



ANNO QUADRAGESIMO NONO

GEORGI II. REGIS.

Cap. 186.

An Act for making and maintaining a Road, from the
Borough of *Southwark* to the *Kent* Road in the
County of *Surrey*. [19th June 1809.]

WHEREAS the making and maintaining of a broad and commodious Communication between the Borough of *Southwark* in the County of *Surrey*, from near *Saint George's Church* in the said Borough, to near the *Bricklayers' Arms* Public House in the *Kent* Road, in the said County of *Surrey*, would be attended with great Advantage, not only to the Inhabitants of the said Borough and Places adjacent, but likewise to all Persons passing and repassing between the said Borough and the said *Kent* Road, and to the Public in general, in as much as the only immediate Communication at present existing between the said Borough of *Southwark* and the said *Kent* Road along *Church Street* in the said Borough as far as the Corner of *Kent Street*, and along *Kent Street* to the *Bricklayers' Arms* Public House aforesaid, is extremely narrow and inconvenient, and in many Parts dangerous and unsafe for Passengers: 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 *Thomas Alexander, Manade Allington Clerk, Benjamin Brecknell, Abraham Bell, Major-General Thomas Baker, William Cox, William Chalklen, Chappel, George Davies, Solomon Davies, George Dodd, Christopher*

Trustees,

[Loc. & Per.]

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Dunkin,

Dunkin, Thomas Dixon, James Fairlie, Richard Fishwick, Matthew Fulwood, James Gosling, Ambrose Gosling, William Gifford, John Hatton, Thomas Hatton, William Haggard, Thomas Hughes, John H. Haggard, Joseph Hill, William Jennings, John Lee, Charles Lavender, John Macintosh, F. Manning, Nathaniel Muggeridge, Henry Newton, William Newman, George Parys, Isaac Parry, David Pollock, Joseph Picklington, James Alexander Randall, Valentine Rutter, Thomas Allen Shuter, James Lumden Shireff, Thomas Saunders, Maffey Stackpoole, Stockwell, William Starkey, Samuel Taylor, S. P. Thomas, Abraham Walker, John Williams, William Henry White, William George Williams, Wall, John Way, John Adolphus Young, and Walter Young, and their Successors, to be elected in Manner herein-after mentioned, shall be and they are hereby appointed Trustees for putting this Act in Execution; and that all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done and executed by or before the said Trustees, may be done and executed by or before any Five or more of them, (except only where some other Number shall be appointed by this Act); and all Matters and Things so done and executed shall be of the same Force and Effect, in all Respects whatsoever, as if the said Matters and Things were and had been done by all the Trustees appointed or to be appointed under or by virtue of this Act.

Qualification
of Trustees,

II, Provided always, and be it further enacted, That no Person shall be capable of being elected or of acting as a Trustee in the Execution of this Act whilst he holds any Place of Profit under this Act; nor in any particular Case wherein he shall be in that Instance personally interested, otherwise than as a Creditor, nor unless he shall at the Time of acting be seised or possessed in his own Right or in the Right of his Wife, and be in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments situate in the said County of *Surrey*, of the clear yearly Value of Fifty Pounds above Reprizes (or shall be Heir Apparent of some Person having such Estate of the clear yearly Value of One hundred Pounds) or be possessed of or entitled to a Personal Estate to the Amount or Value of One thousand Pounds; nor unless he shall at the Time of acting be a Subscriber to the Amount of Five hundred Pounds at the least, for and towards the Purposes of this Act; or shall in his own Right or in the Right of his Wife be possessed of and entitled unto the Sum of Five hundred Pounds at least, secured on the Monies raised or to be raised by virtue of this Act, and in the actual Receipt of the Interest and Dividends thereof; nor (except in administering the Oath or Affirmation following) until he (not being such Heir Apparent) shall have taken and subscribed the Oath or Affirmation hereafter mentioned, before any Five or more of the said Trustees appointed or to be appointed in pursuance of this Act, who are hereby authorized and empowered to administer the same; (that is to say),

Oath

I do swear, [or, being one of the People called *Quakers*, do solemnly affirm], That I am truly and *bona fide* in my own Right [or, in the Right of my Wife, *as the Case may be*] in the actual Possession or Enjoyment and Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments situate in the County of *Surrey*, of the clear yearly Value of Fifty Pounds, above Reprizes [or, I am possessed of or entitled to a Personal Estate of the Value of One thousand Pounds, *as the Case may be*] and that I am a Subscriber to the full Amount of Five hundred Pounds,

“ Pounds, for and towards the Purposes of an Act passed in the Forty-
 ‘ ninth Year of the Reign of His Majesty King *George* the Third, inti-
 ‘ tuled [*here set forth the Title of this Act*] [*or, that I am truly and bona fide*
 ‘ in my own Right, or in the Right of my Wife, [*as the Case may be*]
 ‘ possessed of and entitled to the full Sum of Five hundred Pounds, secured
 ‘ on the Monies raised and to be raised by virtue of an Act, &c. [*as the*
 ‘ *Case may be.*] ‘ So help me GOD’.

And if any Person not being so qualified, or not having taken the said Oath or Affirmation, shall presume to act in the Trust aforesaid (except in administering the said Oath or Affirmation) every such Person shall for every such Offence forfeit the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, Plaint, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparance shall be allowed, and the Person so prosecuted shall prove that he is so qualified as aforesaid, or otherwise shall pay the said Penalty upon Proof being given of his having acted as a Trustee in the Execution of this Act.

III. And be it further enacted, That in case of the Death, Refusal, Neglect, Incapacity, want of Qualification, Disability to act, or Disqualification of any of the Trustees hereby appointed, or their Successors as herein-after mentioned, it shall be lawful for the surviving or remaining Trustees, or any Seven or more of them, within One Month after such Vacancy shall occur, or as soon after as may be convenient, from Time to Time to elect and appoint One other Person to be a Trustee in the Room of every Trustee so dying, or refusing, or being incapable or unqualified, or becoming disqualified to act as aforesaid, Notice in Writing of the Time and Place of Meeting for every such Election having been given by the Clerk to the said Trustees in Two or more public News-papers circulated in the said County of *Surrey*, at least Fourteen Days before every such Meeting; and that every such new Trustee so to be elected and appointed as aforesaid shall be and is hereby empowered to act in the Execution of this Act, to all Intents and Purposes, in as full and ample Manner as the Trustees herein-before nominated are hereby empowered to act: Provided always, that in every Case the Non-attendance of any Trustee for the Space of Twelve Calendar Months shall be taken and deemed to be a Refusal to act; and that the selling, transferring, or parting with his Subscription to or Share in the Monies to be raised by virtue of this Act, or any Part thereof, by any Trustee, so that he shall cease to be possessed of Five hundred Pounds at the least secured on the Monies to be raised by this Act, shall be taken and deemed to be a Disqualification of such Trustee to all Intents and Purposes whatsoever.

New Trustees
 may be
 chosen.

IV. And be it further enacted, That the said Trustees shall meet together at *The London Tavern* in *Bishopsgate Street*, within Fourteen Days next after the passing of this Act, or as soon thereafter as conveniently may be, and proceed to the Execution of this Act, and shall then and from Time to Time afterwards adjourn themselves to meet at such Time, and at such Place, upon or near the said Road, as the said Trustees shall think proper; and that the said Trustees shall at all their Meetings defray their

Meetings and
 Orders of
 Trustees.

their own Expences; and that the Orders and Determinations of the Trustees in the Execution of this Act shall be made at Meetings to be held in pursuance of this Act, and not otherwise (except as herein-after specially mentioned); and that no Order or Determination shall be made unless the major Part of the Trustees present shall concur therein; and that all such Trustees as are Justices of the Peace may act as Justices in the Execution of this Act, notwithstanding their being Trustees (except only in such Cases where they shall be personally interested, or as are herein-after excepted); and that in all Cases where the said Trustees, or any Justice or Justices of the Peace, is or are authorized to examine any Person or Persons on Oath, it shall be lawful for such Justice or Justices to administer such Oath: Provided always, that no Order made by Five or more Trustees shall be revoked or altered unless Seven Trustees shall be present, and the major Part of them shall concur in such Revocation or Alteration.

Meetings on
Emergencies.

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

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

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

Trustees may
make Road.

VII. And be it further enacted, That the said Trustees, or such Person or Persons as they shall from Time to Time appoint for that Purpose, shall and may and they are hereby fully authorized and empowered,

within Three Years from the passing of this Act, to make, repair, improve, maintain, and keep in Repair a convenient Road or Carriage Way, to be called *Great Dover Street*, the South Entrance thereof to commence on the West Side thereof, at Premises belonging to *John Rolls* Esquire, in the Occupation of Messieurs *Davidson* and Son, from the South-East Angle thereof, and cutting therein Five Feet Westward at the North-End thereof, extending thence to the South-East Angle of certain Ground belonging to *John Bland* Esquire; the East Side of the said Entrance is to commence opposite the Point last mentioned at Sixty Feet Square Width, from thence the East Side of the said Road is to continue to the Boundary Stone at the South-West Angle of Ground belonging to *Saint Thomas's Hospital*; from this Point the said Line is to continue in a Right Line to the North End of the said Ground, and so as to be Fifty-five Feet Westward of the Boundary Stone at the North-East Angle of the said Ground; from thence the Line is to continue across the Ground belonging to *Joshua Smith* Esquire, and in the Occupation of *William Hall*, and so as to leave Sixty Feet in Depth at the North End thereof, from Premises belonging to Messieurs *Hucks* and *Harding*; from thence the Line to be continued through the Ground of the said Hospital of *Saint Thomas*, curving to the North-End thereof, so as to cut the extreme North-East Angle of the said Ground, and thence through the Ground of Messieurs *Hucks* and *Harding* in a Continuation of the said Curve, so as to be Seventy-eight Feet Eastward of the Northern Boundary of the Estate of the said Messieurs *Hucks* and *Harding*, and from thence to be continued in the same Curve Line to the South-West Angle of the Iron Railing in Front of *Saint George's Church*, the Line to be at all Parts and Points Sixty Feet Square from the Line last described, and terminating at its North End on the North-West Angle of a House in *Blackman Street* in the Occupation of *Harding*, Gun Maker; all which Line of Road is situate and being in the Parishes of *Saint Mary Newington* and *Saint George the Martyr*, in the Borough of *Southwark*, all in the County of *Surrey*, as is more particularly mentioned and set forth in the Schedule hereunto annexed, or as near to the Line of Road as the said Trustees for the Time being shall think most convenient.

VIII. And whereas the Line of the said intended Road is herein-before particularly mentioned and described; be it therefore enacted, That the said Trustees shall not, in making and constructing the said Road, deviate from the said Line of Road without the Consent in Writing first had and obtained of the Owner or Owners and Occupier or Occupiers through whose Lands any Deviation shall be proposed to be made.

Line of Road not to be altered without Consent.

IX. And be it further enacted, That the said Trustees shall and they are hereby required, at their own Costs and Charges, and before they shall begin to make and construct the said intended Road or any Part thereof, to divide and separate, and keep constantly divided and separated, the said intended Road and every Part and Parts thereof respectively as shall be deemed necessary by any Two or more Justices of the Peace for the County of *Surrey*, in case there shall be any Doubt or Dispute about the same, by making or causing to be made good and sufficient Posts and Rails, Hedges, Ditches, Trenches, Arches, Banks, or other Fences (such

Trustees to fence off the Road,

[*Loc. & Per.*]

42 D.

Fence,

Fence, where the same shall adjoin any Lands or Grounds belonging to *Joshua Smith* Esquire, or *John Bland* Esquire, not to be an open but closed Fence, and of the Height of Six Feet at the least) by the Side or Sides of the said intended Road, from the adjoining Lands or Tenements, Fields or Wastes, Commons or uncultivated Grounds, the same to be set out and made on the Lands or Grounds which shall be purchased by or conveyed to and vested in the said Trustees; and the said Trustees shall from Time to Time maintain and support the said Posts and Rails, Hedges, Ditches, Trenches, Arches, Banks, or other Fences to be set up and made as aforesaid, and also shall at their own like Costs and Charges make, erect, and set up such and so many convenient Gates and Stiles in, over, or through all the Hedges and Fences to be by them so made on the Sides of the said intended Road as aforesaid, of such Dimensions and in such Manner as any Two or more Justices of the Peace for the said County of *Surrey* shall deem necessary and direct, in case there shall be any Doubt or Dispute about the same, for the Use of the Owners and Occupiers of the Lands, Tenements, and Hereditaments adjoining to the said intended Road; and if any Person or Persons shall wilfully pull down or in any way displace or destroy any such Post, Rail, Hedge, Bank, or other Fence or any Part thereof, or shall fill up or spoil any such Ditch, Arch, or Trench, every Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings for every such Offence, to be recovered and levied in such Manner as any other Penalties and Forfeitures can or may be recovered and levied by virtue of this Act; and in case the said Trustees or their Agents or Servants shall refuse or neglect to divide and separate or to keep divided and separated the said intended Road, or any Part or Parts thereof in manner herein directed, or to make, erect, and set up such Posts, Rails, Hedges, Ditches, Trenches, Arches, Banks or other Fences on the Sides of the said intended Road, or to make, erect, and set up such Gates and Stiles in, over, and through the Fences on the Sides of the said intended Road, for the Use and Convenience of the respective Owners and Occupiers of the Lands, Tenements, or other Hereditaments adjoining or near to the said intended Road, or any Part or Parts thereof, in such manner as aforesaid, or to maintain and support such Posts, Rails, Hedges, Ditches, Trenches, Arches, Banks, or other Fences, for the Space of Ten Days next after the Time to be appointed for those Purposes by such Justices, or after Notice shall be given by or on the Behalf of the Owners or Occupiers of any such Lands, Tenements, or other Hereditaments, who may be aggrieved by any such Refusal or Neglect; then and in every such Case it shall and may be lawful to and for any of the Owners or Occupiers of the said adjacent Lands, Tenements, or Hereditaments, who shall find himself, herself, or themselves aggrieved by such Refusal or Neglect, to make, erect, and set up all such Posts, Rails, Hedges, Arches, Banks, or other Fences and Gates and Stiles in, through, or over the same, as such Justices shall have directed or appointed to be made, erected, and set up by the said Trustees as aforesaid, and to maintain, repair, and support the said Posts, Rails, Hedges, Arches, Banks, or other Fences from Time to Time as occasion shall require; and all the reasonable Costs and Charges thereof, to be settled and allowed by such Justices, shall be repaid to the respective Owners or Occupiers of the said adjacent Lands, Tenements, or other Hereditaments, who shall have so erected and

made, repaired or maintained such Works as aforesaid, by the said Trustees, within the Space of One Calendar Month next after the same shall have been so settled and allowed, and an Account or Demand in Writing shall have been made thereof and delivered to the Clerk for the Time being to the said Trustees; and in default of Payment of the said Costs and Charges within the Time aforesaid, such Justices shall and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Seizure of the said Tolls or any of them, or Distress and Sale of any of the Goods and Chattels which shall be found belonging to the said Trustees, and the Money arising therefrom shall be applied to and for the Use of the Person or Persons who shall have so incurred such Costs and Charges as aforesaid, rendering to the said Trustees or their Clerk or Treasurer, or to some or one of their known Agents or Collectors, the Overplus (if any) after deducting the reasonable Charges of making such Distress and Seizure or Sale, to be settled by such Justices, or it shall and may be lawful to and for such Owners or Occupiers to recover such Costs and Charges from the said Trustees by Action at Law, to be commenced and prosecuted in any of His Majesty's Courts of Record at *Westminster*.

X. Provided always, and be it further enacted, That nothing herein contained shall restrain or prevent the Owner or Owners of any Lands or Grounds situate on the Side or Sides of the said intended Road from making any Opening or Openings by any cross or branching Streets or Roads into any Part of the said intended Road, and for that Purpose may make such cross or branching Streets or Roads over and across the Foot-way on the Side of the said intended Road, the Person or Persons so making such Opening or Openings into the said intended Road, paying and defraying all Costs, Charges, and Expences attending the same, and also the Expences of repairing and making good the Ground which may be broken up in the Foot-way on the Side of the said intended Road, under the Direction of the said Trustees, in as good and substantial a Manner as the said intended Road shall be where such Opening or Openings shall be situated.

Openings may be made into the Road.

XI. And be it further enacted, That it shall and may be lawful to and for the said Trustees and they are hereby required, under the Inspection and Direction and to the Satisfaction of the Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey*, to *Ravenborne* in the County of *Kent*, or their Surveyor for the Time being, to make and construct a good, sufficient and spacious main Sewer or Drain along the whole of the said Road, for the Drainage of the said intended Road and the Houses and Buildings along and to be built along the Side or Sides thereof; and such main Sewer or Drain, when completed, shall vest in the said Commissioners of Sewers; and during the Time of making and constructing such main Sewer or Drain, and upon and after the Completion thereof, it shall and may be lawful to and for all or any Person or Persons on the Side or Sides of the said Road, under the Direction and Inspection of the said Trustees, or their Surveyor for the Time being, to make and construct a Gun Drain or Gun Drains to communicate with such main Sewer or Drain, upon paying to the said Trustees for each and every such Gun Drain the Sum of Five Pounds; and every Person or Persons so making any such Gun Drain or Gun

Trustees to make Sewers to drain Road.

Drains

Drains shall pay and defray all Costs, Charges, and Expences of making and constructing the same, and of opening the Ground and removing any Pavement for that Purpose, and shall immediately upon the Completion of such Gun Drain, at his, her, or their own Expence, repair and make good all Ground or Pavement so opened or removed to the Satisfaction of the said Trustees or their Surveyor for the Time being, and also that it shall and may be lawful to and for all or any Person or Persons having any Land or Ground lying or being behind any House or Building on the Side or Sides of the said intended Road, and not being more than One hundred and twenty Feet distant from the nearest Part of the said intended Road (unless the same shall be connected with and in the same Occupancy as the said last-mentioned House or Building) to make and construct any such Gun Drain leading from such last-mentioned House or Building, to communicate with such main Sewer, or Drain, upon paying to the said Trustees for each and every such last-mentioned Gun Drain the Sum of Two Pounds and Ten Shillings; and such Person or Persons shall pay and defray all Costs, Charges, and Expences of making such Communication, and of opening Ground or removing Pavement as aforesaid, and shall in like Manner repair and make good all such Ground or Pavement as shall be opened or removed to the Satisfaction of the said Trustees or their Surveyor for the Time being; and if any such Person or Persons shall make any such Gun Drain without having first paid such Sum of Five Pounds or Two Pounds and Ten Shillings [*as the Case may be*] to the said Trustees, he, she, or they shall for every such Offence forfeit and pay the Sum of Twenty Pounds, to be recovered by Action of Debt or on the Case, to be commenced and prosecuted in any of His Majesty's Courts of Record at *Westminster*, and such Penalty of Twenty Pounds, when recovered, shall be applied for and towards the Purposes of this Act.

Officers to be appointed.

XII. And be it further enacted, That the said Trustees shall and may and they are hereby empowered from Time to Time to appoint a Clerk or Clerks, Treasurer or Treasurers, and also a Surveyor or Surveyors of the said Road, and also a Gate-Keeper or Gate-Keepers, or Toll-Gatherer or Toll-Gatherers, at the several Toll-Bars or Toll-Gates to be erected in pursuance or by virtue of this Act, and also such other Officers as they shall deem it necessary to employ in the Execution of this Act, and shall and may take such Securities for the due Execution of the respective Offices of the said Clerk, Treasurer, Surveyor, Gate-Keepers, Toll-Gatherers, and other Officers to be appointed and employed, as they the said Trustees shall think fit; and shall and may from Time to Time remove such Clerks, Treasurers, Surveyors, Gate-Keepers, Toll-Gatherers, and other Officers, or any of them, and appoint others in their Stead; and also shall and may, out of the Monies to be raised by virtue of this Act, allow such Clerks, Treasurers, Surveyors, Gate-Keepers, Toll-Gatherers and other Officers, and such other Person or Persons as shall be assisting in or about the Execution of this Act, such Salaries or Allowances as to them the said Trustees shall seem reasonable: Provided always, that no Person shall be capable of holding any Place of Profit under this Act who shall sell any Wine, Cider, Ale, Porter, or Spirituous Liquors by Retail.

XIII. And

XIII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls shall die, or shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, any Five or more of the said Trustees, though not assembled at a Meeting of the said Trustees appointed by virtue of this Act, shall and may lawfully discharge such Collector or Receiver so neglecting or being incapable of performing his Duty, or absconding or absenting himself, and in such Case, and also in case any Collector or Receiver shall die, such Trustees shall and may nominate and appoint a proper Person to be Collector or Receiver of the said Tolls, to continue until the then next Meeting of the said Trustees, in the Stead of such Collector or Receiver as shall die, or be discharged, and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all respects, as the Person who shall have so died or been discharged would have had or would have been subject to; and that if any Collector or Receiver of the said Tolls, who shall be discharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representative or Representatives of any Collector or Receiver who shall die or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll House or Building erected on the said Road for the Space of Seven Days after Demand thereof made, and Notice in Writing given for that Purpose by any Five or more of the said Trustees, although not assembled at a Meeting, or by their Clerk or Clerks, Treasurer or Treasurers, for the Time being, then and in any of the said Cases it shall and may be lawful for any Justice or Justices of the Peace for the County or Place, by Warrant under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and to put the said Trustees, or any Five or more of them, or such new appointed Collector or Receiver, in Possession thereof.

Toll Gatherers may be occasionally removed.

XIV. And be it further enacted, That all such Officers and other Persons so to be from Time to Time appointed by the said Trustees, and the respective Executors and Administrators of such Officers, shall from Time to Time, within Seven Days after Notice in Writing, signed by the Clerk or Treasurer to the said Trustees (pursuant to an Order of the said Trustees, made at a Meeting held by virtue of this Act) to them respectively given, or left at their usual Place of Abode for that Purpose, deliver to the said Trustees, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under their respective Hands of all Monies which shall have been by them respectively received, collected, or had, and how, and to whom, and for what Purpose the same and every Part thereof, hath been disposed of, together with proper Vouchers and Receipts for such Payments, and shall verify such Accounts upon Oath; and such Officers and Persons shall and they are hereby respectively required to pay all such Monies as upon the Balance of such Account or Accounts shall appear to be in their Hands, to such Person or Persons as the said Trustees shall appoint to receive the same, and if any of the said Officers or Persons shall refuse or neglect to give such Accounts as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to verify the Articles thereof

Officers to account.

on Oath (which Oath the said Trustees, or any Five or more of them are hereby authorized and empowered to administer) or to pay the Balance remaining in their Hands when thereunto required in Manner aforesaid, or if any such Officers or Persons shall refuse or neglect to deliver up to the said Trustees, or to such Person or Persons as they or any Five or more of them shall appoint, within Seven Days after such Notice given as aforesaid, all Books, Accounts, Papers, and Writings in their Custody or Power, in anywise relating to the Execution of this Act, or to the said Road, and Complaint shall be made of such Neglect or Refusal to any Justice of the Peace for the County, Borough, City, or Place where the Officer or Officers, Person or Persons shall be or reside, by or on Behalf of the said Trustees, such Justice may and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Officer or Officers, Person or Persons, to be brought before him, and upon his or their appearing, or not appearing (except for some reasonable Excuse), to hear and determine the Matter of such Complaint in a summary Way, and if upon the Confession of the Officer or Officers, Person or Persons against whom any such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been so collected or received shall be or remain in the Hands of such Officer or Officers, Person or Persons, such Justice may and he is hereby authorized and required upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively, and if no Goods and Chattels shall be found sufficient to answer and satisfy the said Money, and the Charges of levying the same, and if such Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place by him appointed for that Purpose, or if such Officer or Person appearing shall refuse or neglect to give and deliver to the said Justice an Account or Accounts of the Receipts and Payments as aforesaid, or to verify the Truth of such Account or Accounts, or of the Articles thereof, upon Oath as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction in the County, City, Borough, or Place where he or they shall be or reside, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his or their Accounts, and have verified the same on Oath and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his, her, or their Hands respectively, and the reasonable Charges of such Distress and Sale as shall have been made in that respect, or until he or they shall have compounded with the said Trustees for the same, and paid the Sum compounded for to the said Trustees, or to such Person or Persons as they shall appoint to receive the same (which Composition the said Trustees are hereby empowered to make), or until he or they shall deliver up such Books, Accounts, Papers, and Writings as aforesaid, or shall have given Satisfaction in respect thereof to the said Trustees: Provided always, that no Person shall be committed for want of sufficient Distress for any longer Space of Time than Six Calendar Months.

XV. And be it further enacted, That the several and respective Persons who have subscribed, or who shall hereafter subscribe any Sum or Sums of Money for and towards making and repairing the said Road, shall and they are hereby required to pay the Sum or Sums so subscribed, or such Parts and Proportions thereof as shall from Time to Time be called for by the said Trustees by virtue of the Powers and Directions of this Act, and within such Time and Times, at such Place and Places, and to such Person or Persons, as the said Trustees shall by any Writing under their Hands authorize to receive the same, so as the said Trustees shall not call at any One Time for any greater Instalment than Twenty Pounds on every One hundred Pounds of such Subscriptions, nor shall make any such Call at a less Distance than the Space of Two Calendar Months after the Call immediately preceding; and if any Person or Persons shall after Twenty Days previous Notice in Writing under the Hand of the Treasurer or Clerk of the said Road for that Purpose to him, her, or them given, or left at his, her, or their Dwelling-house or usual Place of Abode, refuse or neglect to make Payment of the respective Sums by him, her, or them so subscribed or agreed to be subscribed, or such Part or Parts thereof as may be required in such Notice, it shall be lawful for the said Trustees to bring or cause to be brought any Action of Debt, or on the Case, Bill, Complaint or Suit, against any Person or Persons so refusing or neglecting as aforesaid, his, her, or their Heirs, Executors, and Administrators, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparance shall be allowed; and on Proof of such Person or Persons having so subscribed, and of such Notice being given as aforesaid, the respective Sums so subscribed or agreed to be subscribed, or so much thereof as shall be required to be paid in such Notice, shall be recovered with full Costs of Suit.

Subscribers to pay their Subscriptions.

XVI. And be it further enacted, That it shall be lawful for the several Subscribers to the said Road, his, her, or their respective Executors, Administrators and Assigns, to transfer his Share or Shares in a Subscription or Subscriptions for and towards the said Road, and his, her, and their Right and Title to any Interest or Dividends due or to become due upon any such Shares or Subscriptions, subject to the Rules and Conditions herein mentioned, the Conveyance of which Shares or Subscriptions shall be in the Form or to the Effect following; (*videlicet*),

Subscriptions may be transferred.

I in Consideration of paid to
 I of do hereby bargain,
 I sell, assign, and transfer to the said the Sum of
 I Capital Stock of and in the Road called *Great Dover Street*,
 I being Part [*or the Whole, as the Case may be*] of my Share in a Sub-
 I scription towards the said Undertaking, to hold to the said
 I his [*or, her*] Executors, Administrators, and Assigns, subject to the
 I same Rules, Orders, and Restrictions, and on the same Conditions
 I that I held the same immediately before the Execution hereof; and
 I I, the said do hereby agree to take and
 I accept the said Capital Stock, or Subscription, subject to the same
 I Rules, Orders, Restrictions, and Conditions. As witness our Hands
 I and Seals, the Day of

Form of Transfer.

And

And on every such Sale, the said Deed of Transfer, being executed by the Seller or Sellers and the Purchaser or Purchasers of such Shares or Subscriptions, shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk of the said Trustees shall have entered into a proper Book or Books to be kept for that Purpose, a Memorial of such Transfer and Sale for the Use of the said Trustees, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Road, nor any Interest for such Shares or Subscriptions paid to him, her, or them, as a Subscriber or Subscribers towards the said Road.

No Shares shall be sold after a Call till the Money is paid.

XVII. And be it further enacted, That after any Call of such Money shall have been made by the Trustees as aforesaid no Person or Persons shall sell or transfer any Share or Shares, or Subscription or Subscriptions which he, she, or they shall possess in or have undertaken for towards the said Road, on Pain of forfeiting his, her, or their Interest therein, unless he, she, or they at the Time of such Sale or Transfer shall have paid and discharged to the Treasurer of the said Trustees, or in such other Manner as the said Trustees shall have directed, the whole and entire Sum which shall have been called for upon each Share so sold or transferred as aforesaid.

What Interest or Dividends shall be paid by the Subscribers.

XVIII. And whereas in order to make and complete the said Road it will be necessary to purchase a great Number of Houses and other valuable Premises lying in and on the Line of the said intended Road, and which are more particularly mentioned in the Schedule to this Act annexed, the Purchase Money for which Houses and Premises will amount to a large Sum of Money; and for the purchasing of the said Houses and Premises, in order to carry the Purposes of this Act into Effect, several Persons have subscribed and paid or undertaken to pay divers large Sums of Money; therefore, in Consideration of the Risk run by the said Subscribers in advancing the several Sums so subscribed by them for the Purposes aforesaid, be it further enacted, That until the said intended Road hereby authorized and directed to be made, repaired, widened, improved, and maintained, shall be fully made and completed, the said Trustees shall and they are hereby empowered and directed, to pay Interest after the Rate of Five Pounds *per Centum per Annum*, upon all such Principal Sum and Sums of Money as shall have been actually subscribed and paid or undertaken to be paid for the Purposes aforesaid, at any Time or Times within Three Calendar Months after the passing of this Act, which Interest shall commence and be computed from the Time or respective Times of Payment of such Principal Monies, or of the Instalments thereof respectively; and from and after the Time when the said Road shall be fully made and completed the said Trustees shall and may and they are hereby empowered and directed to pay, for and during the Continuance of this Act, or until such Sum and Sums of Money shall be returned to the Person or Persons entitled to receive such Interest or Dividends, such further Interest or Dividends, not exceeding in the whole the Rate of Twelve Pounds *per Centum per Annum* upon all Principal

Principal Sum and Sums of Money which have been or may be so subscribed and paid, or undertaken to be paid as aforesaid, as shall be from Time to Time resolved and determined by a Majority of the said Trustees, at a Meeting to be held for that Purpose: Provided always, that the said further Interest or Dividends shall not be paid or payable on or for any Principal Sum or Sums of Money beyond the Amount of Forty thousand Pounds in the Whole; nor on or for any Sum or Sums of Money other than such Sum and Sums as shall have been or shall be actually subscribed and paid or undertaken to be paid, within the Time aforesaid; nor on or for any Sum or Sums of Money whatever which shall at any Time be secured by Mortgage of the Tolls under this Act, in Manner herein-after mentioned.

XIX. And it is hereby further enacted, That all and every Sum and Sums of Money, which shall, previous to the passing of this Act, have been paid by any Subscriber or Subscribers to the said Undertaking, for or on account of any Share or Shares therein, to any Person or Persons whomsoever, shall be accounted for by such Person or Persons to the said Trustees, or to such Person or Persons, and at such Time or Times as they shall respectively appoint, and in case of Non-payment thereof the same shall and may be recovered by the said Trustees from the Person or Persons to whom or to whose Account the same shall have been paid, in such and in the like Manner, and by such Ways and Means, as if such Sum or Sums of Money had been advanced and paid by or received on account of the said Trustees, after the passing of this Act.

Power to the Trustee, to recover Money paid on account of any Share or Shares previous to the passing of this Act.

XX. And be it further enacted, That out of the Monies already subscribed in Manner aforesaid, or which may hereafter be subscribed, and already received or to be received by virtue of this Act, the said Trustees shall pay and discharge all the Expences and Costs relative to procuring and passing this Act, in Preference to any other Payment whatsoever; and that the Treasurer to the said Road shall thenceforth, (being first ordered and empowered by the said Trustees), Once in every Year discharge the Interest or Payments upon all Securities which shall be made by virtue of this Act, if the same shall be demanded, in Preference to all other Payments; and that the Remainder of all and every Sum and Sums of Money whatsoever, which shall and may from Time to Time be raised or received from the Tolls herein-after mentioned, or otherwise howsoever by virtue of this Act, shall be applied in putting this Act in Execution and in repaying the Principal Monies by or by virtue of this Act charged, borrowed, or subscribed, and to or for no other Use or Purpose whatsoever.

Application of Money.

XXI. And be it further enacted, That it shall and may be lawful for the said Trustees, their Servants or Agents, being first by them thereunto authorized and empowered, from and immediately after the passing of this Act, and from Time to Time and at all Times until the said Road shall be completed as herein-before mentioned, to enter upon any Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments whatsoever, for the Purpose of surveying, taking a Level of, and marking out the Ground and Premises intended to be made use of for the Purpose of making, widening, and improving the said Road, and the Streets and

Trustees empowered to survey.

Passages herein mentioned, they the said Trustees doing as little Damage as may be, and giving Three Days Notice in Writing, signed by their Clerk, to the Occupier or Occupiers of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, of the Time of their making such Survey, taking such Level, or marking out such Grounds and Premises, and making Satisfaction for all Damages that shall be done thereby, exceeding the Sum of One Shilling.

Purchasing
Messuages
etc. for Roads
and for open-
ing Streets,

XXII. And be it further enacted, That the said Road shall be Sixty Feet in Width, including the Causeways herein-after mentioned; and that for the Purpose of making, widening, and improving the said Road, and of opening, widening, improving, and rendering more commodious the Streets and Passages herein-after mentioned, it shall and may be lawful for the said Trustees and they are hereby fully authorized and empowered, within Two Years and Six Months after the passing of this Act, to treat and agree for the Purchase of all the Houses, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments situated on or along the Line of the said Road which shall be agreed to be made by the said Trustees in consequence of such Survey as aforesaid, and in the Schedule hereunto annexed particularly mentioned and set forth; and also to treat and agree for the Loss or Damage which the Owners of and Persons interested in any such Houses, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments shall or may any way sustain or be put unto by the making, opening, or altering any Part or Parts of the said intended Road; and upon Payment of such Sum and Sums of Money, as shall be agreed upon for such Purchase or Purchases, or as a Satisfaction for such Loss or Damage, or as shall be adjudged or assessed in the Manner herein-after mentioned and directed, it shall and may be lawful for the said Trustees to cause all such Houses, Erections, and Buildings whatsoever, or such or so many or so much thereof as they shall deem necessary, to be taken down, and the Ground whereon such Houses, Erections, and Buildings now stand, and the other Grounds, Lands, and Hereditaments so to be purchased, or any Part or Parts thereof, to be laid into the said Road, and also to remove or cause to be removed all Stiles, Bars, Gates, or other Obstructions to the free Passage in, through, over, or along the said Road which are now standing and being in the Line of the said Road, making due Satisfaction to such Person or Persons as shall or may be entitled to any Benefit, Profit, or Advantage from the said Stiles, Bars, and Gates, or any of them, from all such Loss or Damage as may accrue by Removal of the same in Manner herein-after mentioned and directed: Provided always, that if the said Trustees shall have been willing and desirous, and shall have offered to treat for any such Houses, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments, within the said Time of Two Years and Six Months, but shall have been prevented from completing, or delayed in such Treaty and Purchase thereof, by the Owner or Owners, Occupier or Occupiers thereof, the said Trustees shall not thereby be prevented from afterwards completing the Purchase of such last-mentioned Houses, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments; any Thing herein contained to the contrary thereof notwithstanding.

Owners of
Land may
convey to
Trustees.

XXIII. And whereas the making and constructing of the said intended Road will tend very much to the Benefit and Advantage of the Owners
of

of the Lands and Grounds on the Sides of the said intended Road, and very much increase the Value of the said Lands and Grounds; be it therefore further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, and not only for and on Behalf of themselves their Heirs and Successors, but also for and on Behalf of their *Cestuique* Trusts, whether Infants, Issue unborn, Lunatics, Idiots, or other Person or Persons, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right or entitled to Dower, and to and for all and every other Person or Persons whomsoever, who is or are or shall be seised, possessed of, or interested in any Lands or Grounds or the Scite of any Houses, Buildings, or Erections, Tenements or Hereditaments, along, over, or across which the Line of the said intended Roads shall pass, in Consideration of the Benefit, Advantage, and Improvements which shall accrue to the Lands and Grounds on the Sides of the said intended Road, and to the Owner or Owners thereof as aforesaid, to sell, dispose of, convey, assign, transfer, and set over to the said Trustees and their Successors all the Lands and Grounds, and the Lands or Grounds covered by any Houses, Buildings, or Erections, Tenements, or Hereditaments which may be requisite for the making and constructing the said intended Road; and such Conveyance, Assignment, and Transfer to the said Trustees, shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, and shall immediately and absolutely vest such Lands and Grounds, and the Scite of such Houses, Buildings or Erections, Tenements or Hereditaments, in the said Trustees and their Successors; any Thing herein contained to the contrary thereof in anywise notwithstanding.

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

Corporations
and Trustees
may contract.

shall be and are hereby indemnified for what they shall do by virtue and in pursuance of this Act.

How Damages to be assessed in case of Disagreement.

XXV. And be it further enacted, That if any Owners, Proprietors, Occupiers, Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Trustees, Femes Covert, or any other Person or Persons interested in any Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, which the said Trustees are hereby empowered to purchase, take, and use for the Purposes of this Act, upon Notice in Writing under the Hands of Five or more of the said Trustees for the Time being, to him, her, or them given, or left at the respective Dwelling-houses or Places of Abode of such Person or Persons, or at the Head Office or Offices of such Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, shall, for the Space of Ten Days after such Notice so given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every or any such Case the Sheriff of the said County of *Surrey*, or his Under Sheriff, or in case such Sheriff or Under Sheriff shall be any ways interested in the Matter in question, then some one of the Coroners of the said County, not interested therein, shall, upon the Warrant of the said Trustees in Manner herein-after mentioned, and he and they is and are hereby required and authorized to cause it to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of *Surrey* (which Oaths the said Sheriff, Under Sheriff, or Coroner, is and are hereby empowered and required to administer) what Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for or on Account of the taking of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, for the Purposes of this Act, or of carrying any Part or Parts of the said Road into, over, or through the same Lands or Tenements, Houses, Buildings, Grounds, or Hereditaments; and in order thereto the said Sheriff, Under Sheriff, or Coroner, is and are hereby empowered and required, from Time to Time as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath the said Sheriff, Under Sheriff, or Coroner, is and are hereby empowered to administer); and such Sheriff, Under Sheriff, or Coroner respectively, shall also order and cause the said Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the said Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, or Coroner shall think fit; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff, Under Sheriff, or Coroner, shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Trustees, to the said Owners or Occupiers of or other Persons interested in the said Lands, Grounds, Tenements, Houses, Buildings, or Hereditaments, according to such Verdict or Inquisition of the said Jury, which said Verdict or Inquisition, and Order, so had and made, shall be final, binding, and

and conclusive to all Intents and Purposes against all Parties and Persons whomsoever claiming any Estate in Fee Simple, in Fee Tail, for Life or Lives in Possession, Reversion, Remainder, or otherwise, their Heirs, Successors, Executors and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politick, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for the summoning and returning of such Jury or Juries the said Trustees are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, or Coroner, thereby commanding and requiring such Sheriff, Under Sheriff, or Coroner, to summon, empanel, and return at some convenient Place in the said County, a Jury of Twenty-four honest and indifferent Men, qualified according to Law, to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, or Coroner, at such Time and Place as in such Warrant shall be appointed; and Eight Days Notice at the least in Writing under the Hands of the said Trustees is hereby required to be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in any such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, of the Time and Place of the said Jury being so empanelled, summoned and returned; and the said Sheriff, Under Sheriff, or Coroner, is and are hereby required to empanel, summon, and return such Number accordingly, and out of the Persons so empanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff, Under Sheriff, or Coroner, shall swear or cause to be sworn, Twelve who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, Under Sheriff, or Coroner, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, (being qualified as last aforesaid), to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, and Solicitors, to attend and be heard, and to adduce Evidence before the said Sheriff, Under Sheriff, or Coroner, respectively; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Trustees shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff, Under Sheriff, or Coroner, his or their Bailiffs or Agents making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, or shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give, or shall not give their Verdict, or shall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act; or on any of the Persons who being required to give Evidence before the said Jury touching the Premises shall refuse or neglect to appear, or shall not allege a sufficient Excuse for not appearing, or appearing shall refuse to be sworn and give Evidence; provided that any such Fine shall not exceed the Sum of Ten Pounds upon any such Sheriff, Under Sheriff, or Coroner, nor the Sum of Five Pounds upon any other Person for any other Offence.

Expences of
Juries how to
be paid.

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

Misnomer,
Omission, or
wrong Description in the
Schedule not
to prevent the
Execution of
this Act.

XXVII. Provided always, and be it further enacted, That if any of the Messuages, Buildings, Grounds, Hereditaments, and Premises mentioned and described in the Schedule hereunto annexed, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, shall happen to be misnamed, omitted, or inaccurately described, such Misnomer, Omission, or inaccurate Description being proved to have arisen merely from Mistake to the Satisfaction of Two Justices of the Peace for the County of *Surrey*, to be signified under their Hands, shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased and sold, or assessed and valued by a Jury, and conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same were properly named and described in the same Schedule.

Lands to vest
in Trustees.

XXVIII. And be it further enacted, That any Sum of Money, Recompence, or Satisfaction which shall be agreed for or assessed as aforesaid, shall be paid out of the Monies which shall arise and be produced by virtue
of

of this Act, to the Parties or Persons respectively entitled thereunto, or to their Agents, except in the Cases herein-after otherwise provided for; and upon Payment thereof, or in case of Refusal to accept the same, then upon leaving the same in the Hands of the Treasurer or Clerk of the said Trustees for the Time being, for the Use of such Parties or Persons, and after Ten Days Notice thereof to such Parties or Persons, or their Agents, all Owners and Occupiers of, and all other Persons, or Corporations interested in such Lands, Tenements, Messuages, Buildings, Grounds, or Hereditaments, shall from thenceforth be divested of all Right, Title, Claim, Interest, and Property of, in, to, or out of the same; and such Houses, Messuages, Tenements, or Buildings, shall and may be forthwith pulled down, carried away, removed, and disposed of by the said Trustees, and the Scite thereof, and all such Lands, Grounds, and Hereditaments as shall be so purchased, or so much and such Part thereof as the said Trustees shall see fit, shall be laid into and made Part of the said Road, in such Manner as the said Trustees shall direct, and shall be by them or by such Person or Persons as they shall appoint, sufficiently fenced and set out for that Purpose, and shall from thenceforth, to all Intents and Purposes whatsoever, become and for ever afterwards be a Common Highway, and shall be deemed Part of the Road to be made and maintained by virtue of this Act.

XXIX. And whereas in order to carry into effect the Purposes of this Act, and to avoid Disputes with the Owners of Lands, Grounds, or Hereditaments which may be affected by making the said intended Road, the said Trustees may purchase Lands, Buildings; or Hereditaments not necessary to be made use of for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Trustees to sell, grant, and convey such Part or Parts of the Lands or Hereditaments which shall be so purchased by the said Trustees, and as shall not be wanted for the Purposes of this Act; and that all such Conveyances from the said Trustees shall be valid and effectual, any Law, Statute, or Custom to the contrary notwithstanding; and upon Payment of the Money which shall arise by the Sale or Sales of such Lands, Grounds, or Hereditaments, or any Parts or Parcels thereof, it shall be lawful for the Treasurer or Clerk to the said Trustees to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands, Grounds, or Hereditaments shall be sold, or for so much thereof as in such Receipt shall be expressed to be received; and such Person or Persons shall not be answerable for any Losses, Misapplication, or Non-application of such Purchase Money, or any Part thereof: Provided always, that the said Trustees, before they shall sell and dispose of such Lands, Grounds, and Hereditaments, shall first offer to re-sell the same to the Person or Persons from whom the same shall have been purchased; and in case such Person or Persons shall not then and thereupon agree, or shall refuse to re-purchase the same, then and in every such Case, an Affidavit being sworn before a Master or Master Extraordinary in the High Court of Chancery, or before one of His Majesty's Justices of the Peace for the County of *Surrey*, by some Person or Persons no way interested in the said Lands and Premises, stating that such Offer was made by or on behalf of the said Trustees, and was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same Offer was so made, such Affidavit shall in all

Trustees may
re-sell Lands
not wanted.

all Courts whatever be sufficient Evidence and Proof that such Offer was made; and was not agreed to, or was refused by the Person or Persons to whom it was made (as the Case may be); and in case such Person or Persons as aforesaid shall be desirous of purchasing the said Premises, and he, she, or they, and the said Trustees, shall differ and not agree with respect to the Price or Prices thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury in Manner herein-before directed with respect to disputed Value of Premises to be purchased by the said Trustees in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as is herein directed with respect to such Purchase made by the said Trustees, *mutatis mutandis*; and that all Money which shall arise by any Sale or Sales, or Demise or Demises which may be made by the said Trustees of such Lands, Grounds, and Premises as aforesaid, shall be applied to the Purposes of this Act.

The words
"Grant, Bar-
gain, and Sell"
to operate as
Covenants for
Title.

XXX. And be it further enacted, That in all Grants, Demises, and Conveyances to be made by the said Trustees, under or by virtue of the several Powers and Authorities to them hereby given, the Words "Grant, Bargain, and Sell," shall amount to and be construed and adjudged in all Courts of Judicature to be express Covenants to the Grantee, or Purchaser, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Trustees, for themselves and their Successors, that the said Trustees, notwithstanding any Act done by them, were at the Time of the Execution of every such Grant or Conveyance seised of the Lands, Hereditaments, and Premises thereby granted, conveyed, and sold, of an indefeasible Estate of Inheritance in Fee Simple, free from all Encumbrances, for quiet Enjoyment thereof against the said Trustees and their Successors, and all Persons claiming under them; and all such Purchasers shall be indemnified and saved harmless by the said Trustees and their Successors.

Purchasing
the Whole of
Premise from
Owners un-
willing to sell
Part.

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

Act is directed to be settled and ascertained by this Act; and all other Proceedings shall take place respecting the said Premises as are hereinbefore mentioned and directed with respect to Premises the Value of which shall be ascertained by a Jury in manner aforesaid.

XXXII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, Messuages, Buildings, Grounds, or Hereditaments, purchased, taken, or used by virtue of this Act, which shall belong to any Corporation, Feme. Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid affecting the same Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, or affecting other Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Purchase Monies or Compensations due to Corporate Bodies, Minors, &c. to be laid out to the same Uses, when the same shall exceed 200l.

XXXIII. Provided always, and be it further enacted, That if any Money to agreed or awarded to be paid for any Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed

Application when the Compensation Money does not exceed 200l. and is less than 50

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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 Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by 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 may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application
when less
than 20l.

XXXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not
making out
Titles, etc.

XXXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or any Five or more of them, or shall refuse to execute such Conveyance or Conveyances; or in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (*describing them*), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall

shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XXXVI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

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

The Court may order reasonable Expences to be paid by the Trustees.

XXXVIII. And be it further enacted, That all such Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings of the said Trustees, Sheriff, Under Sheriff, or Coroner and Juries, as relate to or concern any of the Cases before mentioned, and all Receipts which the Cashier or Cashiers of the Bank of *England* shall give for any Sum or Sums of Money paid into the Bank as aforesaid, shall be entered among the Records of the Court of General Quarter Sessions of the Peace of the said County of *Surrey*, and the said Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings, shall be deemed and taken to be Records to all Intents and Purposes whatsoever; and the same, or true Copies thereof,

Verdicts, etc. to be recorded at the Sessions.

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

Conveyances
good by Bar-
gain and Sale.

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

Tenant at
Will, etc. to
quit Premises.

XL. And be it further enacted, That any Tenant at Will, or Lessee for a Year, or any other Person or Persons in Possession of any such Lands, Tenements, Houses, Buildings, Grounds, and Hereditaments, or any Part thereof, which shall be purchased by virtue of and for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenant at Will, or as Lessee for a Year, or from Year to Year shall,
upon

upon receiving Six Calendar Months Notice to that Effect from the said Trustees or any Five or more of them, at the End of the said Six Calendar Months, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Trustees, or the Person or Persons authorized by them to take Possession thereof; and that in case any such Tenant or Tenants, or Person or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid, then it shall and may be lawful for the said Trustees to issue their Precept or Precepts to the Sheriff of the said County of *Surrey*, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

XLI. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, Houses, Buildings, Grounds, and Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall on the Payment or Tender of the Principal Money and Interest due thereon, together with the Amount of Three Calendar Months Interest on the said Principal Money, by the said Trustees, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Trustees, or to such Person or Persons as the said Trustees shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Trustees, or such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Three Calendar Months, to be computed from the Day of giving such Notice, that then at the End of the said Three Calendar Months, on the Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer, his, her, or their Interest in the Premises to the said Trustees, or such Person or Persons as shall be appointed in Trust for them, and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine.

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

XLII. And be it further enacted, That upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank at the End of Three Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money in like Manner as is herein-before directed in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Trustees, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages to all Intents and Purposes whatsoever.

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

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

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

Compensation for Tythes.

XLIV. And whereas by the making and using of the said Road hereby authorized to be made, the Lands which are intended to be taken and used for those Purposes, or some Parts thereof, will be rendered unproductive of Tythes; and it is expedient that proper Compensation should be made to the Owners of the said Tythes for the Time being in lieu thereof; be it therefore further enacted, That full Recompence and Satisfaction shall be made by the said Trustees for all the Tythes, both Great and Small, of the Lands which shall or may be taken or made use of by the said Trustees for the Purposes and in pursuance of the Powers of this Act, to the respective Persons entitled, or who would have been entitled to such Tythes in case such Lands had not been so taken or made use of, according to their respective Interests therein, such Tythes to be estimated at the average Value of Seven Years, commencing at *Midsummer* One thousand eight hundred and two; such average Value to be ascertained (in case of any Difference concerning the same) in like Manner as the Value of any Lands or other Hereditaments is herein-before directed to be ascertained: Provided always, that the Recompence and Satisfaction to be given by virtue of this Act for all Glebe Lands and Tythes belonging to spiritual Persons, shall be made to such Persons by an annual Rent.

Trustees may erect Gates,

XLV. And be it further enacted, That the said Trustees shall and may erect and set up or cause to be erected and set up one or more Gate or Gates, Turnpike or Turnpikes, in, upon, or across the said intended Road, with Toll-houses and proper and necessary Buildings and Fences near to each such Gate or Turnpike, whether across the said intended Road or at the Side thereof.

Trustees not to erect any Gate or Turnpike to obstruct the present Entrances to Kent Street.

XLVI. Provided always, and it is hereby further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to give the Trustees for putting this Act into Execution any Power or Authority to erect or set up any Gate or Gates, Turnpike or Turnpikes, so as to prevent or obstruct the present Entrances or Avenues leading to or from a certain Street called *Kent Street*, near and adjoining to the said intended Road.

Tolls.

XLVII. And be it further enacted, That the respective Tolls following shall and may Once in every Day be demanded and taken of and from all and every or any Person or Persons passing with or attending any Cattle or Carriage, by such Person or Persons as the said Trustees shall from Time to Time appoint at each of the said Gates or Turnpikes; (that is to say),

For

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

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

For every Waggon, Wain, or such other Four-wheeled Carriage, laden with Hay or Straw, or having Wheels of the Breadth of Six Inches or upwards on the Bottom or Sole thereof, being horizontal on the Surface of the Tire, and rolling an even Surface, drawn by Six or more Horses or Beasts of Draught, the Sum of One Shilling and Four-pence; and drawn by Five Horses, or Beasts of Draught, the Sum of One Shilling; and drawn by Four Horses, or Beasts of Draught the Sum of Nine-pence; and drawn by Three Horses or Beasts of Draught the Sum of Seven-pence Halfpenny; and drawn by Two Horses, or Beasts of Draught, the Sum of Six-pence; and drawn by One Horse, or Beast of Draught, the Sum of Three-pence:

For every Waggon, Wain, or such other Four-wheeled Carriage (not being laden with Hay or Straw) with Wheels of less Breadth than Six Inches as aforesaid, or rolling a Surface not horizontal, drawn by Six or more Horses, or Beasts of Draught, the Sum of One Shilling and Nine-pence; and drawn by Five Horses, or other Beasts of Draught, the Sum of One Shilling and Six-pence; and drawn by Four Horses, or Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses, or Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses, or Beasts of Draught, the Sum of Six-pence; and drawn by One Horse, or Beast of Draught, the Sum of Three-pence:

For every Cart or other such Two-wheeled Carriage, drawn by Four or more Horses, or Beasts of Draught, the Sum of Eight-pence; and drawn by Three Horses, or Beasts of Draught, the Sum of Six-pence; and drawn by Two Horses, or Beasts of Draught, the Sum of Three-pence; and drawn by One Horse or Beast of Draught, the Sum of Two-pence:

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

For every Drove of Oxen or Neat Cattle, the Sum of Five-pence *per* Score, and so in proportion for any less Number; and for every Drove of Swine, Sheep or Lambs, the Sum of Two-pence Halfpenny *per* Score, and so in proportion for any less Number.

Which said respective Sums of Money shall be demanded and taken as Toll; and if any Person or Persons subject to the Payment of any of the said Tolls shall after Demand thereof made neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed to collect the said Tolls, or for any Surveyor or Surveyors of the said Road, or any other Person or Persons duly authorized by the said Trustees, by himself, herself, or themselves, or taking such Assistance as he, she, or they

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

Collectors appointed under 6 G. 3. to collect Tolls imposed by such Act as the Toll-houses, &c. to be erected in pursuance of this Act.

XLVIII. Provided always, and be it further enacted, by the Authority aforesaid, That it shall and may be lawful for the several and respective Receivers and Collectors, and other Persons to be appointed under or by virtue of an Act of Parliament, made and passed in the Sixth Year of the Reign of His present Majesty, intituled, *An Act for paving the Streets and Lanes within the Town and Borough of Southwark and certain Parts adjacent in the County of Surrey, and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein*, to receive and collect the several Tolls thereby made payable; and they are hereby authorized and empowered, for the Purposes of the said Act, without the Let, Hindrance, or Molestation of any Person or Persons whatsoever, to make use of all or any of the Gates or Turnpikes and Toll-houses to be erected by virtue and in pursuance of this Act, so as such respective Receiver, Collector, or other Person do in nowise hinder or interrupt the transacting of any Business or Purpose for which such Gates, Turnpikes, and Toll-houses shall be erected or provided.

Breadth of Wheels.

XLIX. And, to obviate any Doubts which may arise with respect to such Four-wheeled Carriages as consist of Two Wheels of the Breadth of Six Inches, and Two of a less Breadth, be it further enacted, That all such Carriages with Four Wheels, Two whereof shall be of a less Breadth than Six Inches, although the other Two shall be of a greater Breadth, which shall pass through any Gate or Turnpike to be erected by virtue of this Act, shall be liable to and charged with the Tolls by this Act imposed upon any Waggon, Wain, or other Four-wheeled Carriage having the Fellies of the Wheels of a less Breadth than Six Inches.

Payment of Toll at one Gate or clear the other Gates.

L. Provided always, and be it further enacted, That the Person or Persons passing with or attending any Horse, Cattle or Carriage, along the said intended Road, who shall have paid the Toll hereby authorized to be taken in respect of such Horse, Cattle, or Carriage, at any Turnpike or Toll Gate to be erected across the said intended Road, shall, on producing the Ticket for that Day, be exempt from the Payment of such Toll at any

any other such Turnpikes or Toll Gates; any Thing herein contained to the contrary thereof in anywise notwithstanding.

LI. Provided always, and be it further enacted, That all Horses, Cattle, or Carriages which shall pass the same Day through any Side Bar or Gate to be erected on the Side or Sides of the said Road authorized to be made by this Act, across any Lane or Way leading into or out of the same, and through the next Turnpike Gate or Bar on the said Road, shall, on producing a Ticket, in like Manner be exempt at the other of the same last-mentioned Gates or Bars from so much Toll as shall have been respectively paid for such Horses, Cattle, and Carriages, at the other of the same Gates or Bars which they shall have so previously passed through: Provided also, that no Toll shall be taken in respect of any Horse, Beast, Cattle, or Carriage, which only cross the said Road. Exemptions.

LII. Provided also, and be it further enacted and declared, That no Toll shall be demanded or taken for any Cattle or Carriages laden only with Stone, Brick, Gravel, Rubbish, or other Materials for making or repairing the said Road, or for repairing the Highways in any Parish or Place through which any Part of the said Road leads, or laden only with Dung, Marl, Soil, Mould, Compost, or other Manure, of what Nature or Kind soever, to be used in manuring or improving of Land, or for any Cattle or Carriage laden only with Hay, Hay-grass, Sainfoin, Fodder, Straw, or Corn in the Straw (except Carts and Carriages laden with Hay or Straw for Sale, or with Hay or Straw which shall have been bought, and shall be then drawing Home to the Purchasers thereof) or for any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the Inhabitants in any of the said Parishes or Places passing in order to the using or repairing of the same, or for Cattle or Carriages going empty and unladen for, or returning empty and unladen after having carried such Stone, Bricks, Gravel, Rubbish, or other Materials for repairing the said Road, or for repairing the Highways in any Parish or Place through which the said Road leads, or such Dung, Marl, Soil, Mould, Compost, or other Manure of any Nature or Kind whatsoever, to be used in manuring and improving Land, or any Hay or Corn in the Straw, or any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the said Inhabitants, or for any Cattle belonging to any of the said Inhabitants which shall be only going to or returning from Pasture, Water, or drawing any Plough or Harrow, or for any Cattle or Carriage belonging to any Inhabitant of any Parish or Place wherein any such Turnpike shall be erected, which shall be only passing to the Smith's Shop in order to be shod or farried, or for the Return of any such Cattle or Carriage unladen, or for any Horses or Carriages of whatsoever Description employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or in returning back from conveying or guarding the same, or for the Horses of Soldiers upon their March or upon Duty, or for Cattle or Carriages attending them, or laden only with their Arms or Baggage, or returning after having been so employed; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or for Horses or Carriages travelling General Ex-
emptions fro
Tolls.

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with Vagrants sent by Passes, or for any Coaches, Berlins, Landaus, Chariots, Calashes, Chairs, or Passengers on Horseback going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Surrey*, or Members for the Borough of *Southwark*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and that no Toll shall be demanded or taken for any Horse, Mare, or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption as aforesaid; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted from the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Carriages conveying Military Stores not to be subject to Penalties for Overweight, &c.

LIII. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding.

Toll Gatherers to put up their Names.

LIV. And be it further enacted, That every Gate-Keeper, Toll-Gatherer, or Collector or Receiver of the Tolls on the said Road shall and he and they is and are hereby required to place his Christian and Surname, painted on a Board in white Letters on a black Ground, in fair and legible Characters, of such Size as the said Trustees shall direct, in the Front of the Toll-house where he shall be stationed to collect the said Tolls immediately on his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector or Receiver of the said Tolls shall not place such Board as aforesaid, in the Manner and during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname (such Person or Persons who shall demand the same having paid the said Tolls), or shall give a false Name upon such Demand, every such Collector or Receiver shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

LV. And

LV. And be it further enacted, That if any Person or Persons shall go or pass with, or ride or drive any Horse or Beast, or ride in or drive any Carriage through or over any Land, Ground, or Place lying by the Side of or near to any Part of the said Road; or if any Person or Persons owning or occupying any Land or Ground, the same not being a Highway, shall knowingly or wittingly permit or suffer any other Person or Persons to go or pass with any Cattle or Carriage through or over such Land, Ground, or Place, in order or with Intent that thereby the Payment of any Tolls by this Act granted, or any Part thereof, shall be avoided; or if any Person shall forge, counterfeit, or alter, or shall deliver to or receive of any other Person or Persons, any Note or Ticket with Intent to avoid the Payment of any or any Part of the said Tolls; or if any Person or Persons shall unload or cause to be unladen any Goods or Merchandize, or shall take off or cause to be taken off any Horse or other Beast from any Carriage, or having passed through any Turnpike, shall afterwards add or put on any Horse or other Beast to any Carriage, and draw therewith upon any Part of the said Road, so as to increase the Number of Horses or other Beasts drawing the same Carriage, after the same shall have passed through the said Turnpike, with Intent to avoid, or shall by any such Means have avoided, the Payment of any Tolls, or if any Person or Persons shall do any other Act in order or with Intent to avoid the Payment of the said Tolls, or any Part thereof; or if any other Person or Persons shall ride, lead, or drive any Horse or other Cattle, or any Carriage upon any Foot Causeway or Path on the Side or Sides of any Part or Parts of the said Road, such Persons, and every of them, shall for each respective Offence forfeit a Sum not exceeding Forty Shillings, to be recovered in such Manner as herein-after mentioned and provided for the Recovery of Penalties and Forfeitures, one Moiety whereof when raised shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the other Penalties and Forfeitures are hereinafter directed to be applied.

Penalty on
evading the
Tolls.

LVI. Provided always, and be it further enacted, That if any Dispute shall happen about the Quantity of Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person so distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Quantity of the Tolls or Charges of distraining or selling the Distress (as the Case may happen) be ascertained by some Justice of the Peace for the County of *Surrey*, who upon Application made to him for that Purpose shall examine the said Matter upon Oath of the Parties or other Witness or Witnesses, and shall determine the Quantity of Toll due, and also shall assess the Charges of such Distress and Sale, and of the Collector's Attendance for that Purpose upon the said Justice, all which Sums so determined or assessed shall be paid to the said Collector before he shall be obliged to return the said Distress, or the Overplus after Sale thereof, or any Part thereof.

Justices may
ascertain
Tolls.

LVII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, or in case of any Proceeding or Prosecution for the obtaining any of the Penalties imposed by this Act, the Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under

Toll Gatherers
may be
Witnesses.

under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being so appointed, or acting under the Authority of the said Trustees.

Weighing
Machines.

LVIII. And be it further enacted, That it shall be lawful for the said Trustees at any publick Meeting, if they shall think proper, to order and cause to be built and erected, at any of the Turnpike-Bars or Toll-Gates erected or to be erected by virtue of this Act upon any Part of the said Road, or at such Distance from such Turnpike-Bars or Toll-Gates as they shall think requisite and expedient, a Crane, Machine, or Engine, with a suitable Houle or other Building thereto, proper for the weighing of Carts, Waggon, or Carriages conveying any Goods, or Merchandizes whatsoever, and to each such Crane, Machine, or Engine, to order and cause to be erected a Turnpike-Gate or Toll-Gate across the said Road, and by Writing to order all and every or any such Carriage or Carriages which shall pass loaded through any such Gate or Bar, or shall come upon the said Road within the Distance of One hundred Yards from any such Crane, Machine, or Engine, although the same Carriage or Carriages shall not have passed through any Toll-Gate or Turnpike-Gate, to be weighed, together with the Loading thereof, and it shall be lawful for the said Trustees to order any Person or Persons to receive and take, over and above the Tolls hereby granted, the following Sums of Money as additional Tolls:

For every Hundred Weight of One hundred and twelve Pounds to the Hundred Weight, which any Waggon, Cart, or Carriage, together with the Loading thereof, shall weigh at any Weighing-Machine erected or to be erected by virtue of this Act, over and above the Weights herein-after allowed to each of them respectively, that is to say, for the First and Second Hundred Weight of such Over-weight the Sum of Three-pence for each Hundred Weight:

For every Hundred Weight of such Overweight above Two Hundred Weight and not exceeding Five Hundred Weight, the Sum of Six-pence:

For every Hundred Weight of such Overweight above Five Hundred Weight, and not exceeding Ten Hundred Weight, the Sum of Two Shillings and Sixpence:

For every Hundred Weight of such Overweight above Ten Hundred Weight, and not exceeding Fifteen Hundred Weight, the Sum of Five Shillings:

And for every Hundred Weight of such Overweight, above Fifteen Hundred Weight, the Sum of Twenty Shillings.

Which said additional Tolls or Dues hereby granted and made payable shall and may be levied and recovered in any of the Cases aforesaid upon any Person liable thereto, or upon his or her Goods or Chattels, who shall, after such Demand made thereof, refuse or neglect to pay the same, in such Manner as any other Toll or Duty is by this Act directed to be levied and recovered, and the Money arising from such additional Toll and Duty shall be applied to the Purposes of this Act: Provided always, that no Waggon with Wheels not less than Six Inches in Breadth, and rolling an even Surface, and which, together with its Loading, shall not exceed the Weight of

of Five Tons, nor any Cart with Wheels not less than Six Inches in Breadth, and rolling an even Surface, and which with its Loading shall not exceed the Weight of Three Tons Ten Hundred Weight; nor any Waggon with Wheels less than Six Inches in Breadth, and which with its Loading shall not exceed the Weight of Three Tons Ten Hundred Weight; nor any Cart with Wheels less than Six Inches in Breadth, and which with its Loading shall not exceed the Weight of Two Tons, shall be liable to any of the said last-mentioned Tolls; but that the same shall be payable by such Waggons and Carts respectively only for any Weight over and above the said Weight so allowed to each of them respectively.

LIX. And be it further enacted, That the Keeper of every such Toll-Gate or Bar where any such Weighing-Engine shall be erected, or any other Person appointed or to be appointed by the said Trustees to the Bar of such Machine or Engine, shall and is hereby required to weigh all such Waggons and Carts liable to be weighed by virtue of this Act, which shall pass laden through such Gates or Bars respectively, or shall come upon any Part of the said Road within the Distance of One hundred Yards, from any such Crane, Machine, or Engine without passing through any such Turnpikes or Toll-Gates or Toll-Bars respectively, and which he shall have reason to believe carry greater Weight than are allowed to pass without paying such additional Toll; and if any Gate-Keeper or Person so appointed shall permit any such Waggon or Cart to pass through any such Toll-Gates with any greater Weight than is allowed as aforesaid, without weighing the same, and receiving such additional Tolls as aforesaid, and every Owner or Driver of any such Waggon or Cart which shall pass loaded through any such Gates or Bars respectively, or shall come upon any Part of the said Road within the Distance of Fifty Yards from any such Crane, Machine, or Engine, who shall refuse to suffer his Carriage to be weighed, or shall refuse to drive his Carriage upon the Engine, upon being required so to do by the Collector or Receiver of such additional Tolls, although such Waggon or Cart shall have passed beyond the Distance of One hundred Yards from any such Gates or Bars respectively, or beyond any such Crane or Engine as aforesaid, or shall not drive his Cart upon the said Weighing-Engine for the Purpose of being weighed, being required so to do, every such Gate-Keeper or Person so appointed as aforesaid, shall for every such Offence forfeit any Sum not exceeding Forty Shillings; and the Driver, being the Owner of every such Waggon or Cart, shall for every such Offence forfeit any Sum not exceeding Five Pounds; and the Driver of every such Waggon or Cart, not being the Owner, shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

Engine Keepers to weigh Waggons, &c. on Penalty.

LX. And in order to detect the said Collector or Receiver in any fraudulent Connivance or Neglect of Duty in the Matters aforesaid, be it further enacted, That it shall and may be lawful for any Trustee, Creditor, Clerk, Treasurer, or Surveyor of the said intended Road, if he shall suspect any such Connivance or Neglect as aforesaid, to cause any Carriage liable to be weighed by virtue of this Act, which shall have passed through any Toll Gate, or shall come upon any Part of the said Road within the Distance of One hundred Yards from the Place where such Crane, Machine, or Engine shall be erected,

To prevent Connivance of Engine Keepers.

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and shall not have passed, or be above Three hundred Yards beyond or from such Toll-Gate or Weighing-Engine, to return to such Weighing-Engine and be then weighed, with the Loading thereof, in the Presence of such Trustee, Creditor, Clerk, Treasurer, or Surveyor upon requiring the Driver thereof to drive such Carriage back to such Weighing-Engine, and upon paying or tendering to him the Sum of One Shilling for so doing, which Sum of One Shilling shall be returned to the Person weighing the same, if upon weighing such Carriage and the Loading the same shall be found above the Weight hereby allowed; and the said Trustees shall and are hereby authorized and required to inclose from the Lands adjoining thereto sufficient Ground for the Purpose of erecting such Cranes, Machines, or Engines, and Houses, or other Buildings and Conveniences thereto, and for the Purpose of making convenient Places for turning such Carriages upon every such Road where any such Weighing Engine shall be erected on each Side thereof, if the Ground will admit of the same; and there shall be a List of the Names of all the Trustees and also of the Clerk, Treasurer, and Surveyor of such Road, put up in the House or Building where any Weighing-Engine shall be placed, to be inspected by the Owner or Driver of every such Carriage; and if the Driver of any such Carriage, being so requested to return with his Carriage to any such Weighing-Engine, shall neglect or refuse so to do he shall forfeit a Sum not exceeding Forty Shillings, and it shall be lawful for any Peace Officer, or other Person or Persons being then present, upon such Neglect or Refusal to drive and take such Carriage back to any such Weighing-Engine in order that the same may be weighed as aforesaid.

Penalty on turning out of Road to avoid Engine.

LXI. And be it further enacted, That if the Owner of any Waggon, Cart, or other such Carriage, or other Person being the Driver thereof, travelling on the said Road where any Weighing-Engine is or shall be erected, shall turn out of the same into any other Road in order to avoid being weighed, or to avoid the Payment of Toll, and shall afterwards proceed with such Carriage into and on any Part of the said Road, every such Owner or other Person convicted of such Offence before one or more Justice or Justices of the Peace for the Limits where such Offence shall be committed, upon the Oath of One or more credible Witness or Witnesses, shall forfeit, if he be the Owner, any Sum not exceeding Five Pounds; and if he be the Driver and not the Owner, any Sum not exceeding Forty Shillings, upon Conviction for every such Offence.

Penalty for driving Barrows, &c. and for riding on Footpaths.

LXII. And be it further enacted, That if any Person or Persons shall run, drive, draw, or cause to be run, driven or drawn on any Part of the Foot-paths of the said intended Road any Wheel or Wheels, Sledge, Wheelbarrow, Truck, or any Carriage whatsoever, or shall ride or drive any Horse or other Beast upon such Foot-path, such Person or Persons shall forfeit for the First Offence any Sum not exceeding Five Shillings; for the Second Offence any Sum not exceeding Ten Shillings; and for the Third and every other Offence any Sum not exceeding Twenty Shillings.

Altering Tolls.

LXIII. And be it further enacted, That it shall be lawful for the said Trustees under this Act from Time to Time assembled at any Meeting or Meetings

Meetings to be held for that Purpose, and they are hereby empowered by and with the Consent of the Person or Persons who shall be entitled to Three Fourth Parts of the Money which shall be then due on the Credit of the said Tolls, to lessen or reduce all or any of the Tolls by this Act granted, and for such Time or Times as they the said Trustees shall think proper, and from Time to Time afterwards to advance all or any of the Tolls so lessened or reduced to any Sum or Sums of Money, not exceeding the respective Rates herein-before mentioned; and also from Time to Time to direct the Tolls hereby granted or so reduced as aforesaid, to be collected in such Parts or Proportions at the said Turnpikes or Toll-Gates upon the said Road as they shall think proper; and that such reduced Tolls, and also such Parts and Proportions as aforesaid, shall and may be collected, levied, and applied in such and the same Manner as the said Tolls hereby granted are directed to be collected, levied, and applied: Provided always, that no Meeting shall be held for the Purpose of lessening, reducing, or advancing all or any of the Tolls so lessened after the First Meeting, unless Twenty-one Days previous Notice at the least shall be given thereof in Writing, and be affixed upon all the Turnpikes which shall be then erected upon the said Road, and also be inserted Twice in some Newspaper published or circulated in the said County of *Surrey*.

LXIV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to take down and remove any Gate, Turnpike or Toll-Gate, Weighing-Engine, Building, and other Convenience erected or provided by virtue of this Act, and to set up the same again in any other Place or Places, in, upon, across, or on the Side or Sides of the said Road: Provided always, that no Gate or Turnpike, or Weighing-Engine to be erected or set up by virtue of this Act shall at any Time after the same shall be set up, be taken down or removed to any other Place, except by Order of the said Trustees, or any Five or more of them, at a Meeting convened for that Purpose, and unless Twenty-one Days previous Notice shall be given thereof in Writing, and be affixed upon all the Turnpikes which shall be then erected by virtue of this Act; and also be inserted Twice in some Newspaper published or circulated in the County of *Surrey*; any Thing in this Act contained to the contrary thereof notwithstanding.

Removing
Toll Gates.

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

Leasing Tolls

LXVI. And

Compounding
for Tolls.

LXVI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to compound for any Term not exceeding One Year at a Time, with any Person or Persons, or Bodies Politic or Corporate, for any Carriages, Horses, Beasts, or Cattle travelling on the said Road, for all or any of the Tolls to be paid in respect of such Carriages, Horses, Beasts, or Cattle, and all such Composition Money shall be paid in advance Quarterly, or otherwise, as the said Trustees shall think fit, and in Default the Composition shall be void.

Trustees may
raise Money
by Mortgage
or Annuity
secured on the
Tolls.

LXVII. And be it further enacted, That the said Trustees, at any Meeting to be held for that Purpose, whereof Fourteen Days Notice shall be given in Writing to be affixed upon all the Turnpike-Gates which shall be then erected in pursuance of this Act, and inserted Twice at the least in One or more of the Newspapers published or circulated within the County of *Surrey*, shall and may and they are hereby empowered from Time to Time to borrow and take up at Interest, or by way of Annuity, in Manner herein-after mentioned, or in any other Manner that may be from Time to Time agreed on at a General Meeting of the Subscribers and Creditors under this Act, of which Meeting like Notice shall be given, and at which Two Thirds at least in Value of all the said Subscribers and Creditors, shall give their Assent to the Manner proposed, such Sum and Sums of Money as they shall think needful for the Execution of this Act, and for that Purpose by any Writing or Instrument under their Hands and Seals, to assign over or mortgage the Tolls to be collected and levied at any of the said Turnpikes or Weighing Engines, or any Part thereof respectively, and also the respective Toll Houses, Weighing Engines, and Appurtenances (the Charges of assigning or mortgaging the same to be paid out of such Tolls), for any Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money to be borrowed by the said Trustees upon the Credit of such respective Tolls, to such Person or Persons, or his or their Trustee or Trustees, who shall advance and lend the same, to secure the Payment thereof with such Interest, or to secure the Payment of such Annuity or Annuities (as the Case may be) as the said Trustees shall think proper, which said Money so borrowed shall be applied and disposed of for the Purposes of this Act.

Granting
Annuities.

LXVIII. And whereas many Persons may choose to advance Money for the Purchase of Annuities, to be secured upon and payable out of the said Tolls and Rates; be it therefore further enacted, That it shall and may be lawful for any Person or Persons to contribute, advance, and pay into the Hands of the said Trustees or their Treasurer, for the Purposes of this Act, any Sum or Sums of Money for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable for any Term or Terms of Years, or other Time not exceeding the Term of this Act, and determinable with such Life or Lives, as shall be nominated by the said Contributors on Payment of their Contributions, or otherwise at any earlier Period than the Expiration of the said Term; all which Annuities so to be purchased shall be payable and paid by the said Trustees out of the Monies to arise by or from the said Tolls and Rates by two equal half-yearly Payments, the first Payment to be made to the respective Purchasers or their Assigns at the Expiration of the first Half-year after the Payment of their respective Purchase Money.

LXIX. And

LXIX. And be it further enacted, That such Mortgage or Mortgages, and the Grants of such Annuities respectively, may be in the Forms following, or in such other Forms as the said Trustees making the same shall think proper:

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

Form of Mortgage.

BY virtue of an Act, made in the Forty-ninth Year of the Reign of His Majesty King George the Third, intituled, [*here set forth the Title of this Act*] We of the Trustees for putting the said Act in Execution, in Consideration of the Sum of to the Treasurer of the said Road in Hand paid, do grant, bargain, and sell unto A. B. his Executors, Administrators, and Assigns, One Annuity or yearly Sum of to be paid him, his Executors, Administrators, and Assigns, for and during and unto the End of Years from the Day of the Date of these Presents, by Half-yearly Payments on the Day of and the Day of in every Year, if of being now of the Age of shall so long live; and for further securing the Payment of the same, do hereby grant, bargain, sell, and demise unto the said A. B. his Executors, Administrators, and Assigns, such Proportion of the Tolls arising from the said Road, and of the Turn-pikes, Toll Houses, and Weighing Engines for collecting the same, as the said Sum of doth or shall bear to the whole Sum due on the Credit thereof, to be had and holden from this Day of in the Year of our Lord for and during the Continuance of the said Act, if the said shall so long live.

Form of Annuity.

[Faint handwritten notes]

And Copies of all such Mortgages and Grants shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer to the said Trustees; and which Book and Books shall and may at all seasonable Times be perused and inspected by the said Trustees, Mortgagees, or Annuitants, or any of them, or any Person or Persons on their Behalf, without Fee or Reward; and every Person to whom any Mortgage shall be made, or Annuity granted as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his or her Right, Title, Interest, or Benefit to the said Mortgage, and the Principal and Interest thereby secured, or to such Annuity respectively, to any other Person or Persons whomsoever, by Indorsement on the Back of such Security, or by any other Writing under his or her Hands, before

To be entered.

Mortgages and Annuities may be transferred.

One credible Witness, in the following Words, or Words to the like Effect;
(that is to say),

Form of
Transfer.

‘ I Do transfer this Mortgage [*or, a certain Mortgage, or, this Annuity,*
‘ *or, a certain Annuity, as the Case may be*] with all my Right and
‘ Title to the Principal thereby secured, and to all Interest now due upon
‘ the same [*or, to the Annuity, and all Arrears now due thereon*] unto
‘ his Executors, Administrators, and Assigns. Dated this
‘ Day of _____ in the Year of our Lord One thousand
‘ Eight hundred and _____

‘ A. B.’

To be entered. Which Transfer shall be produced and notified to the said Clerk or Treasurer within Two Calendar Months after the Date thereof, who shall cause an Entry or Memorial to be made thereof in the before-mentioned Book or Books, containing the Numbers, Dates, and Names of the Parties, and Sums of Money, or Amount of Annuity therein transferred; for which the said Clerk or Treasurer shall be paid the Sum of Two Shillings and Sixpence, and such Transfer shall then entitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and the Payment thereon; and such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power or any Person or Persons (except the Person to whom the same shall be last transferred) to make void, release, or discharge the original Securities or Money thereby due, or any Part thereof; and all Persons to whom any such Mortgage, Grant of Annuity, or Transfer shall be made by virtue of this Act, shall be, in proportion to the Sum or Sums of Money therein mentioned, Creditors on the Tolls by this Act granted in equal degree one with another; and shall have no Preference in respect to the Priority of the Time of Advance of any Sum or Sums of Money on such Mortgage or Mortgages, or Grant or Grants of Annuity, or of the Dates thereof respectively.

Surveyors may
make Cause-
ways, cut
Drains, and
make tempo-
rary Roads,
&c.

LXX. And be it further enacted, That it shall and may be lawful for the Surveyor or Surveyors appointed or to be appointed by the said Trustees to make or cause to be made Causeways or Footways (such Causeways or Footways not to exceed Ten Feet in Width) in and upon each Side of the said Road, and also to make or cause to be made a Road through the Grounds adjoining any narrow or ruinous Part or Parts of the said Road, or Bridge or Bridges, to be made use of by all Passengers, Cattle, and Carriages, and otherwise as a public Highway, whilst the old narrow and ruinous Road, or Bridge or Bridges, or any Part thereof, is widening and repairing, and until it shall be convenient and safe for Passengers and Carriages to pass thereon, making such reasonable Satisfaction to the Owners and Occupiers of such Grounds respectively whereon such Arches shall be erected, or through which any such temporary Road shall be made, for the Damages which such Owners or Occupiers respectively shall or may sustain thereby, as shall be adjudged reasonable by the said Trustees; and in case of any Difference concerning the same between such Owners and Occupiers and the said Trustees, then the same shall be settled and adjusted by a Jury of Twelve indifferent Men of the said County of Surrey, in like Manner as is herein-before provided in respect of Lands, Tenements, or

or Hereditaments to be purchased or employed for the Purposes of this Act.

LXXI. And whereas Provision is herein made for the making of Openings by collateral and cross Streets or Roads into the said intended Road; be it therefore further enacted, That it shall and may be lawful to and for all and every or any Person or Persons possessing any Land or Ground near or contiguous to the said intended Road, and upon which Land or Ground any such Opening by such collateral and cross Streets or Roads may be made into the said intended Road, by and with the Consent and under the Inspection and Direction and to the Satisfaction of the said Commissioners of Sewers, for the Limits extending from *East Moulsey* in the County of *Surrey* to *Ravensbourne* in the County of *Kent*, to make and construct any collateral Sewer or Drain or Sewers or Drains in and along such collateral Streets or Roads to communicate with such Main Sewer or Drain; and such Person or Persons shall pay and defray all Costs, Charges, and Expences attending the same and of restoring any Part of the said intended Road which may be broken up for that Purpose.

Drains may be made from Streets into the main Drain.

LXXII. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time to direct and appoint the Line, Position, and Situation of any Water-pipe or Main to be laid down or placed by any Water Company, into or along the said Road, or to raise, sink, or alter the Position of any Water-pipes or Mains already laid down or to be laid down, or otherwise to alter the Position of any Leaden or other Pipe or Pipes already laid down, or to be laid down or placed for the Purpose of conveying Water into any House, Area, or other Place within or appertaining to the said Line of Road; and that all Expences attending the taking up, altering, or replacing the same shall from Time to Time be defrayed by the said Trustees under this Act; and that when and as often as any such Water-pipes, Mains, or Branches of any such Leaden or other Pipe as aforesaid, shall happen to break, burst, or decay within the said Line of Road, the Water Company or Companies, or Person or Persons to whom such Water-pipes, Mains, or Branches, or Leaden or other Pipes shall belong, are hereby required, within Twenty-four Hours next after Notice given in Writing to such Water Company, or Person or Persons, or other proper Officers, by any One of the said Trustees, or their Clerk or other Officer, to cause the same to be repaired, and if the same shall not be repaired within the Space of Twenty-four Hours after such Notice given, it shall be lawful for the said Trustees to cause such Water-pipes, Mains, or Branches, or Leaden or other Pipe or Pipes to be repaired, and all the Expences incurred thereby shall be reimbursed to the said Trustees by the Water Company or Companies, or Person or Persons to whom such Water-pipes, or Mains, or Branches, or Leaden or other Pipes shall belong; and that when and as often as any Part of the said Road shall be taken up for the Purpose of raising any such Water-pipes, or Mains, or Branches, or any such Leaden or other Pipes laid down or placed for the Purpose of carrying Water into any House, Area, or other Place as aforesaid, such Road shall be reinstated and made good by the said Trustees, and the Expences attending the same shall be reimbursed to the said Trustees by the Water Company or Companies, or Person or Persons to whom such Pipe or Pipes shall belong.

Directions as to Water Pipes.

LXXIII. And

Power to take
Gravel out of
Waste
Grounds, etc.

LXXIII. And be it further enacted, That it shall and may be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, to search for, dig, gather, and take away any Gravel, Furze, Heath, Sand, Stones, or other such Materials for making or repairing the said Road, or for the Purposes of this Act, in or out of any River or Brook, or out of any Moor, Waste, or Common Grounds in any Parish or Place in which any Part of the said Road doth or shall lie, without paying any thing for such Materials, such Surveyor or Surveyors levelling or causing to be levelled all Holes and Pits, or otherwise causing the same to be railed or fenced off where or from whence any such Materials shall be dug, gathered, or taken away, in such Manner as that the same shall not be dangerous to any Cattle or Travellers whatsoever, and paying for the Damages occasioned by going over or through any Lands, Grounds, or private Lands or Roads, for or with such Materials as are herein mentioned; and in case of any Difference concerning such Damage so occasioned, the Justices of the Peace, or the major Part of them assembled at the next General Quarter Sessions, or at the Second General Quarter Sessions, at the farthest, to be holden for the said County of *Surrey*, shall and may adjudge and determine the same, which Determination shall be final.

Not to dig
Gravel in private
Grounds
without the
Consent of
Owner or
Occupier.

LXXIV. Provided always, and be it further enacted, That the said Trustees, their Surveyor or Surveyors, or such other Person or Persons as aforesaid, shall not be authorized, permitted, or suffered, nor shall any thing herein contained, authorize, permit, or suffer, or be construed, or taken to authorize, permit, or suffer the said Trustees, their Surveyor or Surveyors, or such other Person or Persons as aforesaid, to search for, dig, gather, and take away any Gravel, Furze, Heath, Sand, Stones, or other Materials for making or repairing the said Road, or for the Purposes of this Act, in, from, or out of any private Grounds of any Person or Persons whomsoever, without the Consent of the Owner and Occupier for the Time being of such respective Ground, for that Purpose first had and obtained, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

For removing
Annoyances.

LXXV. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors appointed or to be appointed by the said Trustees, to remove all Obstructions, Annoyances, and Encroachments on or by the Side or Sides of any Part of the said Road by any Erection whatsoever, within Thirty Feet of the Middle of the said Road, other than Buildings already erected and built, or an open Palisade in front of the Houses on the Side of the said Road, not exceeding Six Feet in Height, or by Timber, Stone, or Carriages, or by any Water-Troughs, Tubs, or other Things for watering Horses or Cattle, or for any other Purpose, or by Saw-pits, Hovels, Ashes, Rubbish, Straw, or otherwise, or by the laying or placing Goods, Wares, or Merchandize, or other Matters or Things in front of any of the said Houses within Thirty Feet of the Middle of the said Road, so as to obstruct the Free Passage along the Footpaths on the Sides of the said Road, and also to abate and remove all Nuisances within One hundred Yards of the said Road, and to turn any Watercourses, Sinks, or Drains running along, into, or out of the said Road, to the Prejudice thereof, and to open, scour, cleanse, widen, or make deeper any Watercourses or Ditches adjoining or near thereto, and

and make the same as deep and large as they shall think necessary, and to cut down, lop or top, any Trees, Branches, or Bushes (Timber Trees excepted) growing on the said Road or in the Hedges or Banks adjacent thereto, and to take and carry away the same respectively, and dispose thereof for the Purposes of this Act, and to cut and reduce all such Hedges to the Height of Five Feet.

LXXVI. And, for the more effectually preventing the Commission of Nuisances in or near to the said Road by the casting or throwing Night-Soil thereon or within Two hundred Yards thereof, be it further enacted, That if any Person or Persons whatsoever, (save and except Persons who have before used and followed the Trade of Nightmen, who may continue to use any Place or Places which they have heretofore used for that Purpose,) shall from and after One Calendar Month after the passing of this Act, throw, cast, lay, or permit or suffer to be thrown, cast, or laid, any Night-Soil in or upon the said intended Road, or any Part thereof, or into the Drains and Watercourses belonging thereto, or within Two hundred Yards of the said Road, every such Person, being thereof convicted upon the Oath of One or more Witness or Witnesses, or by his, her, or their own Confession, before One or more Justice or Justices of the Peace for the County of *Surrey*, shall forfeit and pay for every such Offence the Sum of Ten Pounds over and above the Charge of removing such Nuisance; and the said Surveyor and Surveyors is and are hereby authorized to remove all such Night-Soil, and to procure a proper and suitable Place and Laystall for casting and depositing the same.

Penalty on Persons throwing Night-Soil, &c. upon the Road.

LXXVII. And, for the more easily discovering and effectually punishing the Offender or Offenders so throwing, casting, or laying such Night-Soil on the said Road as aforesaid, be it further enacted, That in all such Cases the Owner or Owners of the Cart, Carriage, or other Vehicle whatsoever, which shall be used for bringing and casting such Night-Soil, shall be deemed and considered to be a Person or Persons throwing, casting, and laying the same, and as well as the Person and Persons who shall actually drive or carry the Cart, Carriage, or other Vehicle so bringing and casting such Night-Soil, shall be subject and liable to the Penalty hereby imposed: Provided always, that in case the Owner or Owners of any Cart, Carriage, or other Vehicle as aforesaid, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage by reason of any wilful Neglect or Default done or committed by his, her, or their Servant, such Servant shall be liable to repay such Penalty or Satisfaction to such Owner or Owners; and in case of Non-payment upon Demand thereof by him, her, or them, of such Penalty or Satisfaction, and Oath being made that the same hath not been repaid to him, her, or them, by such Servant (such Oath to be made before One Justice of the Peace), the same Penalty and Satisfaction shall be levied by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, when recovered, shall be paid to such Owner or Owners in Discharge of such Penalty and Satisfaction; and if sufficient Goods and Chattels of such Servant cannot be found to answer such Distress, then such Justice is hereby required, by Warrant under his Hand and Seal to cause such Servant to be apprehended and brought

Owners of Carts conveying Night-Soil, liable to Penalty for casting the same.

Owners to recover back from their Servants any Sum paid for their Neglect, &c.

[*Loc. & Per.*]

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before

before him the said Justice, and in case such Penalty and Satisfaction, and the Costs of such Proceeding as aforesaid, shall not be forthwith and immediately paid, such Justice is hereby required forthwith to commit such Servant to the House of Correction for the County of *Surrey*, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months, unless the said Penalty and Satisfaction, and such Costs and Charges, as aforesaid, shall be sooner paid, or unless such Servant shall have compounded for such Penalty and Satisfaction, Costs and Charges, with such Owner or Owners, and paid such Composition, which such Owner and Owners is and are hereby empowered to make and accept.

Penalty on suffering new Sinks, &c. to be run into the Roads.

LXXVIII. And be it further enacted, That if any Person or Persons shall, from and after the passing of this Act, make, sink, or dig, or cause to be made, sunk, or dug, any new Sinks or Drains, and shall suffer or permit such Sinks or Drains to run into the said Road, or shall throw, cast, or lay any Dust, Dirt, Ashes, Rubbish, Dung, or other Filth or Annoyances in or upon the said Road or into the Drains and Watercourses belonging thereto, every such Person or Persons being thereof convicted upon the Oath of One or more Witness or Witnesses, or by his, her, or their own Confession, before One or more Justice or Justices of the Peace for the County of *Surrey*, shall forfeit and pay any Sum not exceeding Forty Shillings, for every such Offence, over and above the Charges of stopping up such new-made Sinks or Drains, and removing such Filth or Annoyances, which the said Surveyor or Surveyors is and are hereby authorized to stop up and remove; and all the said Forfeitures, as well as the Charges of stopping up and removing such Annoyances, (which Charges any Seven or more of the said Trustees are hereby empowered to settle and ascertain), shall, by Warrant under the Hand and Seal of One or more Justice or Justices of the Peace for the County of *Surrey*, (who is and are hereby authorized and required to grant the same), directed to the Constable or other Peace Officer for the same Parish where the Offence shall be committed, be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus (if any be) after all Charges paid, to the Person or Persons whose Goods and Chattels shall be so distrained and sold; and in Default of Distress, or Nonpayment of the said Forfeitures and Charges, the Offender or Offenders shall be committed to the Common Gaol by any Justice or Justices, by Warrant under his or their Hand and Seal or Hands and Seals, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months: Provided always nevertheless, that all and every Person or Persons so committed shall, upon Payment of such Forfeitures and all Charges, be immediately released from his or their Confinement.

Against drawing Timber, &c.

LXXIX. And be it further enacted, That if any Person or Persons shall draw or cause to be drawn upon any Part of the said Road, any Tree or Piece of Timber, or any Stone, otherwise than upon Wheel-Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon any Wheel Carriage, to drag or trail upon any Part of the said Road, to the Prejudice thereof, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to Collectors to detain transient Offenders.

LXXX. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collectors, Surveyors, or other Officers

Officers under this Act, be it 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 against this Act, and to convey him, her, or them before any One or more Justice or Justices of the Peace for the County or Place where any such Offence or Offences shall be committed, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next General or Quarter Sessions to be holden for the County or Place where such Offence or Offences shall be committed, and on such Conviction, or for want of such sufficient Security, to commit the Person or Persons so offending to the House of Correction for the County or Place where the Offence or Offences shall be committed, until he, she, or they shall pay the respective Penalty by him, her, or them incurred for such respective Offence or Offences, or shall give such Security as aforesaid: Provided always, that no Person shall be detained in Prison for any such Offence for a longer Space of Time than Two Calendar Months.

LXXXI. And be it further enacted, That when any particular Part of the said Road, or any Bridge, Drain, and Sewer, being in and upon the said Road, which hath been accustomed and ought to be repaired and maintained by any particular Person or Persons, Body Politic or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise, or by the County, or by any Parish, Township, or Place, every such Part of the said Road, Bridge, Drain, or Sewer, shall from Time to Time continue to be maintained and kept in Repair by such Person or Persons, Body Politic or Corporate, County, Parish, Township, or Place; and in such Manner as the same were respectively maintained and kept in Repair before the passing of this Act, except in Cases where it is otherwise provided for by this Act.

Persons liable to repair Bridges, &c. to continue so.

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

Trustees may compound for such Work.

LXXXIII. Provided always, and be it further enacted, That whenever the ancient or former Road over any Waste Grounds shall by virtue of this Act be turned or diverted, the Inhabitants of the Parish, Township, or Hamlet wherein the ancient or former Road which shall be thereby left or discontinued lieth, shall not be obliged to repair such ancient or former Road unless the same leads to some Town, Village, or Hamlet, Street, or Place with which the said new Road doth not communicate.

When former Road need not be repaired, Parties not compellable thereto.

LXXXIV. Pro-

Persons
chargeable to
Statute Work
to continue
so.

LXXXIV. Provided always, and be it enacted, That all Persons who by Law are liable to do Statute Work on any Part of the Roads within the Parishes, Townships, or Places through which the said Road or any Part thereof passes, shall be liable to do the same on the said Road; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Surrey*, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes or Places in which the said Road doth lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees, or their Treasurer or Treasurers; and in order thereunto it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Twenty-one Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be so paid, which Lists of Names shall be made in Manner and under such Regulations and Restrictions as is or may be directed by any Law or Statute in force and effect for the Repairs of the Public Highways; and out of such Lists the said Justices shall and may allot, appoint and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and on such Parts of the said Road, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct; and in default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose by any Surveyor to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force and effect for the Repair of the public Highways; and if any Person who shall come to work as a Labourer or shall

be sent with any Team or Draught to work on the said Road shall be found idle or negligent by any Surveyor or Surveyors to the said Trustees, such Surveyor or Surveyors is and are hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person sending such Labourer, Team or Draught, shall be subject and liable to the respective Forfeitures and Payments aforesaid as if such Team or Draught had not been sent to work on any Parts of the said Road; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Road; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor or Surveyors so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

LXXXV. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons, Bodies Politic or Corporate, for the Repairs or Statute Work to be by them done on the said Road, or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any of the Parishes or Places in which the said Road shall lie and be situate, or with the Surveyor of the Highways for such Parishes or Places, duly authorized for that Purpose at a Public Vestry, for a certain Sum of Money, by the Year or otherwise as the said Trustees shall think reasonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Road; which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer or Treasurers to the said Trustees, in advance, on or before the First Day of *March*, in each and every Year, or otherwise the Inhabitants and Occupiers of such Parish or Place shall not be permitted to compound for that Year.

Trustees may compound for Statute Work.

LXXXVI. And be it further enacted, That in case any Composition Money agreed to be paid in lieu of any Statute Work, or Days Work of the Inhabitants of any Parish or Place wherein the said Road doth or shall lie, or in lieu of Repairs to be done to Bridges, Drains, Sewers, or other Parts of the said Road, by any Person or Persons chargeable therewith as aforesaid, shall not be paid within Fifteen Days next after the same shall become payable, according to such Agreement or Composition, to the Person or Persons whom such Trustees shall authorize to receive the same, then it shall and may be lawful for One Justice of the said County of *Surrey*, by Warrant under his Hand and Seal, to empower the Person or Persons so authorized by the said Trustees to receive such Composition Money (Oath being first made that the same has been demanded and remains unpaid, which Oath the said Justice is hereby authorized and required to administer) to levy such Composition Money by Distress and Sale of the Goods and Chattels of the Surveyor or Surveyors of the Highways, or of the said County, or other Person or Persons so having respectively compounded either for such Statute or Days Work, or for such Repairs to be done to such Bridges, Drains, Sewers, or other

Remedy for Non-payment of Composition.

Parts of the said Road, returning the Overplus (if any) after such Charges of Distress and Sale are first deducted, to the Owner or Owners of such Goods and Chattels.

Reimbursing
Surveyors.

LXXXVII. Provided always, and be it further enacted, That if any Surveyor or Surveyors of the Highways of and for such Parish or other Place for which any such Composition shall be made as aforesaid, shall pay the said Composition Money, or in case the said Composition Money shall be levied on him or them in the Manner herein-before provided, all and every such Surveyor and Surveyors shall and may be reimbursed the Composition Money he or they shall so pay, or which shall be levied on him or them, together with the Charge of levying the same, in such Manner as by Law Surveyors of the Highways of this Kingdom are to be reimbursed the Money by them expended in buying Materials for amending the Highways.

Fixing Mile-
stones, Lamps,
-tc.

LXXXVIII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered and required from Time to Time to cause such and so many Mile-Stones or other Stones for marking the several Distances on the said Road, from and to any Place or Places, as the said Trustees shall see fit and convenient, and also from Time to Time to cause such and so many Lamp-Irons or Lamp-Posts to be put up or affixed in, upon, or along the Sides of the said Road, or within Ten Feet of any Part or Parts of the said Road, or upon or against any Wall or Palisade of any House, Messuage, or Tenement fronting on the said Road as they shall think proper, and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed or put upon such Lamp-Irons and Lamp-posts as they shall think necessary for lighting the said Road, and every or any Part thereof; and shall also have full Power and Authority from Time to Time to contract with any Person or Persons for providing, lighting, maintaining, cleansing, and repairing the said Lamps, and the Expences of providing the said Mile-Stones or Measuring-Stones; and of providing, cleansing, lighting, and maintaining such Lamps, and the Allowances to be made for Watchmen herein-after to be appointed; and all other Charges incident to the said respective Services shall be paid and defrayed by and out of the Money to be raised by virtue of this Act; any Thing herein contained to the contrary notwithstanding.

Watchmen.

LXXXIX. And be it further enacted, That the said Trustees shall be empowered, and they are hereby required, from Time to Time as they shall judge proper, to appoint such Number of able-bodied Men to be armed and clothed in such Manner as the said Trustees shall direct, to be employed as Watchmen or Patroles upon the said Road, and within One hundred Feet of any Part or Parts of the said Road and Way, or any Part thereof, which Watchmen and Patroles shall attend at such Times and Places, and perform such Duty, as the said Trustees shall direct and appoint; and the said Trustees shall and may cause to be erected or provided Watch-Boxes, Benches, or other Requisites for such Watchmen and Patroles, at such Places upon the said Road, and within One hundred Feet of any Part or Parts of the said Road, as they shall judge necessary; and the said Trustees shall and may also appoint a Person or Persons to be Night-Constable or Night-Constables who shall attend and go along the
same

same Road, and within One hundred Feet of any Part or Parts of the said Road, at such Time and Times and in such Manner as the said Trustees shall direct; and the said Trustees may from Time to Time remove any of the said Night-Constables, and Watchmen, and 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 are hereby empowered from Time to Time to make such Rules, Orders, and Regulations for the better governing of the Watchmen and Patroles, and Night-Constables, as they the said Trustees shall think proper.

XC. And be it further enacted, That it shall and may be lawful to and for the said Trustees from Time to Time to contract with any Person or Persons for cleansing the Streets, Squares, Passages, and other Places along the Sides of the said Road, and within One hundred Feet thereof, or of any Part or Parts thereof, and out of the Jurisdiction of any other Person or Persons already appointed for such Purposes; and the said Person or Persons so contracted with shall on *Tuesday* and *Friday* in every Week, or oftener, bring or cause to be brought Carts or other proper Carriages into all the said Streets, Squares, Passages, and other Places within the Limits aforesaid, where such Carts or Carriages can pass, and at or before their Approach, by Sound of Bell, or with an audible and distinct Voice, give Notice to the Inhabitants of their coming, and give the like Notice in any Court, Alley, or Place within the Limits aforesaid into which the said Carts or Carriages cannot pass, and shall abide and stay a convenient Time near the said Places respectively, to the Intent that all Persons concerned may bring forth their respective Dust, Dirt, Ashes, Filth, and Soil to the Doors of their Houses or other Premises, all which the said Person or Persons so contracted with shall take and carry or cause to be taken and carried away; and the said Person or Persons so contracted with shall sweep or cause to be swept all the said Streets, Squares, Passages, and other Places within the Limits aforesaid, and carry or cause to be carried away the Dirt and Soil out of the same at least Twice in every Week, under the Penalty of Five Pounds; provided that nothing herein contained shall extend to the removing or carrying away any Dust, Dirt, Ashes, Filth, Soil or Rubbish occasioned by the carrying on and exercising any Trade, Manufacture, or Business whatsoever.

Cleansing
Streets.

XCI. And be it further enacted, That the Right and Property of all and every the Gates, Bars, Turnpikes, Toll-houses, Mile-Stones, and Measuring-Stones, and Posts, Storehouses, Rooms, Sheds, Carts, Engines, Materials for repairing Pavements, Posts, Rails, Implements, Utensils, and Things whatsoever, which may hereafter belong to the said Road, or which shall be continued, erected, and set up or provided by the said Trustees, or by their Order, or otherwise belonging to and used by them for putting this Act in Execution; and also the Right and Property of all such Lamps as shall be erected or fixed in pursuance of this Act, with the Posts, Iron, and other Furniture and Materials of such Lamps; and also the Right and Property of all the Arms and Accoutrements of the Watchmen and Patroles, and of all Watch-houses, or Boxes, Benches, Implements, and Things to be provided for the said Watchmen and Patroles, 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

Turnpikes,
etc. vested in
the Trustees.

said Road, as they shall think fit, and to bring Actions, and to prefer and prosecute with Effect Bills of Indictment against any Person or Persons who shall 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, deface, or damage any of the said Mile-Stones or Measuring-Stones, or Posts, or any of the Watch-houses, Boxes, Benches, or other Requisites to be provided as aforesaid, for the Purpose of watching the said Road, it shall be lawful for any Person or Persons whomsoever, who shall see such Offence committed, to apprehend, and also for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, without any other Warrant, to cause him, her, or them, to be conveyed before some Justice of the Peace for the County of *Surrey*, and such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of all or any of the Offences aforesaid, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they so convicted shall forfeit and pay for every such Offence to the Trustees for the Time being, a Sum not exceeding the Sum of Forty Shillings, 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 nearest Bridewell or House of Correction for the said County of *Surrey*, there to be kept to hard Labour for any Space of Time not exceeding Twenty-one Days.

Penalty for
wilfully
damaging
Lamps, etc.

XCII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or otherwise damage or destroy any of the said Lamps which shall be so continued or erected by the said Trustees, or any of the Posts, Irons, or other Furniture thereof, or take away or throw any of the Oil from or out of the said Lamps, 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 County of *Surrey*, within his or their Jurisdiction, and he and they is and are hereby required, upon Oath made of the committing 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, the Offender or Offenders, and by the 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 some Justice of the Peace for the said County of *Surrey* where the Offence shall be committed, or the Party offending taken to be dealt with as herein-after is directed; and the Party or Parties accused being brought before such Justice, on Oath being made before him that such Party or Parties cannot be found and apprehended, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence, and if the Party or Parties

Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they so convicted shall for the First Offence forfeit the Sum of Ten Shillings for each Lamp and Oil so broken, damaged, destroyed, taken away, thrown out, 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 on 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 for the County where the Offence shall be committed, there to be kept to hard Labour for any Time not exceeding Two Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; and if any Person shall negligently or accidentally break, throw down, or otherwise damage, destroy, take away, or waste any of the said Lamps or Oil, 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 so done, it shall be lawful for any Justice of the Peace for the said County, 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, so that he or she could not be found) such Justice shall proceed to examine the Matter 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 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 making of such Award and Order) 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 County where the Offence shall have been committed until he or she shall pay the Sum so awarded, or for any Time not exceeding the Space of One Calendar Month.

XCIII. And be it further enacted, That the said Trustees shall and may when and as often as they shall think proper, order and cause to be watered so much and such Parts of the said Road, and at such Time or Times, as they shall think proper, and shall for that Purpose have full Power and Authority from Time to Time to dig and sink such Wells on the said Road, and to erect such Pumps, and to purchase or cause to be made such Machines, Carts, or Engines, and to purchase such Horses as shall be necessary for watering, For watering the Road.

[Loc. & Per.]

42 P

watering,

watering, or to contract with any Person or Persons for watering so much of the said Road as they the said Trustees shall think fit.

Trustees may
take a Night-
Toll.

XCIV. And be it further enacted, That the better to enable the said Trustees to light and watch the said intended Road, it shall and may be lawful for the said Trustees, or any Person or Persons by them duly authorized to demand, have, receive, and take, at any Turnpike-Gate or Gates, Bar or Bars to be erected in pursuance of this Act, from the Twenty-ninth Day of *September* to the Twenty-fifth Day of *March* in every Year, both Days inclusive, after Sun-set in one Day until Sun-rising of the next Day, over and above such Tolls or Duties as are before granted by this Act, the Tolls or Duties following (that is to say);

For every Coach, Berlin, Landau, Hearse, Chaise-Marine, Chariot, Curricule, Chaise, Chair, Pleasure-Cart, or any other Carriage (except Waggons, Wains, Carts, and Drays used for Husbandry and Carriage of Goods, and not of Pleasure) drawn by Six Horses, or other Cattle, the Sum of Four-pence Halfpenny; and drawn by Three, Four, or Five Horses, or other Cattle, the Sum of Three-pence; and drawn by Two Horses, or other Cattle, the Sum of Two-pence:

For every Chaise, Chair, or Pleasure-Cart, with Three or Four Wheels, drawn by One or Two Horses, or other Cattle, the Sum of Two-pence:

For every Chaise, Chair, or Pleasure-Cart with Two Wheels, drawn by One Horse, or other Cattle, the Sum of One Penny Halfpenny:

And for every Horse, Mare, Gelding, or Mule, laden or unladen, and not drawing, the Sum of One Halfpenny.

Which said Tolls or Duties shall be respectively paid before any such Cattle or Carriage as aforesaid hereby made subject and liable thereto shall be permitted to pass any such Turnpike-Gate or Gates, Bar or Bars as aforesaid, and the said Trustees, or such Person or Persons as they shall authorize and appoint, shall have the same Powers, Authorities, and Remedies for demanding, collecting, recovering, and levying the Tolls and Duties hereby made payable, and the same Tolls shall be subject to the same Restrictions in respect of the said Tolls and Duties being paid above once in a Day, and in respect of their not being payable on the Day or Days of Election of a Knight of the Shire of the said County of *Surrey*, as are herein-before given, prescribed, or contained, for demanding, collecting, recovering, and levying, or not levying the Tolls hereby granted and given, all which last-mentioned Tolls and Duties are hereby vested in the said Trustees, and shall be paid, applied, and disposed of to and for such Uses, Intents or Purposes as are hereby directed or appointed, and to and for no other Use, Intent, or Purpose whatsoever.

Coach Stands

XCV. And, for the avoiding of Accidents and Inconveniences by the irregular standing of Coaches and other Carriages in or near the said Road, be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time as they shall see Occasion, with the Approbation of the Commissioners for licensing Hackney-Coaches, to make such Orders for regulating the standing of Coaches and other Carriages in or near the said Road, and for the ascertaining and fixing, altering and removing the standing of Coaches and other Carriages in or near the said Road,

or

for any Part thereof, as to the said Trustees, with such Approbation as aforesaid, shall seem fit and proper, for the Safety and Convenience of all Persons passing and re-passing thereon; and if any Person driving or having the Care of any Hackney-Coach, or of any other Coach or Carriage, shall refuse or neglect to conform to such Orders and Regulations, and be thereof convicted, he or they shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings, at the Discretion of the Justice or Justices by or before whom such Offender shall be convicted.

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

Trustees may
make Con-
tracts.

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

Penalty on
assaulting
Officers, &c.

XCVIII. And be it further declared and enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers, from the Limits extending from *East Moulsey* in the County of *Surrey* to *Ravenborne* in the County of *Kent*, but that all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Saving the
Rights of the
Commissioners
of Sewers of
Surrey and
Kent.

XCIX. And

Not to affect
the Powers of
Trustees of
certain Turn-
pike Roads.

XCIX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give to or invest the said Trustees or any other Person or Persons whomsoever with any Right, Power, or Authority which may at all interfere with the Rights, Powers, Authorities, or Provisions heretofore granted by an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled, *An Act for making, widening, and keeping in Repair certain Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church in the County of Surrey, and for watching and lighting the said Roads*; and by an Act passed in the Forty-seventh Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Powers of an Act of the Twenty-sixth Year of His present Majesty, for making and keeping in Repair certain Roads in the Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church in the County of Surrey, and for watching and lighting the said Roads*; and also of an Act passed in the Forty-second Year of the Reign of His present Majesty, intituled, *An Act for repealing an Act passed in the Twenty-fifth Year of the Reign of His present Majesty King George the Third, for more effectually repairing the Roads leading from the Stones End in Blackman Street in the Borough of Southwark, in the County of Surrey, to Highgate in the County of Suffex, and several other Roads therein mentioned, and for granting other Powers for those Purposes*; and also of an Act passed in the said Forty-second Year of His present Majesty, intituled, *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 Composition payable in lieu of Statute Duty by the Parishes of East Greenwich and Saint Paul Deptford to the Treasurer of the said Roads*.

Act not to
affect the
Powers of Com-
missioners of
the Borough
Pavements.

C. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to give to or invest the said Trustees or any other Person or Persons whomsoever with any Right, Power, or Authority which may at all interfere with the Rights, Powers, and Authorities heretofore granted by an Act passed in the Sixth Year of the Reign of His present Majesty, intituled, *An Act for paving the Streets and Lanes within the Town and Borough of Southwark, and certain Parts adjacent in the County of Surrey, and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein*; and by an Act passed in the Eleventh Year of the Reign of His present Majesty, intituled, *An Act to explain and amend so much of an Act of the Sixth Year of His present Majesty, for paving the Town and Borough of Southwark in the County of Surrey, as relates to the Commissioners of Sewers, and for regulating the Manner of taxing Churches and other publick Buildings within the Limits of the said Act*; and also of an Act passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for enabling the Commissioners for putting in Execution an Act made in the Sixth Year of the Reign of His present Majesty for paving the Streets and Lanes within the Town and Borough of Southwark, and certain Parts adjacent in the County of Surrey, and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and*

Passages adjoining thereto, and for preventing Annoyances therein, to open, widen, and better regulate the several Streets, Lanes, and Passages, within the East Division in the said Act described; and also of an Act passed in the Forty-fourth Year of the Reign of His present Majesty, intituled, An Act for altering and amending an Act passed in the Sixth Year of His present Majesty, for paving the Streets and Lanes within the Borough of Southwark, and certain Parts adjacent in the County of Surrey, and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein, so far as the same relates to the West Division thereof, as therein mentioned.

CI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees and they are hereby authorized and empowered, by and out of the Monies to arise and be received under and by virtue of this Act, to pay or cause to be paid to the Churchwardens and Overseers of the Parish of *Saint Mary Newington* in the said County of *Surrey*; and their Successors, Churchwardens and Overseers for the Time being, such annual Sum or Sums of Money as are now payable for Parochial Rates by and from such House or Houses in the said Parish as shall be pulled down by or under the Authorities or for the Purposes of this Act, as an Equivalent for the Loss the said Parish may sustain by the Non-payment of the said Rate or Rates for the said House or Houses so pulled down as aforesaid; and they the said Churchwardens and Overseers and their Successors may and are hereby fully authorized and empowered from Time to Time annually to demand, recover, and receive the same of and from the said Trustees as an Equivalent and in lieu of such Rate or Rates payable as aforesaid: Provided also, that when and so soon as a sufficient Number of Houses shall be erected and built on the Sides of the said intended Road, and shall be rated in the said Parish of *Saint Mary Newington*, and the Rates thereof amount to as much Money as the Houses before mentioned to have been pulled down were rated at, that then and from thenceforth the Equivalent above mentioned and directed to be paid by the said Trustees to the said Churchwardens and Overseers and their Successors as aforesaid, shall cease and be no longer payable; and that when and so soon as any House or Houses shall be built and the Rates thereon not sufficient to answer the said Equivalent, that then the said Churchwardens and Overseers and their Successors as aforesaid, shall allow and give Credit to the said Trustees for so much Money as shall be received in respect of the Parochial Rates from such House or Houses, in discharge of the said Equivalent, as far as the same will extend, they the said Trustees paying and being liable to pay the Remainder of the said Equivalent.

Compensation to be made to the Parish of *Saint Mary Newington*, for Parochial Rates.

CII. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed (if the Manner of levying and recovering thereof is not herein otherwise directed), shall upon Proof of the Offences respectively before any Two Justices of the Peace for the County or Place wherein the Offenders shall be and reside, or the Offences shall be committed, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witnesses or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hands and Seals of such Justices, which Warrant such Justices are hereby empowered to grant for those Pur-

Recovery and Application of Penalties and Forfeitures.

poses, and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels, and the Penalties, Forfeitures, and Fines, when paid or levied, (if not otherwise directed to be applied by this Act), shall be from Time to Time paid to the Treasurer or Treasurers of the said Trustees, and applied in the Repairs of the said Road; and in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any Two Justices of the Peace as aforesaid, and they are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol of the County or Place, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges shall be sooner paid or satisfied.

Power to give
Informer Part
of Penalties.

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

Manner of
Distress.

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

Power to fol-
low Defaulters
into other
Counties.

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

Warrant, or to whom such Warrant shall have been originally directed, in the same Manner as if such Goods and Chattels had been found in the said County of *Surrey*.

CVI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Mode of Relief hath been already appointed, such Person or Persons may appeal to the Justices of the Peace at their General Quarter Sessions to be holden for the said County of *Surrey* next after such Cause of Complaint shall arise, unless the same shall arise within Fourteen Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Cause shall arise, and the said Justices are hereby authorized and required to take Cognizance thereof, and to hear and determine such Complaint or Complaints, and shall and may if they see Cause, by Order of such Sessions, mitigate at their Discretion all or any Part of the Penalties or Forfeitures laid upon or incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and set the Parties at Liberty, or otherwise may ratify and confirm the same, with such Costs as to them in their Discretion shall seem reasonable, and to levy by their Order or Warrant such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same, and for want of sufficient Distress to commit such Person or Persons to some common Gaol in or for the said County of *Surrey*, for any Time not exceeding Two Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid shall, and he, she, and they are hereby required to give Notice in Writing to the Clerk to the Trustees of the said Roads, of such his, her, or their Intention of bringing or prosecuting such Appeal Fourteen Days before the said Quarter Sessions, and shall before such Notice given enter into a Recognizance before One or more Justice or Justices of the Peace for the said County of *Surrey*, with Two sufficient Sureties in the Sum of Twenty Pounds, with Condition to prosecute such Appeal, and to pay all Costs, in case such Appeal be determined against the Party or Parties so appealing.

Persons aggrieved may appeal to the Sessions.

Notice of Appeal and Recognizance to prosecute the same.

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

For compelling Witnesses to attend.

CVIII. And,

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

Form of Conviction.

‘ **B**E it remembered, That on the _____ Day of _____
 ‘ in the Year _____ *A. B.* is con-
 ‘ victed before *C. D.* One of the Justices of the Peace for the County of _____
 ‘ [specifying the Offence, and 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 first above mentioned.’

Distress not to be unlawful for want of Form,

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

Plaintiff not to recover if Tender of Amends made.

CX. Provided nevertheless, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity as aforesaid, if Tender of good and sufficient Amends shall have been made by or on the behalf of the Party or Parties distraining before such Action brought, nor if such Tender of Amends shall be made at any Time after the said Action brought, and before the Trial thereof, together with Costs of Suit, to the Time of such last-mentioned Tender; but on Proof made of such Tender on any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgement as in Cases of Nonsuit, with Double Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law.

All Proceedings to be entered in a Book.

CXI. And be it further enacted, That all Orders and Proceedings of the Trustees at their several Meetings shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered, and signed by a competent Number of the Trustees (as the Case shall require), shall be deemed to be Originals; and which said Book or Books, and also the Book or Books to be kept for registering the Mortgages and Annuities herein-before mentioned, shall be admitted as Evidence in all Courts whatsoever.

Prosecutors and Prosecuted indemnified.

CXII. And be it further enacted, That in case any Action or Prosecution shall be commenced or prosecuted in pursuance of this Act, under the Authority or by the Direction of the said Trustees, they the said Trustees shall out of the Monies arising by virtue of this Act allow and pay to the Prosecutor, or such Person or Persons in whose Name or Names such

such Action or Prosecution shall be commenced and prosecuted, all such reasonable Costs and Charges as such Person or Persons shall be really and *bona fide* out of Pocket for or by reason of such Action or Prosecution, or any Judgement or Determination thereof; and likewise indemnify all such Persons as shall be prosecuted or have any Action or Actions brought against them for or by reason of any Thing done in pursuance of this Act under the Authority and by the Direction of the Trustees.

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

Limitation of Actions.

General Issue.

Treble Costs.

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

Publick Act.

CXV. And be it further enacted, That this Act, and all the Tolls and Duties hereby granted and made payable, and all the Powers hereby given, shall take place and have Commencement and continue from and after the passing thereof, 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 this Act.

SCHEDULE to which this Act refers.

No. on Plan.	Parish.	County.	Description.	Owner.	Lessee.	Occupier.
1	Saint George's Southwark.	Surrey	Gate-way to Rope Ground	John Rolls Esq.	Messrs. Davidson	Messrs. Davidson.
2	ditto	ditto	Part of Public House	St. Bartholemew's Hospital	Robert Wood	Robert Wood.
3	ditto	ditto	Public House	ditto	ditto	ditto.
4	ditto	ditto	Stable to ditto	ditto	ditto	ditto.
5	ditto	ditto	Blacksmith's Shop	ditto	ditto	William Bayley.
6	ditto	ditto	Cart Shed	ditto	ditto	ditto.
7	Saint Mary's Newington.	ditto	Dust Yard	ditto	- - -	J. Rogers.
8	ditto	ditto	ditto	ditto	- - -	ditto.
9	ditto	ditto	Garden	ditto	- Arnold	David Elliot.
10	ditto	ditto	ditto	- - -	- - -	James Broughton.
11	ditto	ditto	ditto	- - -	- - -	George Cherry.
12	ditto	ditto	ditto	- - -	- - -	James White.
13	ditto	ditto	ditto	- - -	- - -	John Arnold.
14	ditto	ditto	ditto	- - -	- - -	ditto.
15	ditto	ditto	ditto	ditto	- - -	ditto.
16	ditto	ditto	ditto	ditto	- - -	ditto.
17	ditto	ditto	Dwelling-house and Garden in Front	ditto	- - -	Thomas Clay.
18	ditto	ditto	ditto, and Garden	ditto	- - -	Elizabeth Widom.
19	ditto	ditto	ditto - ditto	ditto	- - -	Elizabeth Aldridge.
20	ditto	ditto	ditto - ditto	ditto	- - -	William Briffet.
21	ditto	ditto	ditto - ditto	ditto	- - -	William Penman.
22	ditto	ditto	ditto - ditto	ditto	- - -	William Fordham.
24	ditto	ditto	Garden Ground	Saint Thomas's Hospital	- Moseley	- Moseley.
25	ditto	ditto	ditto	Ditto and Mr. Bland	- - -	John Moseley.
26	ditto	ditto	ditto	Joshua Smith	William Hall	John Upton.
27	ditto	ditto	ditto	ditto	ditto	ditto.
28	ditto	ditto	Long Shed	ditto	ditto	William Hall.
29	ditto	ditto	Shed	ditto	ditto	ditto.
30	ditto	ditto	Garden	ditto	ditto	ditto.
31	ditto	ditto	Rope-walk and Shed at End	ditto	ditto	William Williams.
32	ditto	ditto	ditto	ditto	ditto	John Nollason.
33	ditto	ditto	Garden	Corporation of Trinity	- Conner	Henry Shephard.
34	ditto	ditto	ditto	Saint Thomas's Hospital	ditto	ditto.
35	ditto	ditto	ditto and Shed	Ditto and Corporation of Trinity	ditto	John Putley.
36	ditto	ditto	ditto - ditto	ditto	ditto	John Pulsford.
37	ditto	ditto	Garden	ditto	John Barnet	Thomas Testel.
38	ditto	ditto	ditto	ditto	ditto	John Smith.
39	ditto	ditto	Yard	ditto	John Lyons	John Pulsford.
40	ditto	ditto	Dwelling-house and Garden	ditto	John Barnet	John Smith.
42	ditto	ditto	Road	-	-	-
43	ditto	ditto	Dwelling-house and Sheds	ditto	John Lyons	John Pulsford.
44	ditto	ditto	ditto	ditto	ditto	Wm Wheeler.
45	ditto	ditto	Yard	ditto	ditto	John Pulsford.
46	ditto	ditto	Garden and Shed	ditto	- - -	Thomas Fair.
47	ditto	ditto	Shed	ditto	John Lyons	John Anderson.
48	ditto	ditto	Rope Yard	ditto	ditto	ditto.
49	ditto	ditto	Shed	ditto	ditto	John Lyons.
50	ditto	ditto	Dwelling house and Yard	ditto	ditto	Wm Watts.
51	ditto	ditto	ditto - ditto	ditto	ditto	Willm Thompson.
52	ditto	ditto	ditto - ditto	ditto	ditto	Joseph Brand.
53	ditto	ditto	ditto - ditto	ditto	ditto	John Lake.

No. on Plan.	Parish.	County.	Description.	Owner.	Lessee.	Occupier.
54	Saint Mary's Newington	Surrey	Garden and Shed	Clark	Messrs. Hucks and Harding, and Thomas Dunn	Thomas Fair.
55	ditto	ditto	Yard	ditto	ditto	—
56	ditto	ditto	Garden	Corporation of Trinity	ditto	Thomas Dunn.
57	ditto	ditto	ditto	ditto and Saint Thomas's Hospital	ditto	ditto
58	ditto	ditto	Small Warehouse	ditto	Hucks and Harding	Samuel Sims.
59	ditto	ditto	Warehouse	Clark	ditto	ditto.
60	ditto	ditto	Ground to - ditto	ditto	ditto	ditto.
61	ditto	ditto	Dwelling-house	ditto	Hucks and Harding and Thomas Dunn	John Shearn.
62	ditto	ditto	ditto	ditto	ditto	Sarah Blundell.
63	ditto	ditto	ditto	ditto	ditto	Thomas Jones.
64	ditto	ditto	Garden	ditto	ditto	Sarah Blundell.
65	ditto	ditto	Center Ground and Workshop	Corporation of Trinity	ditto	Thomas Hackett.
65			Small Dwelling-house	Clark	ditto	—
66	ditto	ditto	ditto and Garden	ditto	ditto	Thomas Hackett.
67	ditto	ditto	Shed	ditto	ditto	—
68	ditto	ditto	Dwelling-house	ditto	ditto	—
69	ditto	ditto	ditto	ditto	ditto	—
70	ditto	ditto	Yard	ditto	ditto	—
71	ditto	ditto	New Warehouse Building	ditto	ditto	—
72	ditto	ditto	Dwelling-house	Corporation of Trinity	James Brookes	James Henderson.
73	ditto	ditto	ditto	ditto	ditto	Charles Brett.
74	ditto	ditto	ditto and Yard	Clark	Hucks and Harding, and Thomas Dunn	—
75	ditto	ditto	ditto	ditto	ditto	—
76	ditto	ditto	Dwelling-house	Corporation of Trinity	James Brookes	An Ostler.
77	ditto	ditto	ditto	ditto	- Holcombe	Charles Nettleship.
78	ditto	ditto	ditto	Clark	Hucks and Harding, and Thomas Dunn	Empty.
79	ditto	ditto	ditto	ditto	ditto	ditto.
80	ditto	ditto	ditto	ditto	ditto	ditto.
81	ditto	ditto	ditto	ditto	Samuel Sims	New Building.
82	ditto	ditto	Swan Yard	Corporation of Trinity	William Wood	William Wood.
83	ditto	ditto	Dwelling-house	ditto	Samuel Sims	Edward Bilk.
84	ditto	ditto	Garden	ditto	ditto	ditto.
85	ditto	ditto	Stables	ditto	- Holcombe	Charles Nettleship.
86	ditto	ditto	ditto	ditto	ditto	ditto.
87	ditto	ditto	Swan Yard	ditto	William Wood	William Wood.
88	ditto	ditto	Dwelling-house	ditto	William Bicknell	Charles Were.
89	ditto	ditto	ditto	ditto	ditto	John Hennel.
90	ditto	ditto	ditto	ditto	ditto	Empty
91	ditto	ditto	ditto	ditto	ditto	Stephen Cooper.
92	ditto	ditto	ditto	ditto	ditto	Frances Wilsey (Widow)
93	ditto	ditto	ditto	ditto	ditto	John Fosberry.
94	ditto	ditto	ditto	ditto	ditto	Lloyd, Widow.
95	ditto	ditto	ditto	ditto	ditto	William Thorn.
96	ditto	ditto	ditto	ditto	ditto	Richard Create.
97	ditto	ditto	ditto	ditto	ditto	Empty
98	ditto	ditto	Yard	ditto	- Darley	Richard Prior.
99	ditto	ditto	ditto	ditto	Lord Sidmouth	John Becket.
100	ditto	ditto	ditto	ditto	ditto	ditto
101	ditto	ditto	Dwelling-house and Yard	ditto	Mary Lucy	James Harding.
102	ditto	ditto	Swan Inn	ditto	- Hulcombe	Charles Nettleship.
103	ditto	ditto	Dwelling-house and Warehouse	ditto	Samuel Sims	Samuel Sims.
104	ditto	ditto	Warehouse	ditto	ditto	ditto.
105	ditto	ditto	Warehouse	ditto	ditto	ditto.

