



ANNO QUADRAGESIMO SECUNDO

GEORGI III. REGIS.

Cap. 63.

An Act for repealing an Act passed in the Twenty-first Year of the Reign of His present Majesty, for repairing the Roads leading from the *Stones-end* in *Kent Street*, in the Parish of *Saint George Southwark*, to *Dartford*, and other Roads therein mentioned, in the Counties of *Kent* and *Surrey*; and for more effectually repairing and improving the said Roads; and for lighting, and watching, or guarding the same; and also for increasing the Compositions payable in lieu of Statute Duty, by the Parishes of *East Greenwich* and *Saint Paul Deptford*, to the Treasurer of the said Roads. [24th May 1802.]

WHEREAS by an Act of Parliament, passed in the Twenty-first Year of the Reign of His present Majesty, for more effectually repairing the Road leading from the *Stones-end* in *Kent Street*, in the Parish of *Saint George Southwark*, to *Dartford*; and other Roads therein mentioned, in the Counties of *Kent* and *Surrey*, and for other Purposes, several Tolls, Powers, and Authorities were granted for repairing several Roads in the Counties of *Kent* and *Surrey*, herein-after described; (that is to say), the Road leading from the *Stones-end* in *Kent Street*, in the Parish of *Saint George Southwark*, to the *Cock* and *Lion Back Gate* at the West End of the Town of *Dartford*; and from the *Stones-end* 21 Geo. 3.

[Loc. & Per.] in

in *Bermondsey Street* to the Turnpike, near a Place called *Saint Thomas a Waterings* in the said Parish of *Saint George*; and from the Turnpike Road near *Deptford Bridge* to the *Stones-end* in *London Street*, in the Parish of *East Greenwich*; and from the Six Mile Stone on *Blackheath* through *Charlton* and over *Woolwich Common*, to the Warren at the East End of the Parish of *Woolwich*; and from the Lime Kilns in *East Greenwich*, to join the Turnpike Road in the Parish of *Lewisham*; and from a Place called *New Cross* in the Parish of *Deptford* through *Lewisham* to *Farnborough Well*; and from the First Mill Pond at *South End*, in the said Parish of *Lewisham*, to the West End of a Place called *Stroud Green*, in the Parish of *Croydon*; and from the Turnpike Road near *Lewisham Bridge* to the North End of *Burnt Ash Lane*, in the Parish of *Lee*; and from the North End of *Burnt Ash Lane* aforesaid through *Eltham* to *Foot's Cray Bridge*, in the said County of *Kent*, which said Act is near expiring, and the said Roads cannot be kept in good Repair unless adequate Tolls, Powers and Provisions, be granted for that Purpose during a further Term: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act, the said recited Act of the Twenty-first Year of the Reign of His present Majesty, shall be and the same is hereby repealed and made void.

21 Geo. 3.
repealed.

Trustees.

II. And be it further enacted, That *Francis Motley Austen, John Julius Angerstein, Miles Peter Andrews, George Arnold Arnold, William Allen of Lewisham, Robert Allen, John Atkins, William Albin, Edward Austen, Joachim Andrade, Sir John Boyd Baronet, Philip Brandon, William Browning, John Bowater, Richard Henry Alexander Bennett, Shovell Blackwood, Andrew Barnaby D. D., Joseph Berens, John Kenward Shaw Brook Clerk, George Buxton Doctor of Physick, Thomas Blomfield, William Barnard, Edward George Barnard, John Brent, Edward Gale Boldero, Hutchinson Brown, Thomson Bonar, Charles Burney LL. D., Samuel Brandram, Andrew Burnside, Richard Best, Sir Francis Baring Baronet, Essex Henry Bond, Nathaniel Batten, Charles Broughton, Samuel Baker, Patrick Burt, Samuel Cotes, James Chapman, John Cator, Joseph Cator, Duncan Campbell, Philip Cox, William Cope, John Currey Clerk, Osgood Gee Carew, James Cuming, John Calcraft, Robert Campbell, Christopher Chapman, Lieutenant Colonel William Congreve, Christopher Cooke, William Collins, James Christie, the Reverend John Cooke, John Davis, Sir John Dixon Dyke Baronet, Sir Naborough D'Aeth Baronet, Abram Pearcehouse Driver, Josiah Dornford, Major General Thomas Davies, James Duncan, Thomas Augustus Douce, Francis Hubble Douce, Lieutenant Colonel Francis Downman, Lieutenant General Duncan Drummond, Thomas Dyke, Percival Hart Dyke, William Driver, Sir John Douglas Knight; William Beveridge Duncan, John Dorrington, Sir Frederick Evelyn Baronet, William Glanville Evelyn, Robert Edmonds, Samuel Enderby, George Emmett, Charles Enderby, Richard Edmonds, George Enderby, Francis Easterby, John Edwards, Major General Joseph Eyre, Henry Edmeades, Henry Edmeades junior, William Edmeades of Cobham, James Edmeades, Hussy Fleet, Samuel Farmer, John Forster, Thomas Fuller, Simon Frazer, Edward Forman, Sir John Farnaby Baronet, William Forman, James Payne, George Clerk, Sir William Geary Baronet, Richard Gee, Henry Goodwyn, John Gopsill, George Grote, Philip Goodhew, William*

William Goodnow, Sir Richard Glode Knight, Thomas Gaitskell, Joseph Hales, Richard Hulfe, William Hagen, Joseph Humphreys, Benjamin Harenc, Christopher Hull, Jacob Hagen junior, Filmer Honeywood, Joseph Hunt, Robert Hoggart, Joseph Hardcastle, John Harrison, William Holmes, David Hunter, Sir Henry Hawley Baronet, Henry Hawley, Thomas Hambly, Thomas Harris, John Hough, William Hood, David Hunter, John Hosier, John Bowers Hodson, John Jesser, John Ibbetson, Charles James, Robert Jenner, John Jones, Henry Jackson, Hugh Jones Clerk, Edward King, Sir Edward Knatchbull Baronet, Charles Kensington, John Larking, David Langton, Theodore Forbes Leith Doctor of Physic, Richard Leigh, Richard Lezwin, William Lushington, John Pascall Larkins, the Right Honourable Charles Long, the Honourable and Reverend Edward Legge, Sir William Leighton Knight, General Vaughan Lloyd, George Liddell, Martin Lindsay, Peter Laurie, Thomas Longlands, Edward Hawke Locker, Lord Viscount Marsbam, John Mumford, William Mumford, Christopher Mason, Stephen John Maule, John Maule Clerk, Thomas Moor Clerk, John Martin, Erasmus Madox, Thomas Maltby, Henry Mills, Mayow Wynell Mayow, Colonel John M'Leod, the Honourable and Reverend Jacob Marsbam D. D., Robert Maitland, Samuel Gillam Mills, Major General Philip Martin, Francis Market, George Munro, Patrick M'Leod, Richard Morse, Richard Martyr, Garland Murray, Thomas Maltby, Alexander Mackie, William Morland, Thomas Newnham, George Norman, Edward Neale, James Newsome, Joseph Nutting, William Nicholson, William Nottridge, David Orme, John Oliver Clerk, Charles Palmer, David Papillon, James Pattison, Frederick Pigou, Christopher Pritchard, Peter Pegus, Peter Pemell, William Pemell, William Pemble, James Parry, William Richardson, John Rogers, John Randall, William Rose Clerk, James Robson, Major Rhode, Thomas Raikes, Captain John Reid, Cadwallader Blaney Roper, Thomas Roberts, Richard Rawes, John Rolls, Robert Robertson M. D., William Ross, Sir John Gregory Shaw Baronet, Henry Sharp, George Smith, Richard Stone, William Smith, Claude Scott, Edward Stone, William James Tauzia Savary, Robert Saunders, Joseph Steele, John St. Barbe, John Skottowe, John Raymond Snow, George Smith of Meopham, Charles Stow, Robert Sowerby, Charles Satterwhaite, Sir Gregory Page Turner Baronet, Sir John Twisden Baronet, Peter Thompson, John Talbot, Robert Tyler, James Trimbey, Thomas Todd, Alexander Trotter, John Varnham, John Undershall, Sir Thomas Maryan Wilson Baronet, William Wells, Robert Watson, William Wheatley, Isaac Warner junior, James Warne, Henry Whittle, John Warde of Westerham, John Welford, Simeon Warner of the Kent Road, John Wells, James Rice Williams, Thomas Waller, Thomas Welladvice, Thomas Willmott, Charles Willmott, Joseph Warner of Eltham, John William Wood, John Walker, James Walker, and William Wadeson, shall be, and they are hereby appointed Trustees for amending and keeping in Repair the several Roads herein-after described; that is to say), the said Roads leading from the Stones-end in Kent Street to the Cock and Lion Back Gate at the West End of the Town of Dartford; and from the Turnpike Road near Deptford Bridge to the Stones-end in London Street aforesaid; and from the Six Mile Stone on Blackheath, through Charlton, and over Woolwich Common to the said Warren at Woolwich; and from the said Lime Kilns in East Greenwich, to join the Turnpike Road in the said Parish of Lewisham; and from New Cross in the said Parish of Deptford through Lewisham to Farnborough Well; and from the said Mill Pond at South End to the West End of Stroud Green; and from the Turnpike Road near Lewisham Bridge through Lee and Eltham to Foots Cray Bridge, in the Counties of Kent

and *Surrey*; and for putting this Act in Execution; and that in case any of the Trustees hereby appointed, or to be elected in Manner herein-after mentioned shall die, or cease to reside within the Counties of *Kent* and *Surrey*, or either of them; or shall by Writing under his Hand, refuse to act in the Execution of this Act, it shall be lawful for the surviving or remaining Trustees, or any Nine or more of them, from Time to Time, upon the First *Saturday* after the Twenty-fourth Day of *June*, in every Year, to choose and appoint proper Persons residing within the said Counties, or either of them, to be Trustees in the Room of such as shall die, or shall cease to reside within the said Counties, or refuse to act; provided that Ten Days publick Notice of the Meeting for every such Election be given, by affixing the same on all the Toll Gates or Turnpikes, which shall be then standing on the said Roads; and every Person who shall be so chosen and appointed, shall be joined with the surviving or remaining Trustees, and is hereby empowered to act in the Execution of this Act, to all Intents and Purposes, as if he had been particularly named and appointed a Trustee in and by this Act.

Qualification
of Trustees.

III. Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be qualified or capable of acting as a Trustee in any Case in the Execution of this Act, unless at the Time of his acting he shall be seised and possessed for Life, or some greater Estate to his own Use, of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds above Reprizes, or possessed of a Personal Estate, to the Amount or Value of Two thousand Pounds; and if any Person not being qualified as aforesaid, shall nevertheless presume to act as a Trustee, in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case; or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any further or other Proof on Behalf of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act.

Trustees may
act as Justices
of the Peace.

IV. Provided always, That such of the said Trustees as are or shall be in the Commission of the Peace for the said County of *Kent* or *Surrey*, may nevertheless act as Justices of the Peace in the Execution of this Act, except only in such Cases where they shall be personally interested; but no Person shall be capable of acting as a Trustee in the Execution of this Act, during the Time he shall hold any Place of Profit under this Act.

No Trustee to
act whilst he
holds a Place
of Profit.

Trustees may
meet and ad-
journ.

V. And be it further enacted, That the First Meeting of the said Trustees, for executing the Purposes of this Act, shall be holden at the *Green Man*, on *Blackheath*, upon the First *Saturday* after the Twenty-fourth Day of *June* One thousand eight hundred and two; and the said Trustees, or any Five or more of them, may then, and from Time to Time afterwards, adjourn their Meetings, and may hold any other Meetings, and in like Manner adjourn the same as often as it shall be necessary for putting this Act in Execution; and that all Acts, Orders, and Proceedings of

of the said Trustees, or any of them, in the Execution of this Act, shall be signed by the Trustees making the same, or by their Clerk, at some Meeting to be held in pursuance of this Act; and that no such Act, Order, or Proceeding, shall be valid, unless made and signed at such Meeting; and the said Trustees shall, at all their Meetings, defray their own Expences.

All Acts of the Trustees to be done at Meetings.

VI. And be it further enacted, That the said Trustees, or any Nine or more of them, shall and may, from Time to Time, at their General Meetings, to be holden on the First *Saturday* after the Twenty-fourth Day of *June* in every Year, appoint a Treasurer, and Clerk, and also such Surveyors, and other Officers, as they shall think necessary (except Toll Gatherers or Gate Keepers, who are to be appointed as herein-after mentioned); and the said Trustees, or any Seven or more of them, shall and may from Time to Time, at any intermediate General Meeting, remove any such Treasurers, Clerks, Surveyors, or other Officers, as they shall see Occasion; and in case of such Removal, or of the Death or Resignation of any such Officers, appoint new ones, to continue in Office till the then next General Meeting, to be holden on the First *Saturday* after the Twenty-fourth Day of *June*, and Ten Days Notice of the Meeting for every such last mentioned Appointment shall be given, by affixing the same on all the Toll Gates or Turnpikes which shall be then standing upon the said Roads; and all such Officers so appointed shall, as often as required by the said Trustees, or any Five or more of them, render and give to them, or to their Treasurer, a true, exact, and perfect Account in Writing, under their respective Hands, with proper Vouchers of all Monies which they shall respectively to such Time have received, paid, and disbursed, by virtue of the said recited Act and this Act, or by Reason of their respective Offices, and shall verify such Accounts upon Oath (which Oath the said Trustees, or any Two or more of them are hereby empowered to administer); and in case any Money so received shall remain in his or their Hands, the same shall be paid to the said Trustees, or any Five or more of them, or to such Person as they shall, by Writing under their Hands, authorize and empower to receive the same, and shall be disbursed and laid out in the Execution of this Act, and not otherwise; and in case any such Officers shall not give in and make such Account and Payment as aforesaid, or shall, for the Space of Fourteen Days after being thereunto required by the said Trustees, or any Five or more of them, refuse or neglect to render and give up to them, or to such Person as they shall direct, all Books, Papers, Writings, Matters, and Things, in their Hands, Custody, or Power, relating to the Execution of this Act, that then any One Justice of the Peace for the County where the Officer so making Default shall dwell, shall and may make Enquiry of and concerning any such Default, in a summary Way, as well by the Confession of the Party as by the Testimony of any credible Witness or Witnesses upon Oath (which Oath the said Justice is hereby empowered and required to administer); and if any such Officer shall be convicted of either of the Offences aforesaid, such Justice shall, upon such Conviction, commit the Party to the Common Gaol of the County where such Officer shall be or reside, there to remain without Bail or Mainprize until he shall have made a perfect Account and Payment as aforesaid, or until he shall have compounded and

For appointing Officers.

agreed with the said Trustees, or any Five or more of them, and have paid such Composition Money (which Composition the said Trustees, or any Five or more of them, are hereby authorized and empowered to make and receive), and shall also have rendered and given up to the said Trustees, or any Five or more of them, or to such Person as they shall direct, all such Books, Papers, Writings, Matters, and Things, as aforesaid; and the said Trustees, or any Five or more of them, shall and may, out of the Money arising by the said Tolls, make such Allowance to their Treasurer, Clerk, Surveyors, Toll Gatherers, or Gate Keepers, and other Officers, for and in Respect of their Care and Pains in the Execution of their respective Offices, and to such other Persons as have been employed in the Execution of this Act, as to them shall seem reasonable; but no Person shall be capable of holding any Place of Profit under the said Trustees who shall sell any Wine, Ale, or spirituous Liquors by Retail.

Victuallers
not to hold
any Places of
Profit.

Treasurer to
give Security.

VII. Provided always, That the said Trustees, or any Five or more of them, shall, and they are hereby required to take such Security from their Treasurer, and other Officers to be appointed for the Purposes of this Act, for the due Execution of their respective Offices, as they shall think proper.

Trustees may
purchase
Lands for
widening
Roads, etc.

VIII. And be it further enacted, That the said Trustees, or any Five or more of them, are hereby fully authorized and empowered to cause to be made, raised, opened, repaired, and kept in Repair, all such Causeways, Ditches, and Drains, and also all such Mounds, Banks, Dams, Sluices, or other Water-works, in, upon, or under, the said Roads, and also in and upon any Place or Places, and through any Grounds convenient for such Purposes; and also to widen, turn, and alter the Course or Path of any Part of the said Roads, by carrying the same through the Grounds of any Person lying contiguous thereto, or by laying any Part of such Grounds into the said Roads as the said Trustees, or any Five or more of them, shall think necessary for the better repairing, widening, straightening, draining, and amending, the said Roads, and keeping the same in Repair; and to agree with the several Owners, Proprietors of, and Persons interested in any Lands or Hereditaments, for the Purchase of any such Lands or Hereditaments, or for the Loss or Damage any such Owners, Proprietors, Occupiers, and Persons interested, shall or may any ways sustain by widening, turning, or altering, the Course or Path of any of the said Roads, or by such other Works as aforesaid; and out of the Money arising by virtue of this Act, to pay for such Lands or Hereditaments, and for such Loss or Damage, such Sum or Sums of Money as shall be so agreed upon, and also the Costs and Charges attending such Agreement and Purchase; and it shall be lawful for all Bodies Politick, Corporate, and Collegiate, Corporations Aggregate and Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, or Feoffees for any charitable Use or Uses, or for or on Behalf of any Infant, Feme Covert, Idiot, Lunatick, *Cestuique* Trust, or any Person under any Disability whatsoever, who are or shall be seised, possessed of, or interested in, any such Lands or Hereditaments, to agree with the said Trustees, or any Five or more of them, for the Purchase of such Lands or Hereditaments for the Purposes aforesaid; and to sell and convey the
same

same as Occasion shall require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid, to all Intents and Purposes, any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding; and all such Corporations, Feoffees, Trustees, and Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

IX. And be it further enacted, That if any such Corporation, or Person, upon Notice in Writing to him or them given, or left at the Dwelling House or Place of Abode of such Person, or of the Head Officer of such Corporation, or at the House of the Tenant in Possession of the Lands or Hereditaments aforesaid, to treat for the Sale thereof, shall, for the Space of Ten 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 shall be prevented from treating, then and in any such Case, the said Trustees, or any Five or more of them, shall cause to be enquired into, ascertained, and assessed, by and upon the Oath of a Jury of Twelve indifferent Men of the County wherein such Lands or Hereditaments shall lie, what Damages will be sustained by, and what Recompence shall be made to such Owners, Proprietors, Occupiers, or other Persons interested, for or upon Account of the taking such Lands or Hereditaments into the said Roads, or of turning any of the said Roads into or through any such Lands or Hereditaments, or for such Loss or Damage as aforesaid, and in order thereto, the said Trustees, or any Five or more of them, are hereby empowered, from Time to Time, as Occasion shall be or require, to summon before the said Jury, and examine upon Oath, any Persons whomsoever, as Witnesses concerning the Premises (which Oaths, and also the Oaths to be taken by the said Jurymen, any Two or more of the said Trustees are hereby empowered to administer), and they shall also order and cause the said Jury to view the Places in Question, if there be Occasion, and use all such lawful Ways and Means, as well for their own as for the said Jury's Information in the Premises, as the said Trustees, or any Five or more of them, shall think fit; and after the said Jury shall have enquired of, ascertained, and assessed, such Damages and Recompence, the said Trustees, or any Five or more of them, shall thereupon order, adjudge, and determine, the Sum or Sums of Money so assessed by the said Jury, to be paid to, or for the Owners, Proprietors, or Occupiers of, or Persons interested in the said Lands or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order or Determination, so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femmes Covert, Idiots, Lunatics, *Cestuique* Trusts, and Persons under any other Disability whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and all and every such Owners, Proprietors, and Occupiers, and Persons interested in such Lands or Hereditaments, shall, upon Payment or Tender of the Money so assessed as aforesaid, in the Manner herein-after directed or mentioned, be thereby from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property, of, in, and to the same; and for the summoning and returning such Jury, the said

Jury to settle the Damages or Recompence, in case the Parties cannot agree.

Trustees, or any Five or more of them, are hereby empowered to issue out their Warrant to the Sheriff of the County where such Lands do lie, requiring him to impanel, summon, and return Twenty-four indifferent Persons to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy, is hereby required to impanel, summon, and return such Number accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear on such Summons, the said Trustees, or any Five or more of them, shall swear, or cause to be sworn, Twelve to be drawn by Ballot out of the said Twenty-four; and in Default of a sufficient Number of Persons so impanelled, the said Sheriff, or his Deputy, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, who shall be sworn in like Manner, until the Number of Twelve be completed, which Twelve shall be the Jury for the Purposes aforesaid; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen, when they come to be sworn; and the said Trustees, or any Five or more of them, acting in the Premises, shall have full Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff, his Deputy, Bailiffs, or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, or shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give, or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury, touching the Premises, shall refuse, or, without a sufficient Excuse, neglect to appear, or appearing, shall refuse to be sworn and give Evidence, and from Time to Time to recover, levy, and apply such Fines, in the same Manner as any other Forfeiture or Penalty is by this Act directed to be recovered, levied, and applied; so that no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence.

How the Expences of the Jury are to be paid.

X. And be it further enacted, That in case any such Jury shall give in and deliver a Verdict or Assessment for more Monies, as a Recompence for the Right, Interest or Property, of any Person or Persons in any such Lands or Hereditaments, or for any such Loss or Damage than shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning the said 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 Charges of summoning and maintaining the said Jury and Witnesses shall be borne and paid by the said Trustees, or any Five or more of them, out of the Money arising by virtue of this Act; but if any 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 Five or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss, or Damage as aforesaid, that then the Costs and Expences of summoning and maintaining the said Jury and Witnesses shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute.

XI. And

XI. And be it further enacted, That all and every Sum and Sums of Money so assessed as aforesaid is and are hereby charged upon the Monies which shall be raised by virtue of this Act, and shall be paid thereout by the said Trustees, or any Five or more of them, or their Treasurer, either into the Bank of *England*, or as the Case may require to the Person or Persons respectively entitled thereto, or their Agents; and upon Payment thereof, or in Case such Persons, or their Agents, cannot be met with, or upon Tender of such Money shall refuse to receive the same, then, upon leaving the same in the Hands of the Treasurer to the said Trustees for the Use of the respective Persons entitled thereto, and Notice thereof in Writing, signed by any Three or more of the said Trustees or their Treasurer, given to such Persons, or their Agents, or left at their or either of their usual Places of Abode, such Lands or Hereditaments shall, by the said Trustees, their Surveyors or Workmen, be laid into and made Part of the said Roads, and shall to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be, a publick and common Highway, and shall be for ever afterwards deemed Part of the said Roads, and shall be repaired and kept in Repair by such Ways and Methods, and in all Respects in such Manner as the old Road so widened, altered, or turned, was and ought to have been kept in Repair; and after such new Roads shall be completed, the Land constituting the former Road, or such Part thereof as shall become useless or unnecessary for the Purposes of a common or publick Highway (except it leads over some Heath or Common), shall be vested in, and shall and may be exchanged or sold by, the said Trustees, or any Five 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 repairing of the Roads hereby intended to be repaired, and other the Purposes of this Act; and the Conveyance to be made of such Land, being executed by the said Trustees, or any Five or more of them, and enrolled by the Clerk of the Peace for the County wherein the same shall be situate, shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

Monies assessed to be paid out of the Tolls, &c.

XII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, such Money shall, if the same 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, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter Thirty-two, and the general Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall, 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), be paid and applied in the Purchase of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrance, affecting the same Lands, Tenements, or Hereditaments, or any other Hereditaments, standing

Application of Compensation when exceeding 200l.

settled to the same or the like Uses, Intents, or Purposes, or be laid out and invested in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, to be settled to the like Uses; and in the mean Time the said Money may, by Order of the said Court, 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 thereof 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 when the Compensation does not exceed 200l. nor less than 20l.

XIII. Provided always, and be it further enacted, That if any Money so agreed or assessed 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 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 Three Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the Trustees for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner 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.

Application when the Money is less than 20l.

XIV. Provided always, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-before mentioned, shall not exceed the Sum of 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 Five 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.

Not to damage any House or Building.

XV. Provided always, That in widening, turning, or diverting the Course of any Part of the said Roads, nothing shall be done which shall or may in anywise injure or damage any House or Building, or any Ground which shall have been set apart or used as a Yard, Garden, Orchard, Park, Plantation or Nursery of Trees, or any Walk of Trees, or Avenue to any

any House, for the Space of Six Calendar Months, next before Notice given to the Owner or Proprietor of such Ground to treat for the Sale thereof as aforesaid, unless such Owner or Proprietor shall consent thereto.

XVI. Provided also, That no Person shall act as a Trustee in any Case relating to the contracting for or purchasing any Land or Hereditaments, or in any other Case in the Execution of this Act, where he shall be concerned in Interest.

Trustees not to act, where interested.

XVII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors to the said Trustees, and such Person or Persons as he or they shall appoint, to search for, dig, gather, take and carry away, any Gravel, Heath, Sand, Stone, or other Materials proper for repairing the said Roads, in and out of any River or Brook, Waste or Common, in any Parish, Town, Village, or Hamlet, near or adjoining to the said Roads, without paying any Thing for the same, and to lead or carry away the same upon, over, or through the private Lands or Grounds of any Persons whomsoever; such Surveyor or Surveyors fencing or stopping all such Holes and Pits, where any such Materials as aforesaid shall be dug, gathered, and taken, so as to prevent any Mischief or Accident thereby; and it shall also be lawful for such Surveyor or Surveyors, or other Persons, by Order of the said Trustees, or any Five or more of them, to search for, dig, and gather such Materials in, and carry the same out of the Fields, Meadows, or Grounds of any Persons (not being the Ground whereon any Houses or Buildings stand, or a Garden, Orchard, Yard, Meadow, Park, planted Walk or Walks, or Avenue to any House, or any Plantation or Nursery for Trees), and from Time to Time to carry away the same, paying such Sum or Sums of Money for the Damage done to the Owners and Occupiers respectively of the Grounds where and from whence the same shall be dug, gathered, or carried away, or upon, over or through which the same, or any other Materials so dug and gathered as aforesaid, shall be carried, landed, or drawn, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference between such Owners or Occupiers and the said Trustees, touching such Damages as aforesaid, the Justices of the Peace, at their next General Quarter Sessions, or at the Second General Quarter Sessions at the farthest, to be holden for the County wherein such Lands shall lie, shall and may adjudge, assess, and finally determine the same.

For getting Materials.

XVIII. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, by Order of the said Trustees, or any Five or more of them, from Time to Time, to remove and prevent all Annoyances on any Part of the said Roads, or on the Sides thereof, by Filth, Dung, Ashes, Rubbish, Watering Troughs, or otherwise; and to remove all Obstructions being in or upon the said Roads, or any Part thereof; and to dam out or turn any Waters or Water-courses, Sinks, or Drains, running along or flowing upon, into, or out of the said Roads, or near the Side or Sides thereof, to the Prejudice of the said Roads; and to open, scour, cleanse, widen, or make deeper, any Watercourse or Ditch adjoining or near to the said Roads, and to make the same as deep and as large as they shall think proper; and also to make all such Arches of Brick, Stone, or Timber, over any such Water-courses or Ditches, as they shall think

Surveyors may remove Annoyances scour Water-courses, &c.

think necessary; and to cut down, lop, or top any Trees, Shrubs, or Bushes, growing in the said Roads, or in the Hedges or Banks adjoining thereto, and to take and carry away the same, in case the Owners or Occupiers of the Premises, where such Annoyances or Obstructions shall happen to be, or such Person or Persons as shall have occasioned the same, shall neglect to remove the same, or to cut down and carry away such Trees, Shrubs, or Bushes as aforesaid; or to open, scour, and cleanse their Water-courses or Ditches as aforesaid, for the Space of Ten Days next after Notice in Writing given for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors, the Charges whereof (to be settled by the said Trustees, or any Five or more of them, by Writing under their Hands) shall be reimbursed to the said Surveyor or Surveyors, by the Person or Persons making Default therein; the same to be recovered and levied in such Manner as the Penalties and Forfeitures for Offences against this Act are herein-after directed to be recovered and levied; and if any Person shall again offend in the like Manner, every such Person so offending shall for every such subsequent Offence, forfeit and pay any Sum not exceeding Five Pounds.

For prevent-
ing Nui-
sances.

XIX. And whereas many Nuisances are frequently committed on Parts of the said Roads, by Persons exposing Goods of various Kinds to Sale thereon or on the Sides thereof; and many of the Inhabitants or Occupiers of Houses and Lands adjoining or contiguous to the said Roads, frequently throw in and upon the said Roads, Ashes, Filth, Dung, and Rubbish, of various Sorts, and do also throw Water, or suffer the same to run upon the said Roads, whereby the Roads in such Parts are very much injured; and it has been found impracticable to proceed for the Removal of such Nuisances in the Manner herein-before directed; be it further enacted, That if any Person shall hereafter shew forth or expose to Sale, or put or place any Goods upon any Part of the said Roads, or on the Sides thereof, for Sale, or for any other Purpose, or shall throw, cast or sweep, any Ashes, Filth, Dung, Sand, or Rubbish of any Kind, in or upon the said Roads, or shall throw or cast any Water, or suffer the same to run thereon; any Person so offending, and being thereof convicted by the Testimony of One Witness, or by the Confession of the Party so offending, before Two Justices, shall for the First Offence, forfeit any Sum not exceeding Twenty Shillings, and for every subsequent Offence, not exceeding Five Pounds, nor less than Forty Shillings, over and above the reasonable Costs attending either of such Convictions, as the Justices by and before whom such Offender shall be convicted shall, according to the Circumstances of the Case, determine.

Allowing an
Appeal against
Convictions
for Nuisances.

XX. Provided also, and be it further enacted, That if any Person shall have been convicted by and before any Two Justices of the Peace, of having shewn forth, or exposed to Sale, or put or placed any Goods upon any Part of the said Roads, or on the Sides thereof, or of having thrown, cast, or swept any Ashes, Filth, Dung, Sand, or Rubbish, in or upon the said Roads, or of having thrown or cast any Water, or suffered the same to run thereon, or of having taken or carried away, spoiled, injured, or destroyed, any of the Materials which shall have been provided by the Trustees of the said Roads, or by their Surveyor or Surveyors, for repairing the said Roads, and by such Conviction shall

think

think himself or herself aggrieved, such Person shall have Liberty to appeal from every such Conviction to the next General Quarter Sessions of the Peace, which shall be held for the County or Division wherein such Offence was committed, and that the Execution of every Judgement or Conviction so appealed from, shall be suspended in case the Person so convicted shall immediately enter into Recognizance before such Justices, (which they are hereby authorized and required to take), himself in the Penalty of Ten Pounds, with Two sufficient Sureties in the Penalty of Five Pounds each, of lawful Money of *Great Britain*, upon Condition to prosecute such Appeal with Effect, and to be forthcoming to abide the Judgement and Determination of the said next General Quarter Sessions, and to pay such Costs as the said Court shall award upon such Occasion; and the Justices in the said next Court of General Quarter Sessions, are hereby authorized and required to hear and determine the Matter of the said Appeal, and to award such Costs as to them shall appear just and reasonable, to be paid by either Party; which Decision shall be final.

XXI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time hereafter, ride, or drive any Horse, Ass, or other Cattle, or Carriage, on any Part of the Roads comprized within this Act, which shall be used and appropriated, as and for a Foot-path, every such Person shall, for every such Offence, forfeit and pay a Sum not exceeding Twenty Shillings.

And pre-
serving Foot-
paths.

XXII. And be it further enacted, That if any Owner, or Driver, or any other Person, shall set, place, have, or leave, any Cart, Coach, Waggon, or other Carriage, laden or unladen (except on Account of some Accident having happened thereto, and then only until the same can be conveniently removed or repaired), in any Part of the said Roads, by this Act directed to be repaired, amended, widened, or made, or any Rubbish, Dung, Compost, Clay, Timber, Trees, or other Matter or Thing, or shall suffer any Oxen, Cows, Sheep, Lambs, Hogs, or other Cattle, to stand, lay, or loiter in the said Roads, or any Part thereof; every Person so offending, and being thereof convicted, either by his own Confession, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the County in which the Offence shall be committed, shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

To prevent
Obstructions.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to cause any Stones or Posts to be set up, in or near the Sides of the said Roads, with Inscriptions thereon, denoting the Number of Miles and Distance of Places; and if any Person shall wilfully break, obliterate, deface, pull up, or throw down, any of the Stones or Posts erected by virtue of the said recited Act, or to be erected by virtue of this Act, every Person so offending shall forfeit and pay the Sum of Forty Shillings for every such Offence, One Moiety whereof shall be paid to the Informer, and the other Moiety shall be laid out in repairing the said Roads.

To prevent
defacing of
Mile Stones.

[*Loc. & Per.*]

12 C

XXIV. And

Proprietors of
the Water
Works, to
repair the
Damages oc-
casioned to the
Roads on Ac-
count of the
Water Pipes.

XXIV. And whereas the Proprietors of certain Water Works, near *Deptford* aforesaid, called *Ravensburn Water Works*, have frequently Occasion to break up the Ground in some of the said Roads, for the Purpose of laying, altering, or repairing the Pipes belonging to the said Water Works; be it therefore enacted, That when and so often as the Proprietors of the said Water Works shall break up the Ground in any Part of the said Roads for the Purpose of laying, altering, or repairing any of the said Pipes, the said Proprietors shall, and are hereby required, at their own proper Costs and Charges, to lay, alter, or repair such Pipes without Delay, and forthwith after such Pipes shall have been so laid, altered, or repaired, to amend and repair the Road so broke up in a good and substantial Manner; and in case of Default herein, it shall be lawful for the Surveyor to the said Trustees (whether such Pipes shall have been so laid, altered, or repaired, or not), to repair, amend, and make good the Road so broken up as aforesaid, and the Charges thereof (to be settled by the said Trustees, or any Five or more of them), shall be reimbursed to such Surveyor by the said Proprietors; and in Default of Payment thereof upon Demand, the same shall and may be recovered and levied by Distress and Sale of the Goods and Chattels of the said Proprietors, by Warrant under the Hand and Seal of any Justice of the Peace for the County wherein such Road shall lie, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

Trustees may
continue
Turnpikes,
and erect
others.

XXV. And be it further enacted, That the said Trustees, or any Nine or more of them, may and are hereby authorized and empowered to continue all or any of the Toll Gates or Turnpikes, and Toll Houses, now standing in, upon, or across any of the said Roads, hereby directed to be repaired, or the Sides thereof; and also to erect, or cause to be erected, such other Toll Gates or Turnpikes, in, upon, or across any of the said Roads, or upon the Sides thereof, across any Lane or Way leading into the same as they shall think proper, other than and except such Parts of the said Roads as lie within the Space of Three Miles from the said *Cock and Lion Back Gate*, in the said Town of *Dartford*, and between a Place called *Stump's Hill*, at the End of the said Parish of *Lewisham*, and the West End of *Stroud Green*, and between the Top of *Bromley Hill* and *Farnborough Well*, and between the Turnpike Road in the said Parish of *Lewisham*, and the North End of *Burnt Ash Lane*, and between the West End of *Greenwich Park Wall*, on the North Side of *Blackbeath*, and the said Warren at *Woolwich*, and between the North End of *Burnt Ash Lane* and *Foots Cray Bridge*; and the said Trustees, or any Nine or more of them, are hereby also authorized and empowered to continue or erect a Toll House, adjoining or near the said respective Toll Gates or Turnpikes, or such of them as they shall think proper; and that all the Toll Gates or Turnpikes, and Toll Houses, and other Buildings and Works erected or to be erected by the Trustees for the Care of the said Roads, and the Materials of which the same do or shall consist, and all Materials which shall be provided by the said Trustees, or by their Surveyor or Surveyors for repairing the said Roads, shall be, and are hereby vested in the said Trustees, and they, or any Five or more of them, are hereby authorized and empowered to dispose of the same as they shall think fit, and to bring or
cause

Turnpikes,
etc. vested in
Trustees.

cause to be brought any Action or Actions in the Name of any One or more of them, or of their Treasurer or Clerk, or to prefer and prosecute, or order and direct the preferring and prosecuting of Indictments against any Person or Persons who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, or destroy, any of the said Toll Gates, Turnpikes, or Toll Houses, or any of the Materials aforesaid, or do any Act to hinder or obstruct any Person employed by the said Trustees, or any Five or more of them, in the Execution of this Act.

XXVI. Provided further, That if, instead of the Modes herein-before prescribed and directed, of suing or prosecuting any Person or Persons, for taking or carrying away, spoiling, injuring, or destroying, any of the Materials which shall be provided by the said Trustees, or by their Surveyor or Surveyors, for repairing the said Roads, the said Trustees, or any Five or more of them, assembled at a General Meeting, shall think fit to prosecute the Offender or Offenders, in a summary Way, before any Two or more Justices of the Peace, acting in and for the County wherein the Offence shall have been committed; that then the said Trustees shall be at Liberty so to do, and may thereupon direct the necessary Information or Informations, to be laid and exhibited to and before such Justices, who are hereby required to issue their Summons or Summonses, to the Offender or Offenders, to appear before them at the Time and Place to be mentioned in such Summons or Summonses, to answer such Information or Informations; and upon the Appearance of such Offender or Offenders, or in case of his or their Default or Defaults, then upon Proof of the Service of such Summons or Summonses, to proceed to examine the several Witnesses on Oath, on either Side, and to convict or acquit the Party or Parties, against whom such Information or Informations shall have been exhibited, according to the Evidence; and in case such Offender or Offenders shall be convicted, then such Justices are hereby required to fine such Offender or Offenders any Sum not exceeding Forty Shillings over and above the Value of such Materials, which shall have been so taken, carried away, spoiled, injured, or destroyed, as aforesaid; and the Costs and Charges attending such Persecution, as such Justices shall think fit.

For prosecuting certain Offenders in a summary Way.

XXVII. Provided also, and be it further enacted, That no Toll Gate shall hereafter be erected on the said Roads, unless the same shall be ordered by the Trustees at a General Meeting, of which Ten Days publick Notice shall have been given in Writing, affixed upon all the Toll Gates erected on the said Roads, and also in some publick Newspaper circulated in that Part of the County, specifying the Place where such Toll Gates is proposed to be erected; and unless Nine Trustees at least (being a Majority of those present) shall sign the said Order at such Meeting.

How Toll Gates are to be erected.

XXVIII. Provided always, That none of the Toll Gates or Turnpikes now standing, or hereafter to be erected, upon or on the Sides of the said Roads, shall be taken down or removed, except by Order of the said Trustees, or any Nine or more of them, made at some Meeting to be holden in pursuance of this Act; of which Meeting Ten Days Notice in Writing (specifying the Business to be done at such Meeting) shall be

No Turnpike to be removed, except by Order made at Meetings.

given on all the Toll Gates or Turnpikes which shall be then standing upon or on the Sides of the said Roads.

Tolls.

XXIX. And, in order to enable the said Trustees to carry this Act into Execution, be it further enacted, That such Tolls as the said Trustees, or any Five or more of them, shall from Time to Time order and appoint, may be demanded and taken at each and every of the Toll Gates or Turnpikes on the said Roads, by such Toll Gatherers or Gate Keepers, as the said Trustees, or any Five or more of them, shall, by Writing under their Hands, from Time to Time for that Purpose appoint, before any Horse or other Cattle, upon which Toll is hereby imposed, shall be permitted to pass through the same, not exceeding the respective Sums following; (that is to say),

For every Horse, Mare, or Gelding, drawing any Coach, Chariot, Chaise, Calash, Hearse, or other such like Carriage, Three-pence :

For every Horse, Mare, Gelding, Mule, or Ass, drawing any Waggon, Wain, Cart, Dray, or other such like Carriages, having the Fellies of the Wheels of the Breadth or Gauge of Nine Inches, One Penny ; and having the Fellies of the Wheels of the Breadth or Gauge of Six Inches, Three Halfpence ; and having the Fellies of the Wheels of less Breadth or Gauge than Six Inches, Two-pence ;

For every Ox drawing any Waggon, Wain, Cart, Dray, or other such like Carriages, having the Fellies of the Wheels of the Breadth or Gauge of Nine Inches, One Halfpenny ; and having the Fellies of the Wheels of the Breadth or Gauge of Six Inches, Three Farthings ; and having the Fellies of the Wheels of less Breadth or Gauge than Six Inches, One Penny :

For every Horse, Mare, Gelding, Mule, or Ass, not drawing, Three Halfpence :

For every Ox, or other Neat Cattle, One Halfpenny, and for every Calf, Hog, Sheep, or Lamb, One Farthing :

And which said respective Tolls shall be, and are hereby vested in the said Trustees for the Purposes of this Act ; and it shall be lawful for the respective Toll Gatherers or Gate Keepers, to be appointed by the said Trustees, or any Five or more of them as aforesaid, to demand, collect, and receive, the Tolls hereby granted and made payable, and also to levy the same by Distress of the Cattle, Carriage, or other Goods, of any Person liable to pay the same, who shall, after Demand thereof made, neglect or refuse to pay such Tolls as aforesaid, and to detain and keep the Cattle, Carriage, or other Goods so distrained, until such Tolls, with the reasonable Charges of such Distress, and the detaining and keeping the same, shall be paid ; and the respective Persons so distraining, after the Space of Three Days from the making of such Distress, shall and may sell the Cattle, Carriage, or other Goods, so distrained, returning the Overplus (if any be) upon Demand to the Owner thereof, after such Tolls, and the reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid.

Penalties on evading Payment of the Tolls.

XXX. And be it further enacted, That if any Person shall, with any Cattle or Carriage whatsoever, pass through any Land, Ground, or Hereditaments,

reditaments (not being a publick Highway), adjoining to or lying near any of the said Roads; or if any Occupier or Occupiers of any such Land, Ground, or Hereditaments, shall knowingly or wilfully permit or suffer any Person, with any Cattle or Carriage whatsoever, to pass through the same, whereby the Payment of any of the said Tolls shall be evaded; or if any Person shall give to, or receive from, any Person, other than the Persons appointed to collect the said Tolls, any Note or Ticket by this Act directed to be given by any of the said Toll Gatherers or Gate Keepers, or shall forge or counterfeit any Note or Ticket, or make Use of any such forged or counterfeited Note or Ticket, knowing the same to have been forged or counterfeited, whereby the Payment of any of the said Tolls shall be evaded; or if any Person shall forcibly pass through any of the said Toll Gates or Turnpikes, with any Carriage, Horse, or other Cattle, without Payment of the Tolls for the same, or shall take off or cause to be taken off, any Horse or other Cattle from any Carriage, or shall leave, or cause to be left, upon or near any Part of the said Roads, any Carriage, Horse, or other Cattle, or any Goods, with Intent to evade the Payment of the said Tolls, or any Part thereof, every Person so offending in any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Forty Shillings, whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety to the Treasurer to the said Trustees.

XXXI. Provided always, and be it further enacted and declared, That Exemptions
from Tolls. no Person shall be charged with any of the said Tolls, for or in respect of the Horses or Cattle drawing any Carriage laden with Stones, Gravel, or other Materials for repairing any Roads or Highways within any of the Parishes in which the said Roads do lie, or laden only with Dung, Mold, or Compost, of any Nature or Kind whatsoever, for manuring of Land; or with any Hay or Corn in the Straw (not coming from any Market), to be laid in the Houses or Barns of the respective Inhabitants of the said several Parishes; or carrying or conveying any Ploughs, Harrows, or other Implements of Husbandry belonging to any such Inhabitants; or for or in respect of the Horses or Cattle drawing any Carriage going empty for such Lading as aforesaid, or returning empty having been so laden; or for or in respect of any Horses going towards *London* laden with Fish, or returning having been so laden; or of the Horses of the Rippiers, or Drivers of the Horses so laden, and which shall pass with them through the said Toll Gates or Turnpikes; or for or in respect of any Horses or other Cattle going to or returning from Pasture or Watering Places; or any Post Horses or Carriages carrying or drawing the Mail or Packet; or any Horse used only to ride on by the Owner or Driver of any Waggon, Cart, or Carriage, provided such Horse do pass through the said Toll Gates or Turnpikes with such Waggon, Cart, or Carriage; or for or in respect of any Horses or Carriages employed only in the Conveyance of Vagrants sent by legal Passes; or for any Horses belonging to Officers or Soldiers upon their March, or upon Duty; or for any Horses, Cattle, or Carriages, employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers, or returning empty, having been so employed; or for the Horses or Carriages of any Persons going to or returning from any

[*Loc. & Per.*] 12 D Election

Election of a Knight or Knights of the Shire to serve in Parliament for the said Counties of *Kent* and *Surrey*, or either of them, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded; or for or in respect of any Horses, Cattle, or Carriages (except Waggon, Wains, Carts, or other such like Carriages, drawn by more than One Horse, and not herein-before exempted from the Payment of Toll), passing through any Toll Gate or Turnpike erected or to be erected on any Part of the said Road, between the Turnpike Road between *Deptford* Bridge and the *Stones-end* in *London Street* aforesaid; and if any Person shall claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall for every such Offence, forfeit and pay the Sum of Twenty Shillings.

Tolls to be paid but once a Day.

XXXII. Provided always, and be it further enacted by the Authority aforesaid, That any Person who shall have paid the Tolls hereby granted at any Toll Gate or Turnpike to be continued or erected upon the said Roads, for or in respect of any Horses or Cattle, shall on the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night), be permitted to pass and repass any Time or Times, as often as he shall think proper, through the same Toll Gate or Turnpike, or through all or any other Toll Gates or Turnpikes which shall be then standing upon the said Roads or on the Sides thereof, for or in respect of the same Horses or Cattle for which such Tolls shall have been so paid; and that no Person passing any of the said Toll Gates or Turnpikes with any Horses not drawing a Carriage, and paying the Toll for such Horses, and returning the same Day (to be computed as aforesaid), with the same Horses drawing a Carriage, shall be subject or liable to pay any greater Toll in respect of the Horses or Cattle drawing such Carriage than will, with what shall have been paid for such Horses or Cattle as aforesaid, make up the complete Toll authorized to be collected for the Horses or Cattle drawing such Carriage by virtue of this Act, such Persons respectively producing a Note or Ticket denoting such respective Payments; which Notes or Tickets the said Toll Gatherers or Gate Keepers are hereby required to give *gratis*, on Receipt of the Tolls.

Trustees may let the Tolls.

XXXIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, either by the Mode prescribed in and by the said Act of the Thirteenth Year of His present Majesty's Reign, or by and according to such other Method as the Trustees of the said Roads, from Time to Time shall think more effectual, to let to farm, or demise, not only all or any of the said Tolls, but also, if they shall see fit, all such Tolls or Duties as may become payable on the said Roads from Carriages passing thereon with excessive Weights, for any Term of Years not exceeding Three Years, for such Rent or Rents, payable at such Times, and under such Covenants, as the said Trustees, or any Nine or more of them, shall think fit; the said Trustees taking such sufficient Security from the Person or Persons to whom such Tolls, or any of them, shall be leased or demised, for Payment of such Rents, and Performance of the said Covenants, as they, or any Five or more of them, shall think fit; which Money to be paid for the same shall be applied for the Purposes of this Act.

XXXIV. And

XXXIV. And be it further enacted, That Fourteen Days previous Notice of the Intention to let the said Tolls, given according to the Directions of the said Act of the Thirteenth Year of His present Majesty's Reign, instead of One Month thereby directed to be given, shall be as valid and legal Notice as if the same had been given One Month before such letting; any Thing in the said Act contained to the contrary notwithstanding.

Fourteen
Days Notice
of letting
Tolls to be
given.

XXXV. And be it further enacted, That all and every the Toll Gatherers or Collectors, to be appointed by virtue of this Act, shall place or cause to be placed, on some conspicuous Part of the Fronts of the several Toll Houses, at which he or they shall be respectively stationed, and so that the same shall appear to publick View, his or their Christian and Surnames, painted in black, on a Board with a white Ground, in large and legible Characters; each Letter whereof shall be Two Inches in Length at least, and of a proportionable Breadth; and that such Board shall be and remain at such Toll House during the Whole of the Time the Person whose Name shall be expressed thereon shall be on Duty thereat; and if such Board shall not be put up, and remain in Manner aforesaid, the Toll Gatherer or Collector so neglecting to comply with the Direction above mentioned, shall, for every such Offence, forfeit and pay the Sum of Ten Shillings.

How Gate
Keepers
guilty of
Misconduct
are to be
punished.

XXXVI. And be it further enacted, That if any Toll Gatherer or Gate Keeper, so to be appointed as aforesaid, shall be guilty of any Misconduct in his Office; or shall insult, abuse, or ill-treat any Passenger on the said Roads, or otherwise misbehave himself to any such Passenger, then such Toll Gatherer or Gate Keeper so offending, and being thereof convicted before One Justice, shall forfeit and pay, for every such Offence, any Sum not exceeding Twenty Shillings, as the Justice by and before whom such Offender shall be convicted shall adjudge proper.

Gate Keepers
to have their
Names painted
in a con-
spicuous
Manner on
the Toll
Houses.

XXXVII. And be it further enacted, That if any Person not duly authorized and empowered by the said Trustees, shall take, collect, or receive any of the said Tolls, every such Offender shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, nor less than Forty Shillings, as the Justice by and before whom such Offender shall be convicted shall adjudge proper.

None to col-
lect Tolls but
those appoint-
ed by the
Trustees.

XXXVIII. And, for the better enabling the said Trustees to pay off and discharge the Debts and Bills now due, or hereafter to become due, from the Trustees for putting in Execution the said Act of the Twenty-first Year of His present Majesty's Reign, and also to carry this Act into Execution, be it further enacted by the Authority aforesaid, That it shall be lawful for the said Trustees, or any Five or more of them (upon Fourteen Days previous Notice, to be given upon all the Toll Gates or Turnpikes then standing upon the said Roads), to borrow and take up at Interest any Sum or Sums of Money they shall think fit, upon the Credit of the Tolls to arise by virtue of this Act; and, by Writing, under their Hands and Seals, to assign over the said Tolls, or any Part thereof (the Charges of such Assignments to be paid out of such Tolls), to any Person

For borrow-
ing Money.

or

or Persons, for any Term, during the Continuance of this Act, as a Security for the Repayment of the several Sums that shall be so borrowed, with the Interest thereof.

Application
of the Tolls,
and Money
borrowed.

XXXIX. And be it further enacted by the Authority aforesaid, That all the Tolls, and other Monies, which shall come to the Hands of the said Trustees, or any of them, or their Treasurer by virtue of this Act, shall be applied in Manner following; (that is to say) in the First Place, in Payment and Discharge of all the Charges and Expences incident to and attending the obtaining and passing this Act, except so much as relates to the annual Sum of One hundred and fifty Pounds, to be paid by virtue of this Act to the Trustees for putting in Execution an Act of Parliament passed in the Thirty-eighth Year of His present Majesty's Reign, herein-after mentioned, and afterwards from Time to Time in paying the said annual Sum of Money, and in paying and discharging all such Debts and Bills as are now due, or shall hereafter become due from the Trustees, for putting in Execution the said Act of the Twenty-first Year of His present Majesty's Reign, and in Payment of all Principal Monies that may be borrowed and taken up at Interest, pursuant to the Powers aforesaid, and the Interest thereof, and in amending the said Roads, and keeping the same in Repair, and in defraying all other the Charges and Expences attending the Execution of this Act, and to or for no other Use, Intent, or Purpose whatsoever.

Persons liable
to repair the
Roads, to
continue so.

XL. And be it further enacted, That all Persons who by Law are chargeable towards repairing and amending any of the said Roads, shall still remain chargeable, and do their respective Works in and upon the same, in like Manner as they used to do, or ought to have done, if this Act had not passed.

Manner of
performing
Statute Work.

XLI. And, for the more effectually performing the Proportion of Statute Work to be done upon the said Roads, by the Inhabitants of the several Parishes within which the same do lie, be it further enacted, That the Surveyor or Surveyors of the Highways for the respective Parishes within which any of the said Roads are situate shall, at such Time or Times in the Year as shall be appointed by the Trustees, upon Fifteen Days Notice first given to him or them by the said Trustees, or any Five or more of them, or by such Person or Persons as they shall for that Purpose authorize and appoint, make a List in Writing of the Names of the several Persons who, within their respective Parishes, are obliged by Law to do Statute Work upon the said Roads, for the Year in which such Notice shall be given, with their Teams and Draughts, or otherwise, together with the Contribution to be paid by any of such Inhabitants towards the Repair of the said Roads; and also the Number of Days Work which with such Teams and Draughts, or otherwise, each Person ought to do on the Roads in such Parishes respectively; and how much each Person ought to contribute, together also with the Extent of Roads in each Parish, stating what Length thereof is under the Direction and Care of the Trustees, and what Length thereof the said Surveyors on the Part of such Parishes are bound and obliged to repair; which Lists the Surveyors of the Highways for the said respective Parishes shall, and are hereby directed and required

to deliver in, upon Oath, to the Justices of the Peace for the said Counties of *Kent* and *Surrey* respectively, at their Petty or Special Sessions, to be held for the respective Divisions in which any of the said Roads do lie (which Oath any One of the said Justices is hereby authorized and required to administer); and after such Lists shall have been so delivered upon Oath as aforesaid, the same shall be sent to the Clerk of the said Trustees, to be by him communicated to and laid before the said Trustees; and thereupon the said Trustees, or any Five or more of them, shall and may appoint a Time and Place for the Surveyors of the Highways of the said several Parishes to meet them to consider of, adjust, and settle the Proportions of Statute Work to be done by the Inhabitants of the said several Parishes on the Roads, under the Direction of the said Trustees, as also the Proportion of Contribution to be paid to the said Trustees or their Treasurer, by such Inhabitants; and the said Trustees shall appoint such and so many Persons to do the Statute Duty upon the Roads, and also to pay such Proportion of Contribution for the Year in which they shall so order, direct, or appoint, according to such Adjustment; and if any such Person shall neglect or refuse to do and perform the Statute Work so to be directed and appointed to be done by him or her, or to pay such Contribution as aforesaid, every such Person shall forfeit and pay such Sum and Sums of Money as he or she would have been liable to in case such Default or Defaults had happened on any other Roads within the said Parishes; and in case any of the said Surveyors of the Highways shall refuse or neglect to give in and deliver the said Lists, or to meet and settle with the Trustees in Manner aforesaid, then every such Surveyor of the Highways so refusing or neglecting shall, for every such Refusal or Neglect, forfeit and pay the Sum of Five Pounds.

XLII. And whereas, by an Act of Parliament, made and passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for the better Relief and Employment of the Poor in the Parish of East Greenwich, in the County of Kent, and for repairing the Highways, and cleansing the Streets thereof*, it is enacted, that, from and after the Thirty-first Day of *January* One thousand seven hundred and fifty-four, the Office of Surveyor of the Highways in the said Parish, should cease and determine, and that there should be paid out of the Rates to be raised for the Highways, to the Treasurer of the Turnpike, erected by virtue of several Acts of Parliament, for repairing the Highways from the *Stones-end* in *Kent Street* and *Bermondsey Street*, in the County of *Surrey*, to the Town of *Dartford*, and to the Extent of the Parish of *Lewisham*, next *Bromley* and *Beckenham*, in the County of *Kent*, the Sum of Forty Shillings yearly, in lieu of all Statute Work directed by any of the said Acts: And whereas, by an Act, made and passed in the Twenty-seventh Year of the Reign of His said late Majesty, intituled, *An Act for the better Relief and Employment of the Poor in the Parish of Saint Nicholas, Deptford, in the County of Kent; and in the Parish of Saint Paul, Deptford, in the Counties of Kent and Surrey; and for repairing the Highways, and paving and cleansing the Streets in the said Parishes*, it was enacted, that, from and after the Twenty-fifth Day of *December* One thousand seven hundred and fifty-four, the Office or Offices of Surveyor of the Highways in the said respective Parishes should cease

26 G. 2.
East Green-
wich.

27 G. 2.
St. Paul,
Deptford.

[Loc. & Per.]

12 E

and

and determine, and that there should be paid out of the Rates to be raised for the Highways to the Treasurer of the Turnpikes, erected by virtue of several Acts of Parliament for repairing the Highways from the *Stones-end* in *Kent Street*, and *Bermondsey Street*, in the County of *Surrey*, to the Town of *Dartford*, unto and to the Extent of the Parish of *Lewisham*, next *Bromley* and *Beckbenham*, in the County of *Kent*, the Sum of Five Pounds, by the Treasurer of the said Parish of *Saint Paul Deptford*, yearly out of the Rates or Assessments to be made by virtue of the now reciting Act, in lieu of all Statute Work directed by any of the said Acts: And whereas, the said Two yearly Sums of Two Pounds and Five Pounds, are very inadequate to the Contributions which ought to be paid by the said respective Parishes, to the Trustees of the said Turnpikes, towards the Repair of such Parts of the said Roads, lying within the said Parishes respectively, as are under the Care and Management of the said Trustees, and it is expedient and just, that more equitable Payments should be made in future; be it therefore enacted, That from and after the Twenty-fourth Day of *June* One thousand eight hundred and two, so much of the said several Acts of the Twenty-sixth and Twenty-seventh Years of His present Majesty's Reign, as direct the said Sums of Two Pounds and Five Pounds to be paid yearly, by the said Parishes of *Greenwich* and *Saint Paul, Deptford*, as herein-before mentioned, shall be, and the same are hereby repealed.

Certain annual Sums thereby directed to be paid in lieu of Statute Duty, repealed, and other Sums directed to be ascertained and paid instead thereof.

Rates for the Repairs of the Highways in the Parishes of *Greenwich* and *Saint Paul Deptford*, to be delivered in to the Trustees.

XLIII. And be it further enacted, That the Churchwardens and Overseers of the Poor of the said respective Parishes of *Greenwich* and *Saint Paul Deptford*, shall, at such Time or Times in the Year as shall be appointed by the Trustees of the said Roads, upon Fifteen Days previous Notice to them given by the said Trustees, or any Five or more of them, or by such Person or Persons as they shall for that Purpose authorize and appoint, make out an Account of the total Amount of the Rates or Assessments made in the said respective Parishes, in or for the Year next preceding such Notice or Notices respectively, for the Repairs of the Highways, and cleansing the Streets of and in the said Parishes respectively, distinguishing therein how much thereof hath been or may be severally collected and received; together also with an Account, containing the Extent of Roads in each of the said Parishes respectively, and what Proportion thereof is under the Direction and Care of the said Trustees, and what Proportion thereof is repairable by the said respective Parishes, out of the said Rates or Assessments; which Accounts the Churchwardens and Overseers of the Poor for the said respective Parishes, or some of them, shall and are hereby directed and required to deliver in upon Oath to the Justices of the Peace for the said County of *Kent*, at their Special or Petty Sessions, to be held for the Division in which the said Roads do lie (which Oath any One of the said Justices is hereby authorized and required to administer); and after such Accounts shall have been so delivered upon Oath as aforesaid, the same shall be sent to the Clerk of the said Trustees, to be by him communicated to and laid before the said Trustees; and thereupon the said Trustees, or any Five or more of them, shall and may appoint a Time and Place for the Churchwardens and Overseers of the Poor of the said several Parishes to meet them, to consider of, adjust, and settle the Sums which each of the said Parishes ought to pay out of the Rates, to be made for repairing the Highways in the said several Parishes to the Treasurer of the said Trustees,

Trustees, to be laid out, expended, and applied for, in, and towards the Repair of such of the said Turnpike Roads as lie within the said Parishes of *Greenwich* and *Saint Paul Deptford*, respectively; and in case any of the said Churchwardens and Overseers of the Poor shall refuse or neglect to give in and deliver such Accounts, or to meet and settle with the Trustees aforesaid, every such Churchwarden and Overseer so refusing or neglecting, shall, for every such Refusal or Neglect, forfeit and pay the Sum of Five Pounds.

XLIV. Provided nevertheless, That in case any Differences or Disputes shall arise between the said Trustees and the Surveyor or Surveyors of the Highways within any of the said Parishes, touching the Proportion of Statute Work to be done on any of the said Roads, or the Proportion of Contribution to be paid, or if any Differences or Disputes shall arise between the said Trustees and the Churchwardens and Overseers of the Poor of the said Parishes of *East Greenwich* and *Saint Paul Deptford*, touching the Sum or Sums of Money to be paid by the Churchwardens and Overseers of either of the said Parishes, to the Treasurer of the said Trustees as aforesaid, it shall be lawful for any Two or more Justices of the Peace for the County wherein any such Difference or Dispute shall arise, at any of their Petty or Special Sessions, upon Application made to them by the said Trustees, or any Five or more of them, and Eight Days Notice of such Application given to such Surveyors, Churchwardens, and Overseers respectively, to hear and determine such Differences or Disputes respectively.

Difference touching the Proportion of Statute Work, to be determined by the Justices.

XLV. Provided, and be it further enacted, That if the Trustees of the said Roads, or any Five or more of them, or such Surveyor or Surveyors of the Highways of any Parish, or the Churchwardens and Overseers of the Poor of the said Parishes of *East Greenwich* or *Saint Paul Deptford*, shall be dissatisfied with any Determination of such Justices upon the Matter of such Differences or Disputes, that then it shall be lawful to and for the Trustees of the said Roads, or such Surveyor or Surveyors, Churchwardens and Overseers as aforesaid so dissatisfied, upon giving or causing to be given, Ten Days Notice of their Intention to the other Party, to appeal to the next General Quarter Sessions of the Peace to be held for the County or Division in which such Difference or Dispute shall have arisen, if there shall be sufficient Time for that Purpose; if not, upon the like Notice being given to appeal to the General Quarter Sessions, which shall be held for such County or Division, next but One after such Determination shall have been so made by such Justices as aforesaid; and the Justices assembled at such next General Quarter Sessions, or such General Quarter Sessions next but One after such Determination of such Justices, are hereby authorized and required to hear and determine the Matter of the said Appeal, and to award such Costs as to them shall appear just and reasonable, to be paid by either Party, whose Decision shall be final.

Allowing an Appeal to the Quarter Sessions upon Differences relative to Composition in lieu of Statute Work.

XLVI. 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 compound or agree with any of the said Parishes in which any of the said Roads do lie, or with the respective Surveyors of the Highways within any

Trustees may compound for Statute Duty.

any such Parishes, for a certain Sum of Money, or otherwise, by the Year to be paid to the said Trustees, or any Five or more of them, or to their Treasurer, as the said Trustees, or any Five or more of them, shall think reasonable, in lieu of the said Statute Work to be done, and Contribution to be paid, by such respective Parishes as aforesaid; and in case of Default in the Payment of any such Composition Money, for the Space of Twenty Days after the same shall become due, and shall be demanded in Writing under the Hands of the said Trustees, or any Five or more of them, or their Treasurer for the Time being, it shall be lawful for any Justice of the Peace for the County of *Kent* or *Surrey*, upon Oath made before him of such Default of Payment (which Oath he is hereby authorized and required to administer), to issue his Warrant under his Hand and Seal, directed to the Constable or Headborough of the Parish in respect whereof such Default shall be made, or of any other Parish near the same, empowering him to raise and levy the Composition Money so due and in Arrear, by Distress and Sale of the Goods and Chattels of the Person or Persons who made such Composition or Agreement, on the Behalf of the Parish, in respect whereof such Composition Money should be payable; rendering to the Person or Persons whose Goods and Chattels shall be so distrained and sold the Overplus (if any) of the Money arising thereby (upon Demand), after such Composition Money and the Charges of such Distress and Sale, shall be deducted and paid; all which Composition Money shall be applied for the Purposes of this Act; and that every such Surveyor of the Highways who shall pay any such Composition Money, or on whom the same shall be levied, shall be reimbursed such Money in like Manner as Surveyors of the Highways are by the Laws in being to be reimbursed the Money by them laid out and expended in buying Materials for repairing of Highways.

To prevent
Obstructions
by Buildings.

XLVII. And be it further enacted, That no Building whatsoever, other than such Toll Houses and other Buildings as may be erected by Order of the said Trustees for the Use of the said Roads, shall be erected thereon; and that no Building shall be erected by any Proprietor or Occupier of Lands adjacent to any Part of the said Roads within Ten Feet on either Side of the said Roads; and if any such Building shall hereafter be erected contrary to the true Intent and Meaning of this Act, the same shall be deemed a common Nuisance.

Persons em-
ployed for
managing the
Repairs of
the Roads,
may act as
Surveyors.

XLVIII. Provided always, and be it further enacted, That all Persons who shall be employed by the said Trustees, or any Five or more of them, for the Purpose of superintending or managing the Repairs of the said Roads, shall and they have hereby full Power and Authority to execute not only the Powers hereby given to Surveyors of the Roads directed to be repaired by this Act, but also such Powers as are or may be hereafter given to any Surveyor or Surveyors of any Roads or Highways by any Act or Acts of Parliament now in being, or hereafter to be made and passed, although such Persons may not be appointed by the particular Name or Denomination of Surveyors.

Punishing
Drivers for
racing.

XLIX. And whereas, many bad Accidents happen, and great Mischiefs are frequently done upon the Streets and Highways, by the Negligence

Negligence or wilful Misbehaviour of Persons driving Carriages thereon; be it therefore further enacted, That if the Driver of any Cart, Car, Dray, Waggon, or other Carriage of the like Sort or Kind, shall ride upon any such Carriage in any Street or Highway, or on any Horse drawing the same, and not having some other Person on Foot, or on Horseback, to guide the same (such Carriages as are conducted by some Person or Persons being in or upon such Carriage, and holding the Reins of the Horse or Horses drawing the same, excepted); every such Driver so offending, and being convicted thereof, either by his own Confession, the View of a Justice of Peace, or by the Oath of some One or more credible Witness or Witnesses, before any Justice of the Peace of the Limit where such Offence shall be committed, shall, for every such Offence, forfeit any Sum not exceeding Forty Shillings, nor less than Twenty Shillings, at the Discretion of such Justice; and shall in Default of Payment be committed to the House of Correction for any Time not exceeding One Month, unless the same shall be sooner paid; and every such Driver so offending shall and may, by Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable, or other Peace Officer, in order to be conveyed before some Justice of the Peace, to be dealt with according to Law; and if any such Driver shall refuse to discover his Name, it shall and may be lawful for the Justice of the Peace, before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the House of Correction, for any Time not exceeding Three Months, or to proceed against him for the Penalty aforesaid, by a Description of his Person, and the Offence, and expressing in such Proceedings that he refused to discover his Name.

L. And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall have full Power and Authority to cause such and so many Lamps to be erected upon or near the said several Roads, or any of them, or any Part thereof, as they shall think proper, and to fix any of such Lamps to the Freehold of any Person whatsoever, without the Consent of the Owner thereof; and shall also have full Power and Authority, from Time to Time, to contract with any Person or Persons for lighting, maintaining, and repairing the said Lamps, and to give such Orders and Directions concerning the same as they, the said Trustees, shall judge reasonable, necessary, or expedient, or as the said Services may require.

For lighting
the Roads,

LI. And be it further enacted, That the said Trustees, or any Five or more of them, shall, and are hereby empowered, from Time to Time, as they shall judge proper, to appoint such a Number of fit and able-bodied Men, to be armed and clothed in such Manner as the said Trustees, or any Five or more of them, shall direct, to be employed as Watchmen, Guards, or Patroles either on Foot or on Horseback, upon such Parts of the said Roads as the said Trustees, or any Five or more of them, shall at a General Meeting think fit and proper, who shall attend at such Times and Places thereon, and perform such Duty, as the said Trustees, or any Five or more of them, shall direct and appoint; and the said

and guard-
ing and
watching
them.

[Loc. & Per.]

12 F

Trustees,

Trustees, or any Five or more of them, shall and may cause to be erected or provided Watch-boxes, Benches, or other Requisites, for such Watchmen, Guards, or Patroles, at such Places upon the said Roads as they shall judge necessary; and the said Trustees, or any Five or more of them, shall and may also appoint a proper Person or proper Persons to be Superintendant or Superintendants, who shall attend and go along the same Roads, at such Times, and in such Manner, as the said Trustees, or any Five or more of them, shall direct; and the said Trustees or any Five or more of them may from Time to Time, remove any of the said Superintendants, Watchmen, Guards, or Patroles, and appoint others in their Room, or in the Room of such as shall die, or refuse to serve in such respective Capacities; and the said Trustees, or any Five or more of them, are hereby empowered, from Time to Time, to make such Rules, Orders, and Regulations, for the better governing the Superintendants, Watchmen, Guards, or Patroles, and for other the Purposes of this Act, with respect to watching and guarding the said Roads, and keeping the Peace thereon, as they the said Trustees shall think proper.

Duty of
Watchmen,
&c.

LII. And be it further enacted by the Authority aforesaid, That the said Superintendants, Watchmen, Guards, and Patroles, shall in their several Turns, or Courses of Watching, use their best Endeavours to prevent Fires, Murders, Burglaries, Robberies, and other Outrages and Disorders, on or on the Sides of the said Roads; and to that End shall, and they are hereby jointly and severally empowered and required to arrest and apprehend all Night Walkers, Malefactors, Rogues, Vagabonds, and all disorderly and suspicious Persons, whom they shall find Disturbers of the publick Peace, and to carry them to some proper Place of Confinement near to the said Roads, there to be kept till the Superintendants, Watchmen, Guards, or Patroles, some or One of them, can conveniently take such Person or Persons before some Justice of the Peace for the said Counties of *Kent* or *Surrey*, to be examined and dealt with according to Law; and the Superintendants in their respective Turns, shall so often in every Night as shall be ordered by the said Trustees, go upon the said Roads, and take Notice whether all the Watchmen, Guards, or Patroles, perform their Duties in their several Stations, according to such Orders and Regulations as shall have been made for that Purpose by the said Trustees as aforesaid; and that every such Superintendant, Watchman, Guard, and Patrole, shall and may, and is and are hereby required during the Times of his or their watching, superintending, guarding, or patrolling, to assist and defend any Persons who shall be unlawfully assaulted, attacked, or abused, upon or near the said Roads.

Power to
Treasurer to
suspend
Watchmen,
&c.

LIII. Provided always, That the Treasurer appointed by the Trustees for the Time being, or the said Trustees, or any Three or more of them, shall be, and he and they is and are hereby declared to have Power respectively to suspend any Superintendant, Watchman, Guard, or Patrole, to be appointed by virtue of this Act; and to appoint other Superintendants, Watchmen, Guards, or Patroles, in his or their Place or Places, until the next General Meeting of the said Trustees, which Superintendants, Watchmen, Guards, or Patroles, so appointed by the Treasurer, or by the said Trustees, or any Three or more of them, shall be vested with all

all the Powers and Authorities vested in the said Superintendants, Watchmen, Guards, or Patroles, to be appointed by virtue of this Act.

LIV. And be it further enacted, by the Authority aforesaid, That if any Person or Persons shall wilfully break, throw down or otherwise damage any of the said Lamps which shall be so erected by the said Trustees, or any of the Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps when lighted, it shall be lawful for any One or more Justice or Justices of the Peace for the said Counties of *Kent* or *Surrey* respectively, and he and they is and are hereby required upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons whomsoever, who shall see such Offence committed, to apprehend, as also for any other Person or Persons to assist in apprehending such Offender or Offenders, and by Authority of this Act, and without any other Warrant, to convey him, her, or them, or to deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured, and conveyed before such Justice of the Peace, for the said Counties of *Kent* or *Surrey*, to be dealt with as herein-after is directed; and the Party or Parties accused being brought before any such Justice, it shall be lawful for such Justice, either by the Confession of the Offender or Offenders, or by Proof of his or their Offence or Offences, by the Oath of One or more credible Witness or Witnesses, to convict such Offender or Offenders; and upon such Conviction, such Offender or Offenders shall for the First Offence respectively, forfeit the Sum of Ten Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid; and for the Second Offence, the Sum of Twenty Shillings, and for the Third, and every other subsequent Offence, the Sum of Forty Shillings; and full Satisfaction shall also be made to the said Trustees, or to their Surveyor, by such Offender or Offenders, for the Damage so by him, her or them done as aforesaid; and in case such Offender or Offenders shall not upon Conviction pay such Forfeiture by him, her, or them incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be convicted, is hereby required to commit him, her, or them to the House of Correction, there to be kept to hard Labour, for any Time not exceeding Three Calendar Months, unless such Forfeiture and Satisfaction shall be sooner paid and given; and One Moiety of the said respective Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Moiety shall be applied to the Purposes of this Act; and if any Person shall accidentally break, throw down, or otherwise damage 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 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 Counties of *Kent* or *Surrey*, and he is hereby required upon Complaint to be made by the said Trustees, or by their Surveyor, to summon the Party complained of, and upon his or her Appearance or making Default to appear (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, or that he or she could not be found), such Justice shall proceed to examine the Matter

For punishing
Persons break-
ing Lamps,
&c.

of

of the said Complaint, and upon Proof thereof either by the Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of for the Damage so by him or her done, together with Coſts, 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 of ſuch Award or Order), together with ſuch Coſts, to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, 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; and in caſe ſufficient Diſtreſs cannot be found, ſuch Juſtice ſhall commit the Party complained of to the Common Gaol, or Houſe of Correction for the Counties of *Kent* or *Surrey*, until he or they ſhall pay the Sum ſo awarded, for any Time not exceeding the Space of One Calendar Month.

Property of
Turnpikes, &c.
veſted in the
Truſtees.

LV. And be it further enacted, That the Right and Property of all and every the Gates, Bars, Turnpikes, Toll Houſes, Store Houſes, Rooms, Sheds, Carts, Engines, Weights, Materials for Repairs, Pavements, Poſts, Rails, Implements, Utenſils, and Things whatſoever now belonging to the ſaid Roads, or which are or ſhall be continued, erected, and ſet up, or provided by the ſaid Truſtees or by their Order, or otherwiſe belonging to and uſed by them for putting this Act in Execution, and alſo the Right and Property of all ſuch Lamps as are, have been, or ſhall be, erected or fixed in purſuance of any former Act, or of this Act, with the Poſts, Irons, and other Furniture and Materials of ſuch Lamps, and alſo the Right and Property of all the Arms and Accoutrements of Watchmen and Superintendants, and all Watch Houſes or Boxes, Benches, Implements, and Things, now or hereafter to be provided for the ſaid Watchmen and Superintendants, ſhall be veſted in the ſaid Truſtees; and they are hereby empowered to diſpoſe of the ſame for the Uſe and Benefit of the ſaid Roads as they ſhall think fit, and to bring Actions, or to prefer and proſecute with Effect, Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, ſecrete, injure, damage, or diſpoſe of the ſame, or any of them reſpectively, to their own Uſe or Uſes, or ſhall diſturb them the ſaid Truſtees, or their Surveyors, or other Perſons acting under them, in the Poſſeſſion of the Property thereof; and if any Perſon or Perſons ſhall wilfully break, throw down, or damage any of the Watch Houſes, Boxes, Benches or any other Requiſites to be provided as aforeſaid, for the Purpoſe of watching the ſaid Roads, it ſhall be lawful for any Perſon or Perſons whomſoever, who ſhall ſee ſuch Offence committed, to apprehend, and alſo for any other Perſon or Perſons whomſoever to aſſiſt in apprehending, the Offender or Offenders, and by Authority of this Act, without any other Warrant, to cauſe him, her, or them to be conveyed before ſome Juſtice of the Peace for the Counties of *Kent* or *Surrey*, and ſuch Juſtice ſhall proceed to examine upon Oath any Witness or Witneſſes who ſhall appear or be produced to give Information or Evidence touching ſuch Offence; and if the Party or Parties accused ſhall be convicted of all or any of the Offences laſt aforeſaid, either by his, her, or their own Confession, or upon ſuch Information as aforeſaid, he, ſhe, or they, ſo convicted, ſhall forfeit and pay for every ſuch Offence a Sum not exceeding Twenty Shillings (whereof One Moiety ſhall be paid to the Informer, and the

other Moiety shall be applied for the Purposes of this Act), and shall also make Satisfaction to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid, and in case such Offender or Offenders shall not upon Conviction, pay such Forfeitures and make Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the House of Correction for the said Counties of *Kent* or *Surrey*, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture and Satisfaction shall be sooner paid and given.

LVI. And whereas the Road leading from the *Stones-end*, in *Bermondsey Street*, to the said Turnpike at *Saint Thomas à Waterings*, is at present under the Care and Management of the Trustees appointed by or in pursuance of the said Act of the Twenty-first Year of His present Majesty's Reign; but inasmuch as the same, or great Part thereof, although only a Branch or Side Road of those directed to be repaired by the said last mentioned Act, is, nevertheless, a principal Road and Avenue leading from *London* and *Westminster*, to the several Roads under the Care and Management of the Trustees for putting in Execution a certain Act passed in the Thirty-eighth Year of His present Majesty's Reign, intituled, *An Act for making a new Road, or Street, from Free School Street, Southwark, to Dock-head, and from thence through Hickman's-court otherwise Rose-court, to Lilliput-hall Bridge in Bermondsey; and for enlarging, for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Terms and Powers of Three Acts passed in the Twenty-second Year of His late Majesty King George the Second, and in the Seventh and Thirty-first Years of His present Majesty, for making a new Road from New Street in Southwark, to and through the several Places therein mentioned; and for repairing the same, and other Roads adjoining;* it hath therefore been agreed by and between the Trustees of the said Two Roads, that so much of the said Piece or Branch of Road as lies in the Parish of *Saint Mary Magdalen Bermondsey*, (being in the Whole about Three Quarters of a Mile) should in future be under the Care and Management of the Trustees for putting in Execution the said Act of the Thirty-eighth Year of His Majesty's Reign, and should be hereafter repaired, amended, and kept by them by and out of the Revenues of their Trust; be it therefore enacted, That, from and after the Twenty-fourth Day of *June* One thousand eight hundred and two, so much of the said Piece or Branch of Road extending from the *Stones-end* in *Bermondsey Street* aforesaid, to the said Turnpike at *Saint Thomas à Waterings* as lies or is situate in the Parish of *Bermondsey* aforesaid, shall no longer be repaired or repairable under or by virtue of the said Act of the Twenty-first Year of the Reign of His present Majesty, or this Act; but the same shall from thenceforth be repaired and kept in Repair, by the Trustees for putting in Execution the said Act of the Thirty-eighth Year of His present Majesty's Reign, subject nevertheless to the Performance of Statute Work by the Persons liable thereto, as herein-after mentioned; and that all the Clauses, Provisions, Directions, Penalties, Matters and Things contained in the said Act of the Thirty-eighth Year of the Reign of His said Majesty, or in any Act therein mentioned, shall be and the same are hereby extended to and declared to include (subject as aforesaid) so much of the

For exonerating the Trustees from the Repair of a Piece of Road in the Parish of Bermondsey, and placing the same under the Care of the Trustees of the Bermondsey Turnpike Road.

[*Loc. & Per.*]

12 G

said

said Piece or Branch of Road so as aforesaid extending from the *Stones-end*, in *Bermondsey Street* aforesaid, to the said Turnpike at *Saint Thomas à Waterings* aforesaid, as lies or is situate in the Parish of *Bermondsey* aforesaid, as fully, amply, and effectually, to all Intents and Purposes whatsoever, as if the said Piece or Branch of Road had been therein and thereby expressly described or included.

as to the Performance of Statute Duty thereon.

LVII. And be it further enacted, That, from and after the said Twenty-fourth Day of *June* One thousand eight hundred and two, the said Trustees for putting in Execution the said Act of the Thirty-eighth Year of His said Majesty's Reign, or any Five or more of them, shall be, and are hereby invested with all such Powers and Authorities for requiring and compelling Performance of Statute Work by the Inhabitants of the said Parish of *Bermondsey*, on so much of the said Road leading from the *Stones-end* aforesaid, as lies or is situate in the said Parish; and for compounding for the same, as by the said recited Act of the Twenty-first Year of the Reign of His present Majesty, or by this present Act, were, or are given to, or vested in the Trustees thereby or hereby appointed for repairing the said several other Roads therein or herein mentioned; and that all Persons who, by Law, are now chargeable towards the repairing so much of the said Road, in the said Parish of *Bermondsey* aforesaid, shall remain, continue, and be charged and chargeable, and shall be liable to do and perform the Statute Work in and upon the same as they ought to have done before the passing of this Act; and shall continue subject and liable to the Penalties and Forfeitures for Non-performance thereof, enacted by, or contained in, the said Act of the Twenty-first Year of the Reign of His present Majesty, or this present Act, or either of them, for Neglect thereof.

The annual Sum of 150*l.* to be paid by the Trustees of this Act, to the Trustees for the *Bermondsey* Road.

LVIII. And be it further enacted, That the Trustees for the Care of the Roads hereby directed to be repaired, or any Five or more of them, or their Treasurer for the Time being, shall, and they are hereby respectively authorized and required, from Time to Time during the Term granted by this Act, out of the Money arising by virtue of this Act, to pay to the Trustees for putting in Execution the several Powers granted in and by the said Act of the Thirty-eighth Year of His said Majesty's Reign, or to any Five or more of the said Trustees, or to their Treasurer for the Time being, the annual Sum of One hundred and fifty Pounds, by equal Half-yearly Payments, upon the Twenty-fifth Day of *December* and the Twenty-fourth Day of *June* in every Year; the First Payment whereof shall be made on the Twenty-fifth Day of *December* One thousand eight hundred and two; which Money shall be applied in repairing and keeping in Repair, as well the said Road hereby transferred to them, as the several Roads which now are, or shall be under their Direction, Care, or Management, and to or for no other Use or Purpose whatsoever.

Penalties and Forfeitures, how to be recovered and applied.

LIX. And be it further enacted, That all Penalties and Forfeitures by this Act imposed or inflicted (the Manner of levying and recovering whereof is not hereby otherwise particularly directed), shall, upon Proof of the Offences and Conviction of the Offenders respectively, before any One or more of His Majesty's Justices of the Peace for the County wherein
such

such Offences shall be committed; either by the Confession or Confessions of the Party or Parties, or by the Oath of One or more credible Witnesses or Witnesses (which Oath such Justice is hereby authorized to administer), be levied and recovered by Distress and Sale of the Goods and Chattels of the respective Parties offending, by Warrant under the Hand and Seal of such Justice, and the Overplus, after such Penalties and Forfeitures, and the Charges of such Distress and Sale are recovered and deducted, shall be returned upon Demand to the Owners of such Goods and Chattels; and the Penalties and Forfeitures when so levied and recovered shall from Time to Time be paid to the said Trustees, or any Five or more of them, or to their Treasurer, and shall be applied (if not otherwise particularly directed by this Act) for and towards amending the said Roads, and other the Purposes of this Act; and in Case sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offenders respectively to be committed to the Common Gaol for such County, there to remain, without Bail or Mainprize, for such Time as such Justice shall direct, not exceeding Two Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the Prosecution before such Justice, shall be sooner paid and satisfied.

LX. Provided always, That it shall and may be lawful to and for the Trustees of the said Roads, or any Five or more of them, to direct such Rewards and Récompence to be paid and given to any Informer as they shall from Time to Time think proper.

Trustees may reward Witnesses, &c.

LXI. And whereas several Persons guilty of Offences against this Act may be transient People, unknown to the Collectors, Surveyors, or other Officers, under this Act; be it therefore further 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 One or more Justice or Justices of the Peace for the Counties of *Kent* or *Surrey*, without any Warrant or other 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, and on such Conviction, to commit the Person or Persons so offending to the Common Gaol or House of Correction for the Counties of *Kent* or *Surrey* for the Times herein and hereby directed for such Offences, unless the respective Penalty by him, her, or them incurred for such Offence or Offences, shall be sooner paid.

For securing transient Offenders.

LXII. And be it further enacted, That where any Penalties, Forfeitures, or Sums of Money, are by this Act directed to be levied by Warrant of Distress in case of Nonpayment, and sufficient Distress cannot be found within the Counties of *Kent* or *Surrey* where the Offence shall happen to be committed, then upon Oath made before any Justice of the Peace of any other County or Place where sufficient Distress may be found, of the Hand Writing of the Justice of the Peace of the said Counties of *Kent* or *Surrey* set to such Warrant, and his Name indorsed on such Warrant, the Goods and Chattels of the Person or Persons against whom such

How Warrant of Distress may be executed in other Counties.

Warrant

Warrant shall be issued shall be subject and liable to such Distress in such other County or Place where the same shall or may be found, and may by virtue of such Warrant and Indorsement be levied and recovered by Distress and Sale by the Person or Persons bringing such Warrant, or to whom such Warrant shall have been originally directed, in the same Manner as if such Goods and Chattels had been found in the said Counties of *Kent* or *Surrey*.

LXIII. And be it further enacted, That all Justices of the Peace, before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form, or to the like Effect; that is to say,

Form of Conviction of Offenders.

{ *Kent* [or *Surrey*],
 to wit. } **BE** it remembered, That, on the
 Day of in the
 Year of the Reign of His Majesty *A. B.*
 is convicted before me, *C. D.* Esquire, One of His Majesty's Justices
 of the Peace for the said County, by virtue of an Act of Parliament
 made in the Forty-second Year of the Reign of His Majesty King *George*
 the Third, intituled, [*here set forth the Title of the Act; and specify the*
Offence, and the Time and Place when and where the same was committed,
as the Case shall be]. Given under my Hand and Seal, the Day and
 Year aforesaid.

Persons aggrieved may appeal to the Quarter Sessions.

LXIV. And be it further enacted, That if any Person shall think himself or herself aggrieved, by any Thing done in pursuance of this Act (except in such Cases where the final Determination is directed by this Act), and for which no particular Method of Relief hath been hereby appointed, such Person may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace, to be holden for the County wherein the Cause of Appeal shall arise, within Four Calendar Months after such Cause of Appeal shall have arisen; the Person appealing first giving, or causing to be given, Twenty-one Days Notice in Writing, of his or her Intention to bring such an Appeal, and of the Cause of Matter thereof, to the Clerk or Treasurer to the said Trustees, and within Seven Days after such Notice, entering into a Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of, and to pay such Costs, as shall be awarded by the Justices at such Quarter Sessions; and the Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of every such Appeal, in a summary Way, and award such Costs to the Party appealing, or appealed against, as the said Justices shall think proper; and the Determination of the said Justices in their said Quarter Sessions, shall be binding and conclusive to all Intents and Purposes.

Proceedings not to be quashed for Want of Form, &c.

LXV. Provided always, and be it further enacted, That no Conviction, Order, Verdict, Assessment, Judgement, or other Proceeding made, touching or concerning any of the Matters aforesaid, shall be quashed or vacated for Want of Form only, or be removed or removable by *Certiorari* or any other Writ or Process whatsoever, into any of His Majesty's

jesty's Courts of Record at *Westminster*, any Law or Statute to the contrary hereof in anywise notwithstanding; and where any Distress shall be made, for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor any of the Parties making the same be deemed Trespassers on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall any of the Parties distraining, be deemed Trespassers *ab initio* on Account of any Irregularity which shall afterwards be done by any of the Parties distraining; but the respective Persons aggrieved by such Irregularity, shall and may recover full Satisfaction for the Special Damage, in any Action upon the Case, provided that no Plaintiff shall recover in any Action for such Irregularity, if sufficient Tender of Amends hath been made to him, by or on the Behalf of the Defendant or Defendants before such Action brought.

LXVI. And be it further enacted, That all Orders and Proceedings of the said Trustees shall be entered in a Book to be kept for that Purpose; and such Orders so entered and signed by a competent Number of the said Trustees, as the Case shall require, or by their Clerk, shall and may be produced and read in Evidence in all Cases of Appeal, Suits, or Actions touching any Thing done in pursuance and by the Authority of this Act.

Proceedings
to be entered
in Books.

LXVII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing which shall be done against or under the Authority of this Act, in the Name of their Clerk or Treasurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees, in the Name of their Clerk or Treasurer, by virtue of this Act, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees, but that the Clerk or Treasurer for the Time being to the Trustees, shall be deemed to be Plaintiff or Defendant as the Case may be, in every such Action; and every such Clerk or Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully reimbursed and paid out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event, or in consequence of any such Action or Proceeding, he shall pay, bear, expend, or be put unto or become chargeable with, by Reason of his being made Plaintiff or Defendant as aforesaid.

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

LXVIII. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, every such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and shall be laid and tried in the County wherein the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may 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 if the same shall appear to have been so

Limitation of
Actions.

[*Loc. & Per.*]

12 H

done,

done, or if any Action or Suit shall be brought after the Time before limited for bringing the same, or shall be laid in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared; and if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases by Law.

Commence-
ment and Con-
tinuance of
the Act.

Publick Act.

LXIX. And be it further enacted, That this Act shall commence upon the Twenty-fourth Day of *June* One thousand eight hundred and two, and shall continue in force until the End of the First Session of Parliament which shall commence after the Twenty-fourth Day of *June* One thousand eight hundred and twenty-three, and shall be deemed a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1809.