ANNO QUINQUAGESIMO

# GEORGII III. REGIS.

## *Cap.* 28.

An Act to revive and continue the Term and Powers of an Act passed for empowering the Commissioners for paving, cleansing, and lighting the Squares, Streets, and Lanes within the City and Liberty of *Westminster* and Parts adjacent, to collect certain Tolls on *Sundays* upon the several Roads therein mentioned. [6th *April* 1810.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for empowering the Commissioners for putting in Execution the several Acts passed for paving, cleansing, and lighting the Squares, Streets and Lanes, within the City and Liberty of* Westminster *and Parts adjacent, to collect certain Tolls on* Sundays *upon the several Roads therein mentioned, and apply the same for the Purposes of the said Acts:* And whereas the Term granted by the said recited Act is expired, and the Sum of Twelve thousand Pounds, together with Interest due thereon, still remains due on the Credit of the Tolls granted by the said recited Act; which Money cannot be paid off, nor can the Trusts reposed in the said Commissioners be effectually carried into Execution, unless the Term and Powers granted and continued by the said recited Act be revived and further continued: 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 5 G. 3. c. 18.

Act further continued,

present Parliament assembled, and by the Authority of the same, That the said Act, and all the Tolls, Clauses, Powers, Provisions, Matters, and Things therein contained, except such as relate to Exemptions from Stamp Duties, shall be and the same are hereby revived and further continued, from and after the passing of this Act, for and during the further Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in this Act.

For appointing additional Commissioners.

II. And be it further enacted, That *George Holme Sumner* Esquire, *Samuel Thornton* Esquire, Sir *Thomas Turton* Baronet, *Henry Thornton* Esquire, and the Knights of the Shire serving in Parliament for the Time being for the County of *Surrey*, and the Burgesses serving in Parliament for the Time being for the Borough of *Southwark* in the said County, and *Charles Herbert* Esquire, *Davies Giddy* Esquire, and *Miles Peter Andrews* Esquire, shall be added to and joined with the Commissioners appointed or elected or to be appointed or elected by virtue of the said recited Act and the several Acts therein mentioned, for putting the same and this Act in Execution; and the Commissioners hereby appointed shall be vested with the like Powers and Authorities, in all Respects whatsoever, as the Commissioners in the said Act named or appointed by virtue or in pursuance thereof respectively, are vested with.

Allowing certain Exemptions from Toll.

III. And be it further enacted, That none of the Tolls granted by the said recited Act and this Act shall be demanded, taken, or received, for any Horse, Cattle or Carriage of whatsoever Description employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, after having been so employed; nor for the Horses belonging to any Officers or Soldiers on their March or on Duty, nor for any Horse, Cattle or Carriage employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat or other publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor for any Horse, Mare, or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place appointed for Exercise, Inspection, or Review, provided that such Person is in the Uniform of his Corps, and has his Arms, Furniture and Accoutrements, according to the Regulations appointed for such Corps at the Time of claiming the Exemption; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, after Demand having been made by the Person authorized to collect such Tolls previous to such Person passing the said Turnpike; and in all Cases the Proof of Exemption shall lie upon the Person claiming the same; which said Penalty shall be recovered, paid and applied in such and the same Manner as Penalties or Forfeitures incurred under the said recited Act are directed to be recovered, paid and applied.

IV. And

IV. And be it further enacted, That no Perſon owning or driving or cauſing to be driven any Waggon, Wain, Cart or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack or Commiſſariat or other publick Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Over-weight; nor ſhall any ſuch Waggon, Wain, Cart or other Carriage, be ſtopped or detained by Reaſon of any Weight in any ſuch Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads contained to the contrary notwithſtanding. Owners or Drivers of Waggons conveying Military Stores, not ſubject to Penalties for Over-weight, &c.

V. And be it further enacted, That the Coſts and Charges of obtaining and paſſing this Act ſhall be forthwith paid out of the firſt Money that ſhall be raiſed by virtue of this Act. Expences of this Act.

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

VII. And be it further enacted, That the ſaid recited Act, and all the Powers and Proviſions thereof, ſhall be and the ſame are hereby declared to be revived and in full Force, and the ſame together with this Act ſhall commence immediately upon the paſſing thereof, and from thence ſhall continue and be in Force and be executed for and during the further Term of Seven Years, and from thence to the End of the then next Seſſion of Parliament: Provided always, that ſo ſoon as the ſaid Sum of Twelve thouſand Pounds with all Intereſt due thereon, together with the Expences of obtaining and paſſing this Act, and of carrying the ſame into Execution, ſhall have been defrayed and diſcharged, then this Act and all the Powers and Proviſions therein contained, ſhall ceaſe and determine. Commencement and Continuance thereof.

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