



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

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Cap. 13.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Hyde Park Corner* to *Counter's Bridge*, and certain other Roads in the County of *Middlesex*.
[4th April 1811.]

WHEREAS an Act was passed in the Thirty-fifth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing the Road from Hyde Park Corner to Counter's Bridge, and certain other Roads in the County of Middlesex, and for other Purposes therein mentioned*: And whereas the Trustees appointed by or in pursuance of the said Act have made great Progress in carrying into Execution the Powers and Authorities thereby vested in them, and several Sums of Money, borrowed upon the Credit of the Tolls authorized to be taken upon the said Roads, have, together with the Tolls, been duly applied and now remain due and owing, which Money cannot be repaid, nor the said Roads effectually amended, watched, lighted, watered, improved, and kept in Repair, unless the Term and Powers granted by the said Act be continued and enlarged, and the present Tolls increased: 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 the said recited

[*Loc. & Per.*] 3 F Act,

35G.3.c.142. Former Act continued.

Act, and all and every the Powers, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained (except such Parts thereof as are hereby varied, altered, or repealed, and also such as relate to Exemptions from Stamp Duties) shall be and are hereby further continued for and during the Term herein-after mentioned, as fully and effectually in all Respects, and to all Intents and Purposes, as if the same were expressly repeated and re-enacted in the Body of this present Act; which said Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Monies now due on the said Roads on the Credit of the said recited Act, or which shall or may be hereafter borrowed or become due on the Credit of the said recited Act and of this Act, and all Interest due and to become due for the same respectively.

Meetings of Trustees.

II. And be it further enacted, That from and after the passing of this Act, all Meetings of the Trustees for carrying this and the said recited Act into Execution, shall be held at some convenient House in the Parish of *Saint Luke Chelsea*, and in the Town of *Kensington*, alternately; any thing in the said recited Act contained to the contrary notwithstanding.

For discontinuing the present Tolls, and granting new ones.

III. And be it further enacted, That from and after the First Day of *June* next after the passing of this Act, the several Tolls and Duties payable by virtue of the said recited Act shall cease, determine, and be no longer paid or payable, and that in lieu thereof it shall and may be lawful to and for the said Trustees, to cause to be demanded and taken at each of the said Toll Gates at *Hyde Park Corner* and *Pimlico*, from all Persons not producing a Ticket from any one of the other Gates erected or to be erected on the said Roads (except *Fulham Field Gate*) before any Horse, Cattle, Beast or Carriage, shall be permitted to pass through the same, the following Tolls; *videlicet*,

Forevery Coach, Hearse, Berlin, Landau, Chariot, Curricule, Calash, Chaise, or Chair, drawn by Six Horses or other Cattle, Nine-pence; and drawn by Four Horses or other Cattle, Sixpence; and drawn by Three Horses or other Cattle, Four-pence Halfpenny; and drawn by less than Three Horses or other Cattle, Three-pence:

For every Waggon, Wain, Cart, or Dray, drawn by Six or more Horses or other Cattle, Nine-pence; and drawn by Five Horses or other Cattle, Seven-pence Halfpenny; and drawn by Four Horses or other Cattle, Sixpence; and drawn by Three Horses or other Cattle, Four-pence Halfpenny; and drawn by less than Three Horses or other Cattle, Three-pence:

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

For every Drove of Oxen or other Neat Cattle, Ten-pence *per Score*, and so in Proportion for any less Number: And,

For every Drove of Calves, Hogs, Sheep, or Lambs, Five-pence *per Score*, and so in Proportion for any less Number.

And that there shall also be demanded and taken at every Toll Gate to be continued or erected by virtue of the said recited Act or this Act (other than at the Gates at *Hyde Park Corner* and *Pimlico*) from all Persons not producing a Ticket from either of the said Gates erected at *Hyde Park Corner* and *Pimlico*, the following Tolls, before any Horse, Cattle, Beast, or Carriage, shall be permitted to pass through the same; (that is to say),

For every Coach, Hearse, Berlin, Landau, Chariot, Curricle, Calash, Chaise, or Chair, drawn by Six Horses or other Cattle, One Shilling and Three-pence; and drawn by Four Horses or other Cattle, Ten-pence; and drawn by Three Horses or other Cattle, Seven-pence; and drawn by Two Horses or other Cattle, Five-pence; and drawn by One Horse or other Beast, Three-pence:

For every Waggon, Wain, Cart, or Dray, drawn by Six or more Horses or other Cattle, One Shilling and Sixpence; and drawn by Five Horses or other Cattle, One Shilling and One Penny; and drawn by Four Horses or other Cattle, Ten-pence; and drawn by Three Horses or other Cattle, Seven-pence; and drawn by Two Horses or other Cattle, Five-pence; and drawn by One Horse or other Beast, Three-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, Two-pence Halfpenny:

For every Drove of Oxen or other Neat Cattle, Ten-pence *per Score*, and so in Proportion for any less Number: And,

For every Drove of Calves, Hogs, Sheep, or Lambs, Five-pence *per Score*, and so in Proportion for any less Number.

All which said respective Sums of Money shall be demanded and taken in the Name of and as a Toll, and the same and every Part thereof shall be and are hereby vested in the Trustees for putting the said recited Act and this Act in Execution, and shall and may be demanded, collected, and recovered, demised, leased, mortgaged, and assigned, in such Manner as is directed by the said recited Act with respect to the Tolls thereby directed to be taken, but subject nevertheless to the Powers, Provisions, and Directions in this Act contained; and the same Tolls and every Part thereof, and all and every Sum and Sums of Money remaining in the Hands of the Treasurer or Treasurers of the Trustees under or by virtue of the said recited Act, shall be (subject nevertheless to the Repayment of all and every Sum and Sums of Money now due and owing on the Credit of the said recited Act, or hereafter to be borrowed on the Credit of this Act, and the Interest thereof) from Time to Time applied in erecting, removing, or altering Turnpike Gates and Toll Houses, and in amending, widening, paving, draining, and repairing the said Roads, and in watering, watching, and lighting the same, and in defraying all necessary Costs, Charges, and Expences attending the Execution of the said recited Act and this Act, in such Manner as the said Trustees or any Seven of them shall direct.

IV. And be it further enacted, That nothing in this Act or the said recited Act shall extend or be construed to extend, to exempt from the Payment of the said Tolls more than once in any one Day, any Coach, Berlin, Landau, Chariot, Curricle, Calash, Chaise, or Chair, which having passed through the said Gates shall return through the same, drawn with other Horses than those with which such Carriage was drawn when first passing through such Gates in the same Day.

Carriages returning and drawn by different Horses not to be exempt.

V. And be it further enacted, That the said respective Sums of Money shall be paid to such Person or Persons as the said Trustees, or any Seven or more of them, shall appoint to collect the same; and if any Person subject to the Payment of any of the said Tolls shall, after Demand thereof made, refuse or neglect to pay the same, it shall be lawful for the Col-

Recovery of Tolls.

lector

lector or Collectors of the said Tolls to seize and distrain any Horse or Horses or other Cattle or Beast, or any Carriage upon which such Toll is by this Act imposed, or any of the Goods or Chattels of the Person liable to the Payment of such Toll, (except the Bridle or Reins of any such Horse or Horses or other Cattle, separate from such Horse or Horses or other Cattle); and if such Toll, and the reasonable Charges of such seizing and distraining shall not be paid within the Space of Four Days next after such Seizure and Distress, such Collector or Collectors shall and may sell the Horses, Cattle, Beasts, Carriage, or Goods or Chattels so seized and distrained, returning the Overplus (if any) after deducting such Toll and all reasonable Charges, to the Owner thereof upon Demand.

Tolls to be paid but once a Day.

VI. Provided always, and be it further enacted, That no Carriage or Horse or other Cattle shall be subject to or charged with the Payment of any of the Tolls by this Act granted more than once in any one Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night), for passing and returning any Time or Times through all or any of the Toll Gates to be continued or erected by virtue of the said recited Act or of this Act (except in the Cases herein-after mentioned), any thing in the said recited Act to the contrary notwithstanding; the Person or Persons who shall have paid the said Tolls producing a Ticket to the Collector of the Tolls, denoting such respective Payments; all which Tickets hereby required to be produced shall, on Demand, be given *gratis* by the Collectors, upon Receipt of the Tolls; and if any such Toll Collector shall refuse or neglect to give such Ticket on his receiving the said Toll, every such Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Tolls on Hackney Coaches.

VII. And be it further enacted, That from and after the First Day of *June* next after the passing of this Act, it shall and may be lawful to and for the said Trustees to demand and take or cause to be demanded and taken for each and every Hackney Coach passing through any of the Gates erected or to be erected on the said Roads, the Toll payable by virtue of this Act in respect of such Carriages, every Time such Hackney Coaches shall pass through any of the said Gates, save and except the Person or Persons inside of such Coach or Coaches, or other Person or Persons hiring the same, shall produce a Ticket or Tickets denoting such Toll or Tolls has or have been paid on that Day for and in respect of such Coach and Coaches; and each and every the Collector or Collectors of the said Tolls shall, and he and they is and are hereby required to deliver to the Person or Persons in the Inside of such Coach or Coaches, or other Person or Persons hiring the same, a Ticket or Tickets denoting the Payment of the said Tolls; and in case any such Collector or Collectors shall refuse or neglect to deliver such Ticket or Tickets *gratis* to such Person or Persons, then and in every such Case such Collector or Collectors shall forfeit and pay any Sum not exceeding the Sum of Five Pounds, to be paid to the said Trustees, and applied for the Purposes of this Act.

Carriages with Manure not to be

VIII. And be it further enacted, That nothing in this or the said recited Act contained shall extend, or be construed to extend, to charge with

with any Toll whatever for Overweight or otherwise, any Waggon or Cart laden with Manure passing through any of the said Turnpike Gates, by reason of such Waggon or Cart having therein or thereon empty Baskets or Sacks only, if the Loading thereof be substantially Manure. charged for
Overweight.

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

X. And be it further enacted, That it shall and may be lawful to and for the said Trustees, if they shall think it expedient so to do, to erect and set up a Toll Gate or Toll House upon or across *Church-lane, Kensington*, in some convenient Situation at or near the North End of the said Lane; any thing in the said recited Act to the contrary notwithstanding. For erecting
a Toll Gate
across Church
Lane, Ken-
sington.

XI. And whereas an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for empowering the Commissioners for putting in Execution the several Acts passed for paving, cleansing, and lighting the Squares, Streets, and Lanes, within the City and Liberty of Westminster, and Parts adjacent, to collect certain Tolls on Sundays upon the several Roads therein mentioned, and apply the same for the Purposes of the said Acts*: And whereas another Act was passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to revive and continue the Term and Powers of an Act passed for empowering the Commissioners for paving, cleansing, and lighting the Squares, Streets, and Lanes, within the City and Liberty of Westminster, and Parts adjacent, to collect certain Tolls on Sundays upon the several Roads therein mentioned*: And whereas in pursuance of the said several Acts certain Persons are from Time to Time appointed, and have the Authority to collect the Tolls in the said Acts mentioned and thereby authorized to be taken, and great Inconvenience frequently arises from the Names of such Persons not being known to Persons liable to pay the said Tolls; be it therefore enacted, That all Persons hereafter appointed to collect such *Sunday Tolls* as aforesaid at any of the Toll Gates erected upon the Roads to be repaired by virtue of the said recited Act and this Act, shall cause their Christian and Surnames, with the Words "Sunday Toll," to be painted on a Board, on a black Ground in white Letters of not less than Three Inches in Length, and of a proportionable Breadth, and shall cause such Board to be hung up in some conspicuous Place on the Front of the Toll House or Toll Gate at which the said Collectors shall respectively attend to collect the said Tolls; and if any Person shall demand Payment of, or shall receive any such Toll without having such Board hung up as aforesaid, or shall refuse, upon Demand, to Regulations
for collecting
the Sunday
Tolls.

[*Loc. & Per.*]

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tell

tell his or her real Name and Place of Abode, he or she shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, which shall be paid to the said Trustees, and shall be applied to the Purposes of the said Act and this Act.

Annuities
may be pur-
chased.

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

Form of
Grant.

‘ BY virtue of an Act, made and passed in the Year
‘ of the Reign of His Majesty King *George* the Third, intituled
‘ *An Act [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 Roads in
‘ Hand paid, do grant, bargain, and sell unto his Executors,
‘ Administrators, and Assigns, one Annuity or yearly Sum of
‘ to be paid to him, his Executors, Administrators, and
‘ Assigns, for and during and until the End of
‘ Years from the Day of the Date of these Presents, by Half-yearly Pay-
‘ ments, on the Day of and the Day of
‘ in every Year, if of being now of
‘ the Age of shall so long happen to live; and for better
‘ securing the Repayment of the same, we do hereby grant, bargain, sell
‘ and demise unto the said, his Executors, Administrators
‘ and Assigns, such Proportion of the Tolls arising from the said Roads,
‘ and of the Turnpikes and Toll Houses for collecting the same, as the
‘ said Sum of doth or shall bear to the whole
‘ Sum due and owing on the Credit thereof, to be had and holden from
‘ this Day of in the Year of our Lord
‘ for and during the Continuance
‘ of this Act, if the said shall so long happen to live.’

Directing
how Principal
Money shall
be paid off.

XIII. And whereas in the said recited Act there is no Regulation or Direction as to the Order and Manner in which the Principal Money due and owing on the Credit of the said Tolls shall be paid off and discharged; be it therefore further enacted, in order that no undue Preference may be given to any of the Persons entitled to the Principal Money now due and owing, or which shall be borrowed and secured on the Credit of the said Tolls in discharging such Principal Money, That when and so often as the Money to be raised by the said Tolls shall amount to the

Sum of One thousand Pounds, (over and above what shall be necessary to pay the growing Interest upon the said Principal Money, and the Annuities which may be secured or granted in pursuance of this Act, and the Expences herein-before provided for), the said Trustees shall cause all the Mortgages, Bonds, Assignments or Securities granted and then in force for securing the Principal Monies borrowed, of which Part shall be then intended to be paid off, to be numbered, and the Numbers to be written upon distinct Pieces of Paper of an equal Size, and all such Papers to be rolled up in the same Manner, as near as may be, and put into a Box or Glass, and one Number of the said Mortgages, Bonds, Assignments, or Securities, shall be drawn out of the said Box or Glass by the Clerk to the said Trustees, in the Presence of Seven or more of the said Trustees: Provided always, that if it shall happen that any Mortgage, Bond, Assignment, or Security, the Number whereof shall be drawn out as aforesaid, shall be for a greater Sum than Five hundred Pounds, no more than Five hundred Pounds shall be discharged in consequence of such Mortgage or other Security being so drawn.

XIV. And be it further enacted, That the said Trustees shall cause a Notice, signed by their Clerk, to be given or left at the usual Place of Abode of the Person or Persons whose Principal Money shall be intended to be paid off, which Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid at the Place to be mentioned in such Notice at the Expiration of Three Calendar Months from the Day of giving or leaving such Notice as aforesaid; and the Interest of the Principal Money so to be paid off shall, from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless such Principal Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

Notice to be given to Creditors.

XV. And whereas by the said recited Act the said Trustees are directed to pay to the Commissioners for paving and otherwise improving the Streets and other public Passages and Places within *Hans Town*, the annual Sum of Seventy-one Pounds, to be laid out and applied in the Repair of the Carriage-way in *Sloane Street*, and the Two Pieces of Road at each End thereof, in the said Act mentioned; be it further enacted, That the Payment of the said annual Sum of Seventy-one Pounds shall cease on the Twenty-fifth Day of *December* next after the passing of this Act, and that from thenceforth there shall be paid by the said Trustees to the said Commissioners of *Hans Town* in lieu thereof, upon the Twenty-fifth Day of *December* in every Year, a Sum which shall be equal in amount to One Pound *per Centum* upon the gross Amount of the Tolls to be received by the said Trustees by virtue of this Act, in each and every Year.

For altering the Mode of Payment of an Annual Sum to the Commissioners for paving *Hans Town*.

XVI. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the said Roads, or any of the Roads in the Townships or Parishes in which any Part of the said Roads lie, or Hay, Straw, or Corn in the

Exemptions.

Straw

Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners for the Purpose of thrashing out such Corn, or of feeding out any such Hay or Straw; or for any Horse, Cattle or Beast employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, Corn for seeding the Ground, or any Dung, Compost or Manure employed in Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands (Lime, Coal Ashes, and Cinders only excepted); nor for any Horses or Cattle going to or returning from Water or Pasture or Watering-places, or going to be or returning from being shod or farried; or from any Person going to or returning from his or her proper or Parochial Church, Chapel, or other Place of Religious Worship authorized by Law, on a *Sunday*, or upon any other Day in which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Townships or Parishes; or from any Clergyman going to or returning from visiting any sick Person, or going to or returning from his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horse, Cattle or Carriage, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horse, Cattle or Beast attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage, 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 any Horse, Cart, Cattle or Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Carriage, Horse, Cattle, or Beast carrying or conveying any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Middlesex* on the Day or Days of such Election; and that no Tolls 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 such Persons 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 or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, or shall in any other Manner evade the Payment of the said Tolls, every such Person shall forfeit for every such Offence any Sum not exceeding the Sum of Five Pounds, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of the said Act and this Act.

Carriages
conveying
Military

XVII. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage, provided

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.

Stores not to be subject to Penalties for Overweight.

XVIII. Provided always, and be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Trustees to cause the said Tolls to be demanded and taken on the Day or Days of Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Middlesex*, for or in respect of all Waggons, Wains, and Carts passing through any of the said Toll Gates or Bars on such Day or Days of Election loaded with Goods; any thing in the said recited Act or this Act contained to the contrary notwithstanding.

Certain Carriages to pay Toll on Days of Election of Members for Middlesex.

XIX. And for the better preventing and removing Encroachments and Annoyances in and upon the said Roads and Footpaths, be it further enacted, That if any Owner or Occupier of any Lands or Tenements near to the said Roads and Footpaths shall refuse or neglect, by the Space of Six Days after Notice in Writing given to him or her, or left at his or her usual Place of Abode, under the Hand of any Surveyor appointed by virtue of this Act, to trim up, lop, cut down or root up and remove any Trees or Bushes growing in or upon or overhanging the said Roads and Footpaths or the Sides thereof, or in or upon the Hedges or Banks adjacent thereto, provided such Trees be not for Ornament or Shelter to any House, Building, or Court Yard of the Owner, and that the same be required to be done at the proper Season of the Year, or to scour and cleanse any Ditch, Drain, or Watercourse, contiguous to or leading out of or from the said Roads and Footpaths, or to make, build, or erect across such Ditch, Drain, or Watercourse, any Arch or Arches sufficient for the free Course of the Water under his or her Gateway or Passage leading from the said Roads and Footpaths into any Field, Ground, or other Premises, or to pull down or take away any Encroachment, Posts, Rails, Stall Boards, Signs, Sign Posts, Sign Irons, Pent Houses, Shew Boards, Spouts and Gutters, Porters' Blocks or Resting Places, or other Annoyances projecting into or discharging themselves upon the said Roads or Footpaths; or if any Person shall suffer his or her Sink or Drain to run into the said Roads or on the said Footpaths, or shall throw, cast, or lay, or permit or suffer to be thrown, cast, or laid, any Dust, Dirt, Ashes, Rubbish, Grains, Compost, Dung, or other Filth or Annoyance into or upon the said Roads and Footpaths, or into or in any of the Ditches, Drains, or Watercourses thereto belonging, it shall be lawful for such Surveyor or Surveyors, and for any Person by him or them employed, to trim up, lop, cut down, or root up and remove any such Trees or Bushes, and to scour and cleanse any such Ditch, Drain, or Watercourse, and to make, build, or erect such Arch or Arches as aforesaid, and effectually to turn, prevent, or stop up such Sink or Drain so running into or upon any Part of the said Roads and Footpaths, and to abate or pull down and take away any such

To prevent Encroachments and Annoyances.

Encroachment, and to remove such Dust, Dirt, Ashes, Rubbish, Grains, Compost, Dung, or other Filth or Annoyance from the said Roads and Footpaths, or from the said Ditches, Drains, or Watercourses, and in any of the said Cases, by Warrant under the Hand and Seal of any Justice of the Peace for the County of *Middlesex*, to levy the Charges thereof (the same being first settled and ascertained by such Justices) by Distress and Sale of the Goods and Chattels of such Owner or Occupier, rendering, upon Demand, to the Person whose Goods and Chattels shall be so distrained and sold, the Overplus (if any be) after deducting the Charges of such Distress and Sale; and every Person who shall have permitted or suffered his or her Sink or Drain to run into the said Roads, or on the said Footpaths or any Part thereof, or who, after the Abatement or Removal of any Encroachment or Annoyance by him or her made, caused, or permitted, shall again offend in the like Manner, shall forfeit and pay the Sum of Forty Shillings, over and above the Charges of removing every such Encroachment and Annoyance, to be settled and ascertained as aforesaid; and if any Person shall wilfully draw, wheel, or run any Truck or Wheelbarrow on any of the Footpaths adjoining the said Roads, every Person so offending shall for every such Offence forfeit any Sum not exceeding the Sum of Forty Shillings, to be recovered as any Penalty can or may by virtue of the said recited Act or this Act be recovered.

Application
of Compensation
Money
when amount-
ing to 200*l*.

XX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the said recited Act or this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money, if the same shall amount to or exceed the Sum of Two hundred Pounds, shall 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 the said recited Act and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court (to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments) in the Purchase or Redemption 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, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled to the same or the like Uses, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other 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 Lands, Tenements, or 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 or Settlement shall be existing, undetermined, and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities;

and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments; so by the said recited Act or this Act directed to be purchased, in case such Purchase or Settlement were made.

XXI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid; shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or 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 hereinbefore 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 Seven or more of the Trustees for executing the said recited Act and 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 hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application when Compensation Money is less than 200*l.* and amounts to 20*l.*

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

Application where Money is less than 20*l.*

XXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be so awarded 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 Seven or more of them, or shall refuse to execute such Conveyance or Conveyances, or in case the Person or Persons to whom such Sum and Sums of Money shall be so awarded 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

In case of not making out Titles,

the said Trustees or any Seven 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, and 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 may 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 such Sum or Sums of Money into the Bank of *England* as aforesaid.

Respecting
disputed
Titles.

XXIV. 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 the said recited Act or 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 of the said recited Act or this Act, 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.

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

XXV. 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 the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of the said recited Act or this Act, it shall be lawful for the said

Court

Court to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Act or 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 Seven or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXVI. Provided always, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Middlesex*, and they are hereby empowered and required, upon Application made to them for that Purpose 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 Roads by the Inhabitants of the respective Parishes or Places in which the said Roads 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 to their Treasurer; 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 Ten 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 paid, which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the Public Highways; and out of such Lists such 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 Roads 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 Roads, 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 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 the said recited 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

Persons chargeable to Statute Work to continue so.

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, signed by the Surveyor or Surveyors 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 Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is 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 shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team and Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; 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 so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Trustees may compound for Statute Work.

XXVII. 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 Statute Work to be by them done on the said Roads 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 Roads are situate, 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 or Occupiers done on the said Roads, 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 to the said Trustees in advance on or before the Twenty-ninth Day of *September* 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.

Recovery and Application of Penalties.

XXVIII. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act imposed, shall be recovered and applied in like Manner as any Penalty in the said recited Act mentioned can or may by the said Act be recovered and applied, unless otherwise directed by this Act.

Saving the Rights of Commissioners of Sewers.

XXIX. Provided always, 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, or take away any of the Rights, Powers, or Authorities, vested in the Commissioners of Sewers for the City and Liberty of *Westminster*, and Part of the County of *Middlesex*; and all the Rights, Powers, and Authorities vested in them, shall be as good, valid, and effectual, as if this Act had not been made.

XXX. And be it further enacted, That all Costs, Charges, and Expences incident to and attending the obtaining and passing this Act, shall be paid and discharged by the Trustees for putting the said recited Act and this Act in Execution, or any Seven or more of them, out of any Money which hath arisen by virtue of the said recited Act, or out of the first Money which shall arise by virtue thereof and of this Act, in preference to all other Payments whatsoever.

For paying
the Expences
of this Act.

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

Public Act.

XXXII. And be it further enacted, That the Term granted and continued by the said recited Act upon the passing hereof shall cease and determine; and that the said recited Act (subject to the Additions and Alterations herein-before mentioned) and this Act shall from thenceforth continue and be in force and be executed for and during the Term of Fourteen Years, and from thence to the End of the then next Session of Parliament.

Term and
Continuance
of the Act.

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