



ANNO SEXTO

GEORGII IV. REGIS.

Cap. clx.

An Act for making and maintaining a Turnpike Road from *Brompton* and *Earles Court* in the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*, to communicate with the Road called *Fulham Fields Road* at *North End* in the same County, and for making another Turnpike Road to communicate therewith from the High Road from *London* to *Fulham* in the said County.

[10th June 1825.]

WHEREAS the making a Turnpike Road from *Earles Court Road* or *Lane* in the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*, to communicate with the *Fulham Fields Road* at *North End*, leading to the Towns of *Hammersmith* and *Fulham* in the Parish of *All Saints Fulham* in the said County, and the making a Turnpike Road from the King's Highway from *London* to *Fulham*, to communicate with that Part of the said new Road which is situate in the Parish of *Saint Mary Abbots Kensington*, will be of great Benefit and Advantage to the Owners and Occupiers of Estates in or near to the said Places, and also of great public Utility; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And

3 G. 4. c. 126.

[Local.]

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whereas

whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes to act as Trustees for repairing and maintaining Turnpike Roads*: 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 all His Majesty's Justices of the Peace for the Time being acting for the County of *Middlesex*, together with the Honourable *Edward Henry Edwards*, the Honourable *George Edwards*, Sir *John Scott Lillie*, *Thomas Hamlet*, Major General Sir *George Madden*, and their Successors, being duly qualified according to the Directions of the said recited Acts, are hereby appointed Trustees for making and maintaining a Turnpike Road from *Earles Court* in the Parish of *Saint Mary Abbots Kensington* in the County of *Middlesex*, to communicate with the Road called *Fulham Fields Road* at *North End* in the Parish of *All Saints Fulham* in the same County, and for making another Turnpike Road to communicate therewith from the High Road from *London* to *Fulham* in the said County.

Trustees.

Powers of recited Acts extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Acts of the Fourth and Fifth Years of the Reign of His present Majesty, or varied, altered, or otherwise provided for by this Act, and also the said recited Acts passed in the Fourth and Fifth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act,) shall respectively be as good, valid, and effectual for carrying this Act into execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

Power to appoint additional Trustees.

III. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, at a Meeting to be holden for that Purpose (of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given as is directed by the said recited Act of the Third Year of the Reign of His present Majesty respecting the Appointment of Trustees on Vacancies), to elect, nominate, and appoint any Number of Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition of the Trustees hereby nominated and appointed; and the Trustees so elected and appointed, and being duly qualified according to the Directions of the said recited Acts, shall be and they are hereby invested with the same Powers and Authorities for executing the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty

Majesty and this Act as if they had been named and appointed in and by this Act.

IV. And be it enacted, That the said Trustees shall meet at some convenient Place on the Second *Monday* after the passing of this Act, and proceed to put the said recited Acts and this Act in execution.

First Meeting of Trustees.

V. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his or their Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or if the said Treasurer shall hold any other Office or Employment in the Execution of this Act, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer and Clerk not to be the same Person.

VI. And be it enacted, That the said Trustees, or such Person or Persons as they shall direct and appoint, shall and may build, erect, and set up such and so many Toll Gates or Toll Bars in, upon, or across such Parts and in such Places of the said Roads as the said Trustees shall think proper, and also such and so many Toll Gates or Toll Bars on the Sides of the said Roads as they the said Trustees shall think proper and expedient, and also shall or may erect or provide a Toll House and Weighing Machine, with suitable Buildings, a Garden, and other Conveniences, not exceeding One Eighth Part of a Statute Acre, at or near to such Toll Gates or Toll Bars.

Power to erect Toll Bars.

VII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to cause any of the Toll Gates or Toll Bars and Weighing Machines which shall be erected in, upon, or across or on the Side or Sides of the said Roads to be removed, and placed upon such other Part or Parts of the said Road, or on the Side or Sides thereof, as the said Trustees shall from Time to Time order and direct; provided that none of the said Toll Gates or Toll Bars or Weighing Machines shall be removed as aforesaid unless Twenty-one Days previous Notice of the Intention to remove the same shall have been affixed in Writing upon all the Toll Gates then standing upon the said Roads.

Power to remove Toll Gates.

VIII. And

Power to
take Tolls.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed by virtue of this Act or the said recited Acts Collector or Collectors, to demand and take, at the Toll Gates or Toll Bars which shall be erected in, upon, across, or on the Side or Sides of the said Roads by this Act directed to be made, or in, upon, or on the Side of any Street, Lane, or Way leading into or out of any Part of the said Roads, the several Tolls and Duties following; that is to say,

For every Horse or Beast of Draught drawing any Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Chair, Caravan, Hearse, or Litter, or other such Carriage, the Sum of Four-pence :

For every Horse or Beast of Draught drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Sixpence :

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

For every Score of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence, and so in proportion for any greater or less Number :

For every Score of Calves, Sheep, Lambs, or Swine, the Sum of Ten-pence, and so in proportion for any greater or less Number :

Tolls vested
in Trustees.

And such Tolls shall and may be demanded and taken before any Horse or Horses, or other Beast or Cattle, be permitted to pass through any such Toll Gate or Toll Bar; and all and every Sum and Sums of Money which shall arise and be produced therefrom, and from the said Weighing Machines respectively, shall be vested in the said Trustees for the Time being, and the same and every Part thereof shall be paid and applied, disposed of, and assigned in such a Manner as is mentioned in the said recited Acts and this Act.

Tolls to be
paid only
Once a Day.

IX. And be it further enacted, That in case the Toll shall have been paid for or in respect of any Horse, Beast, Cattle, or Carriage passing through any of the Turnpikes, Toll Gates, or Side Gates hereafter to be erected upon, across, or on the Sides of the said Roads, no Toll shall be demanded or taken for or in respect of such Horse, Beast, Cattle, or Carriage for returning, passing, or repassing through the same or any other Turnpike, Toll Gate, or Side Gate the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, with the same Horse, Beast, Cattle, or Carriage for which Toll shall have been paid on that Day; but that every Person, on producing a Note or Ticket denoting the Payment of such Toll, shall (except as herein-after mentioned) be permitted to pass through such Turnpike, Toll Gate, or Side Gate, with such Horse, Beast, Cattle, or Carriage, Toll-free.

Number of
Tolls limited.

X. And be it further enacted, That in case the Toll shall have been paid for or in respect of any Horse, Beast, Cattle, or Carriage at any One Gate, whether such Gate shall stand across or on the Side of the said Roads, no Toll shall be demanded or taken for or in respect of such Horse, Beast, Cattle, or Carriage at any other Gate upon the said Roads on the same Day, to be computed as aforesaid, for or in respect of the same Horse, Cattle, or other Beast, drawing or not drawing; and that in no Case shall any of the Tolls hereby granted be paid at more than One Gate on the same Day for the same Cattle, Horse, or Beast, Coach, Waggon,

Waggon, Cart, or other Carriage, for passing and repassing any Number of Times along the said Roads.

XI. Provided always, and be it enacted, That for or in respect of all Horses drawing any Stage Coach or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which the Tolls hereby granted 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 the Second Time of passing and repassing through such Toll Gate, in like Manner as if no Toll had been before paid thereat; and that the said Tolls shall be payable for or in respect of all Horses or other Beasts travelling for Hire, drawing Post Chaises and other Carriages, for every Time of passing and repassing along the said Roads on the same Day as often as a fresh Hiring shall take place.

Stage
Coaches, &c.
to pay every
Time of
passing.

XII. Provided also, and be it enacted, That no Toll shall be demanded or taken by virtue of this Act for any Horse, Beast, or other Cattle or Carriage employed only in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day any Dung, Soil, Compost, or Manure for improving Lands, save and except Lime; and if any Person shall claim or take the Benefit of the said Exemptions, not being legally entitled to the same, every such Person shall forfeit and pay any Sum not exceeding Five Pounds, and the Proof of Exemption shall lie on the Person claiming the same.

Exemption
for Manure.

XIII. And be it further enacted, That all the Monies which shall arise and be produced by and from the Tolls by the said recited Acts and this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be vested in the said Trustees for the Time being, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place in the Payment of the Costs, Charges, and Expences which have been incurred or incidental to or attending the applying for and obtaining and passing this Act; in the second place in defraying the Expences of purchasing Land which may be necessary for widening the said intended Roads, in making the same, and erecting and keeping in repair the necessary Toll Gates and Toll Houses thereon; in the third place in paying the Interest accruing from Time to Time upon the several Principal Sums of Money which shall from Time to Time be borrowed and secured in pursuance of this Act; in the fourth place in keeping the said Roads in repair; and lastly in discharging the several Principal Sums of Money which shall be borrowed in pursuance of the said recited Acts and this Act.

Application
of the Money.

XIV. And whereas a Map or Plan, describing the Line of the Roads intended to be made, and the Lands through which the same are to be carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, hath been deposited with the Clerk of the Peace for the County of *Middlesex*; be it therefore enacted, That the said Map or Plan and Book of Reference

Road to be
made accord-
ing to Plan.

[Local.]

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shall

shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and take Copies and Extracts therefrom, at their Will and Pleasure, paying to such Clerk of the Peace One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts; and that the said Trustees in making such Roads shall not deviate more than One hundred Yards from the Line described in the said Map or Plan without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Lands marked in the Plan may be used, notwithstanding Errors in the Book of Reference.

XV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads into, through, across, or over the several Lands, Tenements, or Hereditaments of any Person or Persons who is or are or may be the Owner or Owners, or Occupier or Occupiers of Lands, Tenements, or Hereditaments over which the same or any Part thereof is or are mentioned and described in this Act, or set forth and described in the said Map or Plan and List as aforesaid, although such Lands, Tenements, or Hereditaments, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mis-stated in this Act, or in the said Map or Plan or List, in case it shall appear to any Two or more Justices of the Peace for the said County of *Middlesex*, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

Penalty against Persons destroying, &c. Stakes.

XVI. And be it further enacted, That if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used in laying out any Part of such Roads, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Trustees restrained from pulling down Dwelling Houses, &c.

XVII. Provided also, and be it enacted, That the Powers and Authorities hereby given shall not in any Case be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Garden, Yard, Park, Paddock, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, other than and except so much and such Part of such Dwelling Houses or other Buildings, Orchards, Gardens, Yards, Parks, Paddocks, planted Walks, Avenues, and Nurseries for Trees as are described in the Schedule hereunto annexed.

Trustees not to purchase Houses after Five Years without Consent.

XVIII. Provided always, and be it enacted, That in case the Trustees for executing the said Acts and this Act shall not purchase such Houses and other Premises within the Space of Five Years from the passing of this Act, then and in such Case it shall not be lawful for the said Trustees to purchase any of the said Houses and other Premises remaining unpurchased, without the Consent in Writing of the Owners thereof first had and obtained.

XIX. And

XIX. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Persons under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall when so paid in there remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Land, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, 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 and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Order can be made the said Money may, by Order of the said Court 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, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, 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 such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Application of Compensation Money, if amounting to 200*l.*

1 G. 4. c. 35.

XX. Pro.

Where less than 20*l.* and amounting to 20*l.*

XX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to 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, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, and the Money so paid to such Trustees, and the Dividends and Interest arising thereon, shall be applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Where under 20*l.*

XXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons, or Corporation, 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 this Act, for his, her, or their own Use and Benefit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out a good Title, &c., the Purchase Money to be paid into the Bank.

XXII. And be it further enacted, That in case the Person or Persons, or Corporation, to whom any Sum or Sums of Money shall be awarded, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded 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 be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant

Accountant General of the said Court of Exchequer, to be placed to his Account there to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Control, and Disposition of the said Court; 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 said 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 shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

XXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities to be purchased with any such Money, or 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 shown to the Satisfaction of the said Court; 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.

In case of
disputed
Titles.

XXIV. 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, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said

Court may
order Ex-
pences to be
paid by
Trustees.

[Local.]

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Trustees

Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Saving Rights of Commissioners of Sewers for Westminster.

XXV. 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, alter, 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*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Saving Rights of Kensington Roads Trustees.

35 G.3. c.142.

XXVI. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed, construed, or taken to extend, to take away, prejudice, diminish, or in any Manner interfere with any Right, Power, Advantage, or Authority whatsoever now vested in the Trustees for putting in execution an Act of the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, 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 also of an Act made and passed in the

51 G.3. c.13.

Fifty-first Year of His said late Majesty's Reign, intituled *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*, but that all and every the Rights, Powers, Interests, Privileges, Advantages, and Authorities so vested in the said Trustees may be exercised and enjoyed in as full and ample a Manner, to all Intents and Purposes whatsoever, as the same were or was exercised and enjoyed by the said Trustees immediately before the passing of this Act.

Public Act.

XXVII. 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.

Commencement and Continuance of this Act.

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

SCHEDULE.

Lands belonging to the Right Honourable William Lord Kensington, in the Occupations of Samuel Hutchins, Esquire, and Henry Huntley.

Stables and Pleasure Grounds belonging to and occupied by Sir John Scott Lillie.

Garden Ground belonging to Roger Pettiward, Esquire, and occupied by Samuel Poupart.

Proposed Kensington Canal, vested in the Kensington Canal Company.

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THE HISTORY

OF

THE

REIGN

OF

CHARLES

THE

SECOND

BY

JOHN

WILSON

OF

NEW

YORK

AND

ALBANY

1850