



ANNO QUADRAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 129.

An Act for amending, widening, improving, and keeping in Repair, the Road leading from Paddington to Harrow-on-the-Hill, in the County of Middlesex. [27th June, 1801.]

WHEREAS the Road leading from the Red Lion at Paddington, to One Quarter of a Mile beyond the Church of Harrow-on-the-Hill, in the County of Middlesex, is very much out of Repair, narrow in some Parts, and incommodious to Travellers, and cannot be effectually amended, widened, altered, improved, and kept in Repair, by the ordinary Course of Law; 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 William Burrows, the Reverend John Bristow, Shirley David Beare, Lancelot Burton, George Byng, James Crompton, Samuel Pepys-Cockerell, Samuel Drewry, William Doe, John Foster the Elder, John Foster the Younger, Joseph Finch, Thomas Finch, John Finch, George Fillingham, William Fillingham, William Gilpin, Sir Richard Carr Glynn Knight, William Godfrey, Sir William Gibbons Baronet, Daniel Hill, Joseph How, John Harper, Thomas Hicks, Robert Hullab, Daniel Hinley, Thomas Francis Jennings, Samuel Jackson, James Johnson, Richard Whitehouse Jennings, [Loc. & Per.]

nings, William Mainwaring, George Boulton Mainwaring, Daniel Rolfe Munn, Samuel Moody, Henry Marchant, William Marchant, William Nicoll, Joseph Nicoll, John Nicoll of Neesdon, John Nicholl of the Hyde, Richard Page, William Perner, the Reverend Pickering, John Reed, William Marmaduke Sellon, William Smith of Kensington, William Smith of Paddington, John Symmons, Jacob Simmonds, Robert Tubbs the Younger, Joseph Thomson, the Reverend Walter Williams, Benjamin Weal, Thomas Withers, William White, John White the Elder, John White the Younger, Charles White, Peter White, and William Weedon, together with such Five Persons, being Members of the Committee, or Proprietors of the Grand Junction Canal Company, as shall within Six Weeks next after the passing of this Act, and afterwards Yearly on the First Tuesday in the Month of June, in every Year, be nominated and deputed under the Seal of the said Grand Junction Canal Company; and such Nomination certified by the Clerk or Clerks of the said Company, to the Clerk of the Trustees, for the Time being, acting by virtue of and under this Act, and the Members serving in Parliament for the County of Middlesex, for the Time being, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are hereby appointed Trustees for amending, widening, altering, improving, and keeping in Repair the said Road, and for otherwise putting this Act in Execution.

Qualification  
of Trustees.

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in any Case in the Execution of this Act, unless at the Time of his acting therein, he shall have or be seized of, in his own Right or in the Right of his Wife, and be in the actual Possession, Enjoyment, or Receipt, of the Rents and Profits of a real Estate, in the County of Middlesex, of the clear yearly Value of Fifty Pounds above Reprizes, or be Heir Apparent of some Person or Persons seized of such an Estate, of the yearly Value of One hundred Pounds, or be in Possession of or entitled to a personal Estate to the Amount of One thousand Pounds, not (except in administering the Oath or Affirmation herein-after mentioned, and giving Notice of the First Meeting of the Trustees as herein-after mentioned) unless he shall have taken and subscribed, before any Two or more of the said Trustees, who are hereby authorized and empowered to administer the same, the Oath or Affirmation following; (videlicet) *And I do hereby swear*

Oath of the  
Trustees.

I Do swear [or, being One of the People called Quakers, do solemnly affirm], that I truly and *bonâ fide* am seized of, in my own Right [or, in the Right of my Wife, as the Case may be] and in the actual Possession, Enjoyment, or Receipt, of the Rents and Profits of a real Estate in Law or Equity, situated in the County of Middlesex, of the clear yearly Value of Fifty Pounds [or, am Heir Apparent of a Person who, to the best of my Knowledge and Belief, is seized of such an Estate of the clear yearly Value of One hundred Pounds] [or, am possessed of or entitled to a personal Estate to the Amount of One thousand Pounds].  
So help me GOD.

Penalty on  
acting, and  
not qualified.

And if any Person, not so qualified, shall presume to act in the Execution of this Act, every such Person shall for every such Offence forfeit the Sum of Fifty 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

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 Imparance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act.

Trustees to be qualified

III. Provided also, and be it further enacted, That no Trustee shall have or enjoy any Place of Profit arising out of or by reason of the Tolls hereby granted, but every such Person shall be incapable of acting as a Trustee during the Enjoyment of such Place of Profit; nor shall any Trustee be capable of acting in any Case wherein he shall be personally interested, otherwise than as a Creditor on the said Road.

No Trustee to act whilst he holds any Place of Profit under the Act.

IV. Provided nevertheless, That such Trustees as are or shall be in the Commission of the Peace may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees.

Trustees in the Commission of the Peace may act as Justices.

V. And be it further enacted, That when and so often as any Trustees shall die or refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Nine or more of them, by Writing under their Hands, from Time to Time to elect, nominate, and appoint, One other Person, being an Inhabitant within the said County of *Middlesex*, to be a Trustee in the Room or Stead of such Trustee so deceased or refusing to act; but Notice of the Time and Place of the Meeting for every such Election of a new Trustee shall be given by the Clerk or Clerks of the said Trustees, by affixing the same in Writing upon all the Turnpikes then erected by virtue of this Act, and also by inserting the same in One or more of the Newspapers circulated in the County of *Middlesex*, at least Fourteen Days before any such Meeting; and every such Person as shall from Time to Time be so chosen and appointed, is hereby vested with the same Powers for putting this Act in Execution, as if such Person had been named, in and appointed a Trustee by this Act, and in every Case the Removal of any Trustee to reside in any other County than the County of *Middlesex*, and also the Non-attendance of any Trustee by the Space of Two Years, shall be taken and deemed to be a Refusal to act, and the remaining Trustees shall in every such Case proceed to elect a new Trustee in the Place or Stead of such Trustee so removing or neglecting to attend; and in case of the Decease, Refusal to act, or other Disqualification of the Five Trustees so to be nominated by the said Grand Junction Canal Company, or any of them, the Vacancy and Vacancies so happening shall be filled up by the said Company, in Manner before directed; and in case the said Grand Junction Canal Company shall omit, on any First *Tuesday* in the Month of *June*, to nominate and appoint a new Trustee or Trustees as aforesaid, the Person and Persons who shall have been by them nominated as aforesaid shall continue until a new Nomination shall take Place.

Election of new Trustees.

VI. And be it further enacted, That the said Trustees may sue and be sued in the Name of their Clerk or Treasurer; and that no Action which shall be brought or commenced by or against the said Trustees, or any of them, by virtue or on account of this Act, in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of such Clerk or Treasurer, or by the Act or Default of such Clerk or Treasurer, without the Consent of the Trustees, or any Nine or more of them,

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

at a publick Meeting to be held for that Purpose; but the Clerk or Treasurer to the said Trustees for the Time being shall be deemed Plaintiff or Defendant in such Action, as the Case may be.

Clerk to be  
reimbursed his  
Expences;

VII. Provided always, That every such Clerk or Treasurer, in whose Name any such Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be reimbursed and paid, out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and Charges, as by the Event of every such Proceeding he shall be put to or become chargeable with by Occasion of his being so made Plaintiff or Defendant.

Time and  
Place of the  
First Meeting  
of the Trust-  
tees.

VIII. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the House of *John Oliver*, known by the Sign of the *Green Man*, at *Holsden Green*, in the Parish of *Wilsden*, in the said County of *Middlesex*, on the First *Monday* in the Month next after this Act shall have received the Royal Assent, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon; of which Meeting Notice shall be given by Advertisement in some One Newspaper published within the County of *Middlesex*, at least Fourteen Days before such Meeting, by One or more of the said Trustees; and at which Time and Place the said Trustees shall proceed to the Execution of this Act, and adjourn themselves from Time to Time, and afterwards meet there, or at any other Place, in or near the said Road, as the Trustees attending the said Meetings shall think most convenient, as often as it shall be necessary for putting this Act in Execution; and if it shall happen that there shall not appear at any Meeting a sufficient Number of Trustees to act or to adjourn to another Day (Two Trustees being deemed sufficient for the Purpose of Adjournment only), or in case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, the Clerk or Clerks of the Trustees shall, by Notice in Writing to be affixed on all the Turnpikes then erected by virtue of this Act, and to be inserted in some One or more of the Newspapers circulated within the County of *Middlesex*, at least Fourteen Days before the next Meeting, appoint the Trustees to meet at the Place where the last Meeting was held or was appointed to be held, or at some other convenient House in or near the said Road, on that Day Three Weeks from the Day on which such Meeting was held or was appointed to have been held; and in case the Clerk or Clerks to the said Trustees shall neglect or refuse to give such Notice, or by any Means shall be prevented from giving Notice as aforesaid, it shall be lawful for any Two or more of the said Trustees (although not assembled at a Meeting) at any Time or Times after the Space of Eight Days after such Refusal, Neglect, or Prevention of such Clerk or Clerks, by Notice in Writing under their Hands, to be affixed and inserted in Manner aforesaid, to appoint the said Trustees to meet at some convenient House in or near the said Road, upon that Day Fortnight after the Date of such last-mentioned Notice; and that the said Trustees, at all their Meetings, shall defray their own Charges and Expences.

Trustees to  
pay their own  
Expences at  
Meetings.

No Order of  
the Trustees  
to be valid  
unless the  
Majority

IX. Provided always, That no Order, Appointment, or Proceeding of the said Trustees, shall be deemed to be valid, unless made or had at a Meeting held in pursuance of this Act (except in Cases herein particularly provided

provided for); and that no such Order, Appointment, or Proceeding shall be made or had, unless the Majority of the Trustees present shall concur therein, such Meeting not consisting of less than the Number of Trustees by this Act authorized to make such Order, Appointment, or Proceeding; nor shall any Order or Appointment, made at a Meeting of any Five or more of the said Trustees, be revoked or altered at any subsequent Meeting, unless Notice in Writing, specifying the Revocation or Alteration intended to be made, be affixed upon all the Turnpikes then erected on the said Road, and also inserted in some or One of the Newspapers circulated in the said County of *Middlesex*, at least Fourteen Days before such subsequent Meeting, nor unless a Majority of Nine of the Trustees present at such Meeting shall decide in Favour of such Revocation or Alteration.

concur therein, and no Order to be revoked without a previous Notice.

X. And be it further enacted, That if, after any Adjournment of the said Trustees, it shall at any Time be thought necessary, by any Three or more of the Trustees, that an earlier Day of Meeting should be appointed than the Day to which such Meeting shall have been adjourned, the said Clerk, by an Order in Writing signed by Three or more of the Trustees, although not assembled at a Meeting, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice of such earlier Meeting in the Manner before directed, such Time not being less than Fourteen Days after such Notice; and all Proceedings of the Trustees at such Meetings shall be as valid as they would have been in case the Trustees had met in pursuance of any Adjournment.

Meetings on Emergencies.

XI. And be it further enacted, That all the Orders and Proceedings of the said Trustees shall be entered in a Book or Books to be kept by the Clerk for that Purpose, and signed by all or the major Part of the Trustees present at the Meeting at which each respective Order or Proceeding shall be made or had, or by their Chairman or Clerk by their Order; and that every such Book shall be open at all reasonable Times to the Inspection of any of the said Trustees, who shall be at Liberty to take Copies thereof, or Extracts therefrom, without Fee or Reward; which said Entries, duly signed as aforesaid, shall be deemed Originals, and the same or true Copies thereof, shall be read and admitted as Evidence in Cases of Appeal, and in all Suits or Actions in any Court whatsoever, touching any Thing done in pursuance of this Act.

Orders and Proceedings of Trustees to be entered in Books and admitted as Evidence.

XII. And be it further enacted, That the said Trustees, or any Nine or more of them, shall and may, by Writing under their Hands, nominate and appoint One or more fit Person or Persons to be a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Tolls (taking such Security for the Execution of their respective Offices as they the said Trustees, or any Nine or more of them, shall approve of); and also One or more fit Person or Persons to be Surveyor or Surveyors of the said Road; and also such other Officers as they, or any Nine or more of them, shall think necessary to employ in the Execution of this Act; and it shall be lawful for the said Trustees, or any Nine or more of them, from Time to Time to remove and discharge any such Clerk, Treasurer, Receiver, Collector, Surveyor, or other Officer, as they, or any Nine or more of them, shall see Occasion, and also to appoint others in Cases of such Removal and Discharge, or of Death; and that out of the Monies to be

Trustees may appoint Officers, and allow them Salaries, and may remove them.

received by virtue of this Act, such Allowances and Compensations shall be made to the several Officers to be appointed as aforesaid, and to such other Persons as shall be assisting in and about the Execution of this Act, as to the said Trustees, or any Nine or more of them, shall seem proper.

Officers to  
account on  
Oath.

XIII. And be it further enacted, That all such Officers, and other Persons to be appointed as aforesaid, shall from Time to Time, when thereunto required by the said Trustees, or any Five or more of them, deliver to such Trustees, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account, in Writing under their respective Hands, of all Monies which shall have been by them respectively had, collected, or received by virtue of this Act, and how and to whom, and for what Purpose the same, or any Part thereof, had been disposed of, together with proper Vouchers and Receipts for such Payments, and shall verify the Account upon Oath; and such Officers and Persons shall and they are hereby respectively required to pay all such Monies as upon the Balance of such Account or Accounts shall appear to be in their Hands, to such Person or Persons as the said Trustees, or any Five or more of them, shall appoint to receive the same; and if any of the said Officers or Persons shall refuse or neglect to render or give such Accounts as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to verify the Articles thereof on Oath, (which Oath the said Trustees, or any One or more of them, is or are hereby authorized and empowered to administer), or to pay the Balance remaining in their Hands, when thereunto required in Manner aforesaid; or if any such Officers or Persons, or any other Person or Persons shall refuse or neglect to deliver up to the said Trustees, or any Five or more of them, or to such Person or Persons as they or any Five or more of them shall appoint, within Seven Days after being thereunto required by the said Trustees, or any Five or more of them, all Books, Accounts, Papers, and Writings in their respective Custody or Power, in anywise relating to the Execution of this Act or to the said Road, and Complaint shall be made of any such Neglect or Refusal to any Justice of the Peace for the County or Place where the Officer or Officers, Person or Persons so neglecting or refusing shall be or reside, by any Five or more of the said Trustees, or by any Person or Persons on their Behalf, such Justice may and is hereby authorized and required, by Warrant or Warrants, to cause such Officer or Officers, Person or Persons, to be brought before him, and upon his, her, or their appearing or not appearing (except for some reasonable Excuse), having been first duly summoned, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees, or any Five or more of them, might have done; and if upon the Settlement of such Account or Accounts, or upon the Confession of the Officer or Officers, Person or Persons against whom any such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may, and he is hereby authorized and required, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if Goods or Chattels shall not be  
found

found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if such Officer or Officers, Person or Persons shall not appear before the said Justice, at the Time and Place by him appointed for that Purpose (except for some reasonable Excuse), or appearing shall refuse or neglect to give and deliver to the said Justice an Account or Accounts of the Receipts and Payments as aforesaid, or to verify the Truth of any such Account, or of the Articles thereof, upon Oath as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power, relating to the Execution of this Act, or to the said Road in anywise, then and in either of the Cases aforesaid the said Justice may, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Prison of the County or Place where he, she, or they shall be or reside, there to remain without Bail or Mainprize, until he, she, or they shall have delivered in and settled his, her, or their Accounts, and have verified the same on Oath, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his, her, or their respective Hands, and the reasonable Charges of such Distress and Sale, as shall in that Respect have been made, or until he, she, or they shall have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Composition Money to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same (and which Composition the said Trustees, or any Five or more of them, are hereby in such Case empowered to make), or until he, she, or they shall deliver up such Books, Accounts, Papers, and Writings, or have given Satisfaction in respect thereof to the said Trustees, or any Five or more of them: Provided always, That no Person shall be committed for Want of sufficient Distress, for any longer Space of Time than Three Calendar Months.

XIV. And be it further enacted, That upon the Death, Incapacity, Absconding, Misbehaviour, or Absence of any Collector or Receiver of the Tolls, any Two or more of the said Trustees, though not at a Meeting of the said Trustees appointed by virtue of this Act, shall and may lawfully discharge such Collector or Receiver who shall abscond, misbehave, or become incapable, or absent himself as aforesaid, and nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, in the Stead of such Collector or Receiver so dying or being discharged, and to continue until the next Meeting of the said Trustees; which Person, so nominated and appointed, shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all Respects, as the Person who shall so die or be discharged would have had or been subject to; and if any Collector or Receiver of the said Toll, who shall in any Case be discharged from his said Office by the said Trustees, or if the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver, who shall die, abscond, absent himself, or be discharged, or any other Person, shall refuse or neglect to deliver up the Possession of any Toll House or Building to be erected or set up by virtue of this Act, for the Space of Two Days after Demand thereof made, and Notice in Writing given or left on the Premises for that Purpose, by or under the Hands of any Two or more of the said Trustees

Words of Power  
to appoint  
Temporary  
Collectors.

Power to ap-  
point tempo-  
rary Col-  
lectors.

Trustees (although not assembled at a Meeting), or their Clerk or Treasurer, then and in any of the said Cases it shall be lawful for any Justice or Justices of the Peace for the County of *Middlesex*, by Warrant under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer, within the same County, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, and the Occupier or Occupiers thereof, together with his, her, or their Goods, out of the same; and in the Case of such Toll House or Building being shut up and fastened with or without any Person or Persons therein, to break open the same, and in all and every the said Cases to put the said Trustees, or any Two or more of them, or their Clerk, or their new appointed Officer, into the Possession thereof, with the Appurtenances.

Power to erect  
Turnpike and  
Toll Houses.

XV. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may erect and set up, or cause to be erected and set up, One or more Gate or Gates, Turnpike or Turnpikes, in, upon, and across the said Road, and also may erect and set up, or cause to be erected and set up, across or on the Sides or Side of any Part of the said Road, where any Highway joins or meets the same, or at the End or Opening of any other Lane or Highway, which doth or may open into or upon any Common or Waste Land adjoining to the said Road, provided such End or Opening be not further distant from the said Road than the Space of One hundred and fifty Yards, or at any Point or Place within One hundred and fifty Yards up such Lane or Highway, not further distant than One hundred and fifty Yards from the said Road, as many Side Gates or Turnpikes as they or any Five or more of them shall think proper, with a Toll House and proper and necessary Buildings, Gardens, Conveniences, and Fences near to each such Gate or Turnpike, whether across the said Road or on the Side thereof, or across such other Lane or Highway, or at the Side thereof, or in or upon any Common or Waste Ground adjoining thereto; and that the respective Tolls following shall be demanded and taken of any Person or Persons passing with or attending any Cattle or Carriage, by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time appoint, at each of the said Gates or Turnpikes, before any Horse or Horses, Beast or Beasts, Cattle or Carriage or Carriages, shall be permitted to pass through the same; (that is to say),

Power to take  
Tolls.

Tolls.

For every Coach, Berlin, Landau, Vis-a-Vis, Chariot, Chaise, Hearse, Litter, or other such Carriage, having Four or Three Wheels, drawn by Six Horses or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Four Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Sixpence; and drawn by One Horse or Beast of Draught, the like Sum of Sixpence:

For every Two-wheeled Chaise or Chair, drawn by Two Horses or Beasts of Draught, the Sum of Sixpence; and drawn by One Horse or Beast of Draught, the Sum of Three-pence:

For every Waggon, Wain, or other such Four-wheeled Carriage, with Wheels of the Breadth of Six Inches, or upwards, on the Bottom or Sole thereof, drawn by Five or more Horses or Beasts of Draught, the Sum of



of One Shilling; and drawn by Three or Four Horses or Beasts of Draught, the Sum of Eight-pence; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Sixpence:

For every Waggon, Wain, or other such Four-wheeled Carriage, with Wheels of less Breadth than Six Inches as aforesaid, and drawn by Four Horses or other Beasts of Draught, the Sum of One Shilling and Fourpence; and drawn by Three Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses or Beasts, or One Horse or Beast of Draught, the Sum of Eight-pence:

For every Cart, or other such Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, or upwards, drawn by Four Horses or Beasts of Draught, the Sum of Sixpence; and drawn by Three Horses or Beasts of Draught, the Sum of Fourpence Halfpenny; and drawn by Two Horses or Beasts, or One Horse or Beast of Draught, the Sum of Three-pence:

For every Cart, or other such Two-wheeled Carriage, with Wheels of less than Six Inches Breadth as aforesaid, drawn by Three Horses or Beasts of Draught, the Sum of Eight-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Sixpence; and drawn by One Horse or Beast of Draught, the Sum of Three-pence:

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

For every Drove of Oxen or neat Cattle, the Sum of Ten pence per Score, and so in Proportion for any greater or less Number:

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

Which said respective Sums of Money shall be demanded and taken as Tolls; 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, and for any Surveyor or Surveyors of the said Road, or any other Person or Persons duly authorized by the said Trustees, or a competent Number of them, by himself, herself, or themselves; or taking such Assistance as he, she, or they shall think necessary (and which Assistance all Persons are hereby required to give if called upon) to stop, seize, and distrain any Horse or Horses, or other Beasts or Cattle, upon which such Toll is by this Act imposed, together with their Bridles, Saddles, Geers, Harness, or Accoutrements, or their Loading, or any Part thereof, or to stop, seize, and distrain any Carriage with its Loading, drawn by such Horse or Horses, or other Beasts or Cattle, or any Part of such Loading; and if such Tolls, and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Five Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Beasts, Cattle, Carriage, or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus (if any be) and what shall remain unpaid, 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, and the Money borrowed or to be borrowed on the Credit thereof, shall be and are hereby vested in the said Trustees, and shall be paid, applied,

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Manner of Recovery.

Tolls vested in the Trustees

[Ed. & Per.]

and

and disposed of, to and for the Uses, Intents, and Purposes, and in such Manner as is herein mentioned.

No Gate to be erected at the Commencement of the Road at *Paddington*.

XVI. Provided always, and be it enacted, That nothing herein contained shall authorize or empower the said Trustees, or any of them, to erect or set up, or cause to be erected or set up, any Gate or Gates, Bar or Bars, Turnpike or Turnpikes, at the Commencement of the said Road at *Paddington*; or between the same, and One hundred Feet beyond the Foot of the further End of the First Bridge, which is now erected over the Grand Junction Canal at *Paddington*.

The Grand Junction Canal Company to pay to the Trustees an annual Sum in lieu of Tolls.

XVII. And be it further enacted, That the Company of Proprietors of the Grand Junction Canal shall and they are hereby required to pay, or cause to be paid to the said Trustees, and their Successors, for the Injury which may be done to the said Road, by the Carriage of any Goods, Wares, Merchandize, or Things, which may be carried or conveyed to or from any of the Wharfs, Quays, Warehouses, or Premises of the said Company of Proprietors at *Paddington* aforesaid, or by any Horses, Cattle, or Carriages, passing to or from the same, the yearly Sum of Forty Pounds, to be paid by Quarterly Payments, on the Twenty-ninth Day of September, the Twenty-fifth Day of December, the Twenty-fifth Day of March, and the Twenty-fourth Day of June, the First Payment thereof to be made on the First of the said Quarterly Days which shall happen next after the said Road shall have been properly formed and made, and certified so to be on the Oath of the Surveyor to be appointed by the said Trustees, at the Quarter Sessions of the Peace for the County of *Middlesex*, and shall continue payable so long as the said Road shall be kept in good and substantial Repair; and which said annual Sum of Forty Pounds shall and is hereby declared to be a Compensation for and in lieu of the Tolls imposed by this Act, which might otherwise have been collected from the said Grand Junction Canal Company, their Tenants, Agents, Servants, or other Person or Persons trafficking or trading on the said Canal, or at or to the Wharfs and Conveniencies thereof, in case any Gate, Bar, or Turnpike had been placed or set up at the Commencement of the said Road at *Paddington*, or any Point or Space within the Distance aforesaid, such Quarterly Payments, in case the same are omitted to be paid, to be recovered by Action of Debt, in any of His Majesty's Courts of Record at *Westminster*: Provided nevertheless, That nothing herein contained shall extend or be construed to extend to restrain or prevent the Trustees hereby appointed, or their Successors, from erecting or setting up any Toll Gate or Bar, or collecting, levying, and taking any Toll or Duty (empowered and authorized by this Act to be collected, levied, and taken) from the said Grand Junction Canal Company, their Tenants, Agents, or others trafficking on the said Canal, or at or to the Wharfs and Conveniencies thereof, for passing on the said Road, at any other Part, Point, or Space, than along and between the Points and Places above specified, in case they or any of them shall so pass, go, or travel for the Space of One hundred Yards, or any greater Space or Length of Way.

Banks and Ditches to be made at the Sides of the Roads.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered to make or cause to be made any Ditches, and to raise or cause to be raised any Banks and Mounds, and to place or cause to be placed

placed such Posts, Rails, and Fences, on the Sides of the said Road, as they shall judge necessary to prevent evading the Payment of the said Tolls; and if any Person or Persons shall fill up such Ditches, or throw down such Banks and Mounds, or shall pull up or break down such Posts, Rails, and Fences, or shall break, damage, or destroy any of them, or any other Posts, Rails, or Works erected or to be erected on or for Preservation of the said Road, or for preventing the Evasion of the Tolls hereby granted; or if any Person or Persons shall forcibly pass through any of the said Turnpikes, with any Horses, Cattle, or Beast, or assault, interrupt, or obstruct any of the Collectors or other Persons employed in collecting or receiving any of the said Tolls, or otherwise in the Execution of this Act, any Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds nor less than Forty Shillings, whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety to the Treasurer of the said Road, to be by him applied in such Manner as the Penalties and Forfeitures imposed by this Act are herein-after directed to be applied.

XIX. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Trustees, or any of them, to make or cause to be made, any Ditches, Drains, or Watercourses, which may discharge themselves into the said Canal, without the Consent of the said Company, or their General Committee for the Time being.

Drains, &c. not to run into the Canal without Consent.

XX. Provided always, and be it further enacted, That if any Dispute shall happen about the Quantity of Tolls due, or the Charges of any Distress or Distresses, Sale or Sales, it shall be lawful for the Collector or Person distraining to retain the Distress, or the Money arising by Sale thereof, as the Case may happen, until the Quantity of Tolls due, and Charges of seizing, distraining, keeping, and selling such Distress or Distresses, shall 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 Matter on Oath of the Parties, or any credible Witness or Witnesses, and determine the Quantity of the Tolls due, and assess the Charges of such Seizure, Distress, Keeping, and Sale, and also of the Collector's Attendance for that Purpose on the said Justice; all which Sums so determined and assessed shall be paid to the said Collector or other Person, before he shall be obliged to return any Distress, or the Overplus Money after the Sale thereof, or of any Part thereof.

Disputes respecting Tolls to be settled by a Justice.

XXI. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, or any of them, or any Distress or Distresses made or levied, or about to be made or levied for Recovery thereof, or of any the Penalties hereby imposed, 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, or a competent Number of them, shall be and are hereby declared to be competent to give Evidence in any such Dispute, Suit, or Litigation.

Collectors of Tolls deemed competent Witnesses.

XXII. And be it further enacted, That out of the Monies to arise by virtue or to be borrowed on the Credit of this Act, the said Trustees, or any Five or more of them, shall first pay and discharge the Expences of procuring and passing this Act, and the Remainder of such Monies shall from Time to Time be applied in erecting Turnpikes and Toll Houses,

Application of Monies borrowed on the Credit of the Act.

and

and in making, repairing, widening, altering, improving, and keeping in Repair the said Road, and in defraying the necessary Expences attending the Execution of this Act, and in paying the Interest and Principal of any Money to be borrowed, by virtue thereof, and to no other Use or Purpose whatsoever.

Toll to be paid but Once a Day for the same Cattle.

XXIII. Provided always, and be it further enacted, That no Person, who shall have paid Toll for passing through any Turnpike Gate or Gates to be erected by virtue of this Act, shall be subject to any Toll for returning through such Gate or Gates the same Day, or before Twelve of the Clock at Night of the same Day, with the same Horse or Horses, Cattle, Beasts, or Carriage, but shall return Toll-free on delivering a Note or Ticket to such Collector of the Tolls at such respective Turnpike Gates, which Note or Ticket such Collector is hereby required to deliver gratis, if demanded, on Receipt of the Toll; or person who shall have

Liberty for the same Team of Horses, &c. to return with another Cart of like Description, without paying the new Toll.

XXIV. Provided also, and be it further enacted, That it shall be lawful for any Person or Persons having on any Day gone through any such Gate or Gates, and paid Toll for any Cart or other Carriage (not going upon Springs, and not being a Carriage let out for Hire) at any Time or Times before Twelve of the Clock at Night of the same Day, to return through such Gate or Gates with the same Horse or Horses, or other Beast or Beasts, and with any other Cart or other Carriage of the like Description and Breadth of Wheels as that first going through, so as the whole Number of such Horses or other Beasts employed in drawing the Cart or Carriage first passing through shall be all of them employed in drawing back One such other Cart or Carriage, and not divided or employed in drawing divers or different Carts or Carriages, and so from Time to Time to pass and repass without paying any Second or further Toll, on any One Day, the Driver or Drivers producing the Note or Ticket which he or they shall have received on first passing through: Provided also, That no Person who shall have paid the Toll hereby granted or imposed for the passing of any Cattle or Carriage through any One of the Gates to be erected as aforesaid, shall be subject or liable the same Day to the Payment of any Toll at any other or others of the said Turnpikes hereby authorized to be erected as aforesaid, but shall be permitted to pass through the same upon producing a Note or Ticket, denoting such Payment at the other Turnpike or Turnpike Gate, which Note or Ticket the Collector of the Toll of the said respective Gates is hereby required to deliver gratis, if demanded, upon Payment of such Toll.

Trustees may reduce the Tolls, and raise them again, if necessary.

XXV. And be it further enacted, That the said Trustees, or any Nine or more of them, at any Meeting to be held for that Purpose (whereof Fourteen Days Notice shall be fixed in Writing upon all the Turnpikes then erected by virtue of this Act), may and they are hereby empowered from Time to Time to reduce all or any of the said Tolls hereby granted, and to order such Tolls so reduced to be collected and received in such Manner, Parts, and Proportions, as they shall think fit; so as such Reduction be no Prejudice to, and be with the Consent of Three Parts out of Five in Value of the several Persons, who shall have advanced any Money on the Credit of the said Tolls at the Time of such Reduction; and the said Trustees, or any Nine or more of them, may and they are hereby empowered to raise the said Tolls again, or any Part thereof, so as the same do not exceed the respective Rates herein before granted; and such

such Tolls, so reduced and raised again respectively, shall be collected, recovered, and applied in the same Manner as the Tolls herein before granted are directed to be collected, recovered, and applied.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, from Time to Time, to compound for any Term not exceeding Twelve Calendar Months at a Time, with any Person or Persons, for any Carriages, Horses, Beasts, or Cattle, travelling on the said Road, for all or any of the Tolls to be paid in respect of such Carriages, Horses, Beasts, or Cattle, and all such Composition Money shall be paid in advance for the whole Time, and in Default thereof the Composition shall be void.

Trustees may compound for Tolls.

XXVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, upon Fourteen Days Notice to be given thereof upon all the Turnpikes then standing upon the said Road, from Time to Time, by Writing under their Hands and Seals, to lease, demise, or let to farm the Tolls by this Act granted, or any Part thereof, to any Person or Persons who shall be willing to take or farm the same for any Term not exceeding Three Years at any One Time, upon publick Bidding, to the highest Bidder, and for the highest Rent the said Trustees, or any Seven or more of them, can get for the same, payable at such Times, and under such Covenants, and with such Securities for the Payment of such Rent and Performance of such Covenants, as the said Trustees, or any Seven or more of them, shall think fit, and to be paid to their Treasurer or Treasurers for the Time being; and the Monies arising thereby shall be applied in such Manner as the Tolls hereby granted are directed to be applied, such Letting being always made according to the Directions given in and by an Act passed in the Thirteenth Year of the Reign of His present Majesty, commonly called *The General Turnpike Act*.

Power to lease the Tolls.

XXVIII. And be it further enacted, That if any Person or Persons shall dispose or offer to dispose of any Ticket to any Person or Persons, in order to evade the Payment of any of the said Tolls, every such Person or Persons so offering or disposing of such Ticket or Tickets, and the Person or Persons receiving and making Use of the same, shall respectively forfeit any Sum not exceeding Five Pounds nor less than Ten Shillings, whereof One Half shall go to the Informer, and the other Half shall be applied towards the Purposes of this Act.

Penalty for disposing of Tickets to avoid the Payment of Tolls.

XXIX. Provided always, and it is hereby enacted and declared, That no Toll shall be demanded or taken for any Cattle or Carriages laden wholly with Stone, Brick, Gravel, Rubbish, or other Materials for making or repairing the said Road, or for repairing the Highways in any Parish or Place through which any Part of the said Road leads, or laden only with Dung, Marl, Soil, Mould, Compost, or other Manure, of what Nature or Kind soever (except Lime) to be used in manuring or improving of Land, or for any Cattle or Carriage laden only with Hay, Grass, Sainfoin, Fodder, Straw, or Corn in the Straw, to be laid up in any of the Houses, Outhouses, Barns, Yards, or other Places belonging to the Inhabitants in any of the said Parishes or Places (except Carts or Carriages laden with Hay or Straw for Sale, or with Hay or Straw which shall have been bought, and shall be then drawing Home to the Purchaser thereof) or for any Ploughs, Harrows, or other Imple-

Exemption from Tolls.

ments of Husbandry, belonging to any of the said Inhabitants passing, in order to the using or repairing of the same, or for any Cattle or Carriages going empty and unladen for or returning empty and unladen after having carried such Stone, Bricks, Gravel, Rubbish, or other Materials for repairing the said Road, or for repairing the Highways in any Parish or Place through which the said Road leads, or such Dung, Marl, Soil, Mould, Compost, or other Manure of any Kind or Nature whatsoever (except Lime) to be used in manuring and improving Land, or any Hay or Corn in the Straw to be laid up in any of the Houses, Outhouses, Barns, Yards, or other Places belonging to the Inhabitants of any of the said Parishes or Places, or any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the said Inhabitants, nor shall any Toll be demanded or taken of or from any Rector, Vicar, or Curate, going to or returning from his own Parish Church, or other Place of Divine Worship within his own Parish, or visiting his Sick Parishioners, nor of or from any Person or Persons going to or returning from his or their own Parochial Church, Chapel, or other Place of Divine Worship on *Sundays*, or any other Day on which Divine Worship is ordered by Authority to be celebrated, or who shall attend the Funeral of any Person or Persons who shall die and be buried in any of the Parishes or Places into or through which the said Road leads, or for any Cattle belonging to any of the said Inhabitants, which shall be only going to or returning from Pasture, Water, or drawing any Plough or Harrow, or for any Cattle or Carriage belonging to any Inhabitant of any Parish or Place wherein any such Turnpike shall be erected, which shall be only passing to the Smith's Shop in order to be shoed or farried, or for the Return of any such Cattle or Carriage unladen, or for any Horses or Carriages of whatever Description employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses, under the Authority of His Majesty's Post Master 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 or Carriages attending them, or laden only with their Arms or Baggage, or returning after having been so employed, or for Horses or Carriages travelling with Vagrants sent by Passes, nor for any Coaches, Berlins, Landaus, Chariots, Calashes, Chaises, Chairs, or Passengers on Horseback going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Middlesex*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; 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 Five Pounds nor less than Twenty Shillings, to be recovered and applied as the other Penalties by this Act are directed.

No Exemption for narrow-wheeled Waggon and Carts.

XXX. Provided nevertheless, That no Person shall have or be entitled to any Exemption from Toll as aforesaid, for or in respect of any Waggon, Cart, or other such Carriage, which, together with the Loading thereof, shall be of greater Weight than is allowed by the Act made in the Thirteenth Year of His present Majesty's Reign, intituled, *An Act to explain, amend, and reduce into One Act of Parliament, the General Laws now in being for regulating the Turnpike Roads in that Part of Great Britain called*

called England, and for other Purposes, to Waggon, Carts, and Carriages of the same Kind respectively, and laden with such Goods as do not exempt the same from the additional Tolls hereby imposed; and it shall and may be lawful for the said Trustees, or any Five or more of them, to order all such Waggon, Carts, or other Carriages, to be weighed in like Manner, and with the same Powers and Authorities as are directed for the weighing of Carriages by the said Act, made in the Thirteenth Year of His present Majesty's Reign.

XXXI. And be it enacted, That if any Person or Persons, owning or occupying any Land or Premises near to the said Turnpike Road, shall knowingly permit or suffer any Person or Persons to pass through any Gate, Passage, Inclosure, or private Way, with any Horse, Cattle, or Carriage; or if any Person or Persons shall pass through any such Gate, Passage, Inclosure, or private Way, with any Horse, Cattle, or Carriage, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall take off or cause to be taken off any Horse or other Cattle from any such Carriage, with an Intent to avoid paying any of the said Tolls or any Part thereof, or shall leave or cause to be left upon or near the said Road any Cattle or Carriage as aforesaid, every Person so offending in any of the Cases aforesaid, shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Forty Shillings.

Penalty for permitting Persons to go through private Grounds, or taking off Horses, &c. to avoid Payment of Tolls.

XXXII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time to take down and remove any Gate or Turnpike, Buildings, or other Conveniences erected or provided by virtue of this Act as aforesaid, and to set up the same again in any other Part of the said Road, or otherwise to dispose thereof as to them shall seem proper, except as herein-before provided on Behalf of the said Company of Proprietors of the Grand Junction Canal.

Power to remove Gates.

XXXIII. Provided nevertheless, That no Gate or Turnpike to be erected or set up by virtue of this Act shall, at any Time after the same shall be so set up, be taken down or removed to any other Place except by Order of the said Trustees, or any Five or more of them, at a Meeting convened for that Purpose, and unless Notice in Writing, specifying the Purpose or Purposes thereof, be affixed upon all the Turnpikes then erected by virtue of this Act, and also inserted in One or more of the Newspapers circulated within the County of *Middlesex*, Fourteen Days at least before such Meeting; any Thing in this Act to the contrary thereof notwithstanding.

Turnpikes and Toll Houses not to be removed without an Order of the Trustees.

XXXIV. And be it further enacted, That the said Trustees, or any Nine or more of them, at any Meeting to be held for that Purpose, whereof Fourteen Days Notice shall be given in Writing to be affixed upon all the Turnpikes then erected in pursuance of this Act, and inserted in One or more of the Newspapers circulated within the County of *Middlesex*, may and they are hereby empowered from Time to Time to borrow and take up at Interest, or by way of Annuity, in Manner herein-after mentioned, such Sum and Sums of Money as they shall think needful for the Execution of this Act, and for that Purpose, by any Writing or Instru-

Enabling the Trustees to borrow Money on the Credit of the Tolls.

ment, under their Hands, and Seals, to assign over or mortgage the Tolls to be collected and levied at any of the said Turnpikes or any Part thereof respectively, and also the respective Toll Houses and Appurtenances (the Charges of assigning or mortgaging the same to be paid out of such Tolls) for any Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money to be borrowed by the said Trustees, or any Nine or more of them, upon the Credit of such respective Tolls, to such Person or Persons, or his, her, or their Trustee or Trustees, who shall advance and lend the same, to secure the Re-payment thereof with such Interest, or to secure the Payment of such Annuity or Annuities, as the Case may be, as the said Trustees, or any Nine or more of them, shall think proper; which said Money so borrowed, shall be applied and disposed of as herein before mentioned.

And to grant Annuities for any Term not exceeding the Term of this Act.

XXXV. And whereas many Persons may chuse to advance Money for the Purchase of Annuities, to be secured upon and payable out of the said Tolls and Rates; it is hereby further enacted, That it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Trustees, or their Treasurer, for the Purposes of this Act, any Sum or Sums of Money for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable for any Term or Terms of Years, or other Time, not exceeding the Term of this Act, and determinable with such Life or Lives as shall be nominated by the Contributors, on Payment of their Contributions, or otherwise, at any earlier Period than the Expiration of the said Term; all which Annuities so to be purchased shall be payable and paid by the said Trustees, out of the Monies to arise by or from the said Tolls and Rates, by Four equal quarterly Payments, the First Payment to be made to the respective Purchasers or their Assigns, at the Expiration of the First Quarter after Payment of their respective Purchase Monies; and that such Mortgage or Mortgages or Assignments, and the Grants of such Annuities respectively, may be in the Form following, or in such other Form as the said Trustees making the same shall think proper:

Form of Mortgage.

BY virtue of an Act made in the Forty-first Year of the Reign of His Majesty King George the Third, intituled, [*here set forth the Title of this Act*] we, Nine of the Trustees for putting the said Act in Execution, in Consideration of the Sum of \_\_\_\_\_ to the Treasurer of the said Road in Hand paid, do grant, bargain, sell, and demise unto A. B. his Executors, Administrators, and Assigns, such Proportion of the Tolls arising from the said Road, and of the Turnpikes and Toll Houses for collecting the same, as the said Sum of \_\_\_\_\_ doth or shall bear to the whole Sum due and owing on the Credit thereof, to be had and holden from this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ for and during the Continuance of the said Act, unless the said Sum of \_\_\_\_\_ with Interest at the Rate of \_\_\_\_\_ per Centum per Annum, shall be sooner paid and satisfied.

Form of Grant of Annuity.

BY virtue of an Act made in the Forty-first Year of the Reign of His Majesty King George the Third, intituled, &c. [*here set forth the Title of this Act*] we, Nine of the Trustees for putting the said Act in Execution, in Consideration of the Sum of \_\_\_\_\_ to the Treasurer



surer of the said Road in Hand paid, do grant, bargain, and sell unto  
 A. B. his Executors, Administrators, and Assigns, One Annuity or  
 yearly Sum of \_\_\_\_\_ to be paid to him, his Exe-  
 cutors, Administrators, and Assigns, for and during and unto the End  
 of \_\_\_\_\_ Years, from the Day of the Date of these Presents, by  
 Half-yearly Payments on the \_\_\_\_\_ Day of \_\_\_\_\_ and  
 the \_\_\_\_\_ Day of \_\_\_\_\_ in every Year, if \_\_\_\_\_ of \_\_\_\_\_  
 being now of the Age of \_\_\_\_\_ shall so  
 long happen to live; and for better securing the Payment of the same,  
 we do hereby grant, bargain, sell, and demise unto the said A. B. his  
 Executors, Administrators, and Assigns, such Proportion of the Tolls  
 arising from the said Road, and of the Turnpikes and Toll Houses for  
 collecting the same, as the said Sum of \_\_\_\_\_ doth or shall  
 bear to the whole Sum due and owing on the Credit thereof, to be had  
 and holden from this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year  
 of our Lord \_\_\_\_\_ for and during  
 the Continuance of this Act, if the said \_\_\_\_\_  
 shall so long happen to live.

And Copies of all such Mortgages and Grants shall be entered in a Book  
 or Books to be kept for that Purpose by the Clerk or Treasurer to the  
 said Trustees, and which said Book or Books shall and may at all reason-  
 able Times be perused and inspected by the said Trustees, Mortgagees, or  
 Annuitants, or any of them, or any Person or Persons on their Behalf,  
 without Fee or Reward; and every Person to whom any Mortgage shall  
 be made or Annuity granted as aforesaid, or who shall be entitled to the  
 Money thereby secured, may from Time to Time transfer his or her  
 Right, Title, Interest, or Benefit to the said Mortgage, and the Principal  
 and Interest thereby secured, or to such Annuity respectively, to any other  
 Person or Persons whomsoever, by Indorsement on the Back of such Secu-  
 rity, or by any other Writing under his or her Hand, before One credible  
 Witness, in the following Words, or Words to the like Effect; (*videlicet*),

Mortgages to be entered in Books.

I Do Transfer this Mortgage [*or, a certain Mortgage, or, this Annuity,*  
*or, a certain Annuity, as the Case may be*] with all my Right and  
 Title to the Principal thereby secured, and to all Interest now due upon  
 the same [*or, to the said Annuity*] and all Arrears now due thereon,  
 unto \_\_\_\_\_ his Executors, Administrators, and Assigns.  
 Dated this \_\_\_\_\_ Day of \_\_\_\_\_

Form of Transfer.

A. B.

Which Transfer shall be produced and notified to the said Clerk or Trea-  
 surer within Three Calendar Months after the Date thereof, who shall  
 cause an Entry or Memorial to be made thereof in the before-mentioned  
 Book or Books, containing the Numbers, Dates, and Names of the  
 Parties, and Sums of Money therein transferred, for which the said Clerk  
 or Treasurer shall be paid the Sum of Two Shillings and Sixpence, and  
 such Transfer shall then entitle such Assignee, his, her, or their Executors,  
 Administrators, and Assigns, to the Benefit thereof, and the Payment  
 thereon; and such Assignee may in like Manner assign or transfer the  
 same again, and so *toties quoties*; and it shall not be in the Power of any  
 Person or Persons (except to whom the same shall be last transferred) to  
 make void, release, or discharge the original Security, or Monies thereby  
 due, or any Part thereof; and all Persons to whom any such Mortgage,  
 Grant of Annuity, or Transfer shall be made by virtue of this Act, shall

Entry or Memorial of the Transfer to be made in the said Book.

be, in Proportion to the Sum or Sums of Money therein mentioned, Creditors on the Tolls by this Act granted, in equal Degree one with another, and shall have no Preference in respect of the Priority of the Time of Advance of any Sum or Sums of Money on such Mortgage or Mortgages, or Grant or Grants of Annuity, or of the Dates thereof respectively.

Power to divert or alter the Road;

XXXVI. And be it further enacted, That the said Trustees, or any Nine or more of them, shall and they are hereby fully empowered from Time to Time, as they shall think proper, to divert, widen, turn, shorten, vary, or alter the Course or Path of any Part or Parts of the Road comprized in this Act; and that any Alteration, Division, Variation, or Widening of the said Road, may be made through any Common or Waste Ground, without making any Satisfaction for the same, and through any private or inclosed Lands or Hereditaments, first making Satisfaction to the Owners thereof, and Persons interested therein, for the Damage they may sustain thereby; and for that Purpose it shall and may be lawful for the said Trustees, or any Nine or more of them, to treat, contract, and agree with the Owners of and Persons interested in any Lands or Hereditaments for the Purchase thereof, or for the Loss or Damage such Owners or Persons interested may sustain by the making, widening, diverting, or changing the Course or Path of any Part or Parts of the said Road through such Lands and Hereditaments; and it shall and may be lawful for all Bodies Politick or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and all Feoffees in Trust, Committees, Executors, Administrators, Husbands, Guardians, or other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs, and Successors respectively, but also for and on Behalf of Infants, Femes Covert, and *Cestuique* Trusts, and all other Persons whomsoever, to contract and agree with the said Trustees, or any Nine or more of them, for the Sale of such Lands and Hereditaments, or any Part thereof, or for their Interests therein, for the Purposes of this Act, and to sell and convey the same, as Occasion shall be or require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or Custom, or other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and that all Persons shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

but not to affect the Premises belonging to the Grand Junction Canal.

XXXVII. Provided always, and it is hereby enacted and declared, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any of them, to divert, widen, turn, shorten, vary, or alter, the Course or Path of any Part or Parts of the Road comprized in this Act, through any Lands or Hereditaments now in the Possession of the said Company of Proprietors of the Grand Junction Canal, or which they may hereafter take on Lease, or Hire, or Purchase, for any of the Purposes before mentioned, situate within the Parish of *Paddington* aforesaid, without the Consent of the said Company of Proprietors of the Grand Junction Canal, or their General Committee for the Time being.

Where Owners, &c. of Land refuse to treat,

XXXVIII. And be it further enacted, That if any such Bodies Politick or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, or any

any such Feoffees in Trust, Committees, Executors, Administrators, Husbands, Guardians, or any other Person or Persons as aforesaid, interested in any such Lands or Hereditaments, upon Notice to him, her, or them, given or left in Writing at the Dwelling House or Houses, or Place or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick or Corporate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Lands and Hereditaments intended to be taken in and added to any Part of the said Road, or through which the said Road is to be diverted or varied as aforesaid, shall, for the Space of Twenty-one Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating or agreeing, then in every or any such Case the said Trustees, or any Seven or more of them, shall cause a Jury to be summoned and impannelled in Manner herein-after mentioned, to enquire what Damage will be sustained by, and what Recompence and Satisfaction shall be made to such Owners or Proprietors, or other Person or Persons interested for or on Account of the taking of such Lands or Hereditaments into the said Road, or of making, widening, diverting, or changing the said Road through the same; and in order thereunto, the Justices for the said County of *Middlesex*, in their Quarter or General Session assembled, or at any Adjournment thereof, are hereby empowered and required from Time to Time to summon before the said Jury, and examine upon Oath, all and every Person and Persons whomsoever who shall be thought proper and necessary to be examined concerning the Premises; and they the said Justices shall and may, if they see fit, by ordering the said Jury to view the Places in Question, or otherwise, use all lawful Ways and Means, as well for their own as for the said Jury's better Information in the Premises; and the Justices shall have Power to adjourn the Meeting and Hearing from Day to Day, as Occasion shall require, and to command such Jury, Witnesses, and Parties to attend, until all such Affairs for which they were summoned shall be concluded; and the said Jury, upon their Oaths (which Oaths, as also the Oaths of such Person or Persons as shall be called upon to give Evidence, the said Justices are hereby empowered and required to administer), shall enquire of the Value of such Lands or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seized 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 Lands or Hereditaments, and of such respective Estates and Interests therein, and the said Justices shall and may give Judgment for such Sum or Sums of Money so to be assessed; which said Verdict or Verdicts, and the Judgement and Judgements, Determination and Determinations thereupon, Notice in Writing being given to the Person or Persons interested or claiming so to be, at least Twenty-one Days before the Time of the Meeting of the said Justices and the Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or at his, her, or their usual Place or Places of Abode, or with some Tenant or Occupier of the Lands or Hereditaments intended to be valued or assessed, shall be binding and conclusive, to all Intents and Purposes whatsoever, as well against the King's Majesty, His Heirs and Successors, as against all Bodies Politick, Corporate, and Collegiate, and all and every Person and Persons claiming any Estate, Right, Title, Trust,

Damage and  
Recompence  
to be settled  
by a Jury.

Witnesses may  
be examined  
upon Oath.

Verdict of  
Jury to be  
final.

Trust, Use, or Interest, in, to, or out of such Lands or Hereditaments in Possession, Reversion, Remainder, or Expectancy, as well Infants and Issue unborn, Lunaticks, Ideots, and Femes Covert, and Persons under any other legal Incapacity or Disability, as all other *Cestui que Trusts*, his, her, and their Heirs, Successors, Executors, and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgements, and Decrees, and all other Proceedings of the said Justices and Juries, so to be made, given, and pronounced as aforesaid, shall be fairly written on Parchment, and signed by the Clerk of the Peace of the said County for the Time being.

By Trustees  
Warrant the  
Sheriff to  
impanel a  
Jury.

XXXIX. And be it further enacted, That for the summoning and returning such Jury or Juries, the said Trustees, or any Seven or more of them, are hereby empowered to issue out their Warrant or Warrants to the Sheriff of the said County of *Middlesex*, thereby commanding him to impanel, summon, and return, and who is hereby authorized, directed, and required accordingly to impanel, summon, and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than Twenty-four nor more than Thirty-six; and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by some Person to be by the said Trustees, or any Seven or more of them, appointed in such Manner as Juries for the Trial of Issues joined in His Majesty's Courts at *Westminster*, are by an Act made in the Third Year of the Reign of His late Majesty King *George* the Second, intituled; *An Act for the better regulating of Juries*, directed to be drawn; which Persons so to be impanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the Justices of the Peace of the said County of *Middlesex*, at some Quarter or General Session of the Peace to be holden in and for the said County, or some Adjournment thereof, as in such Warrant or Warrants, Precept or Precepts shall be directed and appointed, and to attend the said Court from Day to Day, until discharged by the said Court; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to the Number of Twelve; and that the said Trustees, and all Persons interested, shall have their lawful Challenges against any of the said Jurymen; and that the said Trustees, or any Seven or more of them, acting in the Premises, shall have Power, from Time to Time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs, or Agents, making Default in the Premises, and on any of the Persons who, being summoned and returned on such Jury, shall not appear (except for some reasonable Excuse), or appearing, shall refuse to be sworn on the said Jury, or being sworn, shall refuse to give, or shall not give his or their Verdict, or in any other Manner wilfully neglect his or their Duty therein, contrary to the true Intent and Meaning of this Act, and on any Person or Persons who, being summoned to give Evidence before the said Jury as aforesaid, touching the Premises, shall not attend (except for some reasonable Excuse), or attending, shall refuse to be sworn and examined, or to give Evidence touching the same, so that no such Fine exceed the Sum of Five Pounds upon any Person for One Offence.

Jurors may  
be challenged,  
and Sheriff  
and Jury fined  
for Default.

XL. And

XL. And be it further enacted, That all and every Sum and Sums of Money, or Recompence to be agreed for or ascertained as aforesaid, shall be and is and are hereby charged upon the said Tolls, or upon the Monies to be borrowed on the Credit of such Tolls, and shall be paid thereout accordingly, either into the Bank of *England*, or, as the Case may require, to the Persons respectively entitled thereto, or to their Agents; and that upon Tender or Payment thereof as aforesaid, such Person shall execute a good and sufficient Release, or other proper Conveyance of the Lands and Hereditaments, to the said Trustees and their Successors; and in case of Refusal; then upon paying such Money into the Bank, or leaving the same in the Hands of the Clerk or Clerks for the Time being of the said Trustees, for the Use of such Person or Persons, as the Case may require, it shall be lawful for the said Trustees, or any Seven or more of them, their Surveyors, Workmen, or Agents, to enter into or upon, and take or add to the said Road, such Lands and Hereditaments, and to do all and every such Act, Matter, and Thing, in relation to such Lands and Hereditaments, as the said Trustees, or any Seven or more of them, shall think proper; and the said Lands and Hereditaments so added to, taken in, or made Part of the said Road, shall be fenced from the adjoining Lands by the said Trustees, or any Seven or more of them, and shall be deemed and taken to be a Part of the said Road hereby directed to be repaired for ever thereafter, and shall to all Intents and Purposes be a publick and common Highway, and shall be repaired and kept in Repair by such Ways and Means as the Road hereby appointed to be repaired is by this Act directed to be repaired; and after any new Road shall be completed, the Lands and Grounds constituting the old or former Road (unless leading over some Moor, Common, or Waste Ground, or to some Village, Town, or Place, to which such new Road doth not lead) shall be vested in the said Trustees, and shall and may be sold and conveyed by them, or any Seven or more of them, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied and disposed of for the Purposes of this Act; and a Conveyance of the said old Road being executed by the said Trustees, or any Seven or more of them, and enrolled with the Clerk of the Peace for the said County of *Middlesex*, shall be good and effectual.

Money allowed for Lands, etc. how to be charged, and tendered; although the Money tendered be not accepted, the Land may be laid to the Road.

XLI. And be it further enacted, That in case any Jury shall give in and deliver a Verdict or Assessment for more Money, as a Recompence for the Right, Interest, or Property of any Person or Persons in any such Lands or Hereditaments, or for any Loss or Damage to be by him or them sustained, than shall have been agreed to and offered by the said Trustees, or any Seven or more of them, before the summoning and returning of the Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, shall be borne and paid by the said Trustees, or any Seven or more of them; out of the Money to arise by virtue of this Act; but if such Jury shall give and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees, or any Seven or more of them, before the summoning and returning of the said Jury, as a Recompence and Satisfaction for any such Right, Interest, or Property in, or Loss or

How the Expences of the Jury shall be paid.

Damage as aforesaid, that then the full Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, shall be paid and borne by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute; which said Costs and Expences having been ascertained and settled by some Justice of the Peace for the County of *Middlesex*, not interested in the Matter in Question, who is hereby authorized and required to examine and settle the same, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes, to be a Payment and Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so ascertained and settled as aforesaid, may be recovered by the Clerk to the Trustees, in and by such Ways and Means as are herein-after provided for Recovery of Penalties and Forfeitures.

Verdicts, etc.  
to be entered  
among the  
Records of the  
Quarter  
Sessions.

Copies thereof  
to be admitted  
in Evidence.

After Pay-  
ment of  
Money into  
the Bank, etc.  
the Lands, etc.  
vested in the  
Trustees.

XLII. And be it further enacted, That all such Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings of the said Justices 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 herein-after mentioned, in consequence of any such Verdict and Judgement, shall be entered among the Records of the said Court of General Quarter Session of the Peace of the said County of *Middlesex*, and the said Verdicts, Judgements, Sentences, Decrees, and 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 effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever, and all Persons shall and may have Recourse to the same *gratis*, and take Copies thereof, paying for every Copy the accustomed Fees; and immediately after such Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings of the said Justices as aforesaid, and Juries, and Payments as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the respective 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 actual Seisin or 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 inrolled, Feoffment with Livery of Seisin, Fine, common Recovery, or any other Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whom or on whose Account such Payment shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowery of the Wife and Wives of such Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons, and every Person claiming under them, as effectually as Fines or common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

XLIII. And

XLIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, and Hereditaments purchased, taken, or used, by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity herein particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-General of the 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 towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, 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 Messuages, Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time, 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 mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of  
Compensation  
where exceed-  
ing 200<sup>l</sup>.

XLIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall 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, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands) be paid into the Bank, in the Name and with the Privity of the said Accountant General of the

Application  
where the  
Compensation  
does not ex-  
ceed 200<sup>l</sup>.  
nor less than  
20<sup>l</sup>.

High Court of Chancery, and be placed to his Account as aforesaid; in order to be applied in Manner herein-before directed, or otherwise the same shall be paid (at the like Option) to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Trustees, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XLV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds; then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees, or any Three or more of them, 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.

XLVI. And be it further enacted, That the Conveyance of any such 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 inrolled in the Court of Common Pleas 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 said Trustees, by virtue of and for the Purpose of this Act, and inrolled as aforesaid, shall have the like Force, Effect, and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever, would have had if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seized of any Estate in the Premises, in Trust for such Bargainer or Bargainers, in any legal Manner or Form whatsoever.

XLVII. And be it further enacted, That every Tenant at Will, or Lessee for a Year, or any other Person or Persons in Possession of any such Lands 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 Tenant at Will, or as Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises immediately to the said Trustees, or to such Person or Persons as they shall appoint to take Possession of the same, in case the said Trustees, or such Person or Persons authorized by them, shall pay or tender to him or them Six Calendar Months Rent of the same Premises, or shall give him or them Six Calendar Months Notice to quit such Possession, when such Person or Persons in Possession shall, at the End of the said Six Calendar Months, or so soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said

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

Conveyance of the Estate of Femes Covert, acknowledged by them in due Form of Law to be good.

Tenants at will to deliver Possession of Premises on Six Months Notice.



said Trustees, or Person or Persons authorized by them to take Possession thereof; and that in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, then it shall and may be lawful to and for the said Trustees, or any Nine of them, 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.

XLVIII. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands and Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the 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 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 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.

Mortgages to be assigned on Tender of the Principal Money.

XLIX. 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, or paid 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.

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

L. And be it further enacted, That upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank, 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, in like Manner as is herein-before directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees,

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

gagees, 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.

Trustees not  
to pull down  
Houses, &c.

LI. Provided always, and it is hereby enacted and declared, That the Power and Authority given to the said Trustees as aforesaid shall not extend to the pulling down any Dwelling House or other Building, or taking in the Scite of any House or other Building, or any Part thereof, or to take in any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent of the Owners and Proprietors thereof, and the several Persons interested therein respectively; any Thing herein contained to the contrary in any-wise notwithstanding.

Persons liable  
to repair  
Bridges.

LII. And be it further enacted, That where any particular Part of the said Road, or any Bridge, Drain, or Sewer, being in and upon the said Road, which hath been accustomed or ought to be repaired and maintained by any particular Person or Persons, Body Politick or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise, or by any County, or any Parish, Township, or Place therein, every such Part of the said Road, Bridge, Drain, or Sewer, shall from Time to Time be maintained and kept in Repair by such Person or Persons, Body Corporate or Politick, County, Parish, Township, or Place, and in such Manner as the same were respectively maintained and kept in Repair before the passing of this Act; and it shall and may be lawful for the Justices of the Peace for the County wherein such particular Part of the said Road, Bridge, Drain, or Sewer shall lie, and they are hereby required and empowered, at their Petty or Special Sessions, upon Application to them made by the said Trustees, or any Two or more of them, or their Clerk or Clerks for the Time being, to adjudge or determine where, how, and in what Manner the same from Time to Time shall be maintained and kept in Repair.

Trustees may  
compound  
for such  
Work.

LIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time during the Continuance of this Act, to compound and agree with all or any of the said Person or Persons, Bodies Politick or Corporate, Parish, Township, Tything, or Place, who is, or shall be liable or chargeable for or towards repairing of any such particular Part of the said Road, Bridges, Drain, or Sewer (except the Bridges liable to be repaired by the County, which shall continue to be respectively repaired as aforesaid), for a certain Sum of Money, by the Year or otherwise, as the said Trustees, or any Five or more of them, shall think fit, in lieu of such particular Works or Repairs to be done by such particular Person or Persons, Bodies Politick or Corporate, Township or Townships, Tything, or Place as aforesaid.

Persons who  
were, before  
the passing of  
this Act,  
liable to re-  
pair Roads,

LIV. And be it further enacted, That all Lands, Tenements, or Hereditaments, which now are or hereafter shall be liable to the amending any Part of the said Road, and all Owners, Occupiers, Grantees, Trustees, Feoffees, and Committees of any Lands, Tenements, Rent, and Annuities,

Annuities, or of any Sum or Sums of Money which have been given, or are liable to the amending or maintaining any Part of the said Road, or any Bridge or Bridges, Causeway or Causeways, Sewer or Sewers, Drain or Drains therein, shall still remain liable and chargeable to the Repair thereof, in such Manner as they were before the passing of this Act.

Bridges, &c.  
to continue  
so.

LV. And be it further enacted, That the said Trustees, or any Nine or more of them, at a Meeting to be held, whereof Notice in Writing, specifying the Time and Place, and the Purpose for which such Meeting is intended to be held, shall be affixed upon the Turnpike Gates then erected by virtue of this Act, and inserted in some or One of the Newspapers circulated in the County of *Middlesex*, at least Fourteen Days previous to the Time when such Meeting is appointed to be held, may and they are hereby authorized and empowered, when as often as they shall think fit and necessary, to direct Indictments to be preferred and prosecuted at the Expence of the Revenues arising by virtue of this Act, against the Inhabitants of all or any of the Towns, Parishes, or Places through which the said Road passes, and against the Hundred, and all other Bodies Politick and Corporate, and all other Person or Persons whomsoever, liable to repair Bridges, who shall have neglected or refused respectively to repair the same, save and except the said Company of Proprietors of the Grand Junction Canal, with Respect to the Repairs of such Parts of the said Road as may lie over any Bridge or Bridges erected or to be erected thereon, over any Part of the said Navigable Cut, from the Grand Junction Canal, in the Precinct of *Norwood* aforesaid, to *Paddington* aforesaid, and the Parts thereof lying at both the Ends of such Bridges, after the same shall have been first compleatly made and formed, and put into a proper and durable State of Repair, and which Parts of the said Road, lying over and at both Ends of the said Bridges, shall from and after the same shall have been so first compleatly made and formed, and put into good Repair, by the said Company of Proprietors, be from thenceforth repaired and kept in Repair, at the Expence of the Revenues arising by virtue of this Act, unless in the Event of the same being injured or put out of Repair by reason of any Failure of such Bridge or Bridges, or the Arches, or any other Part thereof, or in the repairing of the same, by the said Company, in any of which Events, the said Grand Junction Canal Company shall, and are hereby required to reinstate the same in a proper and durable State of Repair.

Trustees may  
direct Indict-  
ments to  
be preferred  
against  
Townships,  
&c. liable to  
repair  
Bridges, in  
case of Neglect  
or Refusal to  
do so.

LVI. And be it further enacted, That all Persons who are by Law obliged to do Statute Work, or are chargeable towards amending the Road hereby directed to be repaired and widened, or any Part thereof, shall still remain liable and chargeable, and do their respective Works in the Parishes and Places in which the said Road lies, in such Manner as such Persons ought to have done before the passing of this Act; and that it shall and may be lawful for any Five or more of the Trustees, by their Surveyor or Surveyors, or for any Two Justices of the Peace, to summon the Surveyors of the Highways for the respective Parishes or Places wherein any Part of the said Road does or shall lie, to bring in Writing before the Trustees, or any Five or more of them, upon Oath, within Fourteen Days of such Summons (which Oath the said Trustees, or any Five or more of them, are hereby empowered to administer), a List of the Names of every Person who, within such Parishes or Places respectively, are by

The Inhabi-  
tants of the  
several  
Parishes, &c.  
liable to do  
Statute Work  
upon the  
Road, still to  
remain so.  
Trustees to  
direct a List  
of Persons  
liable to Sta-  
tute Labour  
to be given.

Law

Law obliged to do their Statute Work, towards repairing the Roads in any of the said Parishes or Places respectively for that Year, with Teams and Draughts; or otherwise, as also the Number of Days Work which each Person ought to do on the said Road, as the Case may be, in such Parishes or Places respectively, out of which List the said Trustees, or any Five or more of them, shall and may appoint and order so many Persons to do their Statute Work on the Road directed by this Act to be repaired as they are authorized by Law; which said Statute Work shall be done by such Persons, at such Times, in such Manner, and in such Parts of the said Road, within such respective Parishes and Places as the said Trustees, or any Five or more of them, or their Surveyor or Surveyors, shall from Time to Time direct and appoint; and the said Surveyor or Surveyors of every such Parish or Place for the Time being, within Fourteen Days after Notice shall be given to him or them in Writing by the said Trustees, or any Five or more of them, or their Clerk, Surveyor or Surveyors, of the Time when and how many of the Persons so chargeable as aforesaid he or they would have to do their respective Statute Work so directed and appointed as aforesaid, in or upon any Part or Parts of the said Road, shall summon or give Notice thereof to the said several Persons so chargeable as aforesaid; and if any Person shall, after such Summons or Notice, neglect or refuse to do such Statute Work, every such Person, for each Day he shall make Default, shall forfeit any Sum not exceeding Forty Shillings nor less than Ten Shillings for each Team or Draught, and not exceeding Twenty Shillings nor less than Five Shillings for every Default of personal Labour; and if any Person or Persons shall be found idle or negligent in the Performance of such Statute Work, the Turnpike Surveyor may and he is hereby required to discharge such Person, and it shall be deemed as if such Person or such Teams or Draughts had not come or been sent to Work; and every such Person, or the Owner of such Team or Draught, shall be liable to such respective Penalties as aforesaid; and in case any of the said Surveyors of the Highways for such Parishes or Places respectively shall neglect or refuse to do as he or they are hereby required and directed, every such Surveyor shall for each Neglect or Refusal forfeit or pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

Proportion of  
Statute Duty  
to be ascer-  
tained by  
Justices.

LVII. And, for preventing Differences between the said Trustees and the Surveyors of the Highways for the Time being, of the several Parishes or Places through which the said Road hereby directed to be made, amended, varied, altered, and improved, doth or shall lead, touching what Proportion of the Statute Duty in any such Parishes or Places ought to be done on the said Road, be it further enacted, That it shall and may be lawful for any Two or more of the said Justices of the Peace for the County of *Middlesex*, at any Special Sessions to be holden within the Division where the said Road doth or shall lie, upon Application made to them for that Purpose by the said Trustees, or any Five or more of them, or by the Surveyors of the Highways, within the respective Parishes or Places within which such Road shall lie, to adjudge and determine what Part or Proportion of the Statute Work shall be done on the said Road, by and in each and every of the Parishes and Places aforesaid; any Thing hereinbefore contained to the contrary notwithstanding.

LVIII. Provided always, and be it enacted, That no Statute Work shall be required to be performed on the said Road between the First Day of *June* and the First Day of *November* in every Year, any Thing herein contained to the contrary in anywise notwithstanding.

Limiting the Time when Statute Work is to be performed.

LIX. Provided always, and be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, by and with the Consent of the Inhabitants of such Parishes or Places respectively, first had at any Vestry or other publick Meeting of such Inhabitants, who shall be summoned together for that Purpose, or for any such Inhabitant or Inhabitants respectively, if no such general Composition shall be made, to compound and agree from Time to Time with the said Trustees, or any Five or more of them, for a certain Sum of Money by the Year or otherwise, in lieu of the Statute Work to be performed by such respective Inhabitants upon any Part of the said Road; and in case such Composition Money shall not be paid to the said Trustees, or any Five or more of them, or to such other Person as they shall appoint to receive the same, within Thirty Days after the same shall be due and demanded, it shall be lawful for any Two or more Justices of the Peace for the said County of *Middlesex*, upon Oath made before them of such Default (which Oath the said Justices are hereby empowered to administer), and they are hereby required to issue a Warrant under their Hands and Seals, empowering such Person so by the said Trustees, or any Five or more of them, appointed to receive such Composition Money, to levy the same by Distress of the Goods and Chattels of the Person or Persons who shall have made such Composition as aforesaid, and such Goods and Chattels so distrained, after the Space of Five Days (such Composition Money and the reasonable Charges of distraining and keeping the same not being paid), to sell, returning the Overplus (if any) to the Owner or Owners thereof upon Demand, after the Composition Money, and all reasonable Charges of such Distress and Sale, shall be deducted, which Composition Money shall be applied to the Purposes of this Act; and such Surveyors by whom such Composition shall be made on the Behalf of any Parish or Place as aforesaid, shall be reimbursed such Composition Money in such Manner as Surveyors of the Highways are by the Laws now in being to be reimbursed the Monies expended by them in buying Materials for the repairing of the Highways.

Trustees may compound for Statute Work.

LX. And be it further enacted, That it shall be lawful for the said Turnpike Surveyor or Surveyors, and such Persons as he or they shall direct or appoint (such Surveyor or Surveyors having an Order from the said Trustees, or any Five or more of them, for that Purpose), to remove and prevent all Annoyances on any Part of the said Road, by Night Soil, Filth, Dung, Ashes, Rubbish, or otherwise, and to turn any Water-courses, Sinks, or Drains, running into, along, or out of the said Road, to the Prejudice thereof, and to open, scour, and cleanse any Water-courses and Ditches adjoining to the said Road, and make the same as deep and large as he or they shall think proper and necessary, and to cut down, lop, or top any Trees or Bushes growing in the said Road, or in the Hedges or Banks adjoining thereto, and within Ten Yards of the Centre thereof, and to take and carry away the same in case the Owners or Occupiers of the Premises shall neglect to remove the same, or cut down or carry away such Trees or Bushes as aforesaid, or to open, scour, or

Surveyors may remove Annoyances, &c.

cleanse such Watercourses or Ditches, or to remove such Annoyances, for the Space of Fourteen Days next after Notice in Writing given for that Purpose, under the Hand or Hands of such Surveyor or Surveyors, and the Charges thereof (to be settled by the said Trustees, or any Five or more of them), shall be reimbursed to the said Surveyor or Surveyors, by such Owners or Occupiers, and the same shall be recovered in such Manner as the Penalties and Forfeitures imposed by this Act are hereafter directed to be recovered; and if after Removal of any of the said Annoyances any Person shall again offend in the like Kind, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Surveyors may make Causeways, cut Drains, and may also make temporary Roads, etc.

Making Satisfaction for the same.

LXI. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, by Order of the said Trustees, or any Five or more of them, to make or cause to be made Causeways and Footways in and upon the said Road, and to erect, support, and repair Arches and Watercourses upon the said Road, and cut and make Drains through any Lands lying contiguous to the said Road, and also to make or cause to be made a Road through the Grounds adjoining any narrow or ruinous Part or Parts of the said Road (not being the Ground whereon any House or Houses, or other Buildings stand, or a Garden, Orchard, Park, Paddock, planted Walk or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees), or the Lands and Grounds which now do, or may hereafter belong to the said Company of Proprietors of the Grand Junction Canal, their Successors and Assigns, and as, are, or may be used for the Purposes of the Canal, and the Wharfs or the Conveniences thereof without the Consent of the said Company of Proprietors, or their General Committee for the Time being, to be made use of by all Passengers, Cattle, Carriages, and otherwise, as a publick Highway, whilst the old, narrow, or ruinous Road is widening or repairing, and till it shall be convenient and safe for Passengers and Carriages to pass thereon, making such reasonable Satisfaction to the Owners and Occupiers of such Grounds respectively through which any such Drains shall be made, or whereon such Arches shall be erected, or through which any such temporary Road shall be made, for the Damages which such Owners or Occupiers respectively shall or may sustain thereby, as shall be adjudged reasonable by the said Trustees, or any Five or more of them; and in case of any Difference concerning the same between such Owners and Occupiers, and the said Trustees, that then it shall be lawful for the Justices of the Peace, or the major Part of them assembled at the next General Quarter Sessions for the said County of *Middlesex*, or at their Second Quarter Sessions at the farthest, to settle, adjudge, and determine what Recompence shall be made to such Owners and Occupiers for the Damage they shall have sustained as aforesaid, which Determination shall be final.

Power to take Gravel out of Waste Grounds, without paying for the same, levelling the Pits, etc.

LXII. And be it further enacted, That it shall be lawful for the said Surveyor and Surveyors, and such Person or Persons as he or they shall appoint, to search for, dig, gather, and take away any Gravel, Furze, Heath, Sand, Stones, and other Materials for making or repairing the said Road, or for other the Purposes of this Act, in and out of any River or Brook, or out of any Moor, Waste, or common Grounds, in any Parish or Place in or near which any Part of the said Road doth or shall lie,

lie, without paying any Thing for such Materials, such Surveyor or Surveyors levelling or causing to be levelled all such Holes and Pits, or otherwise causing the same to be railed or fenced off, where or from whence any such Materials shall be digged, gathered, or taken away, in such Manner as that the same shall not be dangerous to any Cattle or Travellers whatsoever, and paying for the Damages done by going over or through any Lands, Grounds, or private Lanes or Roads, for or with such Materials as herein mentioned; and also that it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint (such Surveyor or Surveyors first having an Order in Writing of any Five or more of the said Trustees for that Purpose) to search for, dig, gather, and take away such Materials in and out of the several Grounds of any Person or Persons (not being a Garden, Orchard, Park, Yard, Paddock, or planted Walk or Walks, or Avenue to a House, or any Piece of Ground inclosed, planted, and set apart as a Nursery for Trees), or the Lands and Grounds which now do or may hereafter belong to the said Company of Proprietors of the Grand Junction Canal, their Successors and Assigns, and every Part thereof, which are or may be used for the Purposes of the Canal, and the Wharfs or Conveniences thereof without such Consent as aforesaid, paying such Rates for such Materials, and for the Damages done to the Owners or Occupiers of such Grounds, where and from whence the same shall be digged, gathered, and carried away, or over which the same or any other Materials as aforesaid shall be carried, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference concerning the same, the Justices of the Peace, or the major Part of them, assembled at the next General Quarter Session, or at the Second General Quarter Session at the farthest, to be holden for the said County of *Middlesex*, shall and may adjudge and determine the same; from which Determination there shall be no Appeal.

And also out of private Grounds, making Satisfaction to the Owners.

Differences (if any) to be settled at the Quarter Sessions.

LXIII. Provided nevertheless, and be it further enacted, That it shall not be lawful for any such Surveyors or other Person or Persons under the Authority of this Act, to take and carry away Materials for repairing the said Road from any inclosed Lands or Grounds until Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier, at his usual Place of Residence, to appear before the said Trustees or any Five or more of them, or Two Justices of the Peace acting for the County where such Lands are situated, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice, the said Trustees, or any Five or more of them, or such Justices shall, if they shall think meet, authorize such Surveyor or other Person to dig, gather, take, and carry away such Materials at such Time or Times as to such Trustees, or any Five or more of them, or to such Justices shall, seem proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent, the said Trustees, or any Five or more of them, or such Justices, shall and may make such Order therein as they shall think fit, as fully and effectually, to all Intents and Purposes, as if such Occupier or his Agent had attended.

Surveyors may not carry away Materials out of private Grounds, without giving Notice to the Occupiers.

LXIV. And be it further enacted, That if the Owner or Occupier of any Ground or Soil, or any Person whomsoever, shall take away any Materials

Penalty for taking away Materials.

Materials which shall have been dug or gathered in any Lands, Fields, Waste Ground, River, or Brook, for any the Purposes of this Act, or shall get or take away any Materials out of any Pit or Quarry which shall be made for the Purpose of getting such Materials before the said Surveyors or their Workmen shall have discontinued working therein for the Space of Three Calendar Months (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials therein, for his or their own private Use only, and not for Sale), every Person so offending shall forfeit for every such Offence any Sum not exceeding Five Pounds nor less than Forty Shillings.

Roads to be  
measured,  
and Mile  
Stones  
erected.

LXV. And be it further enacted, That the said Trustees, or any Five or more of them, shall cause the said Road to be measured, and Stones or Posts to be set up in or near the Sides of the said Road, at the Distance of One Mile from each other, denoting the Distance of every such Stone or Post from any Town or Place, as the said Trustees, or any Five or more of them, shall think proper; and they may also cause to be erected such and so many Direction Posts as they may think necessary; and if any Person shall wilfully pull up or damage any of such Posts or Stones, or shall obliterate or deface any of the Letters, Figures, or Marks which shall be inscribed thereon, or shall pull up, injure, or take away any Bridge, Arch, Post, Rail, Mound, or Bank, erected or to be erected in, upon, or under any Part of the said Road, or shall take or carry away any Ballast, Gravel, Drift Sand, or other Materials laid or to be laid on or near the said Road for the Repair thereof, or scraped off and laying near the said Road and belonging to the said Trustees, without Licence in Writing under the Hands of the said Trustees, or any Seven or more of them, specifying the Quantity to be taken and the Time for taking the same, and be thereof convicted before the said Trustees, or any Five or more of them, or before any One or more Justice or Justices of the Peace for the said County of *Middlesex*, either by the Confession of the Party or by the Oath of One or more credible Witness or Witnesses, such Person or Persons so offending shall respectively forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings for each Stone or Post so wilfully broken, pulled up, obliterated, or defaced, for each such Offence as aforesaid, to be levied and recovered as herein-after mentioned; or if any Person shall ride upon any Footway adjoining to any Part of the said Road, or shall drive any Horse or other Beast or Cattle, or any Swine, or any Cart or Carriage thereon, or shall cause any Damage to be done to any of such Footways, or if the Driver of any Waggon or other Carriage shall wilfully or carelessly break or damage any of the Posts or Stones erected for the Security of the said Footways, or drive the Wheel of his Carriage against the same or the Side or Sides of the said Footway, or if any Person shall hale or draw or cause to be haled or drawn upon any Part of the said Road, any Tree or Piece of Timber, or any Stone, otherwise than upon wheeled Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon any wheeled Carriage to drag upon any Part of the said Road, to the Prejudice thereof, or if any Person or Persons shall lay any Hay, Straw, or other Matter or Thing upon any Part of the said Road, to be made into Manure, or shall scrape off the same or any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Road, with any sharp pointed Instrument, so as to damage the said Road

or



or any Part thereof, or if any Person or Persons shall leave any Waggon, Wain, Cart, or other Carriage, except in case of Accident, in, upon, or on the Sides of the said Road, either with or without any Horse or Beast harnessed or yoked thereto, or shall lay any Piece of Timber, or any Stones, Brick, Hay, Straw, Lime, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, in any Part of the said Road, or on the Side or Sides thereof; to the Prejudice or Annoyance thereof, or of any Person or Persons travelling thereon, or shall suffer any Oxen, Cows, Sheep, Lambs, Hogs, or other Cattle, to stand, lie, or loiter on the said Road or on any Part thereof, or have, set, place, or leave any Timber or Trees or other Matter or Thing thereon, for more than the Space of Two Hours, and be convicted thereof by the Confession of the Party, or by the Oath of One or more credible Witness or Witnesses before any Five or more of the said Trustees, or before any One or more Justice or Justices of the Peace for the said County of *Middlesex* (which Oath the said Trustees, Justice or Justices, is and are hereby empowered and required upon Application made to him or them for that Purpose to administer) every Person so offending shall forfeit and pay a Sum not less than Ten Shillings nor more than Forty Shillings for every such Offence, One Moiety whereof shall be allowed and paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

LXVI. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collectors, Surveyors, or other Officers under this Act, be it therefore enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers respectively, to seize and detain any such unknown Person or Persons, guilty of any Offence as aforesaid, and to convey him, her, or them, before any One or more Justice or Justices of the Peace for the County or Place where any such Offence or Offences shall be committed, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next Petty or Special Session, to be holden for the County or Place where such Offence or Offences shall be committed, and on such Conviction, or for Want of such sufficient Security, to commit the Person or Persons so offending to the House of Correction for the County or Place where the Offence or Offences shall be committed, until he, she, or they shall pay the respective Penalty by him, her, or them incurred for such respective Offence or Offences, or shall give such Security as aforesaid.

Power to Collectors to detain Persons guilty of Offences.

LXVII. And inasmuch as very great Nuisances are frequently committed in and near to the said Road, by the casting and throwing Night Soil thereon or near thereto, to prevent which the common and accustomed Laws and Penalties have been found ineffectual; be it therefore further enacted, That if any Person or Persons whomsoever shall, from and after the passing of this Act, throw, cast, lay, or permit or suffer to be thrown, cast, or laid, any Night Soil in or upon the said Road, or into the Drains and Watercourses belonging thereto, or within One hundred and fifty Yards of the said Road, or along the Sides of the said Road, every such Person, being thereof convicted upon the Oath of One or more Witness

Penalty on Person throwing or laying Night Soil upon the Road, or the Drains belonging thereto.

or Witnesses, or by his, her, or their own Confession, before One or more Justice or Justices of the Peace for the County of *Middlesex*, shall forfeit and pay for every such Offence the Sum of Ten Pounds, over and above the Charges of removing such Night Soil (which the said Surveyor or Surveyors is and are hereby authorized to remove), and of procuring a proper and suitable Place or Laystall for casting and depositing the same: And, for the more easily discovering and effectually punishing the Offender or Offenders, it is hereby further enacted, That in all such Cases the Owner or Owners of the Cart, Carriage, or other Vehicle whatsoever, which shall be used for bringing and casting such Night Soil, shall be deemed and considered to be a Person and Persons throwing, casting, and laying the same, and as well as the Person and Persons who shall actually drive or carry the Cart, Carriage, or other Vehicle, so bringing and casting such Night Soil, shall be subject and liable to the Penalty hereby imposed: Provided always, That in case the Owner or Owners of any Cart, Carriage, or other Vehicle as aforesaid, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage, by reason of any wilful Neglect or Default done or committed by his, her, or their Servant, such Servant shall be liable to repay such Penalty or Satisfaction to such Owner or Owners, and in case of Non-payment upon Demand thereof, and Oath made by such Owner or Owners of the Payment by him, her, or them, of such Penalty or Satisfaction, and that the same hath not been repaid to him, her, or them, by such Servant, (such Oath to be made before One Justice of the Peace), the same Penalty and Satisfaction shall be levied by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, when recovered, shall be paid to such Owner or Owners in Discharge of such Penalty and Satisfaction; and if sufficient Goods and Chattels of such Servant cannot be found to answer such Distress, then such Justice is hereby required, by Warrant under his Hand and Seal, to cause such Servant to be apprehended and brought before him the said Justice; and in case such Penalty and Satisfaction, and the Costs of such Proceeding as aforesaid, shall not be forthwith and immediately paid, such Justice is hereby required forthwith to commit such Servant to the House of Correction for the County of *Middlesex*, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than Twenty Days, unless the said Penalty and Satisfaction, and such Costs and Charges as aforesaid, shall be sooner paid, or unless such Servant shall have compounded for such Penalty, Satisfaction, Costs, and Charges, with such Owner or Owners, and paid such Composition, which such Owner and Owners are hereby empowered to make and accept.

Owners to recover back from their Servants any Sum paid for their Neglect or Default.

Lamps to be put upon the Sides of the Road, and to appoint Watchmen, etc.

LXVIII. And be it further enacted, That the said Trustees, or any Seven or more of them, may, and they are hereby authorized and empowered to erect, or cause to be erected, such and so many Glass Lamps upon the Sides of such Parts of the Road by this Act directed to be repaired as are not already lighted by or under any Private or Parochial Act, as they shall think necessary, and appoint a competent Number of fit and able bodied Men to watch and guard the said Road, as they the said Trustees, or any Seven or more of them, shall think proper and convenient; and from Time to Time to contract with any Person or Persons for lighting, maintaining, and repairing the said Lamps, and to make such Allowances

allowances to the said Watchmen for their Attendance, and to give such Orders and Directions concerning the same, and the Manner in which the said Watchmen shall be armed and stationed upon the said Road, and for the due and regular Performance of the said respective Services; as they the said Trustees, or any Seven or more of them, shall judge reasonable or expedient; and from Time to Time to remove any of the said Watchmen and appoint others in their Stead; and the erecting, lighting, and maintaining such Lamps, and the Allowances to be made to such Watchmen, and all other Charges incident to the said respective Services, shall be paid and defrayed out of the Money arising or to arise by virtue of this Act; any Thing herein contained to the contrary notwithstanding.

LXIX. And be it further enacted; That the said Watchmen shall, during the Time of their being stationed upon the said Road, use their best Endeavours to prevent Murders, Robberies, and all other Outrages and Misdemeanors, and to that End it shall be lawful for the said Watchmen, or any of them, to apprehend and secure all Rogues, Vagabonds, and disorderly Persons who shall be found loitering, wandering, or misbehaving themselves, or committing any Disorders or Offences upon any Part of the said Road, or whom the said Watchmen shall have Reason to suspect of any evil Designs; and the Person or Persons so apprehended shall be delivered, as soon as conveniently may be, into the Hands of a Constable or other Peace Officer, who is hereby authorized and required to secure such Person or Persons, and as soon as conveniently may be to convey him, her, or them, before some Justice of the Peace for the said County of *Middlesex*, to be examined and dealt with according to Law.

Vesting the  
Watchmen  
with certain  
Powers, etc.

LXX. And be it further enacted; That if any Person shall wilfully break, throw down, or otherwise damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps, it shall be lawful for any Person or Persons whomsoever to apprehend and seize such Offender or Offenders, and such Persons may convey the Party so offending to some Peace Officer, and deliver him or them into the said Officer's Custody, in order to be secured and conveyed before some Justice of the Peace for the said County of *Middlesex*; and the Party accused being brought before any such Justice, he 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 accused shall be convicted of such Offence, either by his or her own Confession, or upon such Information as aforesaid, the Party so convicted shall, for the First Offence, forfeit any Sum not exceeding Ten Shillings nor less than Five Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid, and for the Second Offence any Sum not exceeding Twenty Shillings nor less than Ten Shillings for every such Lamp, and for the Third and every subsequent Offence, any Sum not exceeding Forty Shillings nor less than Twenty Shillings for every such Lamp; and full Satisfaction shall also be made to the said Trustees, or any Seven or more of them, or to their Surveyor, by such Offender, for the Damage by him or her done as aforesaid; and in case the Party so offending shall not, upon Conviction, pay the Forfeiture incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender shall be convicted is hereby required to commit him or her to the Common Gaol for the said County, there to be kept to hard Labour, for any

Penalty on  
breaking  
Lamps, &c.  
or putting  
out the Lights  
thereof.

any Time not exceeding Three Calendar Months; and such Offender shall not be discharged before the Expiration of the Time for which he or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; One Half of which respective Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Half shall be applied for the Purposes of this Act; and if any Person shall negligently or accidentally break, throw down, injure, or otherwise destroy any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand make Satisfaction to the said Trustees, or any Seven or more of them, or to their Surveyor, for the Damage by such Person done as aforesaid, it shall be lawful for any Justice of the Peace for the said County of *Middlesex*, and he is hereby required, upon Complaint thereof made by any Seven or more of the said Trustees, or by their Clerk or Surveyor, to summon the Party complained of, and upon his or her appearing, or making Default to appear, (except for some reasonable Excuse, and Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or Place of Abode, if known), such Justice shall proceed to examine the Matter of Complaint, and upon Proof thereof, either by Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, award and order such Satisfaction to be made by the Party complained of, for the Damage so by him or her done, as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded, in case the same be not paid forthwith upon the making such Award or Order, to be levied by Distress and Sale of the Goods and Chattels of the Person complained of, rendering to him or her the Overplus, (if any be) upon Demand, after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted.

Lamps, &c.  
vested in the  
Trustees, &c.

LXXI. And be it further enacted, That the Right and Property of and in all Turnpikes, Toll Houses, and other Buildings to be erected and provided by virtue of this Act, and their Appurtenances, and of the Materials for building or altering the same respectively, and also of and in all such Lamps as shall be erected, fixed, or continued in pursuance of this Act as aforesaid, and to and in the Posts, Iron, and other Furniture of all such Lamps, and also to and in all Stands, Watch Houses, Coats, Arms, Implements, and Things to be provided for the said Watchmen, and also the Right and Property to and in all Materials and other Things which shall be collected or made use of for repairing or improving the said Road, and also of and in all Storehouses, Rooms, Sheds, Machines, Carts, Pumps, Engines, Posts, Rails, Implements, Utensils, and Things whatsoever bought or provided by the said Trustees; or any of them, or by their Order, in pursuance of this Act, or otherwise belonging to or used by them for the Purposes of this Act, shall be vested in the said Trustees, and they, or any Seven or more of them, are hereby empowered to dispose of the same as they shall think fit, and in the Name of any One or more of them, or in the Name of their Treasurer or Clerk, to bring any Action or Actions, or to prefer and prosecute with Effect any Bill or Bills of Indictment against any Person or Persons who shall steal, take away, injure, or damage the same or any of them, or who shall disturb the said Trustees, or their Collectors, or any other Person or Persons by the said Trustees employed, in the Possession of their Property therein.

LXXII. And

LXXII. And, for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That upon any Complaint, Information, Indictment, or Action to be laid or brought against any Person for any Offence committed against this Act, the Evidence of any of the Inhabitants of the Parishes or Places through which the said Road directed by this Act to be repaired, doth or shall lead, shall be taken and admitted in all Cases whatsoever; any Law, Custom, or Usage to the contrary notwithstanding.

Evidence of the Inhabitants, though of the Parishes through which the Road runs, to be admitted.

LXXII. And be it further enacted, That when any Penalty by this Act imposed shall be incurred, or any Offence by this Act created shall have been committed, the Method of Proceeding in respect to which is not herein-before particularly directed, any One of His Majesty's Justices of the Peace for the County in which the Offence shall be committed, may, and is hereby required, upon Complaint and Information to him therefore made, to summon before him the Person or Persons against whom such Complaint or Information shall be made, to answer the Matter thereof, and at the Time and Place appointed by such Summons, the Person or Persons complained of or informed against appearing before the said Justice, or in case of his or their not appearing (except for some reasonable Excuse) Proof being made upon Oath before the said Justice of the Personal Service of such Summons, or that a Duplicate or true Copy of the same was left at the Dwelling House or last known Place of Abode of such Person or Persons, the said Justice may, and he is hereby required, whether the said Person or Persons complained of or informed against do or do not appear, to proceed to examine the Merits of such Complaint and Information; and if such Offence or Offences shall be confessed by the Person or Persons so complained and informed against, or be duly proved to the Satisfaction of such Justice, by the Testimony of One or more credible Witnesses or Witnesses upon Oath, such Justice may, and he is hereby required forthwith to convict such Offender or Offenders, and to adjudge him or them to pay such Penalty or Penalties as he or they shall be liable unto by virtue of this Act; and if such Penalty or Penalties shall not be paid immediately, in case such Offender or Offenders appear personally to answer such Complaint or Information, or in case of his or their Non-appearance to answer such Complaint or Information, within Three Days after Notice of such Conviction given to such Offender or Offenders, or left at his, her, or their Dwelling House or last known Place of Abode, and Proof thereof, and of the Non-payment of such Penalty or Penalties made to such Justice upon Oath, such Justice shall, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the same, together with the reasonable Costs and Charges of such Complaint and Information, and of the Distress and Sale, to be made pursuant to such Warrant, to be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders, and if sufficient Goods and Chattels of such Offender or Offenders cannot be found to answer such Distress, then such Justice is hereby required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be apprehended and brought before him the said Justice; and in case such Penalty or Penalties, and the Costs and Charges of such Proceedings as aforesaid (to be settled as aforesaid) shall not be forthwith and immediately paid, such Justice is hereby required forthwith to commit such Offender or Offenders to the House of Correction for the said County, there to remain,

Any Justice of the Peace to proceed against Offenders, when Penalties shall be incurred, and Offences committed.

without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless the said Penalties, and such Costs and Charges as aforesaid, shall be sooner paid, or unless such Offender or Offenders shall have compounded for such Penalties, Costs, and Charges with the said Trustees, or any Two or more of them, and paid such Composition, which the said Trustees are hereby empowered to make and accept.

Application of Penalties. Trustees, for reward, Persons assisting in apprehending Offenders.

LXXIV. And be it further enacted, That all the Penalties and Forfeitures by this Act imposed, other than and except such of such Parts thereof as are by this Act otherwise directed to be paid, shall be paid to the Trustees, their Treasurer or Surveyor, or other Person or Persons by them appointed to receive the same, and shall be applied for the Purposes of this Act; and 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, as they shall think proper, not exceeding One Moiety of them, or any of them, and for the Use of the Informer or Informers, or any Person or Persons taking or seizing any Offender or Offenders, or assisting therein; any Thing herein contained to the contrary notwithstanding.

LXXV. And be it further enacted, That Convictions for Offences against this Act may be drawn up in the following Form, or to the like Effect; (that is to say),

Form of Conviction.

County of } B E it remembered, That on the [here insert the Day of the  
to wit } Month and the Year of our Lord, and of the King's Reign]  
A. B. is convicted before me C. D. One of His Majesty's Justices of the Peace for the County of Middlesex [or, before us of the Trustees appointed in and by an Act, &c. as the Case may be] on his own Confession [or, on the Oath of a credible Witness, or, and credible Witnesses, as the Case may be] of [here specify the Offence, and the Time and Place when and where the same was committed] contrary to the Form and Effect of an Act passed in the Forty-first Year of the Reign of King George the Third, intituled, [here insert the Title of this Act, if before a Magistrate, and if before Trustees, say as aforesaid] and I the said Justice [or, we the said Trustees] do adjudge the said A. B. to have thereby incurred the Penalty of to be paid, recovered, and applied in Manner directed by the said Act. Given under my Hand and Seal [or, in case of Trustees, or, more than One Justice, our Hands and Seals] the Day and Year aforesaid.

Which Conviction shall be valid and effectual in Law to all Intents and Purposes.

Allowing an Appeal to the Quarter Sessions.

LXXVI. Provided always, and be it further enacted, That in case any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already hereby appointed, it shall be lawful for such Person or Persons to appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace; or in case the Cause of Complaint shall arise within Twenty-one Days next before such General Quarter Sessions of the Peace, then such Appeal may be made to such Justices at the Second General

General Quarter Sessions of the Peace to be held for the said County of *Middlesex*; who are hereby authorized and required to take Cognizance thereof, and to determine the Complaint of every such Person in a summary Way, and if they see Cause, may, by Order of such Sessions, mitigate, at their Discretion, all or any of the Penalties aforesaid, or vacate and set aside the Conviction, and set the Party at Liberty, or otherwise may ratify and confirm the same, with such Costs as to them shall seem reasonable; and they are hereby authorized and empowered to make such Orders and Judgements in regard to the Premises as they shall think fit; but the Person or Persons so appealing shall give Notice in Writing to the Clerk or Clerks to the said Trustees of such his, her, or their Intention of bringing such Appeal, and of the Cause or Matter thereof, Eight Days before the said Quarter Sessions, and shall also enter into sufficient Bail before One or more Justice or Justices of the Peace for prosecuting such Appeal, and abiding such Order as shall be made therein.

LXXVII. And be it further enacted, That no Proceedings to be had, touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form, or be removeable by *Certiorari*, or any other Writ or Writs, or Process, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed for Want of Form, nor removed by *Certiorari*.

LXXVIII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Twenty Days Notice shall be given thereof to the Clerk or Clerks to the said Trustees, or after sufficient Satisfaction, or a Tender thereof hath been made to the Party or Parties aggrieved; and that if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, the same shall be commenced within Three Calendar Months next after the Offence committed, or Cause of Action or Suit accrued, and not afterwards, and shall be laid and brought in the said County of *Middlesex*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may, at his Election, plead specially, or plead the General Issue, and give this Act and 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 that if it shall appear so to have been done, or that such Action or Suit shall be brought before Twenty Days Notice shall be thereof given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or shall be commenced after the Time before limited for bringing the same, or shall be brought in any other County or Place, that then the Jury shall find for the Defendant or Defendants therein, or if the Plaintiff or Plaintiffs shall be non-suited or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may have and recover Treble Costs, and have the like Remedy for the same as any other Defendant or Defendants hath or have by Law in any other Case.

Limitation of Actions.

General Issue.

LXXIX. And be it further enacted, That the several and respective Persons who have subscribed Money for and towards making, and repairing, and improving the said Road, shall and are hereby required to pay

Requiring Subscribers to pay their Subscription Money.

the Sum or Sums so by them respectively subscribed, in such Parts and Proportions, within such Time and Times, and to such Person or Persons as the said Trustees, or any Five or more of them, shall by any Writing under their Hands authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same in Manner aforesaid, it shall be lawful for the said Trustees, or any Five or more of them, to sue for and recover the same, either in their own Names, or in the Name of the Clerk or Treasurer to the said Trustees, in any of His Majesty's Courts of Record, by Action of Debt on *Mutualis*, or on the Case, for Money had and received, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparance shall be allowed.

Extending the Powers of the General Turnpike Act to this Act.

LXXX. And whereas by an Act made and passed in the Thirteenth Year of the Reign of His present Majesty King George the Third, intituled, *An Act to explain, amend, and reduce into One Act of Parliament the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England, and for other Purposes*, and by several other Acts for explaining and amending the said Act, sundry Clauses, Provisions, Tolls, Duties, Powers, Limitations, Additions, Penalties, Compensations, Forfeitures, Exemptions, Payments, Punishments, Matters, and Things, were given and granted to all Trustees appointed by any Act or Acts of Parliament made for the Repair of any Turnpike Roads within that Part of *Great Britain* called *England*, for the further, better, and more effectual repairing, and amending Turnpike Roads; be it enacted, That all and singular the said several Clauses, Provisions, Tolls, Duties, Powers, Limitations, Additions, Compensations, Penalties, Forfeitures, Exemptions, Payments, Punishments, Matters, and Things in the said Act, or in any other Acts for explaining and amending the said Act contained, be extended to and the same are hereby declared to extend to the Trustees appointed for putting this Act into Execution, in as full, ample, and beneficial Manner, to all Intents and Purposes, as if the same had been repeated or re-enacted in the Body of this Act, excepting in such Cases where any of the Powers of the said Acts are herein expressly varied or repealed for the Purposes of this Act.

Declaring this Act Publick.

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

Fixing the Term of the Act.

LXXXII. And be it further enacted, That this Act and all the Tolls and Powers hereby given shall commence and take Effect on the Day on which the Trustees shall hold their First Meeting, and shall be put in Execution and continue in force from thenceforth for and during the Term of Twenty-one Years then next ensuing, and from thence to the End of the then next Session of Parliament.

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