trustees may require for making and constructing the said Road, such Satisfaction, in case of any Difference concerning the same, to be settled and ascertained by a Jury in manner directed and prescribed by the said recited Act of the Third Year of the Reign of His present Majesty; and all and every the Powers, Authorities, Provisions, Rules and Regulations, Fines and Forfeitures, in or by the said Act contained and imposed for the summoning, impannelling, returning, and swearing a Jury, shall extend and be construed to extend to all and every or such of the Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments which shall or may be taken or used by virtue of the Power for that Purpose in this Act contained, and shall and may be applied and put in execution as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in this Act and made Part thereof.

Map deposited with the Clerk of the Peace to remain there.

XXVI. And whereas a Map or Plan describing the Line of the said new Road, and of the Lands and Premises through which the same is to be made or carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers, or reputed Owners and Occupiers of such Lands and Premises, have been deposited at the Office of the Clerk of the Peace for the said County of *Middlesex*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the said County of *Middlesex*, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure (paying the Clerk of the Peace for the Time being a reasonable Compensation for making such Copies or Extracts, not exceeding the Sum of Sixpence for every Seventy-two Words); and the said Trustees in making the said new Road shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing first had and obtained of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

Trustees not to deviate more than 100 Yards.

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

XXVII. Provided always, and be it further enacted, 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 mentioned and described in the Schedule to this Act annexed.

Misnomers not to prevent the Execution of this Act.

XXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to set out, make, and complete the said new Road herein-before mentioned and described, into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners, Proprietor or Proprietors of Lands or Premises over which the same

is described in the said Map or Plan as aforesaid, and Schedule to this Act annexed, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the Book of Reference or in the said Schedule, in case it shall appear to any Two or more Justices of the Peace for the said County of *Middlesex*, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only, or that the real Owners or Occupiers of such Lands, Houses, Buildings, or Premises had Notice that the same would be wanted for the Purposes of this Act: Provided also, that if the said Trustees shall not, within the Space of Three Years to be computed from the Commencement of this Act, agree for or cause to be valued and paid for, as by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act is mentioned and directed, the several Lands, Hereditaments, and Premises which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities by this Act granted to them, of purchasing the same or such Part thereof as aforesaid, shall cease, determine, and be utterly void, save and except with the Consent of the Owners and Proprietors thereof respectively.

Power to make Causeways, Bridges, Drains, &c.

XXIX. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Roads or either of them, and such Persons as he or they shall appoint, by Order of the said Trustees, to make and keep in repair, or cause to be made and kept in repair, any Causeway or Causeways for the Use of Foot Passengers, in or upon or on the Sides of the said Roads or either of them, in such Manner as they shall think proper, and also Ditches and Drains in and upon the said Roads or either of them, and also through any Ground lying contiguous or near thereto (not being a Garden, Orchard, Yard, Paddock, planted Walk, or Avenue to any House, or any Piece of Ground planted and set apart as a Nursery for Trees), and to erect, rebuild, and keep in repair all Bridges, Culverts, and Arches upon the said Roads, or across any of the Ditches, Watercourses, or Drains where necessary, making such Recompence to the Owners and Occupiers of such private Grounds respectively for the Damages they shall or may thereby sustain, as shall be adjudged reasonable by the said Trustees; and in case of any Difference concerning such Damages between such Owners and Occupiers and the said Trustees, then it shall be lawful for any Two or more Justices of the Peace for the County of *Middlesex*, on Ten Days Notice in Writing being given by either Party to the other, to settle, adjudge, and determine what Recompence shall be made to such Owners and Occupiers for the Damages they shall have sustained as aforesaid.

Trustees empowered to borrow Money to pay off existing Securities.

XXX. And be it further enacted, That it shall be lawful for the said Trustees, in case they shall at any Time or Times be desirous of discharging and paying off any Principal Sum or Sums of Money advanced under the said Acts hereby repealed, or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or any of them, or which shall hereafter be advanced under this Act, and they are hereby empowered to borrow such Sum or Sums

Sums of Money as may be required for such Purpose of any Person or Persons willing to advance and lend the same, upon such Terms and Conditions as the said Trustees shall under the Circumstances of any such Case deem expedient; and it shall be lawful for the said Trustees from Time to Time to grant fresh Securities on the Tolls on the said Roads, in such and the like Manner and under such and the like Regulations as are provided by the said recited Act of the Third Year of the Reign of His present Majesty.

Old Mortgages may be called in and new ones granted.

XXXI. And be it further enacted, That the said Trustees shall and may receive in and cancel all or any of the Mortgages now standing out, and give and execute another Mortgage or other Mortgages instead and in lieu thereof respectively.

Leases &c. existing at the passing of this Act to be in force.

XXXII. And be it further enacted, That all Leases, Contracts, and Agreements which are or shall be in existence at the Time of the passing of this Act, shall respectively continue in force until the Time when, by the Terms and Conditions thereof, the same will expire and determine; and the respective Lessees and Farmers of the Tolls shall in the meantime be entitled to collect and receive the Tolls by this Act granted, as fully and effectually as if the said recited Acts had not been repealed; and all Persons who, under or by virtue of such Leases, Contracts, or Agreements, do or shall owe any Sum or Sums of Money to the said Trustees, shall be liable to the Payment of and shall pay the same, according to the Terms thereof respectively, to the said Trustees, notwithstanding the Repeal of the said Acts.

Tolls, &c. at Weighing Engines not to be let except under certain Restrictions.

XXXIII. Provided always, and be it further enacted, That from and after the passing of this Act the said Trustees shall not let or demise the Tolls or Penalties accruing or payable at any Weighing Engine or Engines erected and set up on the said Roads by virtue of this or any other Act or Acts, unless at a public Meeting of the said Trustees, of which Meeting Fourteen Days Notice of their Intention to let and demise the said Tolls or Penalties shall be given, and affixed upon the several Toll Gates and Weighing Engines which shall be then standing on the said Roads, and unless Seven or more of the said Trustees shall at such Meeting be consenting to the letting and demising the same, and unless at a subsequent Meeting of the said Trustees, of which the like Notice for holding such Meeting shall be given in manner aforesaid, Seven or more of the said Trustees shall likewise be consenting to the letting and demising the said Tolls and Penalties, any thing in this Act or any other Act or Acts contained to the contrary thereof in anywise notwithstanding: Provided always, that at the letting of the said Tolls or Penalties accruing or payable at any Weighing Engine or Engines aforesaid, the Chairman of such Meeting shall be at liberty to have One Bidding on the Part of the said Trustees; and if it shall happen that the said Chairman shall be the last Bidder, the said Tolls or Penalties shall be taken and considered not to have been let.

Trustees may appoint Watchmen.

XXXIV. And be it further enacted, That the said Trustees may appoint a competent Number of fit and able-bodied Men as Watch-

men for the Purpose of guarding the said Roads, and out of the Tolls to be taken upon the said Roads, or out of the Money to be borrowed upon the Credit thereof, 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 may remove any of the said Watchmen and appoint others in their Stead.

Watchmen vested with the Powers of Constables.

XXXV. 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 for the said County of *Middlesex*, and act as such while in the Execution of the Powers and Authorities of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and 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.

Watchmen to prevent Robberies.

XXXVI. 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 said 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 said County, to be examined and dealt with according to Law.

Power to get Water for watering the Roads.

XXXVII. 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

so that the same may not be dangerous to Passengers or Cattle: Provided always, that nothing herein-before contained shall extend or be construed to extend to enable the said Trustees, or any Person or Persons acting under their Authority, to take or use any Water, for the Purposes aforesaid, from the Conduits or Springs belonging to the Lord Bishop of *London* for the Time being, and his Lessees of the *Paddington* Estate, without his and their Consent in Writing first had and obtained.

Power to provide a Green Yard.

XXXVIII. And be it further enacted, That it shall be lawful 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 the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and this Act, may be impounded, and may appoint any Person to take care of and superintend such Green Yard.

For preventing Encroachments or Annoyances on the Roads, &c.

XXXIX. 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, Sign, Sign Posts, Sign Irons, Penthouses, Watering Troughs, Shewboards, Spouts and Gutters, Waterbutts or Tubs, Porters Blocks or Resting Places, Chopping Block, Shewboard 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 Annoyances, 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, within Thirty Feet of the Centre of the said Roads, or upon the Footpaths or Causeways by the Side or Sides thereof, any Goods, Wares, or Merchandize, or any Butchers Meat, Fruit, Fish, Vegetables, or other Matter or Thing whatsoever (except in a Dwelling House or Shop), 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

to abate or pull down and take away any such Encroachments 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, Butchers 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, her, or their Sink or Drain to run into the said Roads, or on the said Footpaths or any Part thereof, or who shall, after the Abatement or Removal of any Encroachment or Annoyance as aforesaid by him, her, or them made, caused, or permitted, again offend in the like Manner, shall forfeit and pay any Sum not exceeding 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 or near the Roads.

XL. 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 the 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 any Sum not exceeding Three Pounds nor less than Ten Shillings, over and above the Charges and Expences 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 for the said County, there to remain for any Time not exceeding Three Calendar Months, 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, 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 the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, be recovered.

Penalty for leaving Waggons, &c. on the Roads.

XLI. 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 and 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, Cart, 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 to relay and replace the same with all Expedition, &c.

XLII. 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 further 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 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 thereafter, 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 forfeit and pay any Sum not exceeding 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 fair and reasonable Expences attending the same shall be paid to the said Trustees by the Owner or Owners of such Pipe or Plug, and may be recovered in like Manner as any Penalties incurred for Offences against this Act are to be recovered.

Penalty on Persons breaking the Surface

XLIII. And be it further enacted, That if any Person or Persons except the Imperial Gas Light and Coke Company, and any Water and Gas Companies to whom the Consent of the Trustees of the said

said Roads hath been heretofore given to lay down Mains and Pipes in the said Roads and Footpaths, or some of them, shall break or open any Part of the Surface of any of the said Roads or Footpaths, 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 any Sum not exceeding Twenty Shillings for every Square Yard of the said Roads which shall be so opened or broken up as aforesaid, to be applied in the same Manner as the Tolls herein-before mentioned are directed to be applied.

Penalty for breaking up the Roads without the Consent of the Trustees.

XLIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Power of the said recited Acts and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity whatsoever, as in the said Acts 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing 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; 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, Tenements, and Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing 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 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 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 meantime and until such Purchases shall be made, the said Money shall, by Order of the said Court of Exchequer 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 meantime and until the said Bank

Application of Compensation Money amounting to 200*l.*

1 G. 4. c. 35.

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, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and not less than 20*l.*

XLV. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, 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 amount to or 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, Tenements, 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 of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, 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 nominated by the Person or Persons making such Option, and approved of by 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 manner herein-before directed, so far as the same be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Where less than 20*l.*

XLVI. And be it further enacted, That where such Money so agreed or awarded to be paid as 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, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the 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.

In case of not making out Titles.

XLVII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and 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 such Person or Persons to whom such Sum or

Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not 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 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 Persons interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; 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 be 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 the 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 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession presumptively entitled.

XLVIII. 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 the said Acts and this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in 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 shown to the Satisfaction of the said Court; and the Dividends or Interest of the said 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 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.

The Court may order reasonable Expences of

XLIX. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any Lands, Tenements, Hereditaments, and Premises to be

Purchases to be paid by the Trustees.

be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, 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 said Court to order the Expences of such last-mentioned Purchase from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, 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 Calendar Months.

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

Saving the Rights of the Commissioners of Sewers.

LI. 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, alter, 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*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Saving the Rights of the Grand Junction and West Middlesex Waterworks Company.

LII. 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, alter, or take away any of the Rights, Powers, or Authorities vested in the Grand Junction Waterworks Company, and the Company of Proprietors of the *West Middlesex* Waterworks, but all the Rights, Powers, and Authorities vested in them respectively shall be as good, valid, and effectual as if this Act had not been made.

Not to prejudice Rights of the Imperial Gas Light Company.

LIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, taken, or construed to extend, to injure, prejudice, diminish, alter, take away, or affect any of the Rights, Privileges, Property, or Works of the Imperial Gas Light and Coke Company, established under and by virtue of Two several Acts, passed in the First and Second and Fourth Years of the Reign of His present Majesty, one whereof is intituled *An Act to establish an additional Company for lighting certain Parts of the Metropolis and Parts adjacent with Gas*, and the other of which Acts is intituled *An Act to alter, amend, and enlarge the Powers of an Act of His present Majesty's Reign, intituled 'An Act to establish an additional 'Company for lighting certain Parts of the Metropolis and Parts adjacent 'with Gas.'*

LIV. And

LIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded. Public Act.

LV. And be it further enacted, That this Act shall commence and take effect from the said First Day of *June*, and shall 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. Term and Continuance of this Act.

The

The SCHEDULE to which the aforegoing Act refers.

Description of Premises.	Parish.	Owners Names.	Occupiers Names.	Lord of the Manor.
Garden Ground - -	Chiswick	Mary Turley - -	Benjamin Haman -	Bishop of London.
Garden - - -	Acton	William Myers -	William Myers - -	
Garden - - -		Hayward -	Hayward -	
Garden - - -		Firbey -	Firbey - -	
Garden Ground, &c. -		Charles Knevett -	Charles Knevett - -	
Common - - -		- - - -	- - - -	
Pasture Land - -		Rev. Mr. Brett -	Sarah Lovejoy - -	
Pasture and Barn -		John Henry Trouch	Sarah Cooper - -	
Garden, Cottage, and Barns - -		Susan Blackmore and Ann Roberts	Joseph Carpenter -	
Common - - -	Ealing	- - - -	- - - -	
Pasture and Cottage -	Acton	John Essex - -	John Essex - - -	
Courtyard and Gates -	- - - -	Susan Blackmore and Ann Roberts	Joseph Carpenter -	
House and Sheds -	Chiswick	George Scott - -	Benjamin Dring -	
Pasture Land - -	Ditto	George Scott - -	George Scott - -	
Garden Ground -	Fulham	Samuel Marryatt -	Robert Hodges - -	
Garden Ground and Shed - -		Adam Askew - -	Thomas Hodges - -	
Garden Ground -		George Scott - -	James Bacchus - -	
Gardens in front of Eleven Cottages		George Scott -	Richard Stuchbury and others - -	
Common - - -		- - - -	- - - -	
Cottages and Garden Ground - - -		Richard Toovay -	Richard Toovay - -	
Courtyard (Half Moon, &c.) - -		George Scott - -	Matthew Dean - -	
Garden Ground and Shed - - -		Poor-of Odiham -	James Blake - - -	
Cottage and Garden -		Thomas Brooks -	James Blake - - -	
Garden Ground - -		John Lane - -	George Dobson - -	
Cottages and Garden		Charles Curle -	Richard Turner and William Anthony Canburn - -	
Cottage, Sheds, Yards, &c. - -		James Scott - -	Jonathan Hastings -	
Pasture Land - -		James and Stephen Gomme - -	Lucy Saunders - -	
Cottages and Garden -		Charlotte Boccius	Charlotte Boccius and Wm. Bray - -	
Brick Fields - - -		—— Millwood -	—— Millwood - -	
Waste Land - - -		James and Stephen Gomme - -	George Scott - - -	
Cottage and Sheds -		Gottenburg Steinburg - - -	Frederick Stockdale -	
Cottage and Garden -		Frances Jennings -	James Ruel - - -	
Waste Land - - -		Sir Hilgrove Turner	- - - -	
Courtyard - - -		- - - -	Dowager Lady Cockburn - -	
Common - - - -	Chiswick	Dean and Chapter of Westminster	- - - -	

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