



ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 77.

An Act for continuing the Term and altering and enlarging the Powers of several Acts passed in the First and Twelfth Years of the Reign of King *George* the First, the Fifteenth Year of the Reign of King *George* the Second, and the Seventh and Thirty-fourth Years of the Reign of His present Majesty, for repairing the Highways between *Tyburn* and *Uxbridge* in the County of *Middlesex*, and for amending the Road leading from *Brent Bridge*, over *Hanwell Heath*, through the Parishes of *Hanwell*, *New Brentford*, and *Ealing*, to the Great Western Road in the said County, and for lighting, watching, and watering the Highway between *Tyburn* and *Kensington Gravel Pits*.

[28th May 1802.]

WHEREAS by several Acts made in the First and Twelfth Years of the Reign of King *George* the First, the Fifteenth Year of the Reign of King *George* the Second, and the Seventh and Thirty-fourth Years of the Reign of His present Majesty, certain Tolls, [Loc. & Per.] 15 E Powers, 1 & 12 G. 1. 15 G. 2. 7 & 34 G. 3.

Powers, and Authorities were given and granted for repairing the Highways between *Tyburn* and *Uxbridge* in the County of *Middlesex*, and for amending the Road leading from *Brent Bridge* over *Hanwell Heath*, through the Parishes of *Hanwell*, *New Brentford*, and *Ealing*, to the Great Western Road in the said County, and for lighting, watching, and watering the Highway between *Tyburn* and *Kensington Gravel Pits*: And whereas the Trustees for the Care and Management of the said Roads have made great Progress in the Repairs thereof, and in carrying the other Purposes of the said Acts into execution; and several considerable Sums of Money borrowed upon the Credit of the Tolls now remain due, which cannot be repaid, and the said Roads effectually amended and kept in repair, unless the Term of the said Acts be further continued, the Tolls increased, and some of the Provisions and Powers thereof altered and enlarged: 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same, That from and immediately after the Commencement of this Act the Term granted by the said recited Acts shall be repealed, and that the said recited Acts, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained, (except such Parts thereof as are hereby varied, altered, or repealed, and also such as relate to Exemption from Stamp Duties,) shall be and remain in full Force and Effect, and together with this present Act shall be put in execution for the several Purposes thereby and hereby intended, for and during the Term herein-after granted, as fully and effectually in all respects, and to all Intents and Purposes whatsoever, as if the same were expressly repeated and re-enacted in the Body of this present Act; which said Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Monies now due on the said Roads on the Credit of the said recited Acts, or which shall or may be hereafter borrowed or become due on the Credit of the said recited Acts and of this Act, and all Interest due and to become due for the same respectively.

Additional
Term
granted.

Power to bor-
row Money.

II. And be it further enacted, That the Trustees appointed by or in pursuance of the said recited Act of the Thirty-fourth Year of His present Majesty may and they are hereby empowered, at any General Meeting, by Assignment, Certificate, or other Writing under their Hands, from Time to Time to borrow and take up at Interest any such further Sum or Sums of Money as shall be judged necessary by the said Trustees, or any Eleven or more of them, upon the Credit of the Tolls by this Act granted as herein-after mentioned, in such Manner and by such Ways and Means as shall appear to them most proper and convenient for the Payment of the Monies already owing, and for effectually carrying on the Repairs of the said Roads and other the Purposes of this Act; and Copies of the Securities for the Money so to be borrowed and taken up at Interest shall be entered by the Clerk to the said Trustees in a Book to be kept for that Purpose: Provided always, that no Money shall be borrowed by the said Trustees upon the Credit of the said Tolls unless Notice in Writing, under the Hand of the Clerk to the said Trustees, be, by Order of the said Trustees, affixed upon all the Toll Gates then erected upon the said Roads at least Fourteen Days before the borrowing of such Money, and unless Fourteen Days previous Notice shall be given of the Meeting for the borrowing

borrowing thereof by Advertisement to be published Three Times in some daily Newspaper, and that the same be confirmed at the next General Meeting of the said Trustees.

III. And be it further enacted, That from and after the Commencement of this Act the several Tolls and Duties payable by virtue of the said recited Acts, or any of them, shall cease, determine, and be no longer paid or payable; and that in lieu thereof the following Tolls shall thenceforth be demanded and taken, by virtue of the said recited Acts and this Act, before any Horse, Cattle, Beast, or Carriage shall be permitted to pass through any Turnpike, Toll Gate, or Bar erected or to be erected on the said Roads; *videlicet*,

Present Tolls discontinued, and new ones granted.

For every Coach, Berlin, Landau, Chariot, Calash, Chaise, or Chair drawn by Six Horses, the Sum of Three Shillings; and drawn by Three or Four Horses, the Sum of Two Shillings; and drawn by Two Horses, the Sum of One Shilling; and drawn by One Horse, the Sum of Eight-pence:

The Tolls.

For every Waggon, Wain, Cart, or Dray (the Fellies of the Wheels whereof being Six Inches or more from Side to Side) drawn by One Horse, Mare, or Gelding, the Sum of Sixpence; and drawn by Two Horses, Mares, Geldings, or other Cattle, Eight-pence; and drawn by Three Horses, Mares, Geldings, or other Cattle, Ten-pence; and drawn by Four Horses, Mares, Geldings, or other Cattle, One Shilling and Four-pence; and drawn by Five Horses, Mares, Geldings, or other Cattle, Two Shillings; and drawn by Six or more Horses, Mares, Geldings, or other Cattle, Two Shillings and Eight-pence:

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three-pence:

For every Drove of Oxen or Neat Cattle, One Shilling and Eight-pence *per* Score, and so in proportion for any less Number:

And for every Drove of Calves, Hogs, Sheep, or Lambs, Ten-pence *per* Score, and so in proportion for any less Number:

And that Double the said respective Tolls hereby imposed shall and may be demanded and taken for all Horses, Cattle, Beasts, and Carriages upon every *Sunday* in the Year (to be reckoned from Twelve of the Clock in every *Saturday* Night to Twelve of the Clock in the next succeeding *Sunday* Night):

Double Tolls to be taken on a Sunday.

All which said respective Sums of Money shall be demanded and taken in the Name of and as Toll, and the same and every Part thereof shall be and are hereby vested in the Trustees for putting the said recited Acts and this Act in execution; and the same and every Part thereof shall and may be demanded, collected, and recovered, demised, leased, mortgaged, and assigned, in such Manner as are directed by the said recited Acts with respect to the Tolls thereby directed to be taken, but subject nevertheless to this Act, and the Powers, Provisions, and Directions herein contained; and the same Tolls and every Part thereof, and all and every Sum and Sums of Money remaining in the Hands of the Treasurer or Treasurers of the Trustees under or by virtue of the said recited Acts or any of them, shall be (subject nevertheless to the Repayment of all and every Sum and Sums of Money now due and owing on the Credit of the said recited Acts, or hereafter to be borrowed on the Credit of this Act, and the Interest thereof,) applied in erecting, removing,

Tolls vested Trustees.

Application of the Tolls.

removing, or altering Turnpike Gates and Toll Houses, and in amending, widening, and repairing the said Roads, and in defraying all necessary Costs, Charges, and Expences attending the same and the Execution of the said recited Acts and this Act, in such Manner and under such Regulations as the said Trustees, or any Nine or more of them, shall direct.

Half Toll to
to be taken in
certain Cases.

IV. Provided always, That all Waggon, Carts, or Carriages moving upon Rollers of the Breadth of Sixteen Inches on each Side thereof, with flat Surfaces, shall be permitted to pass or be drawn upon the said Roads through any Toll Gate or Bar upon paying only so much of the Tolls and Duties hereby imposed as shall not exceed One Half of the full Toll or Duty payable by this Act for all Waggon, Wains, or Carts having the Fellies of the Wheels of the Breadth or Gauge of Six Inches from Side to Side, or for the Horses or Beasts of Draught drawing the same, and not rolling a Surface of Sixteen Inches on each Side thereof; and that no more than Half Toll shall be paid in respect of Waggon having the Fellies of the Wheels thereof of the Breadth of Nine Inches, and rolling a Surface of Sixteen Inches on each Side thereof; any thing in the said recited Acts or this Act contained to the contrary notwithstanding.

Directing
how the Tolls
shall be de-
manded.

V. Provided always, and be it further enacted, That no more than One Half of the said respective Tolls imposed by this Act shall be demanded or taken at any Gate or Gates erected or to be erected upon the said Roads between *London* and the Eight Mile Stone upon the said Roads, or between *Uxbridge* and the said Eight Mile Stone, any thing herein or in the said recited Acts contained to the contrary thereof in anywise notwithstanding.

Trustees em-
powered to
reduce the
Tolls.

VI. And be it further enacted, That the said Trustees, or any Eleven or more of them, may and they are hereby authorized and empowered, from Time to Time, when and as often as they shall think it requisite or expedient, to lessen or reduce all or any of the Tolls hereby granted, and again to advance and raise the same or any Part thereof to such respective Sums and for such Time as they shall think proper, and so from Time to Time to reduce or advance the same at their Discretion, so as not to exceed the respective Tolls by this Act granted: Provided nevertheless, that after any Reduction of the said Tolls hereby granted shall have been made by the said Trustees, no subsequent Advance shall be made in any of the said Tolls unless Notice of the Intention to make such Alteration, and of the Meeting for that Purpose, be affixed in Writing upon each Turnpike Gate or Bar then erected on the said Roads, and a like Notice inserted in some public Newspaper usually circulated in the said County of *Middlesex*, at least Fourteen Days before such Meeting.

To prevent
injuring the
Road by
excessive
Weight of
Turnips for
Fodder.

VII. And whereas great Injury is done to the said Roads by Carriages employed in carrying Turnips to be used as Fodder for Cattle having excessive Weight of Loading, and which by reason of such Turnips being intended to be used for that Purpose are not subject to any of the Regulations or Restrictions made and established respecting the Weight of Lading in Carriages by an Act of the Thirteenth Year of the Reign of His present Majesty relating to the Turnpike Roads of this Kingdom; be it therefore further enacted, That from and after the Commencement of this Act all Carriages passing upon any of the said Roads laden with
Turnips

Turnips to be used as Fodder for Cattle shall be subject and liable to be weighed, and to the several Directions, Regulations, and Restrictions respecting the Weight of Lading, and to the like Tolls, Penalties, or Forfeitures for Overweight, as if such Turnips were not to be used as Fodder, any Exemption or other Thing contained in the said recited Act of the Thirteenth Year of the Reign of His present Majesty to the contrary hereof notwithstanding.

VIII. And be it further enacted, That all Waggons, Carts, and other Carriages laden with Bricks, Tiles, Stone, Malt, Flour, Timber, Breeze, and Soil, for making or burning of Bricks or Tiles, shall be charged, with and are hereby made liable to the Payment of the Tolls hereby granted for every Time or Times such Waggons, Carts, and other Carriages so laden shall pass in the same Day through any Turnpike Gate or Bar where Tolls are by virtue of the said recited Acts or this Act to be received, any thing herein or in the said recited Acts contained to the contrary thereof notwithstanding.

Subjecting
Waggons, &c.
laden with
Bricks, &c.
to Toll.

IX. And whereas Carts and Waggons laden with immense Weight of Ashes frequently pass upon the said Roads with narrow Wheels, to the great Injury thereof, under the Pretence that the same are to be considered as Manure, although it is well known that such Ashes are frequently used for the Purpose of manufacturing Bricks; be it therefore further enacted, That all Waggons, Carts, or other Carriages laden with Ashes, which shall, after the Commencement of this Act, pass along the said Roads, shall be subject to be weighed, and shall be liable to the like Payment of the Tolls for Overweight, in the same Manner as other Carts or Carriages carrying Goods are liable to, any thing in the said recited Acts or this Act contained to the contrary thereof notwithstanding.

Subjecting
Carts, &c.
carrying
Ashes to pay
Toll.

X. And whereas in and by the said recited Act of the Seventh Year of the Reign of His present Majesty the Trustees are only empowered to erect a Toll Gate and Gate House upon any Part or Parts of the Highways between *Tyburn* and *Batford Bridge* in the Parish of *Hayes*, which Restriction is found inconvenient; be it therefore further enacted, That it shall and may be lawful for the said Trustees, or any Fifteen or more of them, and they are hereby empowered, to remove the present Toll Gates and Toll Houses, and to erect other Toll Gates and Toll Houses from Time to Time on the same and any other Part or Parts of the said Roads, any thing in the said recited Acts or this Act contained to the contrary thereof notwithstanding.

Empowering
the Trustees
to remove the
present Toll
Gates and to
erect others.

XI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as in the said recited Act of the Seventh Year of the Reign of His present Majesty particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing

Application
of Purchase
Money where
exceeding
200*l.*

the said Acts and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Grounds, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Grounds, or other Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Grounds, or other Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Grounds, or other Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation does not exceed 200*l.* and above 20*l.*

XII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, or other 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 Lands, Grounds, or other 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 Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so purchased, taken, or used for the Purposes of the said Acts and 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.

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

XIV. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the procuring and obtaining of this Act, together with lawful Interest from the Time of advancing the same till the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees, or any Nine or more of them, and they are hereby required, to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of the first Monies that shall be collected, borrowed, or received by virtue of the said recited Acts and this Act, in preference to all other Payments and Disbursements whatsoever.

For paying the Expences of the Act.

XV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Public Act.

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

Commencement and Continuance of the Act.

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