ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

****

Cap. 149.

An Act for widening and improving the Street or Road leading from *Tower Hill* to the Street called *Upper Eaſt Smithfield*, in the Pariſh of *Saint Botolph without Aldgate*, in the County of *Middleſex*.

[9th *June* 1812.]

WHEREAS the Street, Road, or Way leading from *Tower Hill* to and through a great Part of the Street called *Upper Eaſt Smithfield*, in the Pariſh of *Saint Botolph without Aldgate*, in the County of *Middleſex*, is very narrow and inconvenient, and inadequate to the Accommodation of the great Number of Carriages, Horſes, and Foot Paſſengers continually paſſing through the ſame, and Stoppages often occur there to the great Inconvenience and Prejudice of Merchants and others intereſted in the Facility of Paſſage for their Goods and Articles of Commerce in that Part of the Metropolis, and Accidents often occur to the endangering of the Lives of His Majeſty's Subjects, and it is highly deſirable that the Public Way through the ſaid Streets ſhould be widened and improved; but ſuch Improvement cannot be carried into Effect without taking down and removing certain Meſſuages and Tenements in and near or adjoining to the ſaid Streets, and cannot therefore be effected without the Aid 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 Sir *Chriſtopher Baynes* Baronet, *James Bell*, *John Blunt*, *Thomas Boddington*, *Samuel Boddington*, *Charles Campbell*, *Thomas Coles*, *Thomas Dickaſon* junior, *Thomas Furley Forſter*, *Iſaac Lyon Goldſmid*, *John Joſiah Holdford*, *Joſeph Huddart*, *Robert Hunter*, *John Inglis*, *Thomas King*, *Beeſton Long*, *Thomas Reid*, *Philip Sanſom*, *Iſaac Solly*, *Robert Taylor*, *Stephen Thornton*, *George Henry Ward*, *Edmond Thomas Waters*, *John Whitmore* junior, *Joſeph Watſon*, *John Roebuck*, *Joſeph Metcalfe*, *Thomas Thornton*, and *William Phillips*, Eſquires, ſhall be and they and the Survivors of them are hereby appointed Truſtees for carrying the ſeveral Purpoſes of this Act into Execution.

Commiſſioners or Truſtees.

II. And be it further enacted, That in caſe of the Death, Refuſal, Neglect, Incapacity, Want of Qualification, Diſability to act, or Diſqualification of any of the Truſtees hereby appointed, or their Succeſſors as hereinafter mentioned, it ſhall be lawful for the ſurviving or remaining Truſtees, or any Fifteen or more of them, within Twenty-one Days after ſuch Vacancy ſhall occur, or as ſoon after as may be convenient, from Time to Time to elect and appoint one other Perſon to be a Truſtee in the Room of every Truſtee ſo dying, or refuſing, or being incapable or unqualified, or becoming diſqualified to act as aforeſaid, Notice in Writing of the Time and Place of Meeting for every ſuch Election having been given by the Clerk to the ſaid Truſtees, in Two or more public Newſpapers circulated in the ſaid County of *Middleſex* or City of *London*, at leaſt Twenty-one Days before every ſuch Meeting; and that every ſuch new Truſtee ſo to be elected and appointed as aforeſaid ſhall be and is hereby empowered to act in the Execution of this Act, to all Intents and Purpoſes, in as full and ample Manner as the Truſtees hereinbefore nominated are hereby empowered to act: Provided always, that the Non-attendance of any Truſtee for the Space of Twelve Calendar Months ſhall in every Caſe be taken and deemed to be a Refuſal to act.

New Truſtees may be choſen.

III. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds, or ſhall be Heir Apparent of a Perſon poſſeſſed of an Eſtate in Land of the clear yearly Value of Fifty Pounds, or be poſſeſſed of a Perſonal Eſtate to the Amount of Two thouſand Pounds, nor (except in adminiſtering the Oath hereinafter mentioned) until he ſhall have taken and ſubſcribed, before any Seven or more of the ſaid Truſtees, an Oath in the Words or to the Effect following; (that is to ſay),

Qualification of Truſtees.

'I *A. B.* do ſwear, that I truly and *bonâ fide* am in my own Right [*or*, 'in the Right of my Wife] in the actual Poſſeſſion and Enjoyment [*or*, 'Receipt] of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of Fifty Pounds above Reprizes [*or*, 'am Heir Apparent of *A. B.* who to the beſt of my Knowledge and Belief is ſeiſed of ſuch an Eſtate of the clear yearly Value of Fifty Pounds; 'or, am poſſeſſed of a Perſonal Eſtate of the Amount of Two thouſand 'Pounds after all my Debts are paid.

'So help me GOD.'

And

And if any Perſon, not being ſo qualified, ſhall preſume to act as a Truſtee in the Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of One hundred Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed; and every ſuch Perſon, ſo ſued or proſecuted, ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Sum of One hundred Pounds, without any other Proof or Evidence on the Part of the Plaintiff or Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act: Provided nevertheleſs, that all Acts and Proceedings of any Perſon or Perſons acting as a Truſtee or Truſtees in the Execution of this Act, though not duly qualified as aforeſaid previous to his or their being convicted of the ſaid Offence, ſhall, notwithſtanding ſuch Conviction, be as valid and effectual as if ſuch Perſon or Perſons had been qualified according to the Directions of this Act: Provided always, that no Perſon ſhall be capable of being elected, or of acting as a Truſtee in the Execution of this Act, whilſt he holds any Place of Profit under this Act, nor in any particular Caſe wherein he ſhall be in that Inſtance perſonally intereſted otherwiſe than as a Creditor.

Perſons acting, not being qualified, to forfeit 100l.

IV. Provided always, and be it enacted, That no Perſon or Perſons who ſhall keep any Victualling Houſe, Alehouſe, or other Houſe of Public Entertainment, or who ſhall ſell any Wine, Cyder, Beer, Ale, or Spirituous or other ſtrong Liquors by Retail, ſhall be capable of acting as a Truſtee, or of taking, holding, or enjoying any Place or Places of Truſt or Profit under this Act, or of collecting the Tolls hereby granted and made payable, during ſuch Time as he, ſhe, or they ſhall keep ſuch Victualling Houſe, Alehouſe, or other Houſe of Public Entertainment, or ſhall ſell any Wine, Cyder, Beer, Ale, or Spirituous or other ſtrong Liquors by Retail.

Victuallers, &c. incapable of acting.

V. And be it further enacted, That the ſaid Truſtees ſhall meet together at the *King's Arms* in *Wellcloſe Square*, in the ſaid County of *Middleſex*, within Twenty-one Days next after the paſſing of this Act, or as ſoon thereafter as conveniently may be, and proceed to the Execution of this Act, and ſhall then, and from Time to Time afterwards, adjourn and meet at ſuch Time and Place as the ſaid Truſtees ſhall think proper; and that the ſaid Truſtees ſhall at all their Meetings defray their own Expences; and that all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done and executed by or before the ſaid Truſtees, may be done and executed by or before any Seven or more of them (except only when any other Number ſhall be appointed by this Act); and all Matters and Things ſo done and executed ſhall be of the ſame Force and Effect in all Reſpects whatſoever as if the ſaid Matters and Things were and had been done by all the Truſtees appointed or to be appointed under or by virtue of this Act; and that the Orders and Determinations of the Truſtees in the Execution of this Act ſhall be made at Meetings to be held in purſuance of this Act, and not otherwiſe (except as hereinafter ſpecially mentioned); and that no Order or Determination ſhall be made unleſs the major Part of the Truſtees preſent ſhall concur therein; and that all ſuch

Meetings and Orders of Truſtees.

Truſtees

Truſtees preſent as are Juſtices of the Peace may act as Juſtices in the Execution of this Act, notwithſtanding their being Truſtees (except only in ſuch Caſes where they ſhall be perſonally intereſted, or as are hereinafter excepted); and that in all Caſes where the ſaid Truſtees or any Juſtice or Juſtices of the Peace is or are authorized to examine any Perſon or Perſons on Oath, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter ſuch Oath: Provided always, that no Order made by any Seven or more Truſtees ſhall be revoked or altered unleſs Fifteen Truſtees ſhall be preſent, and the major Part of them ſhall concur in ſuch Revocation or Alteration.

Meetings in Emergencies.

VI. And be it further enacted, That if after any Adjournment of the ſaid Truſtees it ſhall at any Time be thought neceſſary that an earlier Day of Meeting ſhould be appointed than the Day appointed by ſuch Adjournment, in that Caſe the Clerk of the ſaid Truſtees, upon receiving an Order in Writing ſigned by Seven or more of the acting Truſtees, although not aſſembled at any Meeting, mentioning the Time, Place, and Purpoſe of ſuch Meeting, ſhall forthwith give Notice thereof, and of the Time and Place which ſhall be mentioned in the Order of the ſaid Truſtees (ſuch Times not being leſs than Seven Days after ſuch Notice), and ſuch earlier Meeting ſhall and may be held accordingly; and all the Proceedings of the Truſtees, at ſuch Meetings, ſhall be as valid and effectual as they would have been in caſe ſuch Meetings had been held in purſuance of Adjournment.

All Proceedings to be entered in a Book.

VII. And be it further enacted, That all Orders and Proceedings of the Truſtees at their ſeveral Meetings ſhall be entered in a Book or Books to be kept for that Purpoſe, and ſuch Orders and Proceedings ſo entered and ſigned by Seven or more of the ſaid Truſtees ſhall be deemed to be Originals, and which ſaid Book or Books ſhall be admitted as Evidence in all Courts whatſoever.

Officers to be appointed.

VIII. And be it further enacted, That the ſaid Truſtees ſhall and may and they are hereby empowered from Time to Time to appoint a Clerk or Clerks, and alſo a Surveyor or Surveyors, and alſo a Gatekeeper or Gatekeepers, or Toll-gatherer or Toll-gatherers, at the Toll-Bars or Toll-Gates to be erected in purſuance or by virtue of this Act, and alſo ſuch other Officers as they ſhall deem it neceſſary to employ in the Execution of this Act, and may from Time to Time remove ſuch Clerks, Surveyors, Gatekeepers, Toll-gatherers, and other Officers, or any of them, and appoint others in their ſtead; and alſo ſhall and may, out of the Monies to be raiſed by virtue of this Act, allow ſuch Clerks, Surveyors, Gatekeepers, Toll-gatherers, and other Officers, and ſuch other Perſon or Perſons as ſhall be aſſiſting in or about the Execution of this Act ſuch Salaries or Allowances as to them the ſaid Truſtees ſhall ſeem reaſonable.

Officers to give Security.

IX. Provided always, and be it further enacted, That the ſaid Truſtees ſhall and they are hereby required to take ſufficient Security from every Treaſurer or Receiver appointed or to be appointed for the Purpoſes of this Act, for the due and faithful Execution of his Office; and if they think fit, may alſo take ſuch Security from any other Officer to be appointed under or by virtue of this Act.

X. And

X. And be it further enacted, That in all Actions, Cauſes, Suits, Bills, Plaints, Indictments, Proſecutions, Trials, or Proceedings at Law, to be had, brought, proſecuted, or defended in purſuance of this Act, the ſaid Truſtees may ſue and be ſued in the Name of their Clerk; and that no Action or Proſecution to be brought, proſecuted or defended by or againſt the ſaid Truſtees, or any of them, by virtue of this Act, in the Name of their Clerk, ſhall abate or be diſcontinued by the Death or Removal of ſuch Clerk, or by any Act of ſuch Clerk, without the Conſent of the ſaid Truſtees, or any Seven or more of them, but the Clerk for the Time being to the ſaid Truſtees ſhall always be deemed the Plaintiff or Defendant in ſuch Action (as the Caſe ſhall be): Provided always, that every ſuch Clerk, in whoſe Name any Action or Suit ſhall be commenced, proſecuted or defended, in purſuance of this Act, ſhall always be reimburſed and paid, out of the Monies to be raiſed by virtue of this Act, all ſuch Coſts and Charges as by the Event of any ſuch Proceedings he ſhall be put unto, or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant therein, and alſo the Coſts and Charges of proſecuting any Indictment or Indictments, or other Proceedings whatſoever, which ſhall or may be commenced or proſecuted againſt any Perſon or Perſons whomſoever, by the Order of the ſaid Truſtees.

Truſtees may ſue and be ſued in the Name of their Clerk.

XI. And be it further enacted, That in caſe any Action or Proſecution ſhall be commenced or proſecuted in purſuance of this Act, under the Authority or by the Direction of the ſaid Truſtees, they the ſaid Truſtees ſhall, out of the Monies ariſing by virtue of this Act, allow and pay to the Proſecutor, or ſuch Perſon or Perſons in whoſe Name or Names ſuch Action or Proſecution ſhall be commenced and proſecuted, all ſuch reaſonable Coſts and Charges as ſuch Perſon or Perſons ſhall be really and *bonâ fide* out of Pocket, for or by reaſon of ſuch Action or Proſecution, or any Judgment or Determination thereon, and likewiſe indemnify all ſuch Perſons as ſhall be proſecuted, or have any Action or Actions brought againſt them for or by reaſon of any Thing ſo done in purſuance of this Act, under the Authority and by the Direction of the ſaid Truſtees.

Proſecutors and proſecuted indemnified.

XII. And be it further enacted, That when and ſo ſoon as the ſaid Street or Streets ſhall be widened, improved, and paved, it ſhall be lawful for the ſaid Truſtees to erect in ſuch Part of the ſaid Street or Streets ſo widened and improved, as they ſhall think fit, a Gate, Turnpike, or Bar, in, upon, or acroſs the ſaid Street or Streets, with a Toll Houſe or Toll Houſes, and proper and neceſſary Buildings and Fences near to ſuch Gate or Turnpike, whether acroſs the ſaid Street or Streets, or at the Side thereof.

Truſtees may erect Gates.

XIII. And be it further enacted, That every Gatekeeper, Tollgatherer, or Collector or Receiver of the Tolls on the ſaid Street or Streets, ſhall, and he and they is and are hereby required to place his Chriſtian and Surname painted on a Board in white Letters on a black Ground, in fair legible Characters, of ſuch Size as the ſaid Truſtees ſhall direct, in the Front of the Toll Houſe where he ſhall be ſtationed to collect the ſaid Tolls immediately upon his coming on Duty, and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon ſuch Duty; and if any Collector or Receiver of the ſaid Tolls ſhall not place ſuch Board as afore-

Tollgatherers to put up their Names.

ſaid in the Manner and during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon than he ſhall be authorized to do by virtue of this Act, or ſhall refuſe to permit or ſuffer, or ſhall in anywiſe hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, ſuch Perſon or Perſons who ſhall demand the ſame having paid the ſaid Tolls, or ſhall give a falſe Name upon ſuch Demand, every ſuch Collector or Receiver ſhall forfeit and pay any Sum not exceeding Twenty Pounds for every ſuch Offence.

Turnpikes, &c. veſted in Truſtees.

XIV. And be it further enacted, That the Right and Property of all and every the Gates, Bars, Turnpikes, Toll Houſes, Poſts, Rooms, Sheds, Carts, Engines, Materials for Paving, Poſts, Rails, Implements, Utenſils, and Things whatſoever, which may hereafter belong to the ſaid Street or Streets, or which ſhall be continued, erected, and ſet up, or provided by the ſaid Truſtees, or by their Order, or otherwiſe, belonging to and uſed by them for putting this Act in Execution, ſhall be veſted in the ſaid Truſtees, and they are hereby empowered to diſpoſe of the ſame for the Purpoſes of this Act, as they ſhall think fit, and to bring Actions, or to prefer and proſecute with Effect Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, ſecrete, injure, damage, or diſpoſe of the ſame, or any of them reſpectively, to their own Uſe or Uſes, or ſhall diſturb them, the ſaid Truſtees, or their Surveyors, or other Perſons acting under them, in the Poſſeſſion of the Property thereof.

Tolls.

XV. And be it further enacted, That in order to raiſe Money for defraying the Expences of widening, improving, and rendering more commodious the ſaid Street or Streets, it ſhall be lawful for the ſaid Truſtees, or any Perſon or Perſons to be appointed by virtue of this Act Collector or Collectors as aforeſaid, to demand and take the ſeveral Tolls and Duties following, at the aforeſaid Turnpike or Toll Gate or Bar, of and from all and every or any Perſon or Perſons paſſing with or attending any Horſe or Horſes, or other Cattle; or if no Gate, Turnpike, or Bar ſhall be erected by the ſaid Truſtees, then in any Part of the ſaid Street, or at any Toll Houſe in or by the Side of the ſaid Street, for each and every Time any ſuch Cattle ſhall go or paſs through the ſame; (that is to ſay),

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

For every Drove of Oxen or Neat Cattle, the Sum of Five-pence per Score, and in Proportion for any leſs Number: And

For every Drove of Swine, Sheep, or Lambs, the Sum of Two-pence per Score, and ſo in Proportion for any leſs Number:

And the ſaid reſpective Tolls ſhall be demanded and taken before any Horſe or Horſes, or other Beaſt or Cattle, be permitted to paſs through or by any ſuch Turnpike, or Toll Gate, or Bar, or Toll Houſe; which ſaid reſpective Sums of Money ſhall be demanded and taken as Toll; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls ſhall, after Demand thereof made, neglect or refuſe to pay the ſame, or any Part thereof, it ſhall be lawful for the Perſon or Perſons appointed to collect the ſaid Tolls, or any other Perſon or Perſons duly authorized by the ſaid Truſtees, by himſelf, herſelf, or themſelves, or taking ſuch Aſſiſtance as he, ſhe, or they ſhall think neceſſary, to ſtop, ſeize, and diſtrain

train any Horſe or Horſes, or other Beaſts or Cattle, upon which ſuch Toll is by this Act impoſed, together with their Bridles, Saddles, Gears, Harneſs, or Accoutrements, or any Part thereof (except the Bridle or Reins of ſuch Horſes or other Beaſts ſeparate from ſuch Horſes or other Beaſts); and if ſuch Tolls, and the reaſonable Charges of ſuch Seizure and Diſtreſs, ſhall not be paid within the Space of Twenty-one Days next after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo ſeizing and diſtraining ſhall and may ſell the Horſe or Horſes, or other Beaſts or Cattle, ſo ſeized and diſtrained, or a ſufficient Part thereof, returning the Overplus (if any be) or what ſtill remains unſold, on Demand, to the Owner thereof, after ſuch Toll, and the reaſonable Charges occaſioned by ſuch Seizure, Diſtreſs, and Sale, ſhall be deducted and paid; and that all the Tolls and Monies ſo to be collected and levied, ſhall be, and are hereby veſted in the ſaid Truſtees, and ſhall be paid, applied and diſpoſed of to and for the Uſes, Intents, and Purpoſes, and in ſuch Manner as is herein mentioned.

One-half Toll only for Butcher Row.

XVI. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Truſtees, or any Perſon appointed by them under this Act to collect any of the ſaid Tolls, to demand and take for or in reſpect of any Horſe, Mare, or Gelding, or Mule, paſſing through the ſaid Street called *Upper Eaſt Smithfield* into or from any Part of *Butcher Row*, or from the ſaid Street, through *Butcher Row*, to any Street or Wharf beyond *Butcher Row*, or from any ſuch Street or Wharf, through *Butcher Row*, into or through the ſaid Street called *Upper Eaſt Smithfield*, intended to be improved as aforeſaid, any greater Sum than One-half of the Toll which ſhall be collected for each and every ſuch Horſe, Mare, Gelding, or Mule which ſhall paſs along *Upper Eaſt Smithfield* and not into or from *Butcher Row*, for each and every Time ſuch Horſe, Mare, Gelding, or Mule, ſhall ſo paſs as aforeſaid.

Juſtices may aſcertain Tolls.

XVII. 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 and may be lawful for the Collector, or Perſon ſo diſtraining, 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, all which Sums ſo determined 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.

Tollgatherers may be Witneſſes.

XVIII. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in any wiſe relating to the ſaid Tolls, or in caſe of any Proceeding or Proſecution for the obtaining any of the Penalties impoſed by this Act, the Perſon or Perſons appointed to collect the ſaid Tolls, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or

their being so appointed, or acting under the Authority of the said Trustees.

General Exemptions from Tolls.

XIX. Provided also, and be it further enacted and declared, That no Toll shall be demanded or taken for any Horses, of whatsoever Description, employed, or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or in returning back from conveying or guarding the same; or for the Horses of Soldiers upon their March or upon Duty, or for Cattle attending them, or laden only with their Arms or Baggage, or returning after having been so employed; nor for any Horse or Horses, or other Cattle, which shall be 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; or for Horses travelling with Vagrants sent by Passes; or for Horses going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Middlesex*, or Members for the City of *London*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and that no Toll shall be demanded or taken for any Horse, Mare, or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Person shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption as aforesaid; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted from the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person, for every such Offence, shall forfeit and pay any Sum not exceeding Ten Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Altering Tolls.

XX. And be it further enacted, That it shall be lawful for the said Trustees under this Act, from Time to Time assembled at any Meeting or Meetings to be held for that Purpose, and they are hereby empowered to lessen or reduce, or discontinue, all or any of the Tolls by this Act granted, or any Part of such Tolls, and for such Time or Times as they the said Trustees shall think proper, and from Time to Time afterwards to advance all or any of the Tolls so lessened or reduced to any Sum or Sums of Money not exceeding the respective Rates hereinbefore mentioned, and also from Time to Time to direct and appoint the Tolls hereby granted or so reduced as aforesaid, to be collected in such Parts or Proportions as they shall think proper; and that such reduced Tolls, and also such Parts and Proportions as aforesaid, shall and may be collected, levied, and applied, in such and the same Manner as the said Tolls hereby granted are directed to be collected and applied: Provided always, that no Meeting shall be held for the Purpose of lessening, reducing, or advancing all or any of the Tolls so lessened, after the first Meeting, unless Twenty-one Days previous Notice at the least be given thereof in Writing, and be affixed upon the Toll House which shall be then erected in or on the Side of the said Street, and also be inserted Twice, or oftener, in some Newspaper published or circulated in the said County of *Middlesex*, or in the City of *London*.

XXI. Pro-

Compounding for Tolls.

XXI. Provided alſo, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time to compound, for any Term not exceeding Twelve Calendar Months at a Time, with any Perſon or Perſons, Bodies Politic or Corporate, for any Horſes, Beaſts, or Cattle paſſing the ſaid Street or Streets, for the ſaid Toll, at the Rate of One Halfpenny *per* Horſe, to be paid in reſpect of ſuch Horſes, Beaſts, or Cattle; and all ſuch Compoſition Money ſhall be paid in Advance, Quarterly or otherwiſe, as the ſaid Truſtees ſhall think fit, and in Default the Compoſition ſhall be void; and ſuch Compoſition ſhall not be leſs than at the Rate of One Halfpenny *per* Horſe *per* Time.

Power to compound for the Farthing Toll.

XXII. Provided likewiſe, and be it further enacted, That if any Perſon or Perſons owning or uſing any Horſe, in reſpect of which the ſaid Toll of One Farthing *per* Time for each Horſe ſhall be demandable, ſhall be minded and deſirous to compound with the ſaid Truſtees for the ſaid Toll of One Farthing *per* Time for each Horſe, by paying in lieu thereof a Sum certain annually, or for any Period leſs than a Year, it ſhall be lawful for the ſaid Truſtees, and they are hereby required, to compound for the ſame, by receiving annually, or for any Period leſs than a Year, from any ſuch Perſon or Perſons, a Sum of Money in lieu of the ſaid Toll, not exceeding the Amount of the Toll which would or might be payable by ſuch Perſon or Perſons, not exceeding the Rate of One Farthing *per* Time for each Horſe; and in caſe any ſuch Perſon or Perſons ſhall think the Sum of Money demanded by the ſaid Truſtees annually, or otherwiſe as aforeſaid, in lieu of the ſaid Toll, more than the probable Amount of the ſame, it ſhall be lawful for the ſaid Truſtees and any ſuch Perſon or Perſons, and the ſaid Truſtees are hereby required, at the Requeſt of any ſuch Perſon or Perſons as aforeſaid, to refer the ſame to Two Juſtices of the Peace for the ſaid County, who ſhall finally determine the ſame, and make ſuch Order in relation thereto as in the Diſcretion of ſuch Juſtices the Caſe may require.

Leaſing Tolls.

XXIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, after giving Twenty-one Days Notice in Writing, to be affixed on the Toll-houſe which ſhall be then erected in or on the Side of the ſaid Street, and advertiſing the ſame Three Times at leaſt in ſome Newſpaper publiſhed or circulated in the County of *Middleſex*, from Time to Time to leaſe and demiſe the Tolls granted by this Act, or any Part or Parts thereof, for any Term of Years not exceeding Three Years at any one Time, for the beſt Price that ſhall be gotten, payable at ſuch Times and under ſuch Covenants as the ſaid Truſtees ſhall think fit, they the ſaid Truſtees having a Counterpart of ſuch Leaſe or Leaſes, and taking ſuch other ſufficient Security from the Perſon or Perſons to whom any ſuch Tolls ſhall be leaſed or demiſed, for Payment of the Rents and Performance of the Covenants to be reſerved and comprized in ſuch Leaſe or Leaſes, as the ſaid Truſtees ſhall think fit.

Directors of the London Dock Company to advance Money if neceſſary.

XXIV. And be it further enacted, That the Directors of the *London Dock Company* are hereby empowered and authorized, out of the Funds or Monies of the ſaid Company, to advance to the Truſtees by this Act appointed, any Sum neceſſary for the ſaid intended Improvement, not exceeding Thirty thouſand Pounds in the Whole; and the Treaſurer of the

the ſaid *London Dock Company* is hereby required to pay the ſame within ſuch Time and Times, at ſuch Place or Places, and to ſuch Perſon or Perſons as the ſaid Truſtees ſhall, with the Conſent of the ſaid Directors of the ſaid Company, or any Thirteen or more of them, by any Writing under their Hands, authorize to receive the ſame: Provided always, that no Demand ſhall be made upon the ſaid Treaſurer, unleſs Thirty-one Days Notice of ſuch Demand ſhall have been given to the ſaid Treaſurer, nor for more at any one Time than Fifteen Pounds *per Centum* upon the ſaid Sum of Thirty thouſand Pounds; and the ſaid Truſtees ſhall and they are hereby required, empowered, and directed to pay to the Treaſurer of the *London Dock Company*, for and on account of the ſaid Company, Intereſt after the Rate of Five Pounds *per Centum per Annum*, upon all ſuch Principal Sum and Sums of Money as ſhall be paid by the ſaid Treaſurer in purſuance of this Act, or upon ſo much thereof as ſhall from Time to Time remain unpaid, which Intereſt ſhall commence and be computed from the Time or reſpective Times of Payment of ſuch Sum or Sums of Money, and ſhall continue to be paid during the Continuance of this Act, or until ſuch Principal Sum or Sums of Money ſhall be repaid out of the Monies to ariſe by virtue of this Act.

Intereſt to be paid at 5l. per Cent.

Application of Money.

XXV. And be it further enacted, That out of the Monies which ſhall be received by virtue of this Act, the ſaid Truſtees ſhall pay and diſcharge all the Expences and Coſts relative to procuring and paſſing this Act, in preference to any other Payment whatſoever, and that the Remainder of all and every Sum and Sums of Money whatſoever, which ſhall and may from Time to Time be raiſed or received from the Rates and Tolls herein mentioned, or otherwiſe howſoever, by virtue of this Act (ſave and except the paving of the improved Street, the Expence of which ſhall be defrayed out of the Rates only), ſhall be applied in putting this Act in Execution, and in paying the Intereſt due upon and repaying the Principal Monies by virtue of this Act borrowed from or advanced by the Direction of the *London Dock Company*, and to or for no other Uſe or Purpoſe whatſoever; but nevertheleſs ſo that the Charges of paving of the ſaid Street or Streets ſo to be improved as aforeſaid ſhall and may be borne, defrayed, and paid by and out of the Monies to be raiſed by the ſaid Rates only, and not otherwiſe.

Truſtees to have Power to ſtop up the Way.

XXVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to cauſe the ſaid Street, Road, or Way to be widened, altered, repaired, paved, improved, and made of the Width of not leſs than Forty-two Feet, and within the Limits, and in Manner hereinafter mentioned; and for that Purpoſe it ſhall be lawful for the ſaid Truſtees, and for their Surveyors or Surveyor, or Workmen, with or without Carriages and Cattle, from Time to Time to enter upon the Lands and Premiſes through which or whereupon the ſaid Road or Street, Alterations, or Improvements hereby authorized to be made, is or are intended to paſs or be made, in ſuch Manner as the ſaid Truſtees ſhall think neceſſary or proper, without being deemed a Treſpaſſer or Treſpaſſers, and without being ſubject or liable to any Fine, Penalty, or Puniſhment, for entering or continuing upon any Part or Parts of ſuch Lands or Premiſes for any of the Purpoſes of this Act, making Satisfaction to the Owners and Occupiers of ſuch Lands and Premiſes for the Damages that ſhall be thereby occaſioned; and the ſaid Truſtees are hereby alſo authorized and

and empowered, during the making of the ſaid Improvement, to ſtop up all or any Part of the Carriageway of the ſaid Street or Streets, and for that Purpoſe to put up ſufficient Paliſades, Bars, Poſts, or other Erections, and to make ſuch Orders regulating the Paſſage of all Carts, Carriages, and Horſes through the ſame, as to them the ſaid Truſtees ſhall ſeem fit and proper.

Road to be made according to the Map or Plan depoſited at the Office of the Clerk of the Peace.

XXVII. And whereas a Map or Plan deſcribing the Line of the ſaid Street, Road, or Way, and the Land and Premiſes through which the propoſed Alterations are to be made or carried, together with a Book of Reference containing a Liſt of the Names of the 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 enacted, That the ſaid Map or Plan, and the Book of Reference, ſhall remain in the Cuſtody of the Clerk of the Peace for the ſaid County, 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 the Sum of One Shilling for every ſuch Inſpection, and at the Rate of Two-pence for every Seventy-two Words of ſuch Copies or Extracts of the ſaid Map or Plan, and Book of Reference; and that the ſaid Truſtees, in making the ſaid Improvements, ſhall not deviate more than Three Yards of Three Feet each from the Line deſcribed in the ſaid Map or Plan, without the Conſent and Approbation in Writing of the Perſon or Perſons, Bodies Politic, Corporate or Collegiate, through whoſe Lands or Premiſes ſuch Deviation ſhall be made.

Lands marked in the Plan may be uſed, notwithſtanding Errors in the Book of Reference.

XXVIII. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees to make the ſaid propoſed Alterations and Improvements into, through, acroſs, or over the ſeveral Lands, Hereditaments, or Premiſes of any Perſon or Perſons who is, or are, or may be Owner or Owners of Land or Premiſes over which the ſame is or are ſet out and deſcribed in the ſaid Map or Plan as aforeſaid, although the Name or Names of ſuch Perſon or Perſons may happen to be omitted or miſtated in the ſaid Book of Reference, in caſe it ſhall appear to any Two or more Juſtices of the Peace for the ſaid County, and be certified by Writing under their Hands, that ſuch Error or Omiſſion proceeded from Miſtake.

Truſtees reſtrained from pulling down Dwelling Houſes, &c. without the Conſent of the Owners.

XXIX. Provided always, and be it further enacted, That the Powers and Authorities hereby given ſhall not extend or be conſtrued to extend to empower or authorize the ſaid Truſtees to take or pull down any Dwelling-houſe or other Building, or to take in or make uſe of any Yard or Avenue to a Houſe, or any Part thereof reſpectively, without the Conſent in Writing of the Owner or Proprietor thereof firſt had and obtained, other than and except ſuch as are marked or deſcribed in the ſaid Plan and Book of Reference; any Thing in this Act contained to the contrary in anywiſe notwithſtanding.

Power to purchaſe Houſes, Lands, &c.

XXX. And be it further enacted, That for the Purpoſe of widening, improving, and rendering more commodious the ſaid Street or Streets, it ſhall be lawful for the ſaid Truſtees, and they are hereby fully authorized and empowered, within Three Years after the paſſing of this Act, to treat

treat and agree for the Purchaſe of all the Houſes, Buildings, Erections, Ground, Lands, Tenements, and Hereditaments in *Bailey's Place*, oppoſite the New Mint, and alſo on the Northern Side of the Street called *Upper Eaſt Smithfield*, from and including the Houſe now or late in the Occupation of *Richard Albert*, and numbered Forty-nine, unto and including the Houſe at the South-eaſt Corner of *May Pole Court*, in the ſaid Street, now or late in the Occupation of *Joſeph Kinder*, and numbered Twenty, and alſo in *Fuller's Court* and in *Cooper's Court*, adjoining to and communicating with the ſaid Street; alſo, on the Weſt Side of *Norwich Court*, adjoining to and communicating with the ſaid Street, the Two Houſes now or late numbered Eleven and Twelve, and in the Occupation of *Mary Heathway* and *Ann Simpſon*, in the Schedule hereunto annexed more particularly ſet forth, being all in the Pariſh of *Saint Botolph without Aldgate*, in the ſaid County of *Middleſex*, or ſuch and ſo many of the ſaid Houſes, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments, or any Part or Proportion thereof, as the ſaid Truſtees ſhall deem neceſſary or expedient to be purchaſed; and upon Payment of ſuch Sum or Sums of Money as ſhall be agreed upon for ſuch Purchaſe or Purchaſes, and alſo for Goodwill, Improvements, Injury, or Damage, or as ſhall be adjudged or aſſeſſed in the Manner hereinafter mentioned and directed, it ſhall 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, and Hereditaments ſo to be purchaſed, or any Part or Parts, to be applied to the Purpoſes of this Act.

Owners of Land may convey to Truſtees.

XXXI. And be it further enacted, That it ſhall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail general or ſpecial, or for Years determinable on any Life or Lives, and to and for all Huſbands, Guardians, Truſtees, and Feoffees in Truſt for charitable and other Purpoſes, Committees, Executors, and Adminiſtrators, and all other Truſtees and Perſons whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants, Iſſue unborn, Lunatics, Idiots, or other Perſon or Perſons, and for all Femes Covert who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, or entitled to Dower, and to and for all and every other Perſon or Perſons whomſoever who is or are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands or Grounds on the Site of any Houſes, Buildings, or Erections, Tenements or Hereditaments, which ſhall be required for the Purpoſes of this Act, or for the Purchaſe of which the ſaid Truſtees are hereby authorized to treat and agree; and they are hereby required to ſell, diſpoſe of, convey, aſſign, transfer, and ſet over to the ſaid Truſtees, and their Succeſſors, all the ſaid Lands and Grounds, and the Lands or Grounds covered by any Houſes, Buildings or Erections, Tenements or Hereditaments, which the ſaid Truſtees may require; and ſuch Conveyance, Aſſignment, and Transfer to the ſaid Truſtees ſhall be good, valid, and effectual in Law, to all Intents and Purpoſes whatſoever, and ſhall immediately and abſolutely veſt ſuch Lands and Grounds, and the Site of ſuch Houſes, Buildings or Erections, Tenements or Hereditaments,

ments, in the ſaid Truſtees, or their Succeſſors, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Corporations and Truſtees may contract.

XXXII. And be it further enacted, That it ſhall be lawful for any Bodies Politic, Corporate, or Collegiate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees, or other Truſtees whatſoever, not only for and on Behalf of any Infants, Wards, Femes Covert, Ceſtuique Truſts, Lunatics, Idiots, or other incapacitated Perſons, and to and for all and every Perſon or Perſons whomſoever who are or ſhall be ſeiſed or poſſeſſed of or intereſted in any ſuch Lands, Tenements, Houſes, Buildings, Grounds, or Hereditaments, to contract and agree with the ſaid Truſtees for the Satisfaction to be made for all or any ſuch Loſs or Damage as aforeſaid, or ſell to them all or any of ſuch Lands, Tenements, Houſes, Buildings, Grounds, or Hereditaments, and to convey the ſame, as Occaſion ſhall and may require; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid and effectual to all Intents and Purpoſes whatſoever, any Law, Statute, Uſage, Cuſtom, or any other Matter or Thing to the contrary notwithſtanding; and all ſuch Bodies Politic, Corporate or Collegiate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Truſtees, Committees, Femes Covert, and all and every other Perſon and Perſons, ſhall be and are hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

Conveyance good by Bargain and Sale.

XXXIII. And be it further enacted, That the Conveyance of any Eſtate or Intereſt of any Feme Covert to the ſaid Truſtees, or any Perſon or Perſons in Truſt for them, by Bargain and Sale, acknowledged by ſuch Feme Covert, and duly enrolled in any Court of Record at *Weſtminſter* within Six Calendar Months after the making thereof, ſhall as effectually and abſolutely convey the Eſtate and Intereſt of ſuch Feme Covert in the Premiſes, as any Fine or Fines, Recovery or Recoveries, would or could do if levied or ſuffered thereof in due Form of Law; and further, that all Bargains and Sales whatſoever to be made of any ſuch Lands and Hereditaments as ſhall be purchaſed by the Truſtees by virtue of and for the Purpoſes of this Act, and enrolled as aforeſaid, ſhall have the like Effect and Operation in Law, to all Intents and Purpoſes, as any Fine or Fines, Recovery or Recoveries whatſoever, would have if levied or ſuffered by the Bargainer or Bargainers, or any Perſon or Perſons ſeiſed of any Eſtate in the Premiſes in Truſt for ſuch Bargainer or Bargainers, in any legal Manner or Form whatſoever.

The Words "Grant, "Bargain, "and Sell," to operate as Covenants for Title.

XXXIV. And be it further enacted, That in all Grants, Demiſes, and Conveyances to be made by the ſaid Truſtees under or by virtue of the ſeveral Powers and Authorities to them hereby given, the Words, "Grant, Bargain, and Sell," ſhall amount to, and be conſtrued and adjudged, in all Courts of Judicature, to be expreſs Covenants to the Grantee or Purchaſer, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, from the ſaid Truſtees, for themſelves and their Succeſſors, that the ſaid Truſtees, notwithſtanding any Act done by them, were at the Time of the Execution of every ſuch Grant or Conveyance ſeiſed of the Lands, Hereditaments, and Premiſes thereby granted,

granted, conveyed, and ſold, of an indefeaſible Eſtate or Inheritance in Fee Simple, free from all Incumbrances, for quiet Enjoyment thereof againſt the ſaid Truſtees and their Succeſſors, and all Perſons claiming under them; and all ſuch Purchaſers ſhall be indemnified and ſaved harmleſs by the ſaid Truſtees and their Succeſſors.

How Damages to be aſſeſſed in caſe of Diſagreement.

XXXV. And be it further enacted, That if any Owners, Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, Truſtees, Femes Covert, or any other Perſon or Perſons intereſted in any Lands, Tenements, Houſes, Buildings, Grounds, or Hereditaments, which the ſaid Truſtees are hereby empowered to purchaſe, take, and uſe for the Purpoſes of this Act, upon Notice in Writing under the Hands of any Seven or more of the ſaid Truſtees for the Time being, or under the Hand of their Agent duly appointed, to him, her, or them given, or left at the reſpective Dwelling Houſes or Places of Abode of ſuch Perſon or Perſons, at the Head Office or Offices of ſuch Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of ſuch Lands, Tenements, Houſes, Buildings, Grounds, or Hereditaments, ſhall, for the Space of Twenty-one Days after ſuch Notice ſo given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by reaſon of Abſence ſhall be prevented from treating, then and in every or any ſuch Caſe the Sheriff of the ſaid County of *Middleſex*, or his Under Sheriff, or in caſe ſuch Sheriff or Under Sheriff ſhall be any ways intereſted in the Matter in queſtion, then ſome one of the Coroners of the ſaid County not intereſted therein, ſhall, upon the Warrant of the ſaid Truſtees in Manner hereinafter mentioned, and he and they is and are hereby required and authorized to cauſe it to be inquired into and aſcertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of *Middleſex* (which Oaths the ſaid Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required to adminiſter), what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to ſuch Owners, Occupiers, or other Perſon or Perſons intereſted, for the Value of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, and of the proportionable Value of the reſpective Eſtates and Intereſt of every Perſon or Perſons ſeiſed or poſſeſſed thereof, or intereſted therein, or of or in any Part thereof; and ſhall aſſeſs and award the Sum or Sums of Money to be paid to ſuch Perſon or Perſons, Party or Parties reſpectively, for the Purchaſe of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, and of ſuch reſpective Eſtates and Intereſts therein, and alſo for Goodwill, Improvements, or any Injury or Damage whatſoever that may affect any ſuch Perſon or Perſons, Party or Parties, either as Owner, Leaſeholder, or Tenant at Will, provided ſuch Goodwill ſhall be eſtimated by what, in the Opinion of ſuch Jury, the ſame would have been worth in caſe the Improvements intended by this Act had not been in Contemplation; and alſo for or on account of the taking of ſuch Lands, Tenements, Houſes, Buildings, Grounds, or Hereditaments, for the Purpoſes or under and by virtue of the Authority of this Act; and in order thereto the ſaid Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required from Time to Time, as Occaſion ſhall require, to ſummon and call before the ſaid Jury and examine upon Oath all and every Perſon or Perſons whomſoever who ſhall be thought neceſſary and

and proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes (which Oath the ſaid Sheriff, Under Sheriff, or Coroner is and are hereby empowered to adminiſter); and ſuch Sheriff, Under Sheriff, or Coroner reſpectively ſhall alſo order and cauſe the ſaid Jury to view the Places in queſtion, if there be Occaſion, and uſe all other lawful Ways and Means, as well for his and their own, as for the ſaid Jury's better Information in the Premiſes, as the ſaid Sheriff, Under Sheriff, or Coroner ſhall think fit; and after the ſaid Jury ſhall have inquired of, aſcertained, and ſettled ſuch Damage, Recompence, and Satisfaction, the ſaid Sheriff, Under Sheriff, or Coroner ſhall thereupon order the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury to be paid by the ſaid Truſtees to the ſaid Owners or Occupiers of, or other Perſons intereſted therein, according to ſuch Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition, and Order ſo had and made, ſhall be final, binding, and concluſive to all Intents and Purpoſes againſt all Parties and Perſons whomſoever claiming any Eſtate in Fee Simple, in Fee Tail, or for Life or Lives, in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs, Executors, and Adminiſtrators, Infants, Iſſue unborn, Femes Covert, Perſons beyond the Seas, and under any other Diſability whatſoever, Bodies Politic, Corporate, or Collegiate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, as well as all other Perſons whomſoever; and for the ſummoning and returning of ſuch Jury or Juries, the ſaid Truſtees are hereby empowered to iſſue their Warrant or Warrants to the ſaid Sheriff, Under Sheriff, or Coroner, to ſummon, impannel, and return at ſome convenient Place in the ſaid County, a Jury of Twenty-four honeſt and indifferent Men, qualified according to Law to be returned for Trials of Iſſues in His Majeſty's Courts of Record at *Weſtminſter*, to appear before the ſaid Sheriff, Under Sheriff, or Coroner, at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and Twenty-one Days Notice at the leaſt in Writing under the Hands of the ſaid Truſtees is hereby required to be given to ſuch Owners, Proprietors, Occupiers, Corporations, Truſtees, or any other Perſon or Perſons intereſted in the Premiſes, of the Time and Place of the ſaid Jury being ſo impannelled, ſummoned, and returned; and the ſaid Sheriff, Under Sheriff, or Coroner is and are hereby empowered to impannel, ſummon, and return ſuch Number accordingly, and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Sheriff, Under Sheriff, or Coroner ſhall ſwear or cauſe to be ſworn Twelve, who ſhall be the Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff, Under Sheriff, or Coroner ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service (being qualified as laſt aforeſaid), to the Number of Twelve; and it ſhall be lawful for all Perſons concerned, by themſelves, their Counſel, Solicitors, and Agents, to attend and be heard, and to adduce Evidence before the ſaid Sheriff, Under Sheriff, or Coroner reſpectively, and ſuch Perſons ſhall alſo have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn, but ſhall not challenge the Array; and the ſaid Truſtees ſhall have Power from Time to Time to impoſe any reaſonable Fine or Fines on ſuch Sheriff, Under Sheriff, or Coroner, his or their Bailiffs or Agents, making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury, and ſhall not appear, or ſhall refuſe to be ſworn

ſworn on the ſaid Jury, or being ſo ſworn ſhall refuſe to give or ſhall not give their Verdict, or ſhall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, or on any of the Perſons who, being required to give Evidence before the ſaid Jury, touching the Premiſes, ſhall refuſe or neglect to appear, or ſhall not alledge a ſufficient Excuſe for not appearing, or appearing ſhall refuſe to be ſworn and give Evidence; provided that any ſuch Fine ſhall not exceed the Sum of Fifty Pounds upon any Sheriff or Coroner, nor the Sum of Five Pounds upon any other Perſon for any one Offence.

Expences of Juries how to be paid.

XXXVI. And be it further enacted, That in caſe any Jury or Juries to be ſummoned and ſworn purſuant to the Authority of this Act ſhall give in a Verdict or Aſſeſſment for more Money, as a Recompence or Satisfaction for the Right, Intereſt, or Property of any Perſon or Perſons in any ſuch Lands, Tenements, Meſſuages, Buildings, Grounds, or Hereditaments, or for any ſuch Goodwill, Improvements, Injury, or Damage as aforeſaid, than ſhall have been agreed to be given and offered for the ſame by the ſaid Truſtees before the ſummoning and returning of ſuch Jury or Juries, then and in ſuch Caſe the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes for the Purpoſes aforeſaid ſhall be paid by the ſaid Truſtees out of the Monies which ſhall ariſe by virtue of this Act; but if any Jury or Juries ſo ſummoned and ſworn as aforeſaid ſhall give in a Verdict or Aſſeſſment for no more or for leſs Money as ſuch Recompence and Satisfaction aforeſaid than ſhall have been agreed to and offered by the ſaid Truſtees for the ſame before the ſummoning and returning of the ſaid Jury or Juries, then the Coſts and Expences of ſummoning and maintaining ſuch Jury and Witneſſes ſhall be paid by the Perſon and Perſons with whom the ſaid Truſtees ſhall have had ſuch Controverſy and Diſpute; and in all Caſes where the Perſon or Perſons, Party or Parties intereſted in the Premiſes are not to be found, ſuch Coſts and Expences of ſummoning and maintaining ſuch Jury and Witneſſes ſhall be paid by the ſaid Truſtees out of the Monies which ſhall ariſe by virtue of this Act, which ſaid Coſts and Expences, having been ſettled by the ſaid Sheriff, Under Sheriff, or Coroner before whom ſuch Verdict ſhall have been given (which ſaid Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required to examine and ſettle the ſame), ſhall and may be deducted out of the Money ſo adjudged or aſſeſſed, as ſo much Money advanced to and for the Uſe of the Perſon and Perſons entitled to ſuch Money ſo adjudged, and Payment or Tender of the Remainder of ſuch Money ſhall be deemed and taken to be a Payment or Tender of the whole Sum or Sums ſo adjudged or aſſeſſed, or otherwiſe ſuch Coſts and Expences may be recovered by ſuch Ways and Means as are hereinafter provided for the Recovery of Penalties, Forfeitures, and Fines by this Act authorized to be impoſed.

Verdicts, &c. to be recorded at the Seſſions.

XXXVII. And be it further enacted, That all ſuch Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the ſaid Truſtees, Sheriff, Under Sheriff, or Coroner, and Juries, as relate to or concern any of the Caſes before mentioned, and all Receipts which the Caſhier or Caſhiers of the Bank of *England* ſhall give for any Sum or Sums of Money paid into the Bank as aforeſaid, ſhall be entered among the Records of the Court of General Quarter Seſſions of the Peace of the ſaid County of *Middleſex*, and the ſaid Verdicts, Judgments, Sentences, Decrees,

crees, Orders, and other Proceedings, ſhall be deemed and taken to be Records to all Intents and Purpoſes whatſoever, and the ſame or true Copies thereof ſhall be deemed and taken to be good and ſufficient Evidence and Proof in any Court or Courts of Law or Equity whatſoever; and all Perſons ſhall and may have Recourſe to the ſame, upon paying the Sum of One Shilling and no more for each Search, and take Copies thereof, paying for every Copy the accuſtomed Fee; and immediately after the Entry of ſuch Verdict, Judgments, Sentences, Decrees, Orders, and other Proceedings of the ſaid Truſtees, Sheriff, Under Sheriff, or Coroner, and Juries as aforeſaid, and Payments as aforeſaid, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, or Demand in Law and Equity, of the reſpective Owner or Owners, Corporations, Truſtees, or other Perſon or Perſons aforeſaid, in, to and out of the Lands and Hereditaments to be purchaſed as aforeſaid, ſhall veſt in the ſaid Truſtees, and they ſhall be deemed in Law to be in the ſaid Truſtees, and they ſhall be deemed in Law to be in the actual Seiſin and Poſſeſſion thereof to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having any Eſtate in the Premiſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale enrolled, Feoffment with Livery of Seiſin, Fine, Common Recovery, or any other Conveyance or Aſſurance whatſoever; and ſuch Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings ſhall not only bar all Right, Title, Intereſt, Claim, or Demand of the Perſon or Perſons, Corporation or Corporations, to whom or on whoſe Account ſuch Payment ſhall have been made, or for whoſe Uſe ſuch Money ſhall have been left in the Hands of the Treaſurer of the ſaid Road, but alſo ſhall extend to and be deemed and conſtrued to bar the Dower or Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion, Remainder, and Expectancy, and the Iſſue and Iſſues of ſuch Perſon and Perſons, and every Perſon claiming under them, as effectually as Fines of Common Recoveries would do if levied or ſuffered by the proper Parties.

Tenants at Will, &c. to quit Premiſes.

XXXVIII. And be it further enacted, That any Tenant at Will, or Leſſee for a Year, or any other Perſon or Perſons in Poſſeſſion of any ſuch Lands, Tenements, Houſes, Buildings, Grounds, and Hereditaments, or any Part thereof, which ſhall be purchaſed by virtue of and for the Purpoſes of this Act, and who ſhall have no greater Intereſt in the Premiſes than as a Tenant at Will, or as Leſſee for a Year, or from Year to Year, ſhall, upon receiving Six Calendar Months Notice to that Effect from the ſaid Truſtees, or any Seven or more of them, or their Agent duly authorized, at the End of the ſaid Six Calendar Months, or ſo ſoon as he, ſhe, or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Truſtees, or the Perſon or Perſons authorized by them to take Poſſeſſion thereof; and that in caſe any ſuch Tenant or Tenants, or Perſon or Perſons ſo in Poſſeſſion as aforeſaid, ſhall refuſe to give Poſſeſſion as aforeſaid, they having been firſt paid, or Tender of Payment having been firſt made, for their Goodwill, Improvements, Injury, or Damage as aforeſaid, then it ſhall and may be lawful for the ſaid Truſtees to iſſue their Precept or Precepts to the Sheriff of the ſaid County of *Middleſex* to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Sheriff is hereby required to

deliver ſuch Poſſeſſion accordingly of the ſaid Premiſes, and to levy ſuch Coſts as ſhall accrue from the Iſſuing and Execution of ſuch Precept or Precepts on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods.

Mortgages to be aſſigned on Tender of the Principal Money, &c.

XXXIX. And be it further enacted, That all and every Perſon and Perſons who ſhall have any Mortgage or Mortgages on ſuch Lands, Tenements, Houſes, Buildings, Grounds, and Hereditaments, not being in Poſſeſſion thereof by virtue of ſuch Mortgage or Mortgages, ſhall, on the Payment or Tender of the Principal Money and Intereſt due thereon, together with the Amount of Six Calendar Months Intereſt on the ſaid Principal Money, by the ſaid Truſtees, or by ſuch Perſon or Perſons as they ſhall appoint, immediately convey, aſſign, and transfer ſuch Mortgage or Mortgages to the ſaid Truſtees, or to ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint; or in caſe ſuch Mortgagee or Mortgagees ſhall have Notice in Writing from the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall appoint, that they will pay off and diſcharge the Principal Money and Intereſt which ſhall be due on the ſaid Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving ſuch Notice, that then, at the End of the ſaid Six Calendar Months, on the Payment of the Principal and Intereſt ſo due, ſuch Mortgagee or Mortgagees ſhall convey, aſſign, and transfer his, her, or their Intereſt in the Premiſes to the ſaid Truſtee or Truſtees, or ſuch Perſon or Perſons as ſhall be appointed in Truſt for them; and in caſe ſuch Mortgagee or Mortgagees ſhall refuſe to convey and aſſign as aforeſaid on ſuch Tender or Payment, that then all Intereſt on every ſuch Mortgage ſhall from thenceforth ceaſe and determine: Provided always, that if in any Caſes ſuch Principal and Intereſt ſhall exceed in Amount the real Value of the Houſes, Lands, Tenements, or Hereditaments ſo mortgaged, then and in every ſuch Caſe the real Value of the ſaid Houſes, Lands, Tenements, or Hereditaments reſpectively ſhall be taken and conſidered as a Satisfaction of ſuch Mortgage or Mortgages, for all Purpoſes of Tender, Payment, or Notice as aforeſaid; and if any Diſpute ſhall ariſe as to the real Value of ſuch Houſes, Lands, Tenements, or Hereditaments, the ſame ſhall be aſcertained by a Jury, in Manner hereinbefore directed with reſpect to diſputed Value of Premiſes to be purchaſed by the ſaid Truſtees by virtue of this Act.

Caſhier to give a Receipt for Purchaſe Money paid into the Bank.

XL. And be it further enacted, That upon the Payment of ſuch Principal Money and Intereſt due on any Mortgage as aforeſaid, or the full Value of the Lands, Tenements, or Hereditaments mortgaged, as the Caſe may be, into the Bank of *England*, at the End of Six Calendar Months from the Day of giving ſuch Notice as aforeſaid, for the Uſe of the Mortgagee or Mortgagees, the Caſhier or Caſhiers of the Bank ſhall give a Receipt or Receipts for the ſaid Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid, and thereupon all the Eſtate, Right, Title, Mortgage, or Truſt, Property, Claim, or Demand of the ſaid Mortgagee or Mortgagees, and of all and every Perſon and Perſons in Truſt for him, her, or them, ſhall veſt in the ſaid Truſtees, and they ſhall be deemed to be in the actual Poſſeſſion of the Premiſes comprized in ſuch Mortgage or Mortgages, to all Intents and Purpoſes whatſoever.

XLI. And

Purchaſing of the whole of Premiſes from Owners unwilling to ſell.

XLI. And be it further enacted, That if in any Caſe the Owner or Owners of any Houſes, Meſſuages, Tenements, Lands, Grounds, or Hereditaments, Part only of which Premiſes ſhall at any Time be required by the ſaid Truſtees to be applied to the Purpoſes of this Act, ſhall be unwilling to ſell or diſpoſe of ſuch Part only of the Houſes, Meſſuages, Tenements, Buildings, or Premiſes belonging to the ſaid Owner or Owners as ſhall be required by the ſaid Truſtees, it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby required, at the Option of any Owner or Owners of any ſuch Houſes, Meſſuages, Tenements, Buildings, or Premiſes, to purchaſe of and from the ſaid Owner or Owners the Whole or ſuch Part thereof as ſuch Owner or Owners ſhall think fit, of the Houſes, Lands, Grounds, or Hereditaments of the ſaid Owner or Owners, and to apply ſo much, or ſuch Part thereof as they ſhall ſee fit, to the Purpoſes of this Act, and to ſell the remaining Part of ſuch Premiſes, and to apply the Produce thereof to the Purpoſes of this Act; and that if ſuch Owner or Owners ſhall not or cannot agree with the ſaid Truſtees for the Price to be paid for the Purchaſe of the whole of ſuch Lands, Houſes, Tenements, Grounds, or Hereditaments, then the Value thereof ſhall be ſettled and aſcertained by a Jury in ſuch Manner as the Price for any Land to be taken in purſuance of this Act is directed to be ſettled and aſcertained by this Act; and all other Proceedings ſhall take place reſpecting the ſaid Premiſes as are hereinbefore mentioned and directed with reſpect to Premiſes the Value of which ſhall be aſcertained by a Jury in Manner aforeſaid.

Money to be paid before any Uſe is made of the Premiſes.

XLII. And be it further enacted, That all Sums of Money, or other Conſideration, Recompence, or Satisfaction to be paid or made purſuant to any ſuch Agreement or Verdict as aforeſaid, or in Diſcharge of any ſuch Mortgage, ſhall be paid, or tendered to the Party or Parties entitled to the ſame, into the Bank of *England* as aforeſaid, before the ſaid Truſtees, or any Perſon or Perſons authorized by them, ſhall proceed to pull down any Houſe or Houſes, or other Erections or Buildings comprized in or affected by ſuch Agreement, Verdict, or Mortgage reſpectively, or to uſe the Ground for any of the Purpoſes of this Act.

XLIII. And be it further enacted, That any Sum of Money, Recompence, and Satisfaction, which ſhall be agreed for or aſſeſſed as aforeſaid, ſhall be paid out of the Monies which ſhall ariſe, be raiſed, or received under or by virtue of this Act, or to the Parties or Perſons reſpectively entitled thereto, or to their Agents, except in the Caſes hereinafter otherwiſe provided for; and upon Payment thereof, or in caſe of Refuſal to accept the ſame, then upon leaving the ſame in the Hands of the Treaſurer or Clerk of the ſaid Truſtees for the Time being, for the Uſe of ſuch Parties or Perſons; and after Fourteen Days Notice thereof to ſuch Parties or Perſons, or their Agents, all Owners and Occupiers of, and all other Perſons or Corporations intereſted in ſuch Lands, Tenements, Meſſuages, Buildings, Grounds, or Hereditaments, ſhall from thenceforth be diveſted of all Right, Title, Claim, Intereſt, and Property of, in, to, or out of the ſame; and ſuch Houſes, Meſſuages, Tenements, or Buildings ſhall and may be forthwith pulled down, carried away, removed, and diſpoſed of by the ſaid Truſtees; and the Site thereof, and all ſuch Lands, Grounds, and Hereditaments as ſhall be ſo purchaſed, or ſo much and ſuch Part thereof as the ſaid Truſtees ſhall ſee fit, ſhall be laid into and made Part of the ſaid

Street

Street or Streets, in ſuch Manner as the ſaid Truſtees ſhall direct; and ſhall be by them, or by ſuch Perſon or Perſons as they ſhall appoint, ſufficiently ſet out and paved for that Purpoſe, and ſhall from thenceforth, to all Intents and Purpoſes whatſoever, become and for ever afterwards be a common Highway, and ſhall be deemed Part of the Street or Streets to be widened and improved by virtue of this Act.

Truſtees may ſell or let Lands not wanted.

XLIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, from Time to Time abſolutely to ſell and diſpoſe of all or any of the Freehold or Leaſehold Eſtate, Lands, Houſes, Tenements, Hereditaments, and Premiſes hereby veſted in the ſaid Truſtees in Manner and for the Purpoſes aforeſaid, and which ſhall hereafter be conveyed to them in purſuance of this Act, and which ſhall not be wanted for the Purpoſes of the ſame, in ſuch Manner and upon ſuch Terms, and for ſuch Conditions, as the ſaid Truſtees as aforeſaid ſhall from Time to Time judge proper and think moſt advantageous; provided that the ſame ſhall be firſt offered for ſuch Sale to the reſpective Perſon or Perſons of or from whom the Premiſes reſpectively were purchaſed by or on behalf of the ſaid Truſtees, by Notice in Writing either under the Hands of the ſaid Truſtees, or any Seven or more of them, or by Advertiſement in the *London Gazette* and Two daily Newſpapers uſually circulated in *London*, One Calendar Month at the leaſt before any ſuch Sale; and if ſuch Owner or Owners ſhall not or cannot agree with the ſaid Truſtees for the Price to be paid for the Purchaſe of ſuch Lands, Houſes, Tenements, Grounds, or Hereditaments, then the Value thereof ſhall be ſettled and aſcertained by a Jury, in ſuch Manner as the Price for any Land to be taken in purſuance of this Act is hereinbefore directed to be ſettled and aſcertained; and all other Proceedings ſhall be had reſpecting the aſcertaining the Price or Prices on ſuch Reſale or Reſales as are hereinbefore mentioned or required and directed with reſpect to Premiſes to be taken or uſed for the Purpoſes of this Act, the Value whereof is directed to be aſcertained by a Jury in Manner aforeſaid.

Application of Purchaſe Money exceeding 200l. when payable to Corporations, &c.

XLV. And be it further enacted, That if any Money ſhall be agreed or aſſeſſed to be paid for any Lands, Tenements, Meſſuages, Buildings, Grounds, or Hereditaments, purchaſed, taken, or uſed by virtue of this Act, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Perſon or Perſons under any Diſability or Incapacity, or not legally entitled abſolutely to diſpoſe of the Premiſes by the Sale of which ſuch Money ſhall be produced, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing this Act, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way, by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or 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, Houſes, Buildings, Grounds, or Hereditaments, or affecting other Lands, Tenements, Houſes, Buildings, Grounds, or Hereditaments ſtanding

ſettled therewith, to the ſame or the like Uſes, Truſts, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, Lands, 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 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 or Settlement ſhall be exiſting, undetermined, and capable of taking Effect; and in the meantime, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the 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.

Application where Purchaſe Money is under 200l. and not leſs than 20l.

XLVI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, Houſes, Buildings, Grounds, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall 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 Hereditaments ſo purchaſed, taken, or uſed, or of his or their Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank in the Name and with the Privity of the Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner hereinbefore directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Three or more Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Seven or more of the Truſtees for executing this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money and the Dividends ariſing thereon may be applied in any Manner hereinbefore directed, ſo far as the Caſe may be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

Application where the Money is under 20l.

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

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

In case of not making out Title;

XLVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or any Five or more of them, or shall refuse to execute such Conveyance or Conveyances; or in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid 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 and may be lawful for the said Trustees, or any Seven or more of them, to order the said Sum or Sums of Money so awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, or Disposition of the said High Court of Chancery; 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, or to order or distribute the same, or pay the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the Court of Chancery on Motion or Petition.

Persons in Possession shall be deemed well entitled, unless the contrary be shewn.

XLIX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in 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, and Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the 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 to be paid by the Truſtees.

L. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid High Court of Chancery, 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 all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, or any Seven or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Truſtees may make Contracts of all kinds.

LI. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby authorized and empowered, from Time to Time, at any of their ſaid Meetings, as Occaſion ſhall require, to contract and agree with any fit Perſon or Perſons, Artificers, Workmen, and others, for the making and doing of all and every or any Part of the Work or Buſineſs to be done in and about the widening, improving, paving, raiſing, lowering, and altering the Street or Streets, Lanes, and other public Paſſages and Places within the Limits of this Act, and for doing all other Matters or Things authorized or directed to be done and performed by this Act, or for the ſupplying any of the Material or Materials for the ſame; which Contract or Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to be paid for the ſame, and the Time or Times when the ſaid Works ſhall be completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, and ſhall be ſigned by Seven or more of the ſaid Truſtees, or their Agent lawfully authorized, and alſo by the Perſon or Perſons contracting to perform ſuch Works reſpectively; which Contract, or a Copy thereof, ſhall be entered in a Book to be kept for that Purpoſe by the Clerk of the ſaid Truſtees; but, previous to the making any ſuch Contracts, Twenty-one Days Notice at the leaſt ſhall be given in ſome one or more public Newſpaper or Newſpapers publiſhed and circulated in the County of *Middleſex* or the City of *London*, expreſſing the Intention of entering into ſuch Contract, in order that any Perſon or Perſons willing to undertake the ſame may make Propoſals for that Purpoſe, to be offered and preſented to the ſaid Truſtees at a certain Time and Place in ſuch Notice to be mentioned.

Truſtees to have Power to pave, &c.

LII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby authorized, to cauſe the Street or Streets which ſhall be widened and improved, and the Site of Houſes and Pieces of Ground which ſhall be laid open, and thrown into or be made Part of ſuch Streets in Manner aforeſaid, to be paved, and the preſent Pavement thereof to be amended, raiſed, lowered, altered, or repaired, upon ſuch Levels as they, with the Approbation of the Commiſſioners of Pavement for the ſaid Pariſh of *Saint Botolph without Aldgate*, ſhall judge neceſſary and proper, and with ſuch Kind of Materials as the Streets in the City of *London* and other Parts of the Metropolis, and for general and heavy Traffic, are accuſtomed

cuſtomed to be paved with; and for this Purpoſe the preſent Pavements of the ſaid Streets ſhall become the Property of, and from and after the paſſing of this Act ſhall be veſted in the ſaid Truſtees; but the ſaid Street or Streets, and other public Paſſages or Places, and all the Pavement thereof, ſhall, from and after the Time when the ſame ſhall be ſo widened, improved, repaired, amended, or paved by the ſaid Truſtees, be veſted in and continue to be paved and repaired by ſuch Perſons, and under and ſubject to ſuch Rules and Regulations, as the ſame Streets and public Paſſages or Places now are paved and repaired by any Act or Acts of Parliament, or by any Law, Cuſtom, or Uſage now in force for the paving and repairing the ſame reſpectively.

A Rate on certain Houſes in aid of the Improvement.

LIII. And be it further enacted, That in order to raiſe Monies for defraying the Expence of paving the ſaid Street or Streets in Manner aforeſaid, and of the widening and improving the ſame, it ſhall and may be lawful for the ſaid Truſtees, from Time to Time during the Continuance of this Act, to cauſe One or more Rate or Rates, Aſſeſſment or Aſſeſſments, to be made, laid, or aſſeſſed once in every Year, or oftener if they ſhall judge it needful, upon all and every Perſon and Perſons who ſhall inhabit, hold, uſe, or occupy, poſſeſs, and enjoy any Houſe, Land, Building, Tenement, Shop, Warehouſe, Yard, or other Erections already erected and built, or which may be hereafter erected or built, along or within the Line of ſo much of the ſaid Street or Streets, Way or Ways, as ſhall be widened or improved under or in purſuance of this Act, in ſuch Sum or Sums of Money as the ſaid Truſtees ſhall order and direct; but ſo, nevertheleſs, as that ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, do not exceed in the whole in any one Year the Sum of Two Shillings in the Pound according to the yearly Rent or Value of ſuch Houſes, Lands, Buildings, Tenements, Shops, Warehouſes, Yards, or other Erections, which now are or ſhall be ſituated as aforeſaid.

How yearly Value of Houſes to be aſcertained, &c.

LIV. And be it further enacted, That the annual Value of all Houſes, Lands, Buildings, Tenements, Shops, Warehouſes, Yards, or other Erections ſo to be rated and aſſeſſed as aforeſaid, ſhall be ſettled and aſcertained according to the real Rack Rent or full yearly Value thereof, or in any certain and equal Proportion of ſuch real Rack Rent or full yearly Value, as the ſaid Truſtees ſhall think proper; and ſuch Rates and Aſſeſſments ſhall commence from the next Quarter Day after the ſame ſhall be occupied, and the Money ſo rated and aſſeſſed under and in purſuance of this Act ſhall from Time to Time be paid to any Collector or Collectors to be appointed by the ſaid Truſtees, at ſuch Time in every Year, and in ſuch Manner, as the ſaid Truſtees ſhall order and direct, and ſhall be paid over by ſuch Collector or Collectors to the ſaid Truſtees, or as the ſaid Truſtees ſhall from Time to Time order and direct: Provided always, that it ſhall and may be lawful for the ſaid Truſtees, and they are hereby empowered, upon the Complaint of any Occupier of a Dwelling Houſe rated or aſſeſſed by virtue of this Act, to mitigate, leſſen, reduce, or excuſe the Rate or Aſſeſſment charged upon ſuch Occupier, for and on account of his or her Exigency or Inability, as they the ſaid Truſtees ſhall in their Diſcretion think proper and reaſonable.

Power to mitigate or reduce Rates, &c.

Recovery of Rates.

LV. And be it further enacted, That in caſe any Perſon who ſhall be rated or aſſeſſed, or ſubject or liable to the Payment of any Rate or Aſſeſſment

ment to be made by virtue of this Act, ſhall neglect or refuſe to pay any ſuch Rate or Aſſeſſment to ſuch Collector or Collectors as ſhall by the ſaid Truſtees be duly appointed to collect and receive the ſame, for the Space of Seven Days after perſonal Demand thereof made, or Demand in Writing left at the uſual Place of Abode of ſuch Perſon, it ſhall be lawful for any One or more Juſtices of the Peace for the County of *Middleſex*, upon Proof made upon Oath of ſuch Demand and Nonpayment, by Warrant under their Hands and Seals to authorize and direct the ſaid Collector or Collectors to levy ſuch Rate or Money ſo in arrear, together with the Coſts and Charges attending the ſame (to be aſcertained by ſuch Juſtices), by Diſtreſs and Sale of the Goods and Chattels of the Perſons ſo refuſing or neglecting to pay as aforeſaid, rendering the Overplus (if any) to the Owner of ſuch Goods and Chattels on Demand.

Truſtees may employ Surveyors, and ſue for Breach of Contract.

LVI. And be it further enacted, That the ſaid Truſtees ſhall cauſe all and every of the Works to be done in purſuance of this Act to be inſpected by the Surveyor or Surveyors, or ſuch other Perſon or Perſons as they ſhall for that Purpoſe appoint; and in caſe the ſame ſhall not be well and ſufficiently performed according to the Intent and Meaning of ſuch Contract or Contracts, or ſhall not be completed within the Time or Times ſpecified in ſuch Contract or Contracts, that the ſaid Truſtee or Truſtees may cauſe an Action to be brought in any of His Majeſty's Courts of Law at *Weſtminſter*, againſt any ſuch Contractor or Contractors, for any Penalty contained in his Contract; and on Proof of the ſigning of the ſaid Contract, and Nonperformance thereof at the Time or Times for that Purpoſe to be therein mentioned, the ſaid Truſtees ſhall be entitled to and ſhall recover the full Penalty contained in any ſuch Contract, which when recovered ſhall be applied to the Purpoſes of this Act: Provided always, that it ſhall be lawful for the ſaid Truſtees, if they think fit, to compound and agree with any ſuch Contractor, for any Penalty incurred by him for the Breach or Nonperformance of any ſuch Contract, for ſuch Sum of Money as the ſaid Truſtees ſhall think proper, not being leſs than the Injury or Damage ſuſtained by the Breach or Non-Performance of ſuch Contract, and all Coſts, Charges, and Expences, which ſhall be occaſioned thereby.

Truſtees may compound for Penalties for Breach of Contracts.

Penalty on aſſaulting Officers, &c.

LVII. And be it further enacted, That if any Perſon or Perſons ſhall aſſault, interrupt, hinder, or diſturb the Collectors of the Tolls, or any of them, or the Turnpike Surveyor or Surveyors, or any Perſon or Perſons employed by him or them, or any other Perſon or Perſons whomſoever employed by the ſaid Truſtees in the Execution of any Part of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

For ſecuring Offenders.

LVIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, throw down, deface, or damage any of the Gates, Bars, Turnpikes, Toll Houſes, Poſts, Rails, Storehouſes, Rooms, Sheds, Carts, Engines, Materials for Paving, Implements, Utenſils, or other Things whatſoever, which ſhall be the Property of or uſed by or under the Orders or Directions of the ſaid Truſtees in making and completing or for the Purpoſes of the ſaid Improvements during the Continuance of this Act, it ſhall be lawful for any Perſon or Perſons whomſoever, who ſhall ſee ſuch Offence committed, to apprehend, and alſo for any other Perſon or

Perſons to aſſiſt in apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to cauſe him, her, or them to be conveyed before ſome Juſtice of the Peace for the County of *Middleſex*; and ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Information touching ſuch Offence; and if the Party or Parties accuſed ſhall be convicted of all or any of the Offences aforeſaid, either by his, her, or their own Confeſſion, or upon ſuch Information as aforeſaid, he, ſhe, or they ſo convicted ſhall forfeit and pay for every ſuch Offence, to the Truſtees for the Time being, a Sum not exceeding the Sum of Ten Pounds, and ſhall alſo make Satisfaction to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, for the Damage ſo by him, her, or them done as aforeſaid; and in caſe ſuch Offender or Offenders ſhall not upon Conviction pay ſuch Forfeitures, and make Satisfaction as aforeſaid, ſuch Juſtices are hereby required to commit him, her, or them to the neareſt Bridewell or Houſe of Correction for the ſaid County of *Middleſex*, there to be kept to hard Labour for any Space of Time not exceeding Two Calendar Months, and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall have been ſo committed, unleſs ſuch Penalty or Forfeiture and Satisfaction ſhall be ſooner paid or given.

Penalties and Forfeitures how to be recovered and applied.

LIX. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be impoſed (if the Manner of levying and recovering is not herein otherwiſe directed) ſhall, upon due Proof of the Offences reſpectively, before any Two or more Juſtices of the Peace for the County or Place wherein the Offenders ſhall be or reſide, or the Offences ſhall be committed, either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more Witneſs or Witneſſes, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hands and Seals of ſuch Juſtices, which Warrant ſuch Juſtices are hereby empowered to grant for thoſe Purpoſes; and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale are recovered and deducted, ſhall be returned upon Demand to the Owner or Owners of ſuch Goods and Chattels; and the Penalties, Forfeitures, and Fines, when paid or levied (if not otherwiſe directed to be applied by this Act), ſhall be from Time to Time paid by the Treaſurer or Treaſurers of the ſaid Truſtees, and applied as by this Act is directed; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for any ſuch Juſtices of the Peace as aforeſaid, and they are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol of the County or Place, there to remain without Bail or Mainprize for any Term not exceeding Two Calendar Months, unleſs ſuch Penalties, Forfeitures, and Fines, and all reaſonable Charges, ſhall be ſooner paid or ſatisfied.

Power to give Informer Part of Penalties.

LX. Provided nevertheleſs, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time, if they ſhall ſee Cauſe, to pay and apply ſuch Part of the ſaid Penalties and Forfeitures, or any of them, to and for the Uſe of the Informer or Informers, or any Perſon or Perſons (not being a Witneſs or Witneſſes), taking, ſeizing, or aſſiſting therein,

therein, or any of them; any thing herein contained to the contrary notwithſtanding.

Manner of Diſtreſs.

LXI. And be it further enacted, That in all Caſes of Diſtreſs which ſhall be taken by virtue of this Act for any Sum or Sums of Money which ſhall be due and unpaid for or in reſpect of any Tolls, Duties, Compoſitions, Rates, Charges, or otherwiſe, (except for Penalties or Forfeitures as aforeſaid) every ſuch Diſtreſs ſhall and may be kept and detained for the Space of Five Days from the Time of taking thereof, unleſs the Sum or Sums for which ſuch Diſtreſs ſhall be ſo taken, together with the reaſonable Charges of taking and keeping the ſame, be ſooner paid; and after the Expiration of the ſaid Five Days it ſhall be lawful for the Perſon or Perſons making ſuch Diſtreſs to ſell and diſpoſe of the ſame, returning the Overplus (if any be) to the Owner or Owners thereof on Demand, after ſuch Sum or Sums of Money for which ſuch Diſtreſs had been ſo made, with the reaſonable Charges of taking, keeping, and ſelling ſuch Diſtreſs, ſhall be deducted and paid.

Power to follow Defaulters into other Counties.

LXII. And be it further enacted, That where any Penalties, Forfeitures, Tolls, Rates, Compoſitions, Duties, or other Sum or Sums of Money are by this Act directed to be levied by Warrant of Diſtreſs, in caſe of Non-payment, and ſufficient Diſtreſs cannot be found within the County of *Middleſex*, then upon Oath made before any Juſtice of the Peace of any other County or Place where ſufficient Diſtreſs may be found, and the Hand-writing of the Juſtices of *Middleſex* ſet to ſuch Warrant (which Oath the ſaid Juſtice of ſuch other County or Place is hereby empowered and required to adminiſter, and to indorſe his Name on ſuch Warrant), the Goods and Chattels of the Perſon or Perſons againſt whom ſuch Warrant ſhall be iſſued ſhall be ſubject and liable to ſuch Diſtreſs in ſuch other County or Place where the ſame ſhall or may be found, and may by virtue of ſuch Warrant and Indorſement be diſtrained and ſold by the Perſon or Perſons bringing ſuch Warrant, or to whom ſuch Warrant ſhall have been originally directed, in the ſame Manner as if ſuch Goods and Chattels had been found in the ſaid County of *Middleſex*.

For compelling Witneſſes to attend.

LXIII. And be it further enacted, That if any Perſon or Perſons who ſhall be ſummoned as a Witneſs or Witneſſes to give Evidence before any Juſtice of the Peace, touching any Matter of Fact contained in any Information or Complaint for any Offence againſt this Act, either on the Part of the Proſecutor or the Perſon or Perſons accuſed; or if any Perſon or Perſons who ſhall be ſummoned as a Witneſs or Witneſſes to give Evidence at any General Quarter Seſſion of the Peace for the ſaid County of *Middleſex*, or any Adjournment thereof, upon any Appeal made by virtue of this Act, either upon the Part of the Appellant or Reſpondent, ſhall, on being paid or tendered his, her, or their reaſonable Expences, refuſe or neglect to appear at the Time and Place to be for that Purpoſe appointed, without a reaſonable Excuſe for his, her, or their Refuſal or Neglect, or if appearing ſhall refuſe to be examined upon Oath (or in caſe of a Quaker, upon ſolemn Affirmation), and to give Evidence before ſuch Juſtice of the Peace, or at ſuch Seſſion or Adjournment thereof, then and in either of the ſaid Caſes every ſuch Perſon ſhall forfeit for every ſuch Offence any Sum not exceeding Ten Pounds.

LXIV. And

LXIV. And for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, be it further enacted, That all and every the Juſtice or Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; (that is to ſay)

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before *C. D.* one [*or* Two, *as the Caſe may be*] of the Juſtices of the Peace for the County of *Middleſex* [*ſpecifying the Offence, and Time and Place when and where the ſame was committed, as the Caſe may be*] and I [*or* We] do adjudge, that he hath therefore forfeited the Sum of [*here inſert the Penalty*]. Given under my Hand and Seal [*or* our Hands and Seals] the Day and Year firſt above mentioned.'

Diſtreſs not to be unlawful for want of Form.

LXV. And be it further enacted, That when any Diſtreſs ſhall be made by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or in the Appointment of the Collector or Collectors, Surveyor or Surveyors, or in any Proceeding relating thereto, nor ſhall the ſaid Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall happen to be done in making the ſaid Diſtreſs; but the Party or Parties aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage which he, ſhe, or they ſhall have ſuſtained thereby, with uſual Coſts, and no more, in an Action of Treſpaſs or on the Caſe, at the Election of the Party or Parties ſo aggrieved.

Perſons aggrieved may appeal to the Seſſions.

LXVI. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Thing done in purſuance of this Act, and for which no particular Mode of Relief hath been already appointed, ſuch Perſon or Perſons may appeal to the Juſtices of the Peace at their General Quarter Seſſions to be holden for the ſaid County of *Middleſex* next after ſuch Cauſe of Complaint ſhall ariſe, unleſs the ſame ſhall ariſe within Twenty-one Days preceding ſuch Seſſions, in which Caſe ſuch Appeal may be brought at the Second Seſſions after ſuch Caſe ſhall ariſe; and the ſaid Juſtices are hereby authorized and required to take Cognizance thereof, and to hear and determine ſuch Complaint or Complaints, and ſhall and may, if they ſee Cauſe, by Order of ſuch Seſſion, mitigate at their Diſcretion all or any Part of the Penalties or Forfeitures laid upon or incurred by the Party or Parties complaining, or vacate or ſet aſide the Conviction or Convictions, and ſet the Parties at Liberty, or otherwiſe may ratify or confirm the ſame, with ſuch Coſts as to them in their Diſcretion ſhall ſeem reaſonable, and to levy by their Order or Warrant ſuch Coſts ſo awarded by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who ſhall refuſe to pay the ſame, and for want of ſufficient Diſtreſs to commit ſuch Perſon or Perſons to ſome Common Gaol in or for the ſaid County of *Middleſex*, for any Time not exceeding Two Calendar Months, or until Payment of ſuch Coſts: Provided always, that the Perſon or Perſons ſo appealing as aforeſaid,

aforeſaid ſhall, and he, ſhe, or they are hereby required to give Notice in Writing to the Clerk to the Truſtees of the ſaid Road of ſuch his, her, or their Intention of bringing or proſecuting ſuch Appeal, Twenty-one Days before the ſaid Quarter Seſſions, and ſhall, before ſuch Notice given, enter into a Recognizance before One or more Juſtice or Juſtices of the Peace for the ſaid County of *Middleſex*, with Two ſufficient Sureties, in the Sum of Forty Pounds each, with Condition to proſecute ſuch Appeal, and to pay all Coſts in caſe ſuch Appeal be determined againſt the Party or Parties ſo appealing.

Limitation of Actions.

LXVII. Provided always, and be it further enacted, That no Action or Suit ſhall be commenced or brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until Twenty-one Days Notice ſhall be thereof given to the Clerk to the ſaid Truſtees, nor after a ſufficient Satisfaction or Tender thereof hath been made to the Party aggrieved, nor after Six Calendar Months next after the Fact committed; and every Action or Suit ſhall be laid, brought, and tried in the County of *Middleſex*, and not elſewhere; and the Defendant and Defendants in every ſuch Action or Suit may, at his, her, or their Election, plead ſpecially or the General Iſſue, and give this Act or the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to be ſo done, or if ſuch Action or Suit ſhall be brought before Twenty-one Days Notice thereof ſhall be given as aforeſaid, or after ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County than the ſaid County of *Middleſex*, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall recover Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have for his, her, or their Coſts in any other Caſes by Law.

Tender of Amends.

General Iſſue.

Act to ceaſe when all Principal and Intereſt ſhall be paid.

LXVIII. And be it further enacted, That when and ſo ſoon after the widening and improving of the ſaid Street or Streets as the Expence of the ſame ſhall be paid, and all the Principal Sum or Sums of Money which ſhall or may have been borrowed of or advanced by the Directors of the *London Dock Company*, in purſuance of this Act, together with all Intereſt due thereon, ſhall be repaid, all the Powers and Authorities of this Act, and all Rates and Tolls hereby authorized to be levied and collected, and all Penalties hereby impoſed, ſhall ceaſe and determine.

Public Act.

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

Term of the Act.

LXX. And be it further enacted, That this Act ſhall commence and take Effect on the paſſing thereof, and ſhall continue in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

SCHEDULE to which this Act refers.

Number on Plan.	DESCRIPTION.	OWNERS.	LESSEES.	OCCUPIERS.
		BAILEY's PLACE.		
1.	Dwelling Houſe	Repreſentatives of Thomas & Jane Vaughan.	Andrew Burt -	William Warner.
2.	Do. -	Rice Davies -	- - -	Thomas Barrett.
3.	Do. -	Rice Davies -	Cuthbert Scarborough	John Hide.
4.	Do. -	Rice Davies -	John Jones -	John Howe.
5.	Do. -	Rice Davies -	- - -	Robert Anderſon.
6.	Do. -	Rice Davies -	John Jones -	William Berry.
7.	Do. -	Rice Davies -	Johanna Neave -	Roſe Willſon.
8.	Do. -	William Darnell -	- - -	Richard Albert.
9.	Watch-houſe	William Darnell -	- - -	Pariſh of St. Botolph without Aldgate.
		UPPER EAST SMITHFIELD.		
East Side of Maypole Court. 20.	Dwelling Houſe	John Armſtrong -	- - -	Joſeph Kender.
Weſt Side of Maypole Court. 20.	Do. -	John Hurn -	- - -	Meſſrs. Hart & Cohen.
21.	Do. -	Thomas Humphrey -	John Hurn -	Meſſrs. Hart & Cohen.
22.	Do. -	Thomas Stewart -	William Reid -	William Carter.
23.	Do. -	Richard Hurſt -	- - -	Thomas Elſworth.
25.	Do. -	Corporation of City of Norwich	Richard Hunt -	Meſſrs. Vail & Tombs.
26.	Do. -	John Roebuck -	- - -	John Roebuck.
28.	Do. -	Governors of Raine's Charity	Richard Barker, John Docker -, James Jones -	John Douglas.
29.	Do. -	George Leyburn -	- - -	—— Moſes.
30.	Do. -	George Leyburn -	- - -	Patrick Mulchy.
31.	Do. -	Margaret Philips -	- - -	Thomas Glover.
32.	Do. -	Thomas Stoner, Margaret Philips	William Whithers -	Richard Jackſon.
33.	Do. -	William Loat -	- - -	Meſſ. Loat & Middleton.
34.	Do. -	John Varney -	- - -	Jacob Moſely.
35.	Do. -	John Varney -	Robert Roberts -	James Bedſon.
36.	Do. -	John Varney -	——Davidſon -	James Anderſon.
37.	Do. -	Pariſhes of Allhallows and St. Andrew's Underſhaft	- - -	Edward Field.
38.	Do. -	Pariſhes of Allhallows and St. Andrew's Underſhaft	- - -	Ann Holyoake.
39.	Do. -	Thomas Judſon -	Richard Parker -	Ann Holyoake.
40.	Do. -	Thomas Judſon -	Richard Parker -	—— Herculus.
41.	Do. -	Richard Parker -	- - -	John Swarer.
42.	Do. -	Richard Parker -	- - -	Hannah Waring.
43.	Do. -	Ann Smith -	- - -	Ann Smith.
44.	Do. -	John Evans -	- - -	John Evans.
45.	Do. -	Thomas Horwood -	- - -	James Carter.
46.	Do. -	Richard Richards -	- - -	Moſes Luoy.
47.	Do. -	Richard Richards -	Robert Roberts -	Robert Roberts.
48.	Do. -	Joſeph Stewart -	- - -	John Davidge.
49.	Do. -	Joſeph Stewart -	- - -	Richard Albert.

Number on Plan.	DESCRIPTION.	OWNERS.	LESSEES.	OCCUPIERS.
		NORWICH COURT.		
11.	Dwelling Houſe.	Corporation of City of Norwich -	Richard Hurſt -	Mary Heathway.
12.	Do.	Corporation of City of Norwich -	Richard Hurſt -	Ann Simpſon.
		COOPER's COURT.		
1.	Do. - -	John Roebuck -	Meſſrs Meux and Co.	Thomas Grout.
2.	Do. - -	John Roebuck -	- - -	John Bamford.
3.	Do. - -	John Roebuck -	- - -	John Frazer.
4.	Do. - -	John Roebuck -	- - -	Thomas Oborne.
5.	Do. - -	John Roebuck -	- - -	William Sturdy.
6.	Do. - -	John Roebuck -	- - -	George Williams.
7.	Do. - -	John Roebuck -	- - -	Anthony Angel.
8.	Do. - -	John Roebuck -	- - -	Patrick Mulchy.
		FULLER's COURT.		
1.	Do. - -	John Varney - -	- - -	Philip Barry.
2.	Do. - -	John Varney - -	- - -	James Thompſon.
3.	Do. - -	John Varney - -	- - -	— —
4.	Do. - -	John Varney - -	- - -	John Price.
5.	Do. - -	John Varney - -	- - -	— —
6.	Do. - -	John Varney - -	- - -	— —
7.	Do. - -	Pariſh of Allhallows and St. Andrew's Underſhaft -	Ann Holyoake -	Henry Downey.
8.	Do. - -	Pariſh of Allhallows and St. Andrew's Underſhaft -	- - -	— —
9.	Do. - -	Pariſh of Allhallows and St. Andrew's Underſhaft, and John Varney -	- - -	Paſſage-way to Fuller's Court.
A.	- - - -	Ground belonging to the New Mint.		

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