



ANNO QUARTO

GEORGIIV. REGIS.



Cap. cvi.

An Act for more effectually repairing and improving the Roads leading from *Whitechapel Church*, in the County of *Middlesex*, unto *Passingford Bridge*, and through and to the End of the several Parishes or Places of *Shenfield* and *Woodford* in the County of *Essex*, and for other Purposes relating thereto.
[17th June 1823.]

WHEREAS an Act was passed in the Twenty-fifth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for amending and keeping in Repair the Road from Whitechapel Church in the County of Middlesex to Shenfield, and the furthest Part of the Parish of Woodford towards Epping, and from the Causeway in the Parish of Lowlayton to the End of the said Parish of Woodford next Chigwell, and through the Parishes of Chigwell and Lambourn in the County of Essex; and for lighting and watching the said Road from Whitechapel Church to the Four Mile Stones in the Romford and Woodford Roads*: And whereas an Act was passed in the Forty-third Year of the Reign of His said late Majesty King *George the Third*, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act, passed in the Twenty-fifth Year of the Reign of His said late Majesty, for amending and keeping in Repair the Road from Whitechapel Church in the County of Middlesex to Shenfield, and the furthest Part of the Parish of Woodford towards Epping, and from the Causeway in the Parish of Lowlayton to the End of*

[Local.] 27 T the

25G.3.c.124.
43G.3.c.66.

General
Turnpike Act,
3 G.4. c. 126.

the said Parish of Woodford next Chigwell, and through the Parishes of Chigwell and Lambourn in the County of Essex; and for lighting and watching the said Road from Whitechapel Church to the Four Mile Stones in the Romford and Woodford Roads: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King George the Fourth, intituled An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England: And whereas the Trustees appointed in or acting by virtue of the said Two first recited Acts have proceeded to put the same into Execution, to the great Advantage of the Public, and have made great Progress in the Amendment and Improvement of the said Roads; and a considerable Sum of Money hath been borrowed on the Credit of the Tolls by the said Two several Acts granted, which still remains due and owing, and cannot be paid off: And whereas it would be of great Advantage to the Public and to the Inhabitants of the Parish of Stapleford Abbott in the said County of Essex, if so much of the High Road as runs and is a Continuation of the Line of Road from the said Parish of Lambourn to Passingford Bridge, within the Parish of Stapleford Abbott aforesaid, was in future placed under the Management and Superintendence of the said Trustees, and made Part of the aforesaid Turnpike Road; but the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament; 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 Two first recited Acts passed in the Twenty-fifth and Forty-third Years of the Reign of His said late Majesty King George the Third, shall be and the same are hereby declared to be repealed and null and void to all Intents and Purposes whatsoever, and that this Act shall immediately after the passing hereof commence and take effect in lieu and instead thereof, and shall be put in Execution for and during the Term herein after mentioned, as well for the Purpose of amending, widening, turning, altering, improving, watching, lighting, and keeping in Repair the Road from the Obelisk at the Stones end by Whitechapel Church in the County of Middlesex, unto, through, and to the End of the Parish of Woodford leading towards Epping; from the Obelisk in the Parish of Wanstead to Passingford Bridge in the Parish of Stapleford Abbott, and from the Town of Stratford to the End of the Town of Brentwood, all in the County of Essex; as also for watching and lighting the said Roads from the said Obelisk at Whitechapel Church aforesaid, to the Four Mile Stones on the Romford and Woodford Roads, and to such further Distances on the said Roads not exceeding Five hundred Yards, as the Trustees may deem fit and expedient; as also for the several other Purposes in this Act herein after more particularly described and enacted.

Two first
recited Acts
repealed.

The Roads
described.

Style of the
Roads and
Trustees.

II. And be it further enacted, That the several Roads authorized to be repaired by this Act shall be distinguished and known by the Name of "The Middlesex and Essex Turnpike Roads," and the said Trustees shall be styled "The Trustees of the Middlesex and Essex Turnpike Roads."

Extending
the Powers of
the General
Turnpike Act

III. And be it further enacted, That all the Powers, Provisions, Remedies, Penalties, and Exemptions, Matters and Things, contained in the said recited Act passed in the Third Year of the Reign of His said present

sent Majesty, shall extend, and be deemed, construed, and taken to extend of 3 G. 4. to
to this Act, in as full, large, and ample a Manner, to all Intents, Con- this Act.
structions, and Purposes whatsoever, as if the same respectively were
repeated and re-enacted in the Body of this Act, save and except where
the same are or any Part thereof is expressly varied, altered, or repealed by
this Act.

IV. And be it further enacted, That all His Majesty's Justices of the Trustees
Peace for the Time being, acting for the said Counties of Middlesex and Names.
Essex, or either of them, together with James Ally, Charles Adams,
Benjamin Aislabie, Thomas Allen, Sir John Arundel, John Rutherford
Abdy, John William Adam, James Adams, George Ansell, Charles Abdy
Clerk, John Axtell, John Aveling, Joseph Bird, John Barnes, Richard
Baker, Thomas Bird, Benjamin Beaufoy, John Brooks, George Byng,
John Henry Burges, Henry Burges, Thomas Browne, Sir William Blizard,
James Bennett, Boldero Clerk, Samuel Bosanquet, Charles
Bosanquet, Henry Bonham, Henry Burn, Archibald Bryson, James William
Burford Clerk, James Baker, Captain John Brown, Thomas Brown,
Richard John Brassey, John Blunt, Robert Brown, Alexander Black, Wil-
liam Bayne, Robert Briscoe, Robert Batson, Samuel Brewer, John Burnell,
James Boote, Isaac Blydesteyn, Robert Brockholes, William James Bur-
ford Clerk, Walter Bevan, John Boulcott, Zacharia Button, Thomas Dove
Brooks, Thomas Boyce, John Boote, John Boulcott the younger, George
Maud Box, Charles Boulton, Alfred Batson, William Bushnan, John Bar-
tock, William Bulnois, Francis Whiteburt Brown, Robert Bodle, William
Bradshaw, John Curtis, Sir William Curtis Baronet, Thomas Hopkins Cut-
bush, Thomas Valentine Cooke, Joseph Cotton, John Currie, Leonard Currie,
Allen Chatfield, Isaac Currie, John Cooke Doctor of Medicine, Harry Char-
rington, Robert Chatfield, James Cogan, Abel Chapman, Hammond Crosse,
James Collins, William Chapman, Nicholas Charrington, Mark Currie, John
Carstairs, John Coope, Isaac Cossart, Boyce Combe, William Cordell, Nicholas
Charrington, John Charrington, Michael Constable, Richard Carpenter, Ed-
ward Colebatch, Robert Carter, Tom Flood Cutbush, Jukes Colson, Robert
Coram, John Henry Conyers, Timothy Abraham Curtis, Thomas Cockett,
Joseph Cuff, William Cotton, John Marson Caruthers, William Coleman,
Jonathan Chapman, Abel Chapman the younger, Henry Cockfield, Isaac
George Currie, William Curling, Harvey Combe, Henry Cheape, John
Coward, Leonard Currie the younger, Joseph Cotton the younger, John
Charrington, William Collins, Robert Emans Crawley, Francis Easterby
Creswell, Deliverance Dacre, John Dyer, Thomas Drane, George Lewis
Desormeaux, George Dowers, Crawford Davidson, Joseph Dowson, William
Davis, John Dallaway, Thomas Daplyn, Thomas Dickenson, William Dyer,
John Delamare, Thomas Dawson, Henry Dettmar, Christopher Dale, Tho-
mas Drane the younger, Joseph Dimsdale, Peter Delamare, William Dettmar,
John F. Daubez, Lewis Dubois, Francis Dacre, Peter Edwards,
Joseph Eaton, Thomas Edwards, John Ede, Job Ede, William Elliott, Charles
Forster, Thomas Foster, Sir Charles Flower Baronet, Peter Free, William
Fry, John French, Joseph French, George Fox, William Farmer, Joseph
Foster, Thomas Freeman, John Farmer, Joseph Fry, Charles Frisby, Wil-
liam Farmer, Richard Frisby, Luke Thomas Flood, William Frisby, John
Ford, Christopher Fryer, Bamber Gascoyne, Benjamin Gascoyne, Jesse Gib-
son, William Greenhill, Thomas Gillispie, Thomas Gellibrand, Emanuel
Goodhart, Richard Gardner, William Glenny, John Greenhill, James Green,
William

William Green, Samuel Grainger, Joseph Graves, George Glenny, John Gray, Henry Greenhill, William Greenhill, Edmund Gouldsmith, Robert Gore, William Gelly Clerk, Stephen Fryer Gilham, Gilpin Gorst, Samuel Gurney, Press Grainger, George Green, Benjamin Graves, John Gibson, William Green, Richard Gregory, John Gray, John Giles, Robert Green, Richard Gray, William Gandy, Isaac Gascoyne, William Horton, Admiral Sir Eliab Harvey, Bury Hutchinson, Nathaniel Hickford, William Hilton, John Hanson, Aaron Hurrill, Thomas Hodgson, Sampson Hanbury, John Hawes, Right Honourable John Minet Henniker commonly called Lord Henniker, David Soame Hewson, William Henry Haggard, Robert Helme, Quarles Harris, Francis Hicks, James Harrison, John Rose Holden Clerk, Benjamin Harrison, Henry Harben, James Richard Hardy, William Sharp Handasyde, Jeremiah Harman, Edward Harman, Henry Harman, Thomas Porteen Harris, John Hall, John Archer Houblon, Charles Hamerton, Robert Westley Hall the younger, William Hibbit, Frederick Hodgson, John Hubbard, George Hart, Luke Howard, Thomas Hanson, Richard Hallett, John Harkness, Matthew Harrison, John Hulme, Sir Charles Hulse Baronet, John Hammack, William Alers Hankey, John Appleton Harland, James Jones, Sir George Jackson Baronet, Edward Jones, John Lomas Johnson, Edward Ind, Hugh Chambres Jones Clerk, Richard James, Sir Samuel Clarke Jervoise Baronet, John Simpson Joyner, Charles Johnson, Francis Jowers, George Johnson, Benjamin Hanson English, Joshua Knowles, Joseph Kain, Henry Kebell Clerk, J H Kennedy, John Kebell, George Joseph Kain, James Lee, John Martin Leake, Joseph Sutton Loder, William Lyttleton, Thomas Lermite, George Lee, Thomas Lane, Edward Lind, Richard Lovelidge, Henry Lusby, George Litster, John Lovewell, John Lambert, Sir William Leighton, Henry Lang, Charles Lush, Sir Thomas Leonard Baronet, Thomas Lester, James Lambert, Thomas Landon Clerk, Silvester Lowden, Andrew Laurie, Corbyn Lloyd, Robert Loxham, Nathaniel Lavers, Thomas Arnold Loxley, Thomas Leonard, Joseph Longbottom, Joseph Lockwood, Samuel Davey Liptrap, John Burton Lucas, Thomas Lambert, Halley Benson Millikin, William Morley, Robert Mawley, Joseph Merceron, William Maiden, John Major, Rowland Minns, William Mason, John Milward, Francis Magniac, Andrew Mackenzie, Thomas Robert Mawley, Robert Richard Mawley, John Maitland, Thomas Mashiter, Peter Mallard, James Mure, Thomas Coxhead Marsh, William Mellish, Daniel Matthias Clerk, Charles Martin, Alexander Mitchell, Robert Humphrey Martin, Octavius Mashiter, Charles Maddison, Alfred R Mason, Nicholas May, Thomas Muson, Thomas Mills, John Masterman, Thomas Mears, John Mildred, Daniel Mildred, Edward Mee, Thomas Newman Clerk, Thomas Harding Newman, Robert Nelson, Benjamin Nind, Benjamin Nettlefold, Sir Thomas Neave Baronet, Rice Davis Nicholas, Thomas Old, John Orange, William Payne, Sir Robert Preston Baronet, Richard Puller, Nicholas Segar Parry, Charles Pole, John Perry, Philip Perry, James Palmer, Samuel Page, Brice Pearse, John Henry Pelly, Edward Parsons, John Popplewell, Samuel Pritchett, Nicholas Pearse, Edward Parry, John Vincent Purrier, John Prested, John Pickering Peacock, James Peppercorn, Raymond Pelly, John Paulin, Richard Price, Joshua Pedley, Carsten Rohde, Charles Raikes, Peter Rasleigh Clerk, William Matthew Raikes, Richard Radford, Job Matthew Raikes, James Ripley, Major Rohde, Peter Renvoize, James Reed, John Restall, Peter Rasch, John Rigg, William Took Robinson, Christopher Richardson, Christopher Richardson the younger, Edward Robinson, John Russell,

Russell, Charles Rich, Charles Richard Roulett Clerk, John Roebuck, George Raikes, Richard Reynolds, Peter Richardson, Peter Read, Moses Ricardo, Edward Staples, Sir William Smyth Baronet, George Spurrell, Barnard Scaile, Joseph Holden Strutt, William Smith, Henry Slade, Philip Salter Clerk, Daniel Shirley, Nathaniel Stonard, Joseph Steel, Edward Stewart, Russell Skinner, Charles Stutfield, John Southeby, Benjamin Wasey Sterry, Robert Sutton, William Sims, Henry Sansom, George Smith, James Scratton, William Simons, Sawyer Spence, Daniel Edward Stephens, Robert Surridge, Benjamin Severn, Charles Sayer, William Stanley, James Shepherd, James Sadler, Jacob Sims, William Strange, Thomas Solly, Isaac Solly, Rowland Stephenson, William Stutfield, William Tolbut, Christopher Tyler, John Thompson, John Thompson the younger, John Tyler, Christian Talke, John Thompson, Thomas Thirlwall Clerk, James Thomson, Charles Turner, Peter Taylor, Samuel Taylor, William Thompson, William Turner, John Taylor, William Truston, George Tarington, James Taddy, Stephen Thomas, Joseph Tickell, Robert Turner, John Taylor, Charles Tower Clerk, John Scrafton Thompson, Guy Thomson, Nicholas Temperley, Robert Trend, Richard Tebb, Thomas Taylor, Samuel Jones Vachell, Robert Vaux, John Wright Unwin, Luke William Walford, Thomas Windle, Robert Wilson, Thomas Wilson, Robert Williams, George Wilson, Samuel Winmill, Sir Daniel Williams, Richard Wood, Robert Wrightson, Richard Williams, Stephen Smith Ward, Stephen Wilson, Nathaniel Whalley, John Wells, Charles Welstead, Burchett Wennell, Matthew Warton, Richard Webb, John Warmington, Sir David Wedderburn Baronet, the Honourable William Long Wellesley, Sir Robert Wigram Baronet, Octavius Wigram, Money Wigram, Henry Wigram, Samuel Wright, Robert Waugh, John Wilson, Thomas Wilson, George Connaught Wilson, George Watkins, George Wilson the younger, Thomas Whitehurst, Charles Callis Western, Daniel Whalley, John Williams, Johann George Wicke, George Starkins Wallis, George Winmill, and their Successors (to be elected in manner herein-after mentioned) shall be and are hereby appointed Trustees for putting this Act in Execution; and 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 Three or more of them, (except only where some other Number shall be appointed by this Act), and all such Acts, Matters, and Things shall be of as full force and effect as if done or executed by or before all the said Trustees.

Three Trustees a Quorum for general Purposes.

V. And be it further enacted, That there shall be a Meeting of the Trustees once in every Year, (that is to say), on the Twenty-fifth Day of *March*, or if that Day shall happen to be *Sunday*, then on the Day following, or on some Day as near that Day as conveniently can be; at which Meeting the said Trustees, or any Five or more of them then present, shall enquire what Vacancies have happened in the List of Trustees since the Twenty-fifth Day of *March* next preceding, and in case any Trustee shall have died, removed, or become Bankrupt, or have been discharged by any Insolvent Debtor's Act, or by Writing under his Hand, delivered to the Clerk of the said Trustees, shall have declined to act, or shall have neglected to attend at some General Meeting of Trustees for the Space of Two Years at any one Time, without any reasonable Cause to be allowed by the said Trustees, which Neglect shall be and is deemed to be a Refusal to act, it shall be lawful for the Trustees then assembled, or any Five or more of them, by Writing under their Hands, to elect and appoint one

Annual Meetings of Trustees.

[Local.]

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other

other Person residing in the County of *Middlesex* or *Essex*, or in the City of *London* respectively, wherein the Trustee in whose Stead he shall be chosen did reside, to be a Trustee in the Room of each Trustee so deceased, removed, become Bankrupt, or discharged by any Insolvent Debtor's Act, or who shall have declined to act, or neglected to attend as aforesaid.

This Act
liable to the
Payment of
Money bor-
rowed under
the said
former Acts.

VI. And be it further enacted, That this Act, and the Term and the Tolls hereby granted, and all and singular the Sum and Sums of Money in the Hands, Power, and Custody of the said Trustees, and of the Treasurer, Clerk, Surveyors, and all other Persons whomsoever, and also the Tolls to be collected by virtue of this Act, shall be and the same is and are hereby declared to be a Security for the Repayment of all Money borrowed, and all Interest due and to become due for the same, and all other Sum and Sums of Money now due and owing upon the Credit of the Tolls authorized to be collected upon the said Roads by any former Act or Acts, and upon the Credit of all and every Sum and Sums of Money now in the Hands of the said Trustees, their Treasurers, Clerk, Surveyors, or other Persons on their Behalf, or due, owing, or payable to them, in like Manner as if such Money had been borrowed by the said Trustees upon the Credit of this Act.

Trustees to
take an Oath
truly to exe-
cute the Acts.

VII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting this Act and the said last recited Act into Execution, unless he shall be qualified in such Manner as in and by the said last recited Act is directed and prescribed, and unless (being so qualified) he shall before he shall act as a Trustee (except in administering the Oath mentioned in the said last recited Act, and the Oath herein-after mentioned) take and subscribe before any one or more of the said Trustees an Oath, or being a Quaker, an Affirmation, in the Words or to the Effect following; (that is to say),

Oath. ' I *A. B.* do swear [*or, being a Quaker, do affirm*] That I will truly,
' honestly, and impartially, according to the best of my Judgment, exe-
' cute and perform the several Powers, Authorities, and Trusts reposed in
' me as a Trustee by virtue of an Act passed in the Fourth Year of the
' Reign of His Majesty King *George* the Fourth, intituled *An Act, &c.*
' [*here insert the Title of this Act*] and also an Act passed in the Third
' Year of the Reign of His said Majesty, intituled *An Act to amend the*
' *general Laws now in being for regulating Turnpike Roads in that Part of*
' *Great Britain called England.* So help me GOD.'

Penalty of
50*l.* for act-
ing without
having taken
such Oath.

Which Oath or Affirmation any one or more of the said Trustees is and are hereby authorized and empowered to administer; and if any Person shall presume to act (except as aforesaid) before he shall have taken and subscribed the said Oath or Affirmation, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlanse shall be allowed: Provided nevertheless, that no Act or Proceeding touching the Execution of the said last recited Act or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to

Acts valid
although the
Trustee may
not have
taken said
Oath.

take and subscribe the said Oath by this Act prescribed, shall be thereby impeached or rendered nugatory; but all such Acts and Proceedings shall be as valid and effectual as if such Person had taken such Oath previously to his having acted as such Trustee as aforesaid.

VIII. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with any of the said Trustees according to the Provisions and Directions thereof, shall remain in full force and effect, and shall be and continue available in all Courts of Law and Equity until the same are fully satisfied and performed, and all Contracts, Agreements, Demises, Mortgages, and Securities duly made or entered into by the Trustees for executing the said Acts hereby repealed, to or with any Person or Persons, shall remain in full force and effect, and shall be binding on the Trustees for executing this Act, and be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively.

Bonds and Securities entered into under former Acts to remain in force until satisfied and paid.

IX. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers (except the Treasurer) nominated and appointed under and by virtue of the said recited Acts of the Twenty-fifth and Forty-third Years of the Reign of His said late Majesty King *George* the Third, hereby repealed, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers shall have the like Powers and Authorities for carrying the said recited Act of the Third Year of the Reign of His said present Majesty, and this Act, into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of this Act.

Former Officers continued until others are appointed;

and liable to all Penalties, &c.

X. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Two first recited Acts had not been repealed.

Books used under former Acts to be Evidence.

XI. Provided also, and be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts hereby repealed, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as are by the said last recited Act inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things by virtue of the said Act and this Act.

Officers under the former Act to account to the Trustees for executing this Act.

XII. And be it further enacted, That all Compositions, Rates, and other Sum and Sums of Money now in arrear or unpaid, and which is, are, shall, or may be payable to or be receivable or recoverable by the said

All Rates and Money due under former Acts to be paid to

Trustees of
this Act.

Persons to
account, and
to deliver
over all
Books, &c.

Time and
Place for
holding the
First Meet-
ing.

Trustees
may at their
First Meet-
ing continue
present Trea-
surer, &c.
or appoint
others ;

said Trustees, their Predecessors or Successors, shall and is hereby declared to be due, owing, payable, be paid to, and to be receivable and recoverable by the Trustees or their Treasurer, Clerk, Surveyors, and other Persons respectively ; and all Leases, Contracts, and Bonds entered into, by, with, between, or on behalf of all every and any Body and Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever, shall be and continue in full force, and be as good and effectual, to all Intents and Purposes whatsoever, as if the said Two first recited Acts had been and continued in full force and effect ; and that all Persons who shall have been employed, or who shall or may receive, or who shall have received any Tolls, Rates, or other Monies by virtue or on account of the said Two former Acts, or who shall have in his, her, or their Custody or Possession, Custodies or Possessions, any Books, Accounts, Minutes, Papers, Memorandums, Writings, Goods, Chattels, Effects or other Things whatsoever relating to the said Roads, shall account for, pay, and deliver over the same and every Part thereof to the said Trustees, in like Manner and under the like Penalties as all and every Officers and other Persons are by the said Act passed in the Third Year of the Reign of His present Majesty, or by this Act, ordered and directed to account.

XIII. And be it further enacted, That the said Trustees shall meet together at the Sign of the *Bird-in-Hand* at *Stratford*, or at some other convenient Place in the said County of *Essex*, on the *Tuesday* Month after the Day of passing 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 Roads, as the said Trustees shall think proper, and the Trustees shall at all their Meetings defray their own Charges ; and all 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 is herein-after 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), and in all Cases where any Justice or Justices of the Peace are authorized to examine any Person or Persons on Oath, it shall be lawful for such Justices to administer such Oath : Provided always, that no Order made by Three or more Trustees shall be revoked or altered unless Five Trustees shall be present, and the major Part of them concur therein.

XIV. And be it further enacted, That the said Trustees may at their First or any other Meeting continue the present Clerk, Surveyors, and Collectors, or appoint One or more Person or Persons to be Treasurer or Treasurers, Clerk or Clerks, Surveyor or Surveyors, and Collector or Collectors of the Tolls, (and appoint additional Collectors and Surveyors, if necessary), or displace them, any or either of them respectively ; and upon such Removal, and from Time to Time afterwards when they shall think fit to remove any of their Treasurers, Clerks, Surveyors, Collectors, or other Officers, or when any of them shall die or resign their Office, or be incapable of performing the same, they the said Trustees may by Writing under their Hands appoint One or more fit Person or Persons to be

be their Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors of the Tolls, and Surveyor or Surveyors of the Roads, in the Room of such of the said Officers as they shall think proper to remove, or as shall die or resign their Office, or be incapable of performing it, and shall take such Security for the due Execution of their respective Offices as they the said Trustees shall think proper; and may, by and out of the Tolls, allow and pay to such Treasurers, Clerks, Collectors, and Surveyors, and to such other Persons as shall be aiding or assisting them in their respective Offices, or that shall be anyways employed in the Execution of this Act, such Salaries, Rewards, and Allowances for their respective Attendance, Care, and Service, as to the said Trustees shall seem reasonable.

and allow them Salaries.

XV. Provided always, and be it further enacted, That no Orders, Minutes, or Resolutions had, made, ordered, or entered into at any Meeting or Meetings whatsoever of the said Trustees, shall be binding or conclusive until read at, reconsidered, and confirmed at the next General Meeting, or Adjourned Meeting, or other Special Meeting called for that Purpose, any thing in this Act or in any other Act or Acts of Parliament to the contrary thereof in anywise notwithstanding.

No Orders conclusive until confirmed at a subsequent Meeting.

XVI. And whereas in and by the said recited Act, passed in the Third Year of the Reign of His present Majesty, it is enacted, that Trustees and Commissioners shall at their several Meetings pay and defray their own Expences, except any Sum not exceeding Ten Shillings *per Diem*, for the Use of the Room wherein they shall meet: And whereas the Trustees are not enabled to procure a Room sufficiently capacious and eligibly situated for such Remuneration, and they have heretofore paid the Sum of Twenty Shillings for convenient and proper Rooms for such Purposes; be it therefore further enacted, That the Trustees may and they are hereby authorized and empowered to pay any Sum not exceeding the Sum of Forty Shillings for the Use of the Room wherein they shall meet; any thing in the said recited Act passed in the Third Year of the Reign of His said present Majesty to the contrary thereof in anywise notwithstanding.

Remuneration for Room wherein to hold Meetings, not exceeding 40s.

XVII. And be it further enacted, That the said Trustees shall and may, as they shall think most proper, continue or remove the Turnpikes already erected by virtue of the said former Acts, and may cause others to be erected in, upon, or across any Part or Parts of the several and respective Roads by this Act directed to be amended, and upon the Side or Sides thereof, and also across any Lane or Way leading into or from the same respectively, and may also continue, erect, or provide a Toll House with suitable Out-buildings and Conveniences at or near each Turnpike, and may from Time to Time afterwards remove, alter, or discontinue the Turnpikes or Toll Houses, or any of them, as they the said Trustees shall think expedient.

Power to continue or remove the present Turnpikes, &c.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of any Toll House or Toll Houses erected by virtue of the said Acts hereby repealed on the said Road to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances

Power to sell useless Toll Houses, &c.

[Local.]

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thereunto

thereunto belonging, when they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as they the said Trustees can obtain for the same, and in case of Sale to convey the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same, as an Estate or Estates of Inheritance in Fee Simple; and the Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns shall, upon Payment of his, her, or their Purchase Money to the said Trustees, or to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Non-application thereof: Provided always, that the Preference of purchasing shall be given to the Owner or Owners of the adjoining Land, as is by the said last recited Act directed to be given where any Piece or Pieces of Ground or old Road not wanted for the Purposes of any Turnpike Road is authorized to be sold and disposed of.

Land, &c.
sold to be
offered to the
Persons
whose Pre-
mises adjoin.

Power to
take Tolls.

XIX. And be it further enacted, That the respective Tolls following shall be demanded and taken at every such Turnpike of the Person or Persons attending any Cattle or Carriage, by such Person or Persons as the said Trustees shall from Time to Time appoint for that Purpose, before any such Cattle or Carriage shall be permitted to pass through the same; (that is to say),

Tolls.

For every Horse, Mule, Ass, or other Beast laden or unladen, and not drawing, the Sum of Two-pence:

For Five or more Horses or other Beasts of Draught, drawing any Coach, Chariot, Chaise, Berlin, Landau, Calash, Hearse, or Pleasure Carriage, the Sum of One Shilling and Four-pence:

For Three or Four Horses or other Beasts of Draught, drawing any such like Carriage, the Sum of One Shilling:

For Two Horses or other Beasts of Draught, drawing any such like Carriage, the Sum of Eight-pence:

For One Horse or other Beast of Draught, drawing any Coach, Chariot, Chaise, or Calash, the Sum of Sixpence:

For Two Horses or other Beasts of Draught abreast, drawing any Cart or other such like Carriage, with Wheels of the Breadth of Six or less than Nine Inches in the Fellies thereof, the Sum of Eight-pence:

For Two or more Horses or other Beasts of Draught, drawing any Waggon, Wain, or other such like Carriage, with Wheels of less Breadth than Six Inches in the Fellies thereof, the Sum of One Shilling and Sixpence:

For One Horse or other Beast of Draught, drawing any Cart or other such like Carriage, the Sum of Eight-pence:

For One or more Horse or Horses or other Beast or Beasts of Draught, drawing any Dray or other such like Carriage, the Sum of One Shilling:

For One or more Horse or Horses or other Beast or Beasts of Draught, drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches and less than Nine Inches, the Sum of One Shilling:

For Two or more Horses or Beasts of Draught, drawing any Waggon, Wain, Cart, or other such like Carriage, with Wheels of Nine Inches or more, the Sum of One Shilling and Sixpence :

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Tenpence *per* Score, and so in proportion for any greater or less Number ; and,

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Fivepence *per* Score, and so in proportion for any greater or less Number.

Which respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be vested in the said Trustees, and applied as herein-after is directed. Tolls vested in the Trustees.

XX. Provided always, and be it further enacted, That no Person shall be liable to pay Toll more than once in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) for passing or repassing with the same Horses, Cattle, Beasts, or Carriages through all or any of the Turnpikes or Toll Gates maintained and supported by virtue of the said last recited Act and this Act, but that all and every Person and Persons, after having paid Toll once as aforesaid, and producing a Note or Ticket or Notes or Tickets denoting the Payment of such Toll, shall afterwards pass with the same Horses, Cattle, Beasts, and Carriages Toll-free during such Day, to be computed as aforesaid, through all and every the Gate and Gates, Turnpike and Turnpikes erected on the said Roads, or across any Road or Way leading out of the same (except as herein-after mentioned), and all the respective Collectors of the Tolls are hereby required to deliver such Notes or Tickets *gratis*, on Receipt of the Toll in manner aforesaid. Tolls to be paid only once a Day.

XXI. Provided also, and be it further enacted, That for or in respect of all Horses or other Beasts drawing any Stage Coach or other Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such Toll Gate in like Manner as if no Toll had been before paid ; and the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise and other Carriage travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day with a fresh Hiring. Stage Coaches, Caravans, and Post Chaises to pay every Time of passing.

XXII. And be it further enacted, That the said Tolls shall be paid for and in respect of the Horse and Horses drawing any Waggon, Cart, or other Carriages laden with or going empty for any Dung, Soil, Compost, or any other Manure for manuring Land, any thing in the said Act passed in the Third Year of the Reign of His present Majesty, to the contrary thereof in anywise notwithstanding. Manure to pay Toll.

XXIII. Provided always, and be it further enacted, That no Cart, Waggon, Dray, or other Carriage whatsoever, laden with or whereof the greater Part of such Loading shall be Bricks, Clay, Sand, Stones, Brick Earth, Rubbish, Soil, or Ashes, any, either, or all of them, shall be permitted Carts, &c. laden with Bricks, to pay Toll every other

Time of passing through Turnpike Gates.

permitted to pass through any of the said Toll Gates, Bars, or Turnpikes more than Twice in any One Day, without paying again the like Tolls as if the same had not already passed through any of such Toll Gates, Bars, or Turnpikes, (except such Carts or Waggons as shall be employed and used in carrying and conveying Materials for the repairing or amending the said Roads, or any Bridge or Bridges thereon), any thing herein contained to the contrary notwithstanding.

Potatoes, &c. on Waggons, &c. with Six Inch Wheels, not to be weighed, &c.

XXIV. And be it further enacted, That no Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or more, and laden with Potatoes, Cabbages, Turnips, or Grain, shall be liable to be weighed at or upon any of the Weighing Engines now erected, or which shall or may at any Time or Times hereafter be erected, set up, or built upon any of the said Roads, nor shall any Fine or Penalty whatsoever be demanded, payable, or receivable in respect thereof, or of the said Waggon, Wain, Cart, or other such like Carriage, or for or in respect of the Horse or Horses drawing the same.

Application of Tolls and other Monies.

XXV. And be it further enacted, That all the Tolls and other Monies now in the Hands of the said Trustees, and of their Treasurer, Clerks, Surveyors, and other Persons whomsoever, of and belonging to them as such Trustees as aforesaid, or which shall arise by virtue of this Act, shall be applied in the first Place, and in preference to all other Payments whatsoever, in paying and defraying the Charges and Expences incident or in anywise relating to the obtaining and passing of this Act, and then in the Payment of Interest upon the Money to be borrowed for the Purposes thereof, and of the Salaries and Allowances to the Treasurer, Clerks, Collectors, Surveyors, and other Officers and Persons for the Time being employed by the said Trustees, and in paying and defraying all other Charges and Expences to be incurred or occasioned in or relating to the Execution of this Act, and also in repaying the principal Sum and Sums of Money borrowed or to be borrowed upon the Credit of the Tolls by this or the said recited Acts granted, and to and for no other Use or Purpose whatsoever.

Toll Gates, Toll Houses, &c. vested in the Trustees.

XXVI. And be it further enacted, That the Right and Property in all the Turnpikes, Toll Gates, Toll Houses, and Buildings, and the Bars, Chains, Posts, Rails, Fences, and other Conveniences, with the Appurtenances thereunto belonging, already erected or made upon or by the Sides of the said Roads, or which shall be erected or made by virtue of this Act, and to or in all Materials for building and repairing the same, and for repairing or making the said Roads, or any Bridges, Docks, or Drains therein, and Parapets or Walls on the Sides thereof, and all Mile Stones and Direction Posts already or hereafter to be erected or set up on or by the Sides of the said Roads, and also to and in all the Lamps, Lamp Posts, Lamp Irons, Cotton, Oil and Furniture for lighting the said Turnpikes and Roads, or any Part thereof, and of and in all Working Tools, Implements, Utensils, Instruments, Materials, the Scrapings of the said Roads, and other Things whatsoever, which now are or which hereafter shall be got, collected, or provided for any of the Purposes or under the Authority of this Act, shall be and every of them, and every Part and Parcel thereof respectively, is and are hereby vested in the said Trustees,

tees, and they the said Trustees are hereby authorized and empowered to sell and dispose of the same, or any of them, when and as they shall think proper, and to bring or cause to be brought any Action or Actions, or to prefer or cause to be preferred and prosecuted any Bill or Bills of Indictment or other Process against any Person or Persons who shall without Right keep Possession of any such House or its Appurtenances, or shall dig up, break, pull down, damage, steal, take away, spoil, injure, or destroy any of such Turnpikes, Toll Gates, or Toll Houses, Conveniences, Appurtenances, Materials, Scrapings, or other Articles or Things aforesaid, or any of them, or any Part or Parts thereof respectively, or disturb the said Trustees, or any of their Agents or Servants in the Possession thereof, in which Bill or Bills of Indictment it shall be sufficient to state generally such Toll Gates, Toll Houses, Conveniences, Appurtenances, Materials, Scrapings, Articles, or Things, to be the Property of "the Trustees of the *Middlesex* and *Essex* Turnpike Roads," without naming all or any of the said Trustees.

XXVII. And whereas the said Trustees have caused to be paved a certain Cart Tract on each Side of the said Turnpike Road from *Bow* Church as aforesaid to *Whitechapel* Church aforesaid, for the better keeping in repair the said Road, and the more easy travelling of Waggon, Carts, and other Carriages carrying and conveying the greater Weights, and it would be advisable to oblige such Waggon, Carts, Drays, and other such like Carriages without Springs, to pass, repass, travel, and go upon such Parts of the aforesaid Pavements; be it therefore enacted, That all Waggon, Carts, Drays, and other such like Carriages not having Springs, shall and they are hereby required to pass, repass, travel, and go upon, over, and along the Pavement or paved Part and paved Way of the said Turnpike Road, and upon, over, and along such Pavement, paved Part, and paved Way, which shall and may be laid, made, paved, and formed for that Purpose; and if any Driver of any such Waggon, Cart, Dray, and other such like Carriage not having Springs, shall wilfully offend herein, he and they shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Carriages not upon Springs to go upon the paved Part of the Road.

XXVIII. And whereas Persons concerned in building and repairing Houses and other Works, and also other Persons, frequently place, deposit, keep, and leave Bricks, Lime, Timber, Goods, Furniture, Glass, and other Articles, Matters, and Things, and do inclose or otherwise occupy Part of the said Roads for the making Mortar, and the placing, depositing, keeping, exposing for Sale, and leaving such Articles, Matters, and other Things as aforesaid, to the great Annoyance, Obstruction, and Danger of Passengers, Horses, and Carriages passing and repassing on the said Roads, and to the Detriment and Prejudice thereof; be it therefore further enacted, That if any Person or Persons whomsoever shall place, deposit, keep, or leave any Bricks, Stone, Lime, Timber, Goods, Furniture, Glass, Sand, or other Article, Matter, or Thing, or shall erect or build, or cause to be erected, built, or set up any Hoard or other Inclosure, Posts, Bars, Rails, or Boards, for the Purpose of making Mortar, or any Materials for repairing, altering, or building any House, Shop, Warehouse, Coach House, Stable, Shed, Tenement, Wall, Fence, or other Works, or for any other Purpose whatsoever, without the Leave and Licence in Writing of the said Trustees first had

Penalty on Persons leaving Bricks, &c. on the Road.

and obtained, under the Hand of their Clerk, which Licence shall be delivered *gratis* to the Person to whom the same shall be granted; and if any Person or Persons whomsoever shall place, deposit, keep, or leave any of such Articles, Matters, or Things as aforesaid, or erect, build, or set up any such Hoard or other Thing as aforesaid, or in any other Manner, or suffer the same to remain for any longer Time than shall be allowed and expressed in such Licence as aforesaid, it shall and may be lawful for the said Trustees, their Surveyors, Workmen, or other Persons, to cause the same to be pulled down and removed, and all such Articles, Matters, Things, and Materials whatsoever shall be forfeited to the said Trustees, and every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every Twelve Hours that the same or any Part thereof shall be continued; such Penalties and Forfeitures to be sued for, levied, and recovered in like Manner as by this or any other Act or Acts is directed.

Stand Pipes
for supplying
Water in
Time of Frost
to have
Metal Cocks
and Spout.

XXIX. And be it further enacted, That no Water Company, or any Person or Persons whose Mains or Pipes shall be laid beneath the Surface of the said Roads, or any Part thereof, shall place or set up, or cause or suffer to be placed or set up, any Stand Cock or Pump, or other Instrument, Machine, or Thing, for the Supply of Water in Times of Frost or otherwise in the said Roads, or any of them, or any Part thereof, which shall be furnished with any other than a Metal Cock and Spout to the Satisfaction of the said Trustees or their Surveyor; and that any Water Company, or other Person or Persons who shall set up, or cause or suffer to be set up, any Stand Cock, Pump, or other Instrument, Machine, or Thing furnished with any other than a Metal Cock and Spout, and which shall not be to the Satisfaction of the said Trustees or their Surveyor, shall forfeit and pay for every such Offence the Sum of Twenty Shillings.

For regulat-
ing the Man-
ner of laying
Water and
Gas Pipes.

XXX. And be it further enacted, That whenever it shall be found necessary by the Proprietors of any Water or Gas Works, their Agents or Workmen, to lay down any Mains or Service Pipes in, upon, or under any Part of the said Roads, such Pipes shall be laid down in the Foot-paths, or as near thereto as conveniently can be, (except in such Cases and for such Distance only where the Intervention of a Common Sewer, other Main or Service Pipes, or other unavoidable Obstruction, or the necessary crossing of the Road with such Mains and Service Pipes shall make a Deviation necessary); and in case any such Pipes shall be laid down otherwise than as aforesaid, then the Surveyor or Surveyors to the said Trustees shall give Notice thereof to the said Proprietors, or their Agent or Agents, to take up and remove the same; and in case they shall neglect or refuse, for the Space of Forty-eight Hours after such Notice, then it shall be lawful for the Surveyor or Surveyors to the said Trustees, and such other Person and Persons as he or they shall appoint, by Order of any Two or more Justices of the Peace acting in and for the District or Districts where such Pipes shall have been so laid down, to take up and remove all and every such Pipes; and whenever it shall be found necessary by such Proprietors, their Agents or Workmen, to open the Ground in or under any Part of the said Roads, for the Purpose of laying down, altering, or repairing any Mains, Service Pipes, Syphons, Cocks, or Plugs, the same shall be done, and the Ground, Soil, and Materials ex-
cavated

cavated therefrom shall be well and sufficiently sifted and screened, and the whole of the Dirt, Hogging, and smaller Materials detached therefrom, the Gravel and larger Materials only returned into the Space from which the same shall have been taken and dug, and all such Materials and Ground shall be well, sufficiently, and effectually filled and rammed in, and the Road made good with Gravel, well and sufficiently sifted, as expeditiously as the Circumstances will admit; and if any Part of the Places or Spots so opened, disturbed, or taken up, shall have been paved, then and in every such Case the Subsoil shall be made good, filled, and rammed in as aforesaid, and Notice thereof given to the Surveyor or Surveyors to the said Trustees within Twenty-four Hours afterwards; and the said Trustees, or their Surveyor or Surveyors, shall and they are hereby authorized and empowered to cause such Pavement to be effectually and permanently relaid at the Expence of the said Proprietors; and whenever it shall happen that by the bursting, breaking, or running of any such Pipe or Plug, the Water shall overflow any Part of the said Road, so as to occasion any Damage or Inconvenience to Passengers, Cattle, or Carriages, then in case the said Proprietors, their Agent or Agents, shall after Twelve Hours Notice thereof neglect to do what shall be necessary to remedy the Danger and Inconvenience arising therefrom, it shall be lawful for the Surveyor or Surveyors of the said Road to do what he or they shall judge requisite to drain off the Water, to secure all Persons from Accident, and to prevent any Danger or Inconvenience therefrom, the Expence whereof shall be reimbursed to such Surveyor or Surveyors by the said Proprietors; all which respective Sum and Sums shall and may from Time to Time be recovered of and from the Treasurer, Clerk, or Agent to the said Proprietors, in such Manner as other Penalties and Forfeitures are by this Act to be recovered, and when so recovered shall from Time to Time be paid to the said Trustees or their Treasurer or Treasurers, and shall be applied for and towards amending the said Roads respectively.

XXXI. And be it further enacted, That no Company of Proprietors of any Waterworks or any Gas Works, or their Agents or Workmen, or any other Person or Persons whomsoever, shall lay down or renew any Pipe or Pipes whatsoever, (other than Main or Service Pipes across the said Roads) upon any Pretence or for any Purpose whatsoever; and if any such Pipe or Pipes, other than as aforesaid, shall be laid down or renewed by any such Company of Proprietors, or by their Agents or Workmen, or by their Sanction or Authority, or by any other Person or Persons whomsoever, it shall and may be lawful to and for the said Trustees to take up and remove all and every such Pipe and Pipes; any Act or Acts of Parliament to the contrary thereof notwithstanding.

Only Main Pipes to be laid across the Road.

XXXII. And whereas many Bridges on the said Roads, and also certain Parts of the said Roads, are by Prescription or Tenure at present liable to be repaired by certain Bodies Corporate, Land Owners, and other Persons; be it therefore further enacted, That if the said several Bodies Corporate, Land Owners, or other Persons who by Law are bound and ought to repair the several Bridges and Parts of Road, which is and are Part and Parcel of the Road included in this Act, shall neglect or refuse to repair, or to compound with the said Trustees for the Repair of the same, under the Provisions of the said recited Act passed in the Third Year

Power to contract for Repair of Bridges, &c. and in Default Trustees to repair the same, and to be reimbursed.

Year of the Reign of His said present Majesty, that it shall and may be lawful for the Surveyor or Surveyors of the said Roads to give Notice in Writing to such Bodies Corporate, Land Owners, and other Persons respectively, to repair and amend such Bridges and Road within the Space of Three Days then next after such Notice; and if such Bodies Corporate, Land Owners, or other Persons respectively, shall neglect or refuse so to repair the same within the Space of Six Days then next after such Notice (the Day of giving such Notice being deemed inclusive), it shall and may be lawful for such Trustees, their Surveyor or Surveyors, well, sufficiently, and effectually to repair and amend the same from Time to Time, and the Costs, Charges, and Expences of all such Reparations and Amendments shall and may be recovered by Action at Law of and from all such Bodies Corporate, Land Owners, and other Persons bound to pay and defray the Expences thereof, together with all Costs, Charges, and Expences whatsoever attending the same.

Power of the Trustees to provide Lamps, &c. on the Roads.

XXXIII. And be it further enacted, That from and after the passing of this Act the said Trustees shall have full Power and Authority to cause such and so many Lamps to be continued or to be erected upon the said Road, from the Obelisk at *Whitchapel* Church to the Four-mile Stones near *Stratford* aforesaid, and to such further Distances beyond the said Stones, not exceeding Five hundred Yards, as the Trustees shall think fit and expedient, both in the *Romford* and *Woodford* Roads, and to continue and fix so many of such Lamps as they shall think proper to the Freehold of any Person whomsoever, with the Consent of the Owner thereof, making good the Damages which shall be done thereto by the same; and shall also have full Power and Authority from Time to Time to contract with any Person or Persons for providing, lighting, maintaining and repairing the said Lamps; and that the Expences of erecting, lighting, and maintaining such Lamps, and the Allowances to be made to 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, anything herein contained to the contrary notwithstanding: Provided always, that nothing hereinbefore contained shall extend or be construed to extend to authorize the lighting of any House or Houses whatsoever upon the Side or Sides of the said Road.

Power for the Trustees to appoint Watchmen, &c.

XXXIV. And be it further enacted, That the said Trustees shall and they are hereby empowered 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 upon such Part of the said Roads as is herein-before mentioned and intended to be lighted under the Authority of this Act, who shall attend at such Times and Places thereon, 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 Watchboxes, Benches, or other Requisites for such Watchmen, at such Places upon the said Roads 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 and Inspectors, who shall attend and go along the same Roads at such 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, Inspectors and
Watchmen,

Watchmen, 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 the Watchmen, Inspectors, and Night Constables, and for other the Purposes of this Act, with respect to watching the said Roads and keeping the Peace thereon, as they the said Trustees shall think proper, all which Rules, Orders, and Regulations shall be of the same force and effect for the Purposes hereby intended, as if the same were enacted in this Act, provided such Rules, Orders, and Regulations are not repugnant to the Laws of this Realm.

XXXV. And be it further enacted, That all Watchmen, Inspectors, and Serjeants of the Night shall be sworn in as Constables before any Justice of the Peace of the said County of *Middlesex* or *Essex* (as the Case may be) and act as such while in the Execution of the Powers and Authorities of the said last recited Act and of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges, and Immunities as any Constable or Constables is or are invested with or have and enjoy by Law.

Watchmen,
&c. vested
with the
Powers of
Constables.

XXXVI. And be it further enacted, That true Copies or Transcripts of all such Orders, Regulations, Nominations and Appointments as shall be made from Time to Time for the better Direction and Government of the said Night Constables, Inspectors, and Watchmen, shall be fairly written and signed by the said Trustees, and shall be delivered to the Constable of the Night; and the said Watchmen shall, in their several Hours or Courses of watching, use their best Endeavours to prevent Fires, Murders, Burglaries, Robberies, and other Outrages and Disorders, and to that End shall and they are hereby jointly and severally empowered and required to arrest and apprehend all Night-walkers, Malefactors, Rogues, Vagabonds, and all disorderly Persons whom they shall find Disturbers of the public Peace, and to carry them to the Watchhouse or Watchhouses, or some other Place or Places of safe Custody in the respective Parish or Place wherein such Offender or Offenders shall be apprehended, there to be kept till the Night Constable, Inspector, Peace Officer, Watchmen, or some or one of them, can conveniently take such Person or Persons before some Justice of the Peace for the said County of *Middlesex* or *Essex*, as the Case may be, to be examined and dealt with according to Law; and the Night Constables and Inspectors in their respective Turns shall, so often in every Night as shall be ordered by the said Trustees or their Surveyor, go upon the said Roads, and take Notice whether all the Watchmen perform their Duties in their several Stations, according to such Orders and Regulations as shall have been made for that Purpose by the said Trustees as aforesaid; and that such Night Constables and Inspectors, and every such Watchman shall and may and is and are hereby required, during the Times of his or their watching, to assist and defend any Persons who shall be unlawfully assaulted, attacked, or abused upon or near to the said Roads; and in case any such Watchman shall misbehave himself or neglect his Duty, the said Night Constable and Inspector, as soon as conveniently may be, shall give Notice thereof to any One or more of the said Trustees, who is and are hereby authorized to suspend such Watchman from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of

Regulations
of Watch-
men, &c. to
be delivered
to them, &c.

the said Trustees, when the said Trustee or Trustees so suspending such Watchman shall acquaint the Trustees assembled at such Meeting with the Complaint against such Watchman, in order for the said Trustees to proceed to the Examination of the Offence, and such Watchman shall for every Misbehaviour or Neglect forfeit and pay a Sum not exceeding Twenty Shillings, or be discharged from his said Office of Watchman.

Not to exempt Parishes, &c. bound to maintain Lamps, &c. from continuing so.

XXXVII. Provided nevertheless, and be it further enacted, That nothing herein contained shall extend or be construed to extend to excuse any Parish, Town, or Place whatsoever, from erecting and maintaining such and so many Lamps, or from keeping the same Watch and Ward as every or any such Parish, Town, or Place now ought, by any Act or Acts of Parliament, or by any Law, Custom, or Usage whatsoever, to erect and maintain or keep, or to enable the said Trustees to light any such Parish, Town, or Place.

Lamps to be so placed that same may light the Road.

XXXVIII. Provided also, and be it further enacted, That all Lamps which are already erected, or shall hereafter be erected in or by the Inhabitants or Parishioners of any such Parish, Town, or Place pursuant to any Act or Acts of Parliament, or otherwise as aforesaid, on the Sides of any Part of the said Roads so lighted or intended to be lighted, shall be so placed by such Parishioners and Inhabitants respectively, as to give Light to the main Road as well as the Footpath, the said Trustees making a reasonable Satisfaction to such Parish, Town, or Place, in Money or otherwise, in consideration of and in proportion to the Number of Lamps saved to the said Trustees thereby, and all Lamps which are or shall be continued or erected by the said Trustees pursuant to this Act, shall be placed in like manner, the said Trustees giving the Preference to the Horsepath where both the Horse and Footpath cannot be enlightened.

Trustees may agree with Parishes to light Road for a certain Sum.

XXXIX. And be it further enacted, That in case the Parishioners or Inhabitants of any Parish, Hamlet, Town, Ward, or Place, lying or being on the Side of any Part of the said Roads so intended to be lighted, shall be desirous, for the better lighting and watching of such Part of such particular Parish, Town, Hamlet, Ward, or Place as is or lies on the Sides of the said Turnpike Roads, to have a greater Number of Lamps erected, or a greater Number of Watchmen appointed than the said Trustees shall think necessary for the general Purpose of lighting and watching the main Road, it shall be lawful for the said Trustees at the Request of such Parishioners or Inhabitants, from Time to Time to contract and agree with them for the lighting and watching such Part of such Parish, Hamlet, Town, or Place accordingly, for an adequate Consideration or Sum of Money to be paid to the said Trustees for the same; and after such Contract made, to cause such additional or other Number of Lamps to be erected and maintained, and such additional or other Number of Watchmen to be kept there, as shall be contracted and agreed for.

Penalty on Persons damaging Lamps, &c.

XL. 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 Jus-

tice

tice or Justices of the Peace for the said Counties of *Middlesex* or *Essex*, within his or their Jurisdiction, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party or Parties accused, or it shall be lawful for any Person or Persons whomsoever, who shall see such Offence committed, to apprehend, as also for any other Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Authority, 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 Counties of *Middlesex* or *Essex*, as the Case may be, 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 any such Justice, or 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 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 respectively forfeit and pay any Sum not exceeding Five Pounds for each Lamp and Oil so broken, damaged, destroyed, taken away, thrown out, or extinguished as aforesaid; 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 respective County where the Offence shall be committed, there to be kept to hard Labour for any Time not exceeding Three 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 One Moiety of the said respective Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Moiety shall be applied in the repairing of the said Roads; 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 Counties respectively, and he is hereby required, upon Complaint to be made by the said Trustees or by their Surveyors, to summon the Party complained of, and upon his, her, or their Appearance or making Default to appear (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or Place of Abode, if known, or that he or she could not be found), such Justice shall proceed to examine the Matter 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

shall appear just and reasonable, and shall cause the Sum so awarded (in case the same be not paid forthwith upon the making of such Award 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.

If no sufficient Distress can be found, &c. Party may be committed.

XLI. And whereas in and by the said recited Act, made and passed in the Third Year of the Reign of His present Majesty, it is enacted, that a printed Copy of the annual Accounts shall be transmitted to every acting Trustee or Commissioner who shall have duly qualified himself to act as such Trustee or Commissioner: And whereas it will be a very great Expence to the said Trustees if they shall be required to transmit a Copy of the annual Statement and Accounts to every Trustee, many of whom do not require the same to be transmitted to them; be it therefore enacted, That such annual Statement and Accounts shall be transmitted to such Trustees only as shall request and require the same; any thing in the said recited Act to the contrary thereof notwithstanding.

As to transmitting annual Accounts.

XLII. 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 thereunto in like manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Clerks, Surveyor or Surveyors, 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, Townships, or Places liable thereto, or in which the said Roads do lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees or to their Treasurer or Treasurers; and in order thereto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, 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, either personally or by leaving the same at his or their Dwelling House or Dwelling Houses) of the Names of the several Persons who within such Parish, Township, 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 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,

Regulation as to the Performance of Statute Work.

and order such and so many of the Persons who shall appear to be subject and liable to do 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 may also order and direct the Surveyor or Surveyors of such respective Parishes, Townships, or Places to pay over to the said Trustees or their Treasurer or Treasurers such Proportion of the Composition for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them 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 who 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 refused or neglected to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer or Treasurers 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, Townships, or Places, shall refuse or wholly neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace of the County or Place where such Offence shall be committed, on Complaint made to such Justices by the Surveyor to the said Trustees.

XLIII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Act of the Third Year of the Reign of His present Majesty or this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Five Days

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods

[*Local.*]

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after

of such Trustees or their Treasurer.

after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Trustees or their Treasurer; in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals; on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials or Costs, or for any Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees, or to their Treasurer for the Time being, as the Case may be: Provided always, that the said Treasurer shall and may retain, out of any Monies which may come into his Hands in pursuance of this Act, all such Costs, Charges, Damages, and Expences, as he shall be put unto by virtue of such Order or Orders as aforesaid.

Limitation of Actions, &c.

XLIV. 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 Three Calendar Months next after the Act committed; and every Action or Suit shall be laid, brought, and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant and Defendants in every such Action or Suit may, at his, her, 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, 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 Judgment 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.

General Issue.

Treble Costs.

As to Service of Process on Bodies Corporate, &c.

XLV. And be it further enacted, That in all Cases wherein it may be requisite to serve any Notice or Notices upon any Parish or Places, Body or Bodies Corporate, Land Owners, or other Persons, or any Writ or Writs, Summons or Summonses, or other legal Proceedings, the Service of

of a Copy thereof upon any public Officer of any such Parish or Places, or upon any Individual of such Body or Bodies Corporate, Land Owners, or other Persons respectively, or left at the last or usual Place of Abode of any such Persons respectively, shall be deemed good and sufficient Service of the same respectively, on all and any such Parishes, Places, Bodies Corporate, Land Owners, and other Persons respectively.

XLVI. And be it further enacted, That out of the Monies already raised and to be received by virtue of the said former Acts; and out of the first Monies that shall be raised 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 Roads shall thenceforth once a Quarter in every Year discharge the Interest upon all Mortgages and other Securities made by virtue of the said former Acts or this Act, if the same shall be demanded, in preference to all other Payments, and the Remainder of the Money so raised shall from Time to Time be applied in putting this Act in Execution, and in repaying the principal Monies by this Act charged or borrowed.

For paying
Expences of
the Act.

XLVII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Trustees in any Way whatsoever to interfere with or abridge the Rights or Privileges of the Company of Proprietors of the *East London Waterworks* to supply the Inhabitants of the Counties of *Middlesex* and *Essex*, or the Neighbourhood thereof with Water.

Saving of
Rights to the
East London
Waterworks
Company.

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

Public Act.

XLIX. And be it further enacted, That this Act shall commence and be put in Execution from and immediately after the passing hereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commence-
ment and
Continuance
of Act.

