ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lxxxix.

An Act for enlarging the Term and Powers of several Acts of His present Majesty, for making and maintaining the Roads communicating with the *West* and *East India* Docks, and for repairing the *Cannon-Street* Road, and for making and maintaining a new Road to *Barking*, and a Road from the *Romford* and *Whitechapel* Road to *Tilbury Fort*, in the Counties of *Middlesex* and *Essex*; and also for making a new Branch of Road from *King David Lane Shadwell* to the *Essex* Road at *Mile End*, in the County of *Middlesex*. [22d *June* 1815.]

WHEREAS by an Act of Parliament made in the Forty-second Year of the Reign of His present Majesty, intituled *An Act for making and maintaining, and for watching, lighting, and watering a Road from the* West India Docks *in the* Isle of Dogs, *to communicate with a Street called* Church Lane *or* Church Street Whitechapel, *and for making and maintaining a Branch of Road therefrom to communicate with* Queen Street *in the Parish of* Saint Anne, *all in the County of* Middlesex; *for opening, widening, and improving certain Streets and Passages therein mentioned; and for more effectually amending and keeping in Repair a Road from* Ratcliffe Highway *through* Cannon Street, *in the County of* Middlesex, *into the Road leading into the County of* Essex, *and also from the West End of* Brook Street *into* Cable Street, *and from* Upper Shadwell Street *into the* Back Lane, *in the said County of* Middlesex, certain Persons therein nominated, and their Successors, to be elected as therein mentioned, were appointed Trustees for carrying the several Powers of the said 42G.3.c.101.

Act into Execution: And whereas by one other Act, made in the Forty-
44 G. 3. c. 37. fourth Year of the Reign of His present Majesty, intituled *An Act for altering and enlarging the Term and Powers of an Act made in the Forty-second Year of His present Majesty, for making, maintaining, watching, lighting, and watering several Roads to communicate with the* West India *Docks in the* Isle of Dogs *in the County of* Middlesex; *and also of several Acts for repairing the* Cannon Street *Road, in the said County; and also for making, maintaining, watching, lighting, and watering a new Branch to communicate with the* East India *Docks*, additional Trustees were therein appointed, and the said Trustees were enabled to make, maintain, watch, light, and water a new Branch of Road to communicate with the *East India* Docks: And whereas by one other Act, made in the Forty-sixth
46 G. 3. c. 125. Year of the Reign of His present Majesty, intituled *An Act for altering and enlarging the Term and Powers of Two Acts made in the Forty-second and Forty-fourth Years of the Reign of His present Majesty, for making, maintaining, watching, lighting, and watering several Roads to communicate with the* West India *Docks in the* Isle of Dogs *in the County of* Middlesex; *and also of several Acts for repairing the* Cannon Street *Road in the said County; and also for making, maintaining, watching, lighting, and watering a new Branch to communicate with the* East India *Docks*, certain Powers were given to the said Trustees for varying the Line of the said new Branch of Road to communicate with the *East India* Docks: And whereas by one other Act, made in the Forty-ninth Year of the Reign of His present Ma-
49 G. 3. c. 172. jesty, intituled *An Act for altering and enlarging the Term and Powers of Three Acts made in the Forty-second, Forty-fourth, and Forty-sixth Years of the Reign of His present Majesty, for making, maintaining, watching, lighting, and watering several Roads to communicate with the* West India *Docks in the* Isle of Dogs, *and the* East India *Docks at* Blackwall, *both in the County of* Middlesex; *and also of several Acts for repairing the* Cannon Street *Road in the said County; also for making, maintaining, watching, lighting, and watering a new Road from the said Road communicating with the* East India *Docks to* Barking *in the County of* Essex; *and for enlarging the Powers of an Act passed in the Forty-eighth Year of the Reign of His present Majesty, for making and maintaining a Road from the* Romford *and* Whitechapel *Road to or near to* Tilbury Fort *in the County of* Essex, the said Trustees were authorized to make, maintain, watch, light, and water a new Road from the said Road communicating with the *East India* Docks to *Barking* in the County of *Essex*, and a certain Bridge over the River *Lea* therein mentioned, and situate between the said Counties of *Middlesex* and *Essex*, and several other Communication Bridges and Arches therein also mentioned: And whereas by one other Act made in the Fifty-first
51 G. 3. c. 42. Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term and Powers of several Acts of His present Majesty, for making and maintaining the Roads communicating with the* West India *and* East India *Docks, and for repairing the* Cannon Street *Road, and for making and maintaining a new Road to* Barking, *and a Road from the* Romford *and* Whitechapel *Road to* Tilbury Fort, *in the Counties of* Middlesex *and* Essex, Power was given to the said Trustees to raise a further Sum of Money for completing the Roads and Works authorized to be made and maintained under and by virtue of the said Act passed in the Forty-ninth Year of the Reign of His present Majesty: And whereas the Powers of the said Acts have been found insufficient for the Purposes thereby intended, and it is necessary that the same should be altered and enlarged: And whereas it would not only be beneficial to the Trade and Commerce of the Port of *London*, but of great Utility and Convenience

Convenience to the Public, and more particularly to the Inhabitants of the Parishes of *Saint Paul Shadwell*, *Saint Dunstan Stebunheath* otherwise *Stepney*, *Saint George*, and the adjoining Parishes, if a Collateral Branch of Road or Communication were made from *King David Lane* in the Parish of *Saint Paul Shadwell* to the said Road in and by the said first mentioned Act called *The Commercial Road*, and from thence to the *Essex* Road, at or near a Place called *Mutton Lane* at *Mile End* in the Parish of *Saint Dunstan Stebunheath* otherwise *Stepney* aforesaid; and if such new Branch of Road were made subject to the Authority and Direction of the Trustees by the said recited Acts appointed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts passed in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, and all and every the Tolls and Duties, Clauses, Powers, Exemptions, Penalties, Forfeitures, Rules, Remedies, Directions, Payments, Provisions, Articles, Matters, and Things therein contained (save and except such Parts thereof as are hereby varied, altered, or repealed) shall be in full Force and Effect for and during the Term herein-after mentioned, and shall be as good, valid, and effectual as if the same were repeated and re-enacted in the Body of this present Act, for the Purpose of making, repairing, altering, widening, lighting, watching, and watering the several Roads, Streets, Ways and Passages in the said recited Acts, made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth, and Fifty-first Years of the Reign of His present Majesty, mentioned and described, and also for making, repairing, altering, widening, lighting, watching, and watering the said new Branch of Road or Communication leading from *King David Lane* in the Parish of *Saint Paul Shadwell* aforesaid, to the said Road in and by the said first mentioned Act called *The Commercial Road*, and from thence to the *Essex* Road aforesaid, at or near a Place called *Mutton Lane* at *Mile End* in the Parish of *Saint Dunstan Stebunheath* otherwise *Stepney* aforesaid, the Whole of which said new Branch of Road is situate in the several Parishes of *Saint Mary Matfellon*, *Saint Dunstan Stebunheath* otherwise *Stepney*, *Saint Paul Shadwell*, and *Saint George*, all in the County of *Middlesex*, or One of them, and the Lands and Grounds, Messuages, Tenements, Erections, Buildings, Hereditaments and Premises, over and through which the same will pass respectively, are more particularly delineated, described, and set forth in a Plan deposited with the Clerk of the Peace for the said County of *Middlesex*; and the Owners and Proprietors, or reputed Owners and Proprietors, and Occupiers thereof respectively, are more particularly named and set forth in the Book of Reference lodged and deposited, together with the said Plan, with the Clerk of the Peace for the last mentioned County, and in the Schedule to this Act annexed, and for carrying the several Powers of this Act into Execution; which said additional Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Monies now due and owing, or which shall or may become due and owing, on the Credit of the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, and of this Act or any of them, and all Interest due and to become due for the same respectively.

Provisions of former Acts extended to this Act.

II. And

Power to raise additional Sum of 10,000*l.*

II. And whereas it is amongst other Things, by the said recited Act, made in the Forty-second Year of the Reign of His present Majesty, enacted, that until the Road and Branch of Road therein described should be fully made and completed, the Trustees, named in and acting under and by virtue of the said Act, should and they were thereby empowered and directed to pay Interest, after the Rate of Five Pounds *per Centum per Annum*, upon all such principal Sum and Sums of Money as should have been actually subscribed, or undertaken to be subscribed and paid, at any Time or Times within Three Calendar Months after the passing of the said recited Act, which Interest should commence and be computed from the Time or respective Times of Payment of such principal Monies, or of the Instalments thereof respectively; and from and after the Time when the said Road and Branch of Road should be fully made and completed, the said Trustees should and they were thereby required and directed to pay such further Interest or Dividends, not exceeding in the whole the Rate of Ten Pounds *per Centum per Annum*, upon all principal Sums of Money which should have been so subscribed, or undertaken to be subscribed and paid, as should be from Time to Time resolved and determined by a Majority of the said Trustees at a Meeting to be holden for that Purpose, and at the same Time providing, that the said further Interest or Dividends should not be paid or payable on or for any principal Sum or Sums of Money beyond the Amount of Fifty thousand Pounds in the whole, nor on or for any Sum or Sums of Money, other than such Sum or Sums as should have been actually subscribed and paid, or undertaken to be paid, within the Time aforesaid, nor on or for any Sum or Sums of Money whatever, which should at any Time be secured by Mortgage of the said Tolls under the said recited Act in Manner therein mentioned: And whereas in and by the said recited Act made in the Forty-fourth Year of the Reign of His present Majesty, Provision was made for raising the further Sum of Fifty thousand Pounds, for the Purpose of completing the Works and Roads directed to be made, maintained and supported by virtue of the said recited Act of the Forty-second Year of the Reign of His present Majesty, and also for raising the further Sum of Twenty thousand Pounds, for the Purpose of making, repairing, altering, widening, lighting, watching, and watering the said Branch of Road leading to the *East India* Docks and to *Poplar*, therein mentioned; and the said Trustees were thereby authorized to pay Interest and Dividends upon the said additional Sums of Fifty thousand Pounds and Twenty thousand Pounds, in the same Manner as the same were directed to be paid upon the said original Sum, not exceeding Fifty thousand Pounds, authorized to be raised under and by virtue of the said recited Act made in the Forty-second Year of the Reign of His present Majesty: And whereas in and by the said recited Act made in the Forty-ninth Year of His present Majesty, Provision was also made (in case the said Sum of Twenty thousand Pounds should be found insufficient for making and maintaining the said Road, and the erecting and building of the Bridges, Arches and other Works, directed to be made, maintained, erected and built, by virtue of the Powers contained in the said Acts passed in the Forty-second, Forty-fourth, Forty-sixth and Forty-ninth Years of the Reign of His present Majesty, but not otherwise) for the Subscribers to the said Roads, from Time to Time to raise and contribute amongst themselves, or by the Admission of new Subscribers, in Manner and Form therein directed, and in such Shares and Proportions as to them should seem meet, any further or other Sum of Money which might be

necessary

necessary from Time to Time, for completing and perfecting the said Road, Bridges and other Works and Purposes aforesaid, not exceeding the Sum of Ten thousand Pounds; and it was therein declared and directed, that every Subscriber towards raising such further or other Sum of Money, should be liable to such Forfeitures, and stand interested in the Monies to arise and be collected under and by virtue of the said Acts, upon or in respect of the said new intended Road, in Proportion to the Sum that he, she, or they should subscribe thereunto, and be considered a Subscriber to the said Road and other Works, as generally and extensively, to all Intents and Purposes, as if such further or other Sum had been Part of the Sum originally subscribed: And whereas in and by the said Act passed in the Fifty-first Year of the Reign of His present Majesty, further Power was given to the said Trustees, for raising the further Sum of Twenty thousand Pounds, for the Purposes therein mentioned: And whereas it is necessary that a further Sum should be raised by Subscription for carrying the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, and this Act, into Execution, so far as the same relate to the said new Branch of Road, or Communication herein-before directed to be made, supported and maintained; be it therefore enacted, That it shall and may be lawful to and for the said Trustees acting under and by virtue of the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, and to and for the several Subscribers under the said last-mentioned Acts, to raise and contribute amongst themselves, in such Shares and Proportions as to them shall seem meet, or to raise, by the Admission of new Subscribers, any further or other Sum of Money not exceeding the Sum of Ten thousand Pounds, in addition to the said several Sums of Fifty thousand Pounds, Fifty thousand Pounds, Twenty thousand Pounds, Ten thousand Pounds, and Twenty thousand Pounds, and directed to be raised by virtue of the said recited Acts for carrying the several Purposes of the said recited Acts and this Act into Execution, so far as the same relate to the making, maintaining, watching, lighting and watering of the said new Branch of Road herein-before authorized to be made and maintained; and the said Trustees shall and they are hereby empowered and directed, to pay Interest after the Rate of Five Pounds *per Centum per Annum* upon all such Principal Sum and Sums of Money, being Part or Parts of the said additional Sum of Ten thousand Pounds, directed to be raised by virtue of this Act, as shall have been actually subscribed or may hereafter be subscribed and paid for the Purposes aforesaid; and such Interest shall commence and be computed from the Time or respective Times of Payment of such respective principal Monies or of the Instalments thereof respectively; and from and after the Time that the said Branch of Road directed to be made by virtue of this Act shall be fully made and completed, the said Trustees shall and may, and they are hereby empowered and directed to pay such further Interest or Dividends, not exceeding in the whole the Rate of Ten Pounds *per Centum per Annum* upon all principal Sum and Sums of Money which have been or may be so subscribed and paid or undertaken to be paid by virtue of the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, or of this Act, as shall be from Time to Time resolved and determined by a Majority of the said Trustees, at a Meeting to be holden for that Purpose.

Purchasing Messuages, &c. for Road.

III. And be it further enacted, That for the Purpose of opening and making the said new Branch of Road directed to be made by virtue of this Act, it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered to treat and agree for the Purchase of all Houses, Buildings, Erections, Grounds, Lands, Tenements and Hereditaments, situate on or along the Line of the said Road, and in the Schedule to this Act contained, or such or so many of them as the said Trustees shall agree to purchase; and also to treat or agree for the Loss or Damage which the Owners of and Persons interested in any such Houses, Buildings, Erections, Grounds, Lands, Tenements, or Hereditaments, shall or may any way sustain or be put unto by the opening and making of the said new Branch of Road; and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchase or Purchases, for a Satisfaction for such Loss or Damage, or as shall be adjudged or assessed in the Manner in the said recited Acts described, it shall and may be lawful for the said Trustees to cause all such Houses, Erections, and Buildings whatsoever, or such or so many or so much thereof as they shall deem necessary to be taken down, and the Ground whereon such Houses, Erections, and Buildings now stand, and the other Grounds, Lands, Tenements, and Hereditaments so to be purchased, or any Part or Parts thereof, to be laid into the said new Branch of Road; and that such Parts of the Lands or Grounds as shall be so laid into the said new Branch of Road, shall, when so laid in, be deemed and taken as a public Highway, and used as such for ever afterwards.

In Cases where Road shall be cut through any Land, Trustees to purchase such Land, &c.

IV. Provided always, and be it further enacted, That in all Cases where the said new Branch of Road shall be proposed to be made and cut through any Close or Parcel of Land, and such Close or Land would, by the making of the said new Branch of Road, be separated or divided into Two or more Parcels of Land, each or either being of a less Quantity than Two Acres lying together, then and in every such Case, and also in all Cases where the Property of any Person or Persons which may be wanted for the said new Branch of Road shall be less than Two Acres of Land, or, by being used or taken for the Purposes of this Act, would be reduced to a less Quantity of Land than Two Acres lying together, the said Trustees shall and they are hereby required (on the Application of the Owner or Owners, or Person or Persons for the Time being entitled to the Rents and Profits thereof, but not otherwise) to purchase not only the Part of every such Close or Parcel of Land which shall be required by the said Trustees for the Purposes of this Act, but also each such Piece of Land less than Two Acres lying together (except in respect of any such Piece of Land less than Two Acres which shall adjoin to other Land of the same Owner, and with such other Land would make the Quantity of Two Acres lying together) in like Manner as they the said Trustees are empowered to purchase any other Lands necessary for the Purposes of the said recited Acts or this Act, and to pay, apply, and dispose of the Purchase Money at the same Time and in the same Manner as the Purchase Money for that Part of any Close or Parcel of Land which may be required for making the said new Branch of Road, would, by virtue of this Act and the said recited Acts, be payable or applicable.

Trustees empowered to sell Ground not wanted

V. And whereas by reason of the Purchases which the said Trustees are hereby empowered and required to make by virtue of this Act, or by reason of the diverting of some Part or Parts of the present Road over which

the Branch of Road directed to be made by this Act may pass, they may happen to be seised of some Piece or Pieces of Ground, and of some Piece or Parcel of old Road or Roads, over and above what shall be necessary for effecting the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Trustees, or any Three or more of them, to sell and dispose of such Piece or Pieces of Ground, or Piece or Pieces of old Road or Roads, either together or in Parcels, as they shall find most convenient and advantageous to such Person or Persons as shall be willing to contract for and purchase the same: Provided always, that the Offer of the Purchase of such old Road shall be first made to the Owner of the Land adjoining to that which shall be cut and used for the Purpose of making such new Branch of Road; and the Offer of the Purchase of such Piece or Pieces of Ground shall be first made to the Person or Persons from whom the same shall have been purchased by virtue of this Act, (unless such Owner or such Person or Persons shall have previously compelled and required the said Trustees to purchase the same), at or for such Price as shall be in Proportion to the Price which shall have been given by the said Trustees for the Whole of such Piece or Pieces of Ground, and no more; and in case such Owner or such Person or Persons shall be desirous of becoming the Purchaser or Purchasers of such old Road, or Piece or Pieces of Ground, as the Case may be, and cannot agree with the said Trustees for the Price to be paid for the Purchase of the same, and such Owner or such Person or Persons shall still be desirous of becoming the Purchaser or Purchasers thereof respectively, then and in such case the Value thereof shall be settled and ascertained by a Jury, in such and the like Manner as the Price for any Land to be taken in pursuance of the said recited Acts is directed to be settled and ascertained in and by the said recited Acts, or either of them, and such Owner or such Person or Persons shall be deemed the Purchaser or Purchasers thereof respectively, at the Sum to be ascertained by the Jury to be the Value thereof; and in case such Owner or such Person or Persons shall refuse to pay such Money upon Demand made thereof by the Treasurer or Treasurers, Clerk or Clerks to the said Trustees, and tender the Conveyance of such old Road, or such Piece or Pieces of Ground, as the Case may be, the same shall and may be recovered by the said Trustees, by Action of Debt, in any of His Majesty's Courts of Record at *Westminster*; and in case any such Owner or such Person or Persons shall not agree, or shall refuse to purchase any such old Road, or such Piece or Pieces of Ground, it shall and may be lawful to and for any Person or Persons (not interested in the Premises) to make an Affidavit, to be sworn before a Master in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County or Place where such old Road, or such Piece or Pieces of Ground shall lie or be situate, stating that such Offer has been made by or on Behalf of the said Trustees, and that such Owner or such Person or Persons has or have not agreed, or has or have refused to purchase such old Road, or such Piece or Pieces of Ground, as the Case may be; and such Affidavits shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and not agreed to or refused by such Owner or Person or Persons as aforesaid: Provided nevertheless, that if the Lands of Two or more Persons shall be taken for such new Branch of Road as aforesaid, each and every such Owner shall be entitled to the first Offer of so much of the old Road as is lying immediately adjoining to his, her, or their Land respectively, in Manner aforesaid: Provided also, that if such Owner or Owners respectively shall be willing and consent to take such old

for the Purposes of this Act.

In Cases where the Road shall be diverted, the first Offer for the Sale of the old Road shall be made to the Owners of the Lands adjoining.

old Road in exchange for such new Road, it shall and may be lawful to and for the said Trustees, and they are hereby required, to assure the same to such Person or Persons by entering the same in their Book, and delivering to him or them a Copy of the Entry thereof, signed by any Three or more of the said Trustees, which Copy shall be a good and valid Title to the same, and be available in any Suit in Law or Equity.

Houses and Buildings not to be injured, except, &c.

VI. Provided always, and be it further enacted, That nothing in the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, or in this Act contained, shall extend or be construed to extend, so as to enable the said Trustees, or any Person or Persons acting by or under their Authority, to take, use, injure or damage, for any of the Purposes of this Act, any House or other Building which was erected or built on or before the First Day of *January*, in the Year of our Lord One thousand eight hundred and fifteen, or any Land or Ground which, on the said First Day of *January*, was set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, without the Consent of the Owners and Occupiers thereof; other than and except the several Houses, Buildings, Gardens, Orchards, Yards, Parks, Paddocks, planted Walks and Avenues mentioned and specified in the Schedule to this Act annexed.

Restraining the Trustees from deviating more than Forty Feet from the Line laid down in the Plan.

VII. And be it further enacted, That the said Map or Plan, and Book of Reference, shall remain in the Custody of the Clerk of the Peace for the said County of *Middlesex*, to the end that all Persons may, at any reasonable 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 the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan, and Book of Reference; and that the said Trustees, in making, widening, diverting, shortening, varying, turning or altering the said new Branch of Road, shall not deviate more than Forty Feet from the Line described in such Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body Politic, Corporate or Collegiate, through whose Lands or Grounds such Deviation shall be made; such Consent to be kept in the Office of the Clerk of the Peace for the said County of *Middlesex*.

Misnomer, Omission, or wrong Description not to prevent the Execution of the Act.

VIII. Provided always, and be it further enacted, That if any of the Lands, Tenements, Houses, Buildings, Grounds or Hereditaments, situate, lying, and being within the Line of Road to be made by virtue of this Act, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, shall happen to be misnamed, omitted, or inaccurately described in the Schedule to this Act, or in the said Book of Reference deposited with the Clerk of the Peace for the said County of *Middlesex*, such Misnomer, Omission, or inaccurate Description shall not prevent or retard the Execution of the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, or of this Act; but every Part thereof shall and may be purchased and sold, or assessed, and valued by a Jury, and conveyed, disposed of and applied for and to the Purposes of the said recited Acts and of this Act, as fully and effectually as if the same were more properly named and described in this Act; in case it

shall

shall appear to the Satisfaction of the Jury summoned to assess what Recompence and Satisfaction shall be made to the Owners, Occupiers or other Person or Persons interested, for or on account of the taking of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments respectively, that such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments respectively were intended to be made use of for the Purposes of the said recited Acts and this Act, or either of them.

Tolls to be taken on the Road to be made by virtue of this Act.

IX. And be it further enacted, That it shall and may be lawful to and for the said Trustees to demand and take, or cause to be demanded and taken, the Tolls authorized to be taken in and by the said Act passed in the Forty-second Year of the Reign of His present Majesty, and no more, at any Gate or Turnpike erected or to be erected on the said new Branch of Road, once in every Day, from all and every Person and Persons passing with or attending any Cattle or Carriage; and also so often in any one Day as any Waggon, Wain, Cart, or other such Carriage shall pass laden; and so often in any one Day as any Coach, Chaise, or other like Carriage travelling with a fresh Fare or Hire shall pass, before any Horse or Horses, Beast or Beasts, Cattle or Carriages shall be permitted to pass through the same: Provided always, that such Gates shall not exceed Two in Number; and that Payment of Toll at One of such Gates shall be an Exemption from Payment of Toll at the other.

The Collectors to issue Tickets.

X. And be it further enacted, That the several Collectors of the Tolls at the several Gates or Turnpikes erected or to be erected on the Roads directed to be made and repaired by virtue of the said recited Acts and this Act, shall and they are hereby required to deliver a Ticket *gratis*, to the Person or Persons paying any Toll or Tolls at such respective Gates or Turnpikes; such Ticket denoting Payment of such Tolls respectively, and naming and specifying the Gate or Gates to be freed by such Payment.

Repealing Power of Justices to ascertain Tolls.

XI. And whereas it is in and by the said Act passed in the Forty-second Year of the Reign of His present Majesty provided and enacted, That if any Dispute should happen about the Quantity of Tolls due, or the Charges of keeping any Distress, it should be lawful for the Collector or Person so distraining to retain such Distress, or the Money arising from the Sale thereof, (as the Case might happen), until the Quantity of the Tolls, or Charges of distraining or selling the Distress (as the Case might happen), be ascertained by some Justice of the Peace for the County of *Middlesex*, who, upon Application made to him for that Purpose, should examine the said Matter upon Oath of the Parties or other Witness or Witnesses, and should determine the Quantity of Toll due, and also should assess the Charges of such Distress and Sale, and of the Collector's Attendance for that Purpose upon the said Justice, all which Sums so detained or assessed should be paid to the said Collector before he should be obliged to return the said Distress, or the Overplus after Sale thereof, or any Part thereof: And whereas it is expedient that the said Provision should be repealed, and that further Provision should be made in lieu thereof; be it therefore enacted, That the said Provision shall be and the same is hereby repealed accordingly.

Justices may ascertain Tolls and award Costs.

XII. Provided always, and be it further enacted, That if any Dispute shall happen about the Quantity of Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person so distraining, to

to retain such Distress or the Money arising from the Sale thereof (as the Case may happen), until the Quantity of the Tolls, or Charges of distraining or selling the Distress, (as the Case may happen), be ascertained by some Justice of the Peace for the County of *Middlesex*, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath of the Parties or other Witness or Witnesses, and shall determine the Quantity of Toll due, and also shall assess the Charges of such Distress and Sale, and of the Collector's Attendance for that Purpose upon the said Justice, and shall and may award Costs to either Party, as in his Discretion shall seem reasonable; all which Sums so detained or assessed, shall be paid to the said Collector before he shall be obliged to return the said Distress, or the Overplus after Sale thereof, or any Part thereof.

No Toll to be taken for Carriages laden with Ordnance, Barrack Stores, &c.

XIII. Provided always, and be it enacted, That no Toll or Tolls shall be demanded or taken, by virtue of the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, or any of them, or of this Act, for or in respect of any Waggon, Wain, or other Carriage, Horse, Beast, or other Cattle, employed in conveying any Ordnance, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces.

Owners or Drivers of Waggons, employed in the Service of His Majesty's Forces, not to be subject to Penalties for Overweight, &c.

XIV. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, or any of them, or in this Act contained to the contrary notwithstanding.

For explaining certain Exemptions from Toll.

XV. And whereas Carts, Waggons, and other Carriages, carrying Manure along the *Essex* Road aforesaid, are not exempt from Payment of Toll in respect thereof, under or by virtue of the Acts of Parliament passed for making or repairing the said Road, and by reason thereof, and in order to avoid such Payment, such Carts, Waggons, and other Carriages do oftentimes pass along the Roads authorized to be made and maintained under or by virtue of the said several Acts passed in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, to the great Injury and Destruction of the same, and without contributing to the Repairs thereof, the same being Proprietory Roads, and no Statute Labour being performed thereon; be it therefore enacted, That the Exemption from Toll, in the said several Acts passed in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, contained in respect of Carts, Waggons, and other Carriages carrying Manure, shall, immediately

immediately from and after the passing of this Act, extend and be construed, deemed, and taken to extend only to such Carts, Waggons, and other Carriages carrying Manure, as may within Eighteen Hours next before the Claim of Exemption from Toll in respect thereof, have paid Toll on the said Road authorized to be made and maintained under or by virtue of the said several Acts passed in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, and not otherwise; any thing in this Act, or in the said last mentioned Acts, or in any other Act or Acts, contained to the contrary thereof in anywise notwithstanding.

Compensation to the Rector of Whitechapel, for Deficiency of Annual Stipends, Dues, &c.

XVI. And whereas by reason of taking down Houses and making Alterations in pursuance of this Act, a Deficiency may arise in the Produce of the annual Stipends, Dues, and Oblations, and other Perquisites and Payments payable to the Rector of the Parish of *Saint Mary Matfellon* otherwise *Whitechapel*; be it therefore enacted, That the said Trustees shall, from Time to Time during the Continuance of this Act, yearly and every Year pay and make good unto the Rector of the said Parish, by Four equal Quarterly Payments, the Deficiency which may arise or happen by the pulling down of any Dwelling Houses in the respective Districts herein-before described, and which the consequent Removal of Inhabitants from such respective Parishes may occasion; which Deficiency shall be estimated at and after the Rate of Nine Shillings and Sixpence upon each and every House which shall be pulled down by the said Trustees for the Purposes of this Act.

Costs of this Act how to be paid.

XVII. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid and satisfied by the said Trustees out of the Monies to be collected and received by virtue of the said recited Acts and this Act, in preference to any other Payment whatsoever.

Public Act.

XVIII. 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.

Commencement and Continuance of this Act and former Acts above recited.

XIX. And be it further enacted, That this Act shall commence and take place from and after the passing thereof, and shall, together with the said recited Acts made in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth and Fifty-first Years of the Reign of His present Majesty, continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The

The SCHEDULE to which this Act refers.

PREMISES.	OWNERS.	OCCUPIERS.
Crooked Billet Public House	Price - -	John Simmons.
Yard and Buildings -	Morrice - -	Gole and Son.
Ditto - - -	Hilliard - -	Messrs. Sims.
Garden and Yard - -	Ditto - -	Empty.
House - - -	Read - -	Macking.
Ditto - - -	Ditto - -	Bishop.
Ditto - - -	Ditto - -	Woodhouse.
Ditto - - -	Ditto - -	Phillips.
Ditto - - -	Ditto - -	Edington.
Ditto - - -	Ditto - -	Crookes.
Ditto - - -	Ditto - -	Mackey.
Field - - -	Mercers Company -	Vacant.
Ditto - - -	Ditto - -	Ditto.
Ditto - - -	Ditto - -	Gunn.
Ditto - - -	Hawkins - -	Myers.
Ditto - - -	Ditto - -	Ditto.
Ditto and Cow Yard and Buildings - -	Mercers Company -	Mowbray.
House - - -	Curtis - -	Haswell.
Ditto - - -	Ditto - -	Plumbridge.
Shed and Garden - -	Ditto - -	Sebbings.

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