



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. cxiv.

An Act to improve the Road through the Town of
Bromley in the County of *Kent*.

[29th *May* 1830.]

WHEREAS an Act was passed in the Seventh Year of the
Reign of His present Majesty, intituled *An Act for more* 7G.4.c.125.
effectually repairing and improving certain Roads in the
Counties of Kent and Surrey, commonly called The New Cross Turn-
pike Roads: And whereas the Turnpike Road through the Town of
Bromley in the said County of *Kent*, Part of the *New Cross Turnpike*
Roads, is very crooked, inconvenient, and dangerous, whereby Acci-
dents are frequently occurring to Passengers; and it is necessary for
the Public Safety and Accommodation that the said Road should be
straightened and improved, by taking down several Houses in the
Back Lane which runs nearly parallel with a Part of the said Turn-
pike Road at *Bromley*, and carrying the said Turnpike Road through
the said Back Lane: And whereas the above-mentioned Improve-
ment cannot be completed without the Aid and Assistance of Par-
liament: May it therefore please Your Majesty that it may be
enacted; and be it enacted by the King's most Excellent Majesty,
by and with the Advice and Consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assembled, and
by the Authority of the same, That the said recited Act of the
[*Local.*] 32 X Seventh

Powers of recited Act extended to this Act.

Seventh Year of the Reign of His present Majesty, and all and every the Powers, Provisoos, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such as are altered, varied, or repealed, shall be as good, valid, and effectual for carrying this Act into execution, and shall be extended to this Act, in such and the like Manner, to all Intents and Purposes, as if the same had been respectively repeated and re-enacted in the Body of this Act, and the said recited Act and this Act shall be construed together as One Act.

Map or Plan and Book of Reference to remain in the Custody of the Clerks of the Peace for the Counties of Kent and Surrey.

II. And whereas a Map or Plan, describing the Line of the said Alteration, together with a Book of Reference thereto, containing the Names of the Owners and Occupiers of the Houses and other Premises necessary for such Alteration have been deposited with the Clerks of the Peace for the Counties of *Kent* and *Surrey*; be it enacted, That the Map or Plan and Book of Reference, so deposited with the Clerks of the Peace for the Counties of *Kent* and *Surrey* respectively, shall remain in the Custody of the Clerks of the Peace for the said respective Counties, to the end that all Persons may at all seasonable Times have Liberty to peruse or inspect the same, and to take Copies and Extracts therefrom, at their Will and Pleasure, paying to such Clerks of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and the Trustees for executing the said recited Act, in making the said Alteration and Improvements, shall not deviate more than One hundred Yards from the Line laid down in the said Map or Plan, without the Consent in Writing of the Owners and Proprietors of the Lands or Grounds through which such Deviation shall be made.

Trustees not to pull down Houses, &c. except those mentioned in the Schedule.

III. And be it further enacted, That the Powers and Authorities hereby given to the said Trustees shall not extend to the taking down of any Dwelling House or Building, or taking in the Site of any House or other Building, or to the taking of any Garden, Yard, or Court, without the Consent of the Owners and Proprietors thereof respectively, save and except the several Messuages or Tenements, Yards, Forecourts, Hereditaments, and Premises, mentioned and described in the Schedule to this Act annexed; which said last-mentioned Messuages or Tenements, Yards, Forecourts, Hereditaments, and Premises, the said Trustees may and they are hereby empowered to take down and take Possession of and use for the Purposes of widening and improving the said Road.

Houses marked in the Plan to be taken and used, notwithstanding Errors in the Book of Reference.

IV. And be it further enacted, That it shall be lawful for the said Trustees to make the said widening and Improvement of the said Road through, across, or over the several Messuages, Tenements, Fences, Yards, Hereditaments, and Premises of any Person or Persons who is or are or may be the Owner or Owners or Occupier or Occupiers of the Tenements or Premises over which the said widening or Improvement is meant or intended to be made, as set forth and described in the said Map or Plan or List as aforesaid, although such Messuages or Tenements, Forecourts, Yards, Here-

ditaments, or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or misstated in this Act, or in the said Map or Plan, or List or Schedule, in case it shall appear to any Two or more Justices of the Peace for the said County of *Kent*, 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 County of *Kent*: Provided always, that the Party or Parties whose House or Premises shall have been so omitted, shall, previously to such Omission being certified in Writing as aforesaid, have been summoned by the Justice or Justices making such Certificate to shew Cause why such Certificate should not be made, and shall not, at the Time and Place appointed for that Purpose by the said Justice or Justices, appear, or have shewn sufficient Cause to the said Justice or Justices to induce such Justice or Justices to withhold such Certificate.

V. And be it enacted, That in case the said Trustees shall not make and execute the said Improvements 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 make and execute the same without the Consent in Writing of the Owners and Tenants of the Land or Property over and through which any such Improvements shall thereafter be made first had and obtained.

Improvements to be made in Five Years.

VI. And be it further enacted, That when the said Road at *Bromley* aforesaid shall be altered, widened, enlarged, improved, and finished, the Ground shall be laid into the said Roads, and shall be used by the Public as a Public Road, and repaired as a Common Highway.

The Road to be a Public Road.

VII. And be it further enacted, That every Tenant at Will, or Lessee for a Year or from Year to Year, of any of the Premises which shall or may be taken or purchased by the said Trustees, either under or by virtue of the Powers and Authorities contained in this Act, or of any General Turnpike Act, shall deliver up Possession of such Premises to the said Trustees or any Three or more of them, or to such Person or Persons as they shall appoint to receive Possession of the same, upon Six Calendar Months Notice to quit and deliver up such Possession from the Clerk to the said Trustees, or from the Person or Persons who shall be authorized by them to receive such Possession; and such Person or Persons in Possession shall, at the End of the said Six Calendar Months, whether such Notice shall be given with reference to the Time or Times of such Tenants holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up Possession of the said Premises to the said Trustees or any Three or more of them, or the Person or Persons authorized by them to receive the Possession thereof, such Authority to be signified in Writing under the Hands of the said Trustees or any Three or more of them; and in case any such Tenant or Lessee, or any Person or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid, it shall be lawful for the said Trustees or any Three or more of them

Tenants at Will to deliver Possession on Six Months Notice.

to

to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall lie, to deliver the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons as aforesaid, by Distress and Sale of his, her, or their Goods.

Mortgagee to convey on Tender of Principal and Six Months Interest.

VIII. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on any Tenements, Hereditaments, Sites, or Premises comprised in the said Schedule, or authorized by the said Act to be taken for repairing the said Road at *Bromley*, and required to be purchased by the said Trustees, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on Tender of the Principal Money and Interest by the said Trustees, or by such Person or Persons as they or any Three or more of them shall appoint, together with Six Calendar Months Interest thereon, or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Trustees, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on such Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then and in such Case, at the End of the said Six Calendar Months, upon Payment or Tender of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Trustees, or to such Person or Persons as they or any Three or more of them shall appoint, in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid, on such Payment or Tender, then and in such Case all Interest on every such Mortgage or Mortgages shall from thenceforth cease and determine: Provided always, that in case the Sum due on such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained by a Jury in the Manner directed by the several Acts in force for regulating Turnpike Roads in *England*, then and in such Cases the said Trustees shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of the said Premises, to be ascertained as aforesaid: Provided also, that in case any such Mortgagee or Mortgagees shall neglect or refuse to convey and assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any such Mortgage or Mortgages, or the real Value of such Premises, to be ascertained as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the said Bank of *England* shall give a Receipt or Receipts for the said Money in like Manner as is directed in and by the said Acts for regulating Turnpike Roads in *England*, or any of them, in case of other Payments into the Bank; and thereupon all the Estate, Right, Title, and Interest, Use, Trust, Property, Claim, and Demand, of the said Mortgagee or Mortgagees, and of all and every

The real Value only of Premises to be paid.

In case Mortgagee refuses to convey.

every Person or Persons in Trust for him, her, or them, shall vest in the said Trustees, and they shall be deemed to be in actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents, Constructions, and Purposes whatsoever.

IX. And be it further enacted, That it shall not be lawful for the said Trustees to collect any Tolls, or to lay out any Money arising by virtue of the said recited Act, in lighting, repairing, or maintaining any of the Streets or Public Places within the said Town of *Bromley*, other than so far as may be necessary for making and completing the Alteration hereinbefore authorized to be made. Trustees not to lay out Monies in Repair of Streets, &c.

X. And be it further enacted, That the Costs and Expences incident to and attending the obtaining and passing of this Act shall be paid out of the first Monies which have arisen or shall arise by virtue of the said recited Act. Expences of Act.

XI. 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.

SCHEDULE to which this Act refers.

Freeholder.	Leaseholder.	Term.	Occupiers.	Remarks.
1. James and William Alexander	-	-	James and William Alexander	House and Butcher's Shop.
2. Ditto	-	-	Mr. John Emery	Private House.
3. Mrs. Alexander	Mr. Allen Lambert	Fourteen Years	Mr. Allen Lambert	House and Tallow Chandler's Shop.
4. Mr. Matthias Cordery	-	-	Mr. Matthias Codery	Outbuildings and Skittle Ground.
5. Ditto	-	-	Mr. Richard Gabbitas	Shed and Yard.
6. Mrs. Alexander	-	-	Empty	Dwelling House.
7. Ditto	-	-	Mr. Rumbold	Ditto.
8. Mrs. Fuzzy	-	-	Mr. Richard Green	Dwelling House and Garden.
9. Ditto	-	-	Mrs. Elizabeth Day	Ditto.
10. Messrs. Thomas, William, and Henry Bath, and Miss Mary Bath	-	-	Mr. William Storer	Stable, &c.
11. Ditto	-	-	Mr. Henry Bath	Dwelling House & Garden.
12. Mr. James Tape	Mr. George Cocks	Eight Years	Mr. Alexander Crowhurst	Ditto and Shop.
13. Mrs. Ritson	-	-	Mr. William Woodhums	Ditto and Shop.
14. John and Thomas Lascoe	Messrs. Marsden and Steward	Eight or Nine Years	Mr. John Durling	Rose & Crown Public House.
15. and 16. Mrs. Sarah Walter	Mr. Richard Gabbitas	Three Years	Mr. Richard Gabbitas	House and Shop.