



ANNO QUADRAGESIMO QUINTO

GEORGI III. REGIS.

Cap. 6.

An Act to enlarge the Term and Powers of Two Acts, passed in the Twenty-ninth Year of His late Majesty, and the Seventh Year of His present Majesty, for making a Road from the East Side of the Parish of *Saint Matthew, Bethnal Green*, in the County of *Middlesex*, to the East End of *Church Street*, in the said Parish, and to open a Way into *Shoreditch*, and for keeping the same in Repair. [12th March 1805.]

WHEREAS an Act was passed in the Twenty-ninth Year of the Reign of His late Majesty King George the Second, intuled, *An Act for making and widening a Road from the East Side of the Parish of Saint Matthew Bethnal Green, in the County of Middlesex, to the East End of Church Street, in the said Parish, and to open a Way or Road into Shoreditch, and keeping the same in Repair*: And whereas an Act was passed in the Seventh Year of the Reign of His present Majesty, to enlarge the Term and Powers of the said Act, and for repairing, paving, and regulating *Old Cock Lane, New Cock Lane, Church Street,* and the Road on the West Side of the Opening into *Shoreditch*, and for removing Nuisances and Obstructions thereon, and preventing the same
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for the future: And whereas an Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act for paving and repairing certain Streets, Lanes, and other publick Passages and Places, in the Parish of Saint Matthew Bethnal Green, in the County of Middlesex, and for paving and regulating such Parts of Old Cock Lane and York Street, as are in the Parish of Saint Leonard Shoreditch, and for removing Obstructions and Annoyances therein*; whereby so much of the said Acts, passed in the Twenty-ninth Year of the Reign of His said late Majesty, and in the Seventh Year of the Reign of His present Majesty, as relates to or concerns the paving and keeping in Repair the Pavements in *Old Cock Lane, New Cock Lane, and Church Street*, and all Contracts made and then subsisting for paving and keeping in Repair the said Pavements, were repealed, and declared null and void: And whereas the Trustees appointed in or by virtue of the said Acts of the Twenty-ninth Year of the Reign of His said late Majesty, and the Seventh Year of the Reign of His present Majesty, have proceeded to put the same in Execution, and have for that Purpose borrowed several considerable Sums of Money on the Credit thereof, which are still due and owing, and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in Repair, unless the Term thereby granted be further continued, and the Powers and Provisions thereof altered and enlarged, and the Tolls increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal; and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, passed in the Twenty-ninth Year of the Reign of His said late Majesty, and in the Seventh Year of the Reign of His present Majesty, and all and every the Clauses, Powers, Penalties, Forfeitures, Rules, Remedies, Payments, Provisions, Articles, Matters, and Things whatsoever therein contained, (except such Parts of the same as relate to Exemptions from Stamp Duties, and such as are by this or the said Act of the Thirty-third Year of His present Majesty's Reign varied, altered, or repealed and made void), shall be and continue in full Force and Effect, and shall be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act; but subject nevertheless to the Amendments, Alterations, and Additions herein contained, and which shall commence and take Effect upon the passing of this Act; and this Act, and the Term and Powers hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing upon the Credit or on Account of the said Acts of the Twenty-ninth Year of His said late Majesty, and the Seventh Year of His present Majesty, or which may become due or be borrowed on the Credit thereof, and of this Act, and all Interest now due or to grow due for the same respectively.

The recited
Acts further
continued.

Trustees may
continue or
remove
Turnpikes.

II. And be it further enacted, That the Trustees appointed by virtue or in pursuance of the said Acts of the Twenty-ninth Year of the Reign of His said late Majesty, and the Seventh Year of the Reign of His present Majesty, or any Seven or more of them, shall and may, and they are hereby authorized and empowered, as they shall think proper, to continue or remove the Turnpikes already erected by virtue of the said Acts, and may also erect or cause to be erected One or more Gate or Gates, Turnpike or Turnpikes, on or across or on the Side of any Part or Parts

of the said Road, by the said Acts, or any of them, directed to be made, amended, widened, or kept in Repair; any Thing in the said Acts, or any or either of them, to the contrary notwithstanding.

III. And whereas the Tolls granted by the said last-mentioned Acts, or either of them, have been found insufficient for the Purposes thereof, be it therefore further enacted, That, from and after the Twenty-fourth Day of *June* next, the said Tolls shall be and the same are hereby declared to be then repealed; and that instead thereof the Tolls following shall, from and after the said Twenty-fourth Day of *June*, be demanded and taken; (that is to say),

For every Coach, Chariot, Landau, Berlin, Hearse, Phaeton, Chaise, Calash, Curricule, Chair, or Pleasure Cart, drawn by Six or more Horses or other Cattle, One Shilling; by Three, Four, or Five Horses or other Cattle, Nine pence; and by Two Horses or other Cattle, Four-pence:

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

For every Chaise, Chair, or Pleasure Cart, drawn by One Horse or other Cattle, and with Two Wheels, Three-pence:

For every Waggon, Wain, Cart, or other Carriage, drawn by Six or more Horses or other Cattle, Nine-pence; by Four or Five Horses or other Cattle, Sixpence; and by Three or fewer Horses, Horse, or other Cattle, Four-pence:

For every Dray drawn by Two or more Horses or other Cattle, Four-pence Halfpenny; and by One Horse or other Cattle, Three-pence:

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

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

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

Which said respective Tolls shall be and are hereby vested in the said Trustees; and the said Tolls and Duties, and every Part thereof, shall be paid, recovered, levied, assigned, applied, lessened, varied, and disposed of, in such and the same Manner, and with such Remedies on Nonpayment or Evasion of the same, and with the same Powers, Regulations, Restrictions, Exemptions, and Provisions, (except as is otherwise provided by this Act), as in and by the said last-mentioned Acts are included, mentioned, provided, and granted.

IV. And be it further enacted, That no Toll shall be demanded or taken for or in respect of any Horses, Cattle, or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same.

V. And whereas great Damage is done to the said Road by Waggon, Carts, and other Carriages laden with Bricks, Tiles, Stone, Malt, Flour, Timber, Breeze, Soil and Ashes for making or burning of Bricks or Tiles, which frequently pass and repass through the Turnpike Gates or Bars erected by virtue of the said Acts of the Twenty-ninth Year of the

For repealing former Tolls and granting new ones.

Tolls.

Tolls vested in Trustees.

Allowing a certain Exemption from Toll.

How Bricks, Malt, Flour, &c. are to pay Toll.

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Reign of His said late Majesty, and the Seventh Year of the Reign of His present Majesty, several Times in the same Day, which, under and by virtue of the said Acts, are not compellable to pay Toll for such their passing and repassing more than once in the same Day; be it therefore further enacted, That all and every such Waggon, Cart, and other Carriages, laden with Bricks, Tiles, Stone, Malt, Flour, Timber, Beeze, Soil and Ashes for making and burning of Bricks or Tiles, shall be charged with, and are hereby made liable to the Payment of the said Tolls, for every Time such Waggon, Cart, or other Carriage, so laden, shall pass in the same Day through any Turnpike Gate or Bar where Tolls are by virtue of the said Acts or this Act to be collected or received; any Thing in the said last-mentioned Acts or this Act contained to the contrary thereof notwithstanding.

Penalty on Person making Drains to run into the Road, driving Carriages upon the Footways, or throwing Ashes, Dung, &c. thereon.

VI. And be it further enacted, That if any Person or Persons shall make, sink, or dig, or cause to be made, sunk, or dug, any new Sinks or Drains, and shall suffer or permit such Sinks or Drains to run into the said Road; or if any Person or Persons shall drive or place, or cause to be driven or placed, any Coach, Cart, Waggon, Dray, Wheel-barrow, or Truck, or other Carriage, upon any Part of the Footway or Causeway of the said Road, or shall throw, cast, or lay, or cause to be thrown, cast, or laid, any Soil, Rubbish, Dirt, Timber, Dust, Ashes, Dung, Suds, Slush, Filth, or any other Annoyance in or upon the said Road, or the Footways or Causeways belonging thereto; or any Part thereof, or into the Drains or Watercourses belonging thereunto; every Person so offending and being lawfully convicted thereof, either on his own Confession, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the said County of *Middlesex*, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Twenty Shillings; which said Penalty shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of such Justice; and for want of sufficient Distress within the said County, such Justice is hereby empowered to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to be kept to hard Labour for any Time not exceeding One Calendar Month, unless such Penalty shall be sooner paid and satisfied.

Directing the Application of the Money paid for Compensation for Land, &c. when amounting to or exceeding 200*l*.

VII. And be it further enacted, That if any Money shall be agreed or awarded to be paid, for any Lands or Hereditaments purchased, taken, or used, by virtue of the Powers of the said Acts of the Twenty-ninth Year of the Reign of His said late Majesty, and the Seventh Year of the Reign of His present Majesty, and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said first-recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said last-mentioned Acts and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents

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and Profits of the said Lands or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, and Hereditaments, which shall be so purchased, taken, or used, as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced, Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purpose aforesaid, the Dividends or Annual Produce of the said Consolidated or Reduced Bank Annuities shall, from Time to Time, be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

VIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees, for executing the said last-mentioned Acts and this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than 200 £. and exceeding 20 £.

IX. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as next before mentioned, shall be less

When less than 20 £.

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than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken, or used, for the Purposes of the said last-mentioned Acts and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into the Bank,

subject to the Order of the Court of Chancery on Motion or Petition.

X. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said last-mentioned Acts and 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 such 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 and may be lawful to and for the said Trustees, or any Five or more of them, 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 General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the publick 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 for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Upon any Question of Title to the Money so to be paid, Persons then in Possession of the Lands to be deemed the Party entitled to the Money.

XI. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of the said last-mentioned Acts or this Act, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with such Monies, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of the Messuages, Buildings, 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,

sons, shall be deemed and taken to have been lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn, to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of such 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 Messuages, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XII. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased by the said Trustees, under the Authority of the said last-mentioned Acts or this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Houses, Buildings, 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 or the said last-mentioned Acts, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XIII. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid and discharged by the said Trustees, or any five or more of them, out of any Money which hath arisen by virtue of the said Acts of the Twenty-ninth Year of the Reign of His said late Majesty, and the Seventh Year of the Reign of His present Majesty, or out of the first Money which shall arise by virtue thereof and of this Act, in preference to all other Payments whatsoever.

Expences of this Act how to be paid.

XIV. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Publick Act.

XV. And be it further enacted, That the Term granted and continued by the said Acts of the Twenty-ninth Year of the Reign of His said late Majesty, and the Seventh Year of the Reign of His present Majesty, shall, on the passing of this Act, cease and determine; and that the same Acts and this Act (subject to the Alterations, Variations, and Additions hereinbefore contained) shall from thenceforth commence, 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.

Commencement and Continuance of this Act.