



ANNO QUADRAGESIMO OCTAVO

# GEORGII III. REGIS.

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## Cap. 100.

An Act for enlarging the Terms and Powers of several Acts for repairing the Road from *St. Giles's Pound* to *Kilbourne Bridge*, and for making a new Road from the Great Northern Road at *Islington*, to the *Edgeware Road* near *Paddington*, in the County of *Middlesex*.  
[3d June 1808.]

**W**HEREAS by an Act made in the Seventh Year of the Reign of King George the First, intituled "An Act for repairing 7 G. 1. c. 26.  
the Road from *Saint Giles's Pound* to *Kilbourne Bridge*, in  
"the County of *Middlesex*," several Tolls, Duties, and Powers were  
thereby given and granted for repairing the said Road; which said Act  
was to have Continuance for and during the Term of Twenty-one Years:  
And whereas the said Act was, by one other Act made in the Eighth  
Year of the Reign of His late Majesty King George the Second, intituled  
"An Act for enlarging the Term and Powers granted by an Act passed in 8 G. 2. c. 8.  
"the Seventh Year of the Reign of His late Majesty King George the First,  
"for repairing the Road from *Saint Giles's Pound* to *Kilbourne Bridge*, in  
"the County of *Middlesex*, and for paving that Part of the Road called  
"Oxford Street," continued from the Expiration of the said Term for  
and during the further Term of Twenty-one Years; and divers other  
Provisions and Powers were by the said last-mentioned Act made and  
given for the better Repair and Improvement of the said Road, and for  
paving that Part of the Road called *Oxford-Street*, and for other Pur-  
poses in the said Act expressed: And whereas by another Act  
made in the Twenty-ninth Year of the Reign of His said Majesty  
King George the Second, intituled "An Act to enable the 29 G. 2. c. 88.  
"respective Trustees of the Turnpike Roads leading to High-  
"gate Gate-House, and *Hampstead*, and from *Saint Giles's Pound* to Kil-  
[Loc. & Per.] 21 P "bourne



23 G. 3.

That the Trustees have acted and borrowed Money, and that the Monies so borrowed cannot be repaid, unless Term renewed, and further Powers.

Continuation of the Term for 21 Years from the Expiration thereof, and the Benefit of the 5th Year under 26 G. 3. given to this Act.

“ *bourne Bridge*, in the County of *Middlesex*, to make a new Road from the  
 “ great Northern Road at *Islington*, to the *Edgeware Road* near *Paddington*;  
 “ and also from the North End of *Portland-Street*, cross the  
 “ *Farthing Pye-House Fields*, into the said new Road; and for enlarging  
 “ the Terms and Powers granted by Two several Acts, for repairing the  
 “ said Road from *Saint Giles's Pound* to *Kilbourne Bridge*,” several Tolls or  
 Duties and Powers were given to the respective Trustees of the Turnpike  
 Roads leading to *Highgate Gate-House*, and *Hampstead*, and from *Saint*  
*Giles's Pound* to *Kilbourne Bridge*, in the County of *Middlesex*, to make  
 a new Road from the Great Northern Road at *Islington*, to the *Edgeware*  
 Road near *Paddington*; and also from the North End of *Portland Street*,  
 cross the *Farthing Pye House Fields*, into the said new Road; and the  
 Powers granted by the said first recited Acts enlarged, and the Terms  
 thereof continued for and during the further Term of Twenty-one Years:  
 And whereas by another Act made in the Twenty-third Year of His  
 present Majesty King *George the Third*, intituled “ An Act for en-  
 “ larging the Terms and Powers of Two Acts made in the Seventh Year  
 “ of the Reign of King *George the First*, and the Eighth Year of the  
 “ Reign of King *George the Second*, for repairing the Road from *Saint*  
 “ *Giles's Pound* to *Kilbourne Bridge*, and for paving *Oxford Road*; and  
 “ also of an Act made in the Twenty-ninth Year of King *George the*  
 “ *Second*, to enable the respective Trustees of the Turnpike Roads  
 “ leading to *Highgate Gate-House*, and *Hampstead*, and from *Saint*  
 “ *Giles's Pound* to *Kilbourne*, to make a new Road from the great Northern  
 “ Road at *Islington*, to the *Edgeware Road* near *Paddington*, so far as the  
 “ same is by the said Act directed to be under the Management of the  
 “ Trustees of the said Two first mentioned Acts;” the Powers granted by the  
 said first recited Acts were enlarged and continued from the Expiration of  
 the said recited Acts, for and during the further Term of Five Years, and  
 from and after the Expiration of the said additional Term of Five Years,  
 then for and during the further Term of Twenty-one Years, and from  
 thence to the End of the then next Session of Parliament: And  
 whereas the Trustees appointed in and by virtue of the said first  
 Two recited Acts, and of the said last recited Act, have, from Time to  
 Time, proceeded in the Execution thereof, and also in the Execution of the  
 said recited Act of the Twenty-ninth Year of *George the Second*, so far as the  
 same is by the said Act directed to be under their Care and Management,  
 and have borrowed a considerable Sum of Money upon the Credit of the  
 Tolls and Duties thereby granted, which Money cannot be repaid, nor  
 the said Roads kept in repair, unless the Terms and Powers granted by  
 the said Acts be further continued and enlarged: May it please Your Ma-  
 jesty that it may be enacted, and be it enacted by the King's most Ex-  
 cellent Majesty, by and with the Advice and Consent of the Lords Spirit-  
 ual and Temporal, and Commons, in this present Parliament assem-  
 bled, and by the Authority of the same, That the said recited Acts, and  
 all and every the Clauses, Powers, Authorities, Provisions, Exemptions,  
 Penalties, Forfeitures, Matters, and Things therein contained respec-  
 tively, (save and except such Parts thereof as relate to any Exemptions  
 from Stamp Duties, and save and except such as are hereby varied, altered,  
 or repealed,) shall be, and the same are hereby declared to be in full Force  
 and Effect, and shall have Continuance for and during the Term herein-  
 after mentioned, and shall be as good, valid, and effectual for carrying  
 this Act into Execution, to all Intents and Purposes whatsoever, as if



the same were repeated and re-enacted in the Body of this present Act; this Act, and the additional Term hereby granted, shall be subject and liable, as well to the Payment of all Monies now due and owing on the Credit of the said recited Acts, or any of them, or on the Tolls thereby respectively granted, as also to the Payment of all Sums which may be hereafter borrowed for the Purposes of the said recited Acts and this Act, and of the Interest due and to grow due for the same respectively.

II. And be it further enacted, That so much of the said recited Act made in the Twenty-third Year of the Reign of His present Majesty, as directs that as often as any of the Trustees should die, or remove out of the County of *Middlesex*, or City of *London*, or should not attend and act in the Execution of this Act for the Space of Two Years, or shall refuse to act, such Refusal being signified in Writing to a Board of Trustees, at their public Meeting, by the Trustees so refusing to act, it shall be lawful for the surviving or remaining Trustees, or any Seven or more of them, by any Writing or Writings under their Hands and Seals, to appoint any Person living in the said County of *Middlesex*, or City of *London*, a Trustee, in the Room of such Trustee so dying, removing, not attending, or refusing to act; and every Person so appointed shall and may act in the Execution of this Act, as fully as any Trustee hereby appointed is empowered to act; shall be and the same is hereby repealed and declared to be null and void to all Intents and Purposes whatsoever.

So much of 23 G. 3. respecting Appointment of Trustees, repealed.

III. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at their Third Meeting, to be holden after the passing of this Act, to direct and appoint such a Number of Persons qualified in Manner directed by the said recited Act made in the Twenty-third Year of the Reign of His present Majesty, as they the said Trustees shall think right and proper, as Trustees for carrying the said recited Acts and this Act into Execution, so as the whole Number of Trustees for carrying the said recited Acts and this Act into Execution, shall not exceed One hundred; and such Persons so elected and appointed, shall be added to and joined with the present Trustees, and shall have such and the like Powers and Authorities, for carrying the said recited Acts and this Act into Execution, and shall enjoy such and the like Privileges and Exemptions, and shall be subject and liable to the like Rules, Regulations and Restrictions, as if they respectively had been elected or appointed by virtue of the said recited Acts, or any of them.

Trustees at their First Meeting to proceed to elect new Trustees, to make up their full Number, which Number shall not at any Time hereafter be exceeded.

IV. And be it further enacted, That upon the Death or Refusal or Disability of any of the said Trustees, elected or appointed by virtue of the said recited Acts and this Act, or any of them or of their Successors, to be elected in Manner herein mentioned; or in case he or they shall not be resident in the County of *Middlesex*, or City of *London*, or shall not attend and act in the Execution of the said recited Acts and this Act for the Space of Two Years, then and in every such Case, it shall and may be lawful to and for the surviving or remaining Trustees, from Time to Time, to elect and appoint One other Person to be a Trustee in the Room of each Trustee, so dying, refusing or being incapable of acting, or not being resident in the County of *Middlesex*, or City of *London*, or not attending and acting in the Execution of the said recited Acts and this Act for the Space of Two Years; and Notice of the Time and Place of the Meeting for every such Election shall be signed by the Clerk to the said Trustees

Vacancies by Death of Trustees, or neglecting to attend for Two Years, to be filled up by the remaining Trustees.



Trustees for the Time being, and shall be affixed on all and every the Turnpikes that shall be standing on the said Roads, Fourteen Days at least before such Meeting; and every Person so elected a new Trustee as aforesaid, shall be, and he is hereby empowered to act in the Execution of the said recited Acts and this Act, to all Intents and Purposes, in as full and ample a Manner as the Trustee in whose Room or Stead he shall have been so elected.

No Act (except in Cases specially provided for) to be valid, unless done at a Meeting.

V. And be it further enacted, That no Act of the said Trustees shall be or be deemed to be good, valid, or effectual, except the same be done at some Meeting to be holden in pursuance of the said recited Acts and this Act, or any of them, (except as may be therein or herein excepted); and all the Powers and Authorities by the said recited Acts and this Act granted to the said Trustees, shall and may be exercised from Time to Time by the major Part of them, who shall be present at such Meetings respectively, the Number of Trustees present at every such Meeting not being less than Five; and all the Orders and Proceedings of the major Part of the Trustees present at such their several Meetings, shall have the same Force and Effect as if the same were made or done by all such Trustees for the Time being, (save and except as may be therein and herein excepted); and at every Meeting of the said Trustees a Chairman shall and may be appointed; and when and as often as it shall so happen that there shall be an Equality of Votes at any such Meeting, upon any Question (including the Vote of the Chairman), then and in every such Case, it shall and may be lawful to and for such Chairman to give the decisive or casting Vote; any thing in the said recited Acts, or any of them, to the contrary thereof in anywise notwithstanding.

Chairman to have the casting Vote.

VI. And whereas it would be beneficial if the Tolls authorized to be demanded and taken on the said Road, from *Saint Giles's Pound* to *Kilbourne*, (which now, in some Instances, differ from those authorized to be demanded and taken on the Road made and formed under and by virtue of the said recited Act of the Twenty-ninth Year of His late Majesty King George the Second, from the great Northern Road at *Islington*, to the *Edgeware Road* near *Paddington*; and also from the North End of *Portland Street*, cross the *Farthing Pye House Fields*, into the said New Road), were the same as those so authorized to be taken by virtue of the said last mentioned Act, so far as the same are by the said last mentioned Act directed to be under the Care and Management of the Trustees of the said first recited Acts.

The old Tolls on the Road from St. Giles's Pound to Kilbourne repealed, and new Tolls substituted.

VII. Be it therefore enacted, That from and after the Twenty-fifth Day of *March* in the Year One thousand eight hundred and nine, all and every the Tolls or Duties which now are payable at any Gate or Gates erected, or to be erected by virtue of the said recited Act, or of this Act, upon any Part of the said Road from *Saint Giles's Pound* to *Kilbourne*, by the said first recited Acts of the Seventh Year of the Reign of His late Majesty King George the First, and of the Eighth Year of the Reign of His late Majesty King George the Second, or by virtue of the said recited Act of the Twenty-ninth Year of His late Majesty King George the Second, or either of them, directed to be repaired, and kept in repair, shall cease and be no longer payable, and that in lieu and instead thereof the Tolls or Duties following shall and may thenceforth be demanded and taken before any Cattle or Carriage shall be permitted to pass through any such Toll Gate,



Gate, (that is to say,) for every Horse, Mare, Gelding, Mule, or Ass drawing, or nor drawing, the Sum of One Penny; for every Drove of Oxen, or Neat Cattle, the Sum of Two-pence *per* Score, and so in proportion for any greater or lesser Number; for every Drove of Hogs, Sheep, or Lambs, the Sum of One Penny *per* Score, and so in proportion for any greater or lesser Number; which said Tolls or Duties shall be respectively paid before any such Carriage or Cattle as aforesaid hereby made subject or liable thereto, shall be permitted to pass such Turnpike Gate or Gates as aforesaid; and the said Trustees, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, or in case of letting the said Tolls their Lessee or Lessees shall authorize or appoint, shall have the same Powers, Authorities, and Remedies for demanding, collecting, recovering, and levying the said respective Tolls and Duties hereby made payable; and the said Tolls shall be subject to the same Restrictions, in respect of the same Tolls and Duties not being payable more than once in a Day, or within the Hours mentioned for the Payment thereof, as are mentioned and contained in the said recited Acts or any of them, save and except as may be herein excepted, altered, or varied.

VIII. And be it further enacted, That from and after the passing of this Act no Toll shall be demanded or received for any Carriage, Horse, Mare, Gelding, Mule, or other Cattle, drawing any Carriage going for or returning laden or unladen, having been laden only with Stones, Gravel, or other Materials for repairing the said Roads, or any of the Roads in the Parishes or Places in which the Roads hereby intended to be repaired, or any Part thereof, do lie, or any Dung, Mould, Soil, or Compost of any kind, (Chalk and Lime excepted) for the manuring of any Lands or Grounds in the several Parishes wherein the several Roads lie, upon which the said Trustees are empowered to erect any Gate or Gates for receiving and taking Tolls by the said recited Acts, and this Act, or any of them granted; or any Hay, Straw, Corn in the Straw, not sold or disposed of, coming from the said Lands and Grounds, but to be laid up in the Houses, Out-houses, Yards, or on the Premises of the Owner or Owners thereof; or for any Plough, Harrow, or other Implement of Husbandry used in cultivating such Lands and Grounds; or for any Horse, or other Beast or Cattle going to or returning from Water or Pasture in the said Parishes, or any of them; or for 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 the same, or in returning back from conveying the same; or for the Horses of Soldiers on their March or on Duty, or Carriages or Horses, or other Beasts employed in carrying the Arms or Baggage of such Soldiers; or for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise, provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively at the Time of claiming such Exemptions; or for any Carriage, Horse, or other Beast employed in the Conveyance of Vagrants travelling with legal Passes; nor shall any Toll be demanded or taken for or in respect

[*Loc. & Per.*]

21 Q.

of



of any Horse, Cattle, or Beast carrying any Passenger, or drawing any Coach, Landau, Berlin, Chariot, Calash, or Chair, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Middlesex*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, or shall make use of any Fraud whatsoever, whereby the Payment of the Tolls granted and continued by the said recited Acts, and this Act, or any Part thereof, shall be evaded, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, which shall be paid to the said Trustees, and shall be applied to the Purposes of the said Acts, and of this Act.

Recital, that Persons make a Practice of passing and repassing

often in one Day with the same Cart, laden, to the Detriment of the Road; that they are not now

liable to pay more than once in a Day;

that it is reasonable they should be made liable to pay twice.

Enactment, that they shall pay for the first and second Time they so pass loaded.

Not to pay at more than one Gate, nor on passing or returning empty.

IX. And whereas, through the great Increase of Inhabitants on the said Road, and in the Parishes and Places adjoining thereto, and of the Trade and Traffic carried on by Cartage, upon and over the said Roads, it hath become a Practice for Persons concerned in such Trade or Traffic, to pass and repass in, over, and through the said Roads, and the Toll Gates and Bars erected thereon, several Times within one Day, with Carts and other Carriages, heavily laden, whereby the said Road is greatly worn and used, and such Persons are not, by the said recited Acts, or any of them, liable to pay any further or other Toll than once in the Course of each Day.

X. Be it therefore enacted, That it shall and may be lawful for the Trustees of the said Highways or Roads, for the Time being, from and after the said Twenty-fifth Day of *March* One thousand eight hundred and nine, to demand and take, or cause to be demanded and taken, such Tolls or Duties as are, by the said recited Acts and this Act, or any of them, payable, in respect of the same, passing a first Time through any of the said Toll Gates, for any Horse or Horses, Cattle, or other Beast or Beasts, drawing any loaded Waggon, Cart, Wain, or Dray, for the first, second, and third Time, that such Waggon, Cart, Wain, or Dray, shall pass loaded through any such Turnpike, Toll Gate or Toll Gates: Provided nevertheless, that no Person who shall have paid Toll at any one Toll Gate, on any Part of the said Roads, shall be liable to pay any Toll for passing with the same Waggon, Cart, Wain, or Dray, loaded with the same Load, or on returning from delivering such Load and empty, through any other Toll Gate on the said Roads through which the Toll so first paid would, before the passing of this Act, have intitled him or her to pass without further Payment; but on producing a Note or Ticket, denoting such Payments, shall be permitted to pass with the same Carriage, Cattle, and the same Load; or empty, on returning from delivering such Load, through such respective Toll Gates and Turnpikes, as such Toll, so first paid, would, before the passing of this Act, have cleared and intitled him to pass through without any further Payments; nor shall any Person be liable to pay Toll for the same Waggon, Cart, Wain, Horse, Mare, Gelding, Ass, or Mule, loaded or on returning from delivering such Load, and empty, more than three Times in any One Day, to be computed from Twelve of the Clock on one Night, till Twelve of the Clock on the succeeding Night.



XI. And whereas it hath lately become a Practice to draw and carry in and along the said Roads large and excessive Loads of Cabbages, Potatoes, Turnips, Grains, Wath, and other such like Articles, and the Persons conducting the same having only a short Space to draw or carry such Loads, do unreasonably load their Carts, Waggon, or other Carriages, whereby the said Roads are greatly injured and damaged, and it will be impracticable, unless such Practices are restrained and put an End to, to keep the said Roads in tolerable Repair: Be it therefore further enacted, That from and after the Twenty-fifth Day of *March* One thousand eight hundred and nine, all and every Waggon, Wain, Cart, and other Carriage whatsoever, which shall go, pass, or travel in, through, over or across the said Roads by the said recited Acts, or any of them, directed to be kept in Repair, shall be liable to be weighed, and the Person or Persons owning or driving the same, charged and chargeable with the extra Tolls and Penalties charged upon Over-weight, by the several Acts of Parliament made, and now in force respecting the Weights allowed to be carried and drawn upon Roads; which said extra Tolls and Penalties the said Trustees, acting under this and the said recited Acts, or any of them, or any or either of them, are hereby empowered to demand and recover, and cause to be demanded and recovered, in Manner as by the said several Acts is provided and declared, without any Exemption therefrom, on any Account or Pretence whatsoever; and the said Penalties and extra Tolls shall be applied and paid by the said Trustees as by the said recited Acts and this present Act is directed, with regard to the Tolls by the said recited Act and this Act directed to be demanded and taken: Provided nevertheless, that nothing in this Act contained shall extend to subject or make liable any Cart, Wain, Waggon, or other Carriage with Six Inch Wheels drawn by Three Horses at the least, and laden with One thousand Bricks, and no more, to be weighed or charged, or chargeable with any extra Toll or Penalty on account of Overweight, nor to subject any Cart, Wain, or Waggon laden with Dung or Compost for Manure to Overweight for any Amount of such Overweight less than Five hundred Weight.

Recital, that it has been a Practice to draw unreasonable Loads of Materials which are exempt from Toll, and from being weighed. All Carts, Waggon, &c. whatsoever, to be liable to be weighed, and chargeable for Over-weight.

Exemptions for Carts, &c. drawn by Three Horses, with Six Inch Wheels, the Fellies of the Wheels whereof shall be of the Width of Six Inches at the Bottom at least, and carrying not more than 1000 Bricks,

XII. And be it further enacted, That it shall and may be lawful for the Trustees of the said Highways or Roads for the Time being, from and after the said Twenty-fifth Day of *March* One thousand eight hundred and nine, to demand and take, or cause to be demanded and taken, over and above the Tolls or Duties by the above recited Acts of Parliament, or any of them, and by this Act payable in respect of the same, for every Cart, Dray, or other such Carriage, drawn by One Horse, in case the same shall exceed the Weight of One Ton and Ten Hundred Weight in Summer, or One Ton and Seven Hundred Weight in Winter, such Sum and Sums for such Overweight by which such Cart, Dray, or other Carriage with Two Wheels shall exceed the Weight of One Ton and Ten Hundred Pounds in Summer, and One Ton and Seven Hundred Pounds Weight in Winter, as by an Act of the Fourteenth Year of His present Majesty, or any subsequent Act or Acts, are directed to be taken on additional Weights, as an extra Toll for the same: And the Trustees of the said Road for the Time being, and the Person or Persons who shall be by them appointed to collect or receive the said Tolls or Duties are hereby authorized and empowered to stop every such Cart, Dray, or other Carriage, at any Toll Gate or Toll House, or Weighing House or Engine

One Horse Cart to be liable to an extra Toll for Overweight, and the Amount of what they may carry stated.

now



now erected, or hereafter to be erected on the said Roads, to weigh the same.

Recital, that the Increase of Inhabitants may render paving the Causeways necessary.

Trustees enabled to grant Licence to the Inhabitants to pave Footways at their own Expence.

Trustees empowered to pave Channels and Drains, if they think fit.

Monies applicable to Use of the Roads to be paid to the Trustees, and applied as and together with the Tolls.

Persons liable to repair the Road to remain liable, except the Statute Duty before taken away by the Act of 23 of G. 3.

XIII. And whereas, from the Number of Buildings erected on the Sides of the said Roads, and the increased Number of Inhabitants there, it has become expedient that the Footways on the Sides of the said Roads may be paved, and also that Channels and Drains may be made, and paved with Stones on the Sides of the said Roads, in divers Parts, for the better draining thereof, and more convenient passing of Foot Passengers; but such Matters cannot be effected by reason of the Restrictions contained in the said recited Act of the Twenty-third Year of the Reign of His present Majesty, which Restriction it hath become expedient to remove, so far as herein-after mentioned; be it therefore enacted, That it shall and may be lawful to and for such of the respective Owners or Occupiers of any House or Houses, Lands, Hereditaments, and Premises within the Limits of this Act, as shall think fit so to do, by Licence from the said Trustees, or any Seven or more of them, being a Majority present at some or one of their Public Meetings, to pave the Footway in Front of their respective Houses, Lands, Hereditaments, and Premises, in such Way, and with such Materials as by such Licence shall be specified, but not otherwise, and which Pavements, when so laid, and all Pavements already made, and the Materials used, shall be, and become vested in and the Property of the Trustees acting under this Act; and also that it shall and may be lawful for the said Trustees, at any of their Meetings, or the Majority of them then present, to direct and order, and to cause such Channels and Watercourses, and also such Crossings at the Ends of the Streets or Lanes opening into the said Road, to be made, and paved along the Sides of the said Roads, as they in their Discretion shall think fit, and to pay and discharge the Expence thereof, and of keeping the same in Repair, out of the Monies to arise by virtue of this Act.

XIV. And be it further enacted, That all and every Bodies Politic, Corporate, or Collegiate, Corporations aggregate or sole, Trustees, Executors, Administrators, or other Persons or Person, who, by reason of any Grant, Deed, Charter, Will, Bequest, or otherwise, are liable to pay or apply any Sum or Sums of Money whatsoever, arising from the Rents of Lands, Tenements, or Hereditaments, or the Interest arising from any Monies in the Funds, or otherwise, in, for, or towards the Repairs of the said Roads, or any of them, shall, from Time to Time, during the Continuance of the Term by this Act granted, pay over and account for to the said Trustees or their Treasurer, for the Time being, all such Sum or Sums of Money, Rents, and Interests, to be by them, the said Trustees, paid, applied, and bestowed in like Manner as the Tolls arising by virtue of the said recited Acts and of this Act, are directed to be paid, applied, and bestowed; and that all and every such Bodies Politic, Corporate, or Collegiate, Corporations aggregate or sole, Trustees, Executors, Administrators, or other Person or Persons, who, by reason of Tenure of any Lands, Tenements, or Hereditaments whatsoever, or by any Right, Usage, or Custom whatever, are now liable to repair the said Roads, or any Part thereof (except in respect of the Statute Duty, which, by the said recited Act of the Twenty-third Year of His present Majesty, is, with regard to the said Roads, by the said recited Acts and this Act directed to be repaired, abolished), shall



shall be and remain liable to do and effect the same, in like Manner, as if the said recited Acts and this Act had not been made.

XV. And be it further enacted, That if any Person or Persons whomsoever, (other than such Water Company, or Commissioners of Sewers, or other Person or Persons, Body or Bodies Corporate, acting by or under the Authority of any Act of Parliament) shall or do, from and after the said Twenty-fifth Day of *March* One thousand eight hundred and nine, during the Continuance of this Act, take up any of the Pavements, now or hereafter to be laid on the Foot Paths of the said Roads, or any way break up the Soil of the said Roads, or the Foot Paths thereof, without the Licence of the said Trustees, or a Majority of such Trustees, at some or one of their public Meetings, such Majority not being less than Four in Number, or contrary to the Terms and Conditions of any such Licence, every such Person shall forfeit and pay for every such Offence, any Sum not exceeding the Sum of Forty Shillings, to be levied and recovered in such other like Manner as any Penalty or Forfeiture can or may be levied and recovered by virtue of this Act, and shall also remain liable to Prosecution, by Action or otherwise, for such Trespas; and it shall and may be lawful for the Surveyor to the said Trustees, by Order, under the Hands of any Three of such Trustees, to fill up, or cause to be filled, such Ground or Soil so broken or dug up, and to ram down and make good the same in a workmanlike Manner, and cover the same with a good Coat of fresh Ballast, and to relay and make good all such Pavements as shall be so taken up as aforesaid; and that all the reasonable Charges incurred in so doing, shall be paid and borne by the Person or Persons so offending, on Demand thereof, made by the said Surveyor to the Trustees, or other Person by them authorized under the Hands of the said Trustees, or any Three of them, to demand the same, such Surveyor, or other Person, delivering an Account thereof in Writing, signed and allowed by such Trustees, or any Three of them; and that if, upon such Demand made, the Person or Persons so liable to pay the same, shall neglect or refuse to pay the same for the Space of Three Days next after the same shall have been so demanded as aforesaid, the same shall and may be levied and recovered in such other like Manner, as any Penalty can or may be levied and recovered by virtue of this Act.

No Person except Water Companies and Commissioners of Sewers to break open the Road or Footpaths, or take up Pavements, without Licence of Trustees;

Penalty 40s.

and also to remain liable for the Trespas.

Surveyor, by Order of Trustees, to make good the Injury, and the Offender liable to pay the Expences.

XVI. And be it further enacted by the Authority aforesaid, That in all Cases where any Person or Persons are by any Act of Parliament whatsoever authorized to break up any Part of the said Roads or the Footpaths thereof, for Purposes of laying or mending Water Pipes, or making or mending Common or other Sewers, such Person or Persons shall before he, she, or they, shall, after the said Twenty-fifth Day of *March* One thousand eight hundred and nine, so break up or take up the same, give Two Hours Notice in Writing of his, her, or their Intention so to do, and of the Place where the same is to be done, to the Surveyor of the said Trustees, in order that he may view the said Place, and take an Account of the State of the said Road and Footpath and Pavement, if any, before such taking up or digging up of the same shall be begun; and if any such Person or Persons as aforesaid shall take up any Part of such Road, Soil, or Pavement, without giving such Notice as aforesaid, then such Person or Persons so offending shall for every such Offence, forfeit and pay any Sum

All Persons having a Right to open the Ground of Road or Footpath, shall give Two Hours' Notice to Surveyor, under a Penalty for Omis-sion.



not exceeding Forty Shillings, nor less than Ten Shillings, to be recovered as the other Penalties by this or any of the said recited Acts are directed to be recovered.

In case Water Pipes shall burst, the Surveyor to give Notice to the Company,

who shall forthwith open the Ground.

If, upon opening the Ground, it does not belong to that Company, such first Company to give Notice to the Company to whom it does belong, who shall forthwith reimburse to the first Company the Expenses of opening the Ground; and such second Company shall forthwith proceed to repair the Defect, and within Six Hours give Notice to Surveyor that they are so done.

Pipes, &c. belonging to any private Person to be repaired by them on Notice.

XVII. And be it further enacted, That when and so often as any Main or other Pipe belonging to any of the Water Companies who shall, during the Continuance of this Act, furnish any of the Inhabitants within the Limits of the same Act with Water, and which now is or shall hereafter be laid under Ground in the said Roads or the Footways thereof, or any Part thereof, shall, after the said Twenty-fifth Day of *March* One thousand eight hundred and nine, happen to break or burst, or be defective, or decayed, so as to require Reparation, the Surveyor to the said Trustees or such other Person as the said Trustees shall direct so to do, shall forthwith give Notice thereof in Writing to the Collector or Turncock of the Water Company to whom he supposes the same to belong, acting for the District or Division in which Repair shall be so wanted; which Notice shall be delivered to such Collector or Turncock or left at his or their last or usual Place of Abode; and such Collector or Turncock, is hereby directed and required forthwith, and within Two Hours after such Notice, to take up the Pavement, if any, and also open the Ground, or cause the same to be opened at or near the Place where any such Repairs shall appear to be wanted; and if he or they shall upon taking up such Pavement, and opening such Ground, discover that such Main or other Pipe so broken, burst, defective or decayed, does not belong to the Water Company, whose Collector or Turncock he is, then such Collector or Turncock, shall forthwith give Notice thereof in Writing to the Collector or Turncock of the Company to whom the said Main or other Pipe shall appear to belong, in which Case the last mentioned Collector or Turncock is and are hereby required upon Demand to make Satisfaction for taking up such Pavement and opening such Ground, as the Case may be, and taking up such Main or Pipe, to the Collector or Turncock, giving Notice as aforesaid; and the Collector or Turncock of such Water Company to whom the said Main or Pipe shall belong is and are hereby required, immediately and without the least Delay, to cause or procure the said Main or Pipe to be effectually repaired, and afterwards to fill in and ram down the said Ground with the Gravel or Ballast thereof, regularly laid on the Surface thereof, and not mixt with the Loam, Clay, or other Rubbish, and in case any Pavement shall have been removed, to relay and make good the same; all such Works to be done and effected within Twenty-four Hours next after such Notice shall have been given to him as aforesaid, and within Six Hours then next after he shall give Notice of having so done the same, to the Surveyor of the said Trustees by Writing, to be delivered to him, or left at his usual Place of Abode, in order that such Surveyor may forthwith inspect and see that such Pavement (if any), be properly relaid and made good, and the Ground and Gravel, in case there shall be no Pavement, filled up and made good in Manner aforesaid; and if any Pipe not belonging to any Water Company shall happen to break, burst, decay, or be defective as aforesaid, then and in every such Case, the Owner thereof shall forthwith, upon Notice to him, her, or them, given by such Surveyor to the said Trustees or other Person by them for that Purpose appointed as aforesaid, cause the Pavement or Ground over the same to be taken up and opened, and such Pipe to be repaired and the Pavement made good, and the Ground filled in and rammed down with the Gravel and Soil on the Surface thereof, and not mixt with



with Clay or other Rubbish, as the Case may be, and Notice thereof to be given in Writing to the Surveyor to the said Trustees in Manner aforesaid, and within the Times aforesaid; and if any Pavement or Ground belonging to the said Roads shall be taken up for the Purpose of making or altering any Drain or Vault, or laying down, or mending or repairing any Main or Water Pipe, or for any other Purpose whatsoever, then and in every such Case the Person so causing the said Pavement or Ground to be taken up, shall, as soon as the Nature of the Work will permit, cause the said Pavement to be relaid and made good, and the Ground to be filled in and rammed down in Manner aforesaid, and immediately give Notice thereof in Manner aforesaid, to the Surveyor of the Trustees; and in case any Collector, Turncock, or other Person shall make default in any of the Matters aforesaid, every such Collector, Turncock, or other Person, shall, for every such Default or Offence, forfeit and pay any Sum not exceeding the Sum of Forty Shillings, nor less than Twenty Shillings; and the Company or Person, to whom any such Main or Pipe, Drain or Vaults shall belong, shall, over and above the said Penalty, forfeit and pay the Sum of Twenty Shillings for every Day the said Road shall remain unrepaired after such Notice given as aforesaid.

Penalty for not making good the Pavement or Ground, &c. when opened.

XVIII. And be it further enacted, That in all Cases after the said Twentieth Day of *March* One thousand eight hundred and nine, where any such Water Company or other Person shall or may lawfully, whether by such Licence as aforesaid or otherwise, open or break up any Part of the Soil or Ground of such Roads or Footways as aforesaid, or take up any Part of the Pavement thereof, the Person or Persons doing the same, or causing the same to be done, shall do and effect the same, or cause the same to be done and effected with as little Injury to the said Roads and Footpaths, and as little Inconvenience to Passengers as possible, and shall, during the effecting such Works, fence off and secure the Ground so opened in such Manner as not to be dangerous to Passengers, Cattle, or Carriages, upon Pain of forfeiting the Sum of Five Shillings for every Hour the said Ground shall remain open and not secured in Manner aforesaid.

In all Cases where Ground is opened, or Pavement removed, to be done with as little Inconvenience to Passengers as possible, and the Place to be fenced off.

XIX. Provided always, and be it further enacted and declared, That in case any such Water Company or Persons as aforesaid shall neglect to repair and amend any such Main or Pipe, Sewer, Drain, or Vault as aforesaid, and to relay and make good such Pavement, and fill up and ram down and cover such Ground and Soil as aforesaid, for the Space of One Day after such Notice as aforesaid, or shall not have done the same effectually, and in a good and workmanlike Manner, it shall be lawful for the Surveyor to the said Trustees, by Order under the Hands of any Three or more of the said Trustees, to open the Ground, repair and amend the same, or cause the same to be repaired and amended, and in the Case of ineffectual Repairs of such Pipe, Main, Sewer, Drain, or Vault, or relaying and making good such Pavement and Roads as aforesaid, to complete and perfect the same, or otherwise so to plug up or stop and secure the same, as to prevent further Injury or Nuisance therefrom, and that the Charges and Expences of repairing and amending such Main, Pipe, Drain, or Vault, and ramming down and amending the said Road, and relaying and making good the Pavement when the same shall happen, shall be reimbursed and paid to the said Trustees, or to such Person or Persons as they, or any

In case any Company or Persons neglect to make good the Damages proceeding after Notice, the Surveyor to do it, and the Party neglecting to be liable to the Expences.

Three



Three of them, shall direct or appoint to receive the same, by the Collector, Treasurer, or Clerk to such Water Company; or by such Person or Persons to whom such Main or Pipe, Drain or Vault, shall belong, or by the Owner or Owners thereof; and in case any such Collector, Treasurer, Clerk, or Owner as aforesaid, shall neglect or refuse to pay such Charges and Expences within Three Days next after Demand made thereof in Writing, signed by the Surveyor to the Trustees, and left at the last or usual Place of Abode of the Person so refusing or neglecting, together with a Bill annexed to such Demand, containing an Account of such Charges and Expences; then and in every such Case such Charges and Expences shall and may be recovered by the said Trustees, or any One or more of them, from the Person so made liable to pay the same as aforesaid, over and above the Penalties herein-before by this Act incurred by such Company or Person in not repairing the same as aforesaid, in like Manner as the several Penalties by this Act, or any of them, shall or may be recoverable.

Persons  
spilling, &c.  
Night Soil,

to pay Pe-  
nalty of 5l.

XX. And whereas very great Nuisances are frequently committed in and near to the said Road by the Carting, Spilling, and throwing Night Soil thereon, to prevent which the common and accustomed Laws have been found ineffectual; therefore be it further enacted, That if any Person or Persons whomsoever, shall, from and after the said Twenty-fifth Day of *March* One thousand eight hundred and nine, throw, cart, or lay, or permit or suffer to be thrown, carted or laid any Night Soil, in or upon the said Road, or into the Drains or Watercourses belonging thereto, along the Sides of the said Road, or within One hundred and fifty Yards of the said Road, except such as shall be in a State for the manuring of Land, and shall actually be spread on Land in a Course of Husbandry, every such Person being thereof convicted upon the Oath of One or more Witnesses or Witnesses, or by his or her own Confession, before One or more Justice or Justices of the Peace for the County of *Middlesex*, shall forfeit and pay for every such Offence the Sum of Five Pounds, over and above the Charges of removing such Night Soil, and the cleansing and making the said Road or other Place, (which the Surveyor or Surveyors to the said Trustees is and are hereby authorized to remove, cleanse, and make good, or cause to be removed, cleansed, and made good), and of procuring a proper and suitable Place or Laystall, for carting and depositing the same; such Penalty to be recovered in like Manner as the other Penalties by this or the said recited Acts, or any other of them given or made payable, are directed to be recovered.

Nuisances on  
the Road or  
Footpaths re-  
movable and  
liable to  
Penalty.

XXI. And be it further enacted, That if any Person or Persons whomsoever (whether he, she, or they shall be Owners or Occupiers, or Owner or Occupier of any adjoining or contiguous House, Yard, Shop, or other Premises or not), shall at any Time from or after the said Twenty-fifth Day of *March* One thousand eight hundred and nine, set, put, place, have, or leave, or cause or procure to be set, placed, had, or left in or upon any Part of the said Roads by the said recited Acts, or either of them, directed to be kept in repair, or in or upon the Footways or Paths on the Sides thereof, or of any of them, any Block or other Piece of Marble, Stone, Slate, Timber, or Wood, or any Bricks, Tiles, Lime, Mortar, Building Materials, or other Articles whatsoever, for any longer Space of Time than shall



shall be necessary for the loading and unloading thereof, and save and except as herein excepted, and shall not forthwith, on Request made by the Surveyor appointed by the said Trustees, remove, or cause to be removed, the same, every Person so offending, and being thereof convicted, either by his own Confession, or by the Oath of One or more credible Witnesses or Witnesses, before any Justice of the Peace for the County of *Middlesex*, shall forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings, and it shall and may be lawful for the said Surveyor, and he is hereby empowered and authorized, in case such Block or other Piece of Marble, Stone, Slate, Timber, or Wood, Bricks, Tiles, Lime, Mortar, Building Materials, or other Articles whatsoever, shall not, within One Hour after such Request as aforesaid, be removed and taken away, to remove the same to a Place of Safety, and to detain and keep the same until the said Penalty and the Costs, Charges, and Expences of such Removal and Keeping shall be paid; such Costs, Charges, and Expences being first settled and ascertained by any Justice of the Peace for the said County of *Middlesex*; and in case such Penalty, and such Costs, Charges, and Expences shall not be paid within Five Days next after the same shall have been so settled and ascertained, then such Marble, Stone, Slate, Timber, Wood, Bricks, Tiles, Lime, Mortar, Building Materials and other Articles whatsoever, shall be sold by the said Trustees or their Surveyor or Surveyors; and after defraying the Expences of such Sale, and deducting such Penalty, and such Costs, Charges, and Expences as aforesaid, the Overplus, if any, shall be returned upon Demand, to the Owner or Owners thereof: Provided always, that, nothing herein contained shall extend so as to subject or render liable any Person or Persons whomsoever to any such Penalty for or on account of any Block or other Piece of Marble, Stone, Slate, Timber or Wood, or any Bricks, Tiles, Lime, Mortar, or other Building Materials being laid on the said Road, or in or upon the Footways or Paths, or the Sides thereof, or any of them, provided the same be inclosed in a Hoard or Inclosure, in Manner herein-after directed; and for the more easily discovering and effectually punishing the Offender or Offenders in the Cases of carting, spilling, or throwing Night Soil on the said Road, it is hereby further enacted, That in all and every the said Cases, the Owner of the Cart, Carriage, or other Vehicle whatsoever, which shall be used for bringing or carting such Night Soil, shall be deemed and considered to be the Person or Persons throwing, carting, and laying such Night Soil, and as well as the Person and Persons who shall actually drive the Cart, Carriage, or other Vehicle, so bringing and carting such Night Soil, shall be subject and liable to the Penalty hereby imposed on such Offender and Offenders respectively.

Surveyor  
authorized to  
remove such  
Block of  
Marble, &c.

Expences  
how to be re-  
covered.

For more  
easily disco-  
vering Of-  
fenders,  
Owners of  
Horses, Carts,  
&c. to be  
deemed the  
Offenders,  
and liable  
to the Pe-  
nalty.

XXII. Provided always, That in case any such Owner or Owners shall be compelled to pay any Penalty, or to make Satisfaction for any Damage, by reason of any wilful Neglect or Default, done or committed by his, her, or their Servant, such Servant shall be liable to repay such Penalty or Satisfaction to such Owner or Owners, and in case of Non-payment upon Demand thereof, and Oath made by such Owner or Owners of the Payment by him, her, or them, of such Penalty or Satisfaction, and that the same hath not been repaid to him, her, or them, by such Servant, (such Oath to be made before one Justice of the Peace), the same Penalty and Satisfaction shall be levied by Warrant,

Power for the  
Owner to re-  
cover over  
against his  
Servant,  
through  
whose De-  
fault he may  
be compelled  
to pay.

[Loc. & Per.]

21 S

under



under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant, together with all Costs and Charges attending such Distress and Sale, and the said Penalty and Satisfaction, when recovered, shall be paid to such Owner or Owners in discharge of such Penalty and Satisfaction; and if sufficient Goods and Chattels of such Servant cannot be found to answer such Distress, then such Justice is hereby required, by Warrant under his Hand and Seal, to cause such Servant to be apprehended and brought before him the said Justice; and in case such Penalty and Satisfaction, and the Costs of such Proceeding as aforesaid, shall not be forthwith and immediately paid, such Justice is hereby required forthwith to commit such Servant to the House of Correction for the County of *Middlesex*, and there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless the said Penalty and Satisfaction and such Costs and Charges as aforesaid shall be forthwith paid, or unless such Servant shall have compounded for the said Penalty, Satisfaction, Costs, and Charges with such Owner or Owners, and paid such Composition, which such Owner and Owners are hereby empowered to make and accept.

Hoads how  
to be erected.

XXIII. And be it further enacted, That no Person or Persons whatsoever shall erect or build, or cause to be erected or built any Hoard, or erect any Posts, Bars, Rails, Boards, or other Thing, by way of Inclosure, for the Purpose of making Mortar, and depositing Bricks, Stone, Lime, Sand, or any other Materials for building or repairing any House, Shop, Warehouse, Coachhouse, Stable, or Tenement, or other Works, or for any other Purpose, without Leave or Licence first had and obtained, under the Hand or Hands of the Surveyor or Surveyors for the Time being to such Trustees, who is and are hereby required to grant the same forthwith, on every Person so applying for such Licence paying to the said Surveyor or Surveyors the Sum of One Shilling.

Punishment  
for erecting  
Hoads with-  
out Leave.

XXIV. And be it further enacted, That if any such Hoard or Inclosure shall be erected or built without the Leave of the Surveyor or Surveyors so had and obtained and signed as aforesaid, or shall be set up in any other Manner, or continued for any longer Time than shall be allowed and expressed in such Licence, then and in either of the said Cases it shall and may be lawful for such Trustees to cause the same to be pulled down and removed, and to be kept and detained until the Owner or Owners, or his, her, or their known Servant or Servants, shall and do pay to the Person or Persons in whose Custody the same shall be, the Sum of Forty Shillings, together with the Charges of removing the same; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Five Days next after such Seizure thereof, then it shall and may be lawful to and for the said Trustees to order the same to be appraised and sold, and the Money arising therefrom shall be applied to the Purposes of this Act.

No Lime to  
be slacked in  
the Roads,  
&c.

XXV. And be it further enacted, That if any Person or Persons shall sift, screen, or slack, any Lime, (except within such Inclosures as aforesaid), on any of the said Roads, or on the Footways or Paths on the Sides thereof, or any of them, he, she, or they, shall forfeit and pay for every such Offence the Sum of Forty Shillings.

XXVI. Pro-



XXVI. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend so as to vary, alter, or affect any of the Provisions, Powers, or Authorities of an Act made in the Thirty-fifth Year of the Reign of His present Majesty, intitled "An Act for repealing several Acts made in the Eighth, Tenth, Thirteenth, and Fifteenth Years of the Reign of His present Majesty, for regulating the nightly Watch and Beadles, and for paving, repairing, cleaning, and lighting the Parish of *Saint Mary-le-bone*, in the County of *Middlesex*, and for the better Relief and Maintenance of the Poor thereof, and for divers other Purposes therein mentioned; and for making more effectual Provision for those Purposes;" but all the Provisions, Powers, and Authorities, in such Act contained, shall be as good, valid, and effectual as if this Act had not been made.

Act of the  
25 Geo. 3.  
not to be af-  
fected by this  
Act.

XXVII. 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  
Clause for  
Commission-  
ers of Sewers.

XXVIII. 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 recited Acts or any of them, or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said first recited Act particularly mentioned, 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 High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said 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 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 Incumbrances 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 Lands or Hereditaments, which shall be conveyed or settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the 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 meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the

Directing the  
Application  
of the Money  
paid for Com-  
pensation for  
Lands, &c.  
when amount-  
ing to or ex-  
ceeding 200l.



the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends 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.

Application  
when less  
than 200l.  
and exceed-  
ing 20l.

XXIX. 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 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 Privy 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, (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 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.

Application  
when less  
than 20l.

XXX. 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 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 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 Per-  
sons cannot  
be found,  
Purchase  
Money to be  
paid into the  
Bank;

XXXI. 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 Acts, or any of them, or 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 any Five or more of them; 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



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 Privy 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, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such 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.

XXXII. 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 Privy of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts and this Act, or any of them, 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 Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of 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 Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

XXXIII. 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 Lands, Tenements, or Hereditaments to be purchased by the said Trustees, under the Authority of the said recited Acts, or of any of them, 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 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

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



purfuance of this or the faid Acts, or fo much of fuch Expences as the faid Court fhall deem reasonable, together with the neceffary Cofts and Charges of obtaining fuch Order, to be paid by the faid Trustees, or any Five or more of them, who fhall from Time to Time pay fuch Sums of Money for fuch Purpofes as the faid Court fhall direct.

XXXIV. And whereas by the faid recited Act of the Twenty-third Year of His prefent Majesty, the Trustees appointed by the faid Act, or any Seven or more of them, were authorized and empowered to erect, or caufe to be erected, fuch and fo many Glafs Lamps, upon the Sides of fuch Parts of the Roads directed by the now reciting Act to be repaired, as were not then lighted by, or under any Private or Parochial Act, as they fhould think neceffary; and to appoint a competent Number of fit and able bodied Men, to watch and guard the faid Roads, as they the faid Trustees, or any Seven or more of them fhould think proper and convenient, with fuch Powers for carrying the fame into Effect, as in fuch Act is particularly mentioned; and the erecting, lighting, and maintaining fuch Lamps, and the Allowances to be made to fuch Watchmen, and all other Charges incident to the faid refpective Services, were thereby directed to be paid and defrayed out of the Money arifing by virtue of any of the faid recited Acts.

XXXV. And whereas it has been found, that the Monies arifing by virtue of the faid recited Acts, are not fufficient to keep the faid Roads in Repair, and alfo to pay for the lighting and watching the fame; and in regard the Sides of the faid Roads are nearly filled with Houfes, which are occupied, and the Perfons occupying fuch Houfes being exempted from Statute Duty on the faid Roads, are greatly benefited by the fame being kept in Repair, and lighted, and watched; and therefore it is fitting and expedient, that they fhould contribute towards the Expences incurred and to be incurred, by fuch lighting and watching the faid Road.

Power given to the Trustees to make a Rate not exceeding Four-pence in the Pound on all inhabited Houfes, &c. of 10l. a Year's Value, within 200 Yards of the Road.

XXXVI. Be it therefore enacted, That towards defraying the Expences of lighting and watching the faid Roads, and performing the feveral Powers granted by the faid recited Acts and this Act, for the faid Purpofes, the faid Trustees, or any Seven or more of them, fhall afsemble and meet together on the First *Thursday* in the Month of *August* One thousand eight hundred and nine, or within Thirty Days then next enfuing, and on the First *Thursday* in *August* in every fucceeding Year during the Continuance of this Act, or within Thirty Days next after each fuch First *Thursday*, and they, or any Seven or more of them fo afsembled, fhall and they are hereby empowered to make and fign a Rate or Affeffment by way of a Pound Rate, not exceeding Four-pence in the Pound, upon fuch Perfons who do or fhall inhabit, hold, ufe, poffefs, occupy, or enjoy any Houfes, Shops, Warehoufes, Coach-houfes, Stables, or other Buildings, Yards, Gardens, and Grounds, fuate by the Side of fuch Part of the faid Roads as fhall be lighted and watched as aforefaid, or within Two hundred Yards thereof, of the yearly Value of Ten Pounds, or upwards, according to the annual Value of fuch Houfes, Shops, Warehoufes, Coach-houfes, Stables, or other Buildings, Yards, and Gardens refpectively; which faid Rate or Affeffment fhall be payable yearly in One Payment, on the Twenty-ninth Day of *September* in every Year, and fhall be collected, levied,



levied, and recovered in Manner herein-after mentioned, so as no Owner or Occupier of any House, Tenement, Hereditament, or other Property already rated, or liable to be rated in any Assessment to be made by virtue of any Act or Acts of Parliament for paving, lighting, and cleansing any other District or Place whatsoever, shall, during such Time as he, she, or they shall in respect of such Property for which he, she, or they are liable to be rated by virtue of this present Act, be actually assessed and pay under or by virtue of such other Act or Acts of Parliament be liable to any such Rate by virtue of this present Act; and so also as that no Person or Persons holding or occupying any Ground as Gardeners, or Nursery Grounds, shall in respect of such Gardens or Grounds be liable to be so rated in respect of such the said Ground or Garden, but shall be liable to be rated for such Houses, Green-houses, Hot-houses, Stables, and all other Erections and Buildings, which may stand or be in or upon any such Gardens or Nursery Ground, according to the Value thereof.

XXXVII. And whereas there are, or may be many Persons, who occupy Houses within the said Distance of Two hundred Yards from the said Roads, lighted and watched, or to be lighted and watched, in pursuance of the said recited Acts or of this Act; and by the Situation of such Houses, will receive little or no Advantage from lighting and watching the said Roads as aforesaid; be it therefore enacted, That the said Trustees, or any Seven or more of them, at any Meeting assembled, shall and may, on Application of every such Occupier or Occupiers, discharge him, her, or them, from any Payment, or charge him, her, or them, only in such Proportion of the Monies to be raised by virtue of this Act for the Purposes aforesaid, as they the said Trustees, or any Seven or more of them, shall judge what such Occupier or Occupiers, ought equitably and justly to pay for the Benefit he, she, or they, may receive from the same.

Powers to the Trustees to abate the Rates on Persons not fully benefited, in Proportion to the Benefit only which they receive.

XXXVIII. And be it further enacted, That the said Trustees, or any Seven or more of them, shall and may, and they are hereby empowered to appoint such Person or Persons as they shall think proper, to collect and gather the Rates and Assessments hereby empowered and directed to be made and collected for the Purpose of lighting and watching the said Roads as aforesaid; which said Collector or Collectors may, from Time to Time, be removed, and another, or others, appointed in his or their Room, as the said Trustees shall think fit; and the said Trustees shall or may make such Allowance to such Collector or Collectors for his or their Trouble as they shall think fit; and the said Collectors shall from Time to Time account for the said Rates and Assessments to the said Trustees in such Manner as Collectors and other Officers are by the said recited Acts, or any of them, appointed to account with the said Trustees, and shall pay the Money collected in such Manner as the said Trustees, or any Seven or more of them, shall direct and appoint; and in Default thereof, or of delivering up the Books, Papers, and Writings relating to the Trusts and Powers hereby granted to him or them, shall be liable to the same Pains and Penalties, as the said Collectors of the Tolls and other Officers are by the said recited Acts, or any of them, made liable: Provided always, that the said Trustees, or any Seven or more of them, may, and they are hereby required to take such Security from such Collector

Trustees to appoint a Collector.

Trustees required to take



Security for the Collector. lector or Collectors, for the due Execution of his and their respective Offices, as the said Trustees, or any Seven or more of them, shall think fit.

Landlords of ready furnished Houses, &c. to be assessed and liable.

XXXIX. And whereas the Landlords, Owners, Lessees, or Tenants of Houses, Buildings, Tenements, and Hereditaments, frequently let out the same in separate Apartments, or to Under-tenants, and other Houses or Tenements, are let ready furnished; be it therefore enacted, That the several Landlords, Owners, Proprietors, and Lessees of all such Houses, Buildings, Tenements, and Hereditaments liable to be rated by virtue of this Act, which shall be so let in Parts or separate Apartments, or ready furnished, to One or more Tenant or Tenants, shall be respectively deemed and taken as the Occupier thereof, and shall be liable and subject to the Payment of the Rates or Assessments authorized to be collected by this Act; but such Rates or Assessments, and all Arrears thereof, shall and may be recoverable from the Person or Persons so renting or occupying any such Part or separate Apartment of any ready furnished House or Tenement, or any Part thereof as aforesaid, so as such Rates or Assessments, do not exceed the Rent due and payable by him, her, or them, who may deduct the Money, he, she, or they shall pay, on the Account aforesaid, from and out of the next Rent due and payable from him, her, or them, to his, her, or their Landlord; and the Receipt for such Payment shall be a sufficient Discharge for every such Person so paying the same to his or her Landlord for so much Money as shall be paid by, or recovered from him or her by virtue of this Act.

No Agreement between Landlord and Tenant to be affected by this Act.

XL. Provided always, and be it further enacted, That nothing in this Act contained, shall extend to affect or make void any Contract, Covenant, or Agreement made between any Landlord and Tenant, touching or concerning the Payment of the Rates or Assessments to be made, raised, and collected by virtue of this Act.

Power to Trustees to inspect Poor Rates, and House Rate of such Parishes in which Road lies, in order to make Rates.

XLI. And for the better enabling the said Trustees to ascertain the yearly Rent or Value of the several Lands, Grounds, Houses, Shops, Wharfs, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or other Hereditaments within the Limits of this Act; be it further enacted, That it shall be lawful for any Person or Persons, having an Order under the Hands of any Two or more of the said Trustees, to inspect, or take Copies, or Extracts, of any Rate to be made during the Continuance of this Act, for raising Money for the Relief and Maintenance of the Poor, and the Rates and Assessments, on the House-Tax, within any of the Parishes lying within the Limits of this Act; which Inspection Copies and Extracts, the Person or Persons having the Custody of such Rates respectively are hereby required to permit and suffer to be made, without Fee or Reward, upon the producing of such Order; and in case any Person having the Custody of any such Rates shall wilfully neglect or refuse so to do, within Three Days after such Order shall have been produced and shewn to him, or a Copy thereof left at his usual Place of Abode, he shall for every such Neglect or Refusal, forfeit and pay any Sum not exceeding Five Pounds, nor less than Ten Shillings.

XLII. And for the better and more effectually recovering the said Rates or Assessments, be it further enacted, That in case any Inhabitant, Owner or Occupier



Occupier of any Land, Ground, House, Shop, Wharf, Warehouse, Stable, Cellar, Vault, Building, Tenement, or Hereditament, within the Limits of the said recited Acts or of this Act, or other Person hereby made liable to pay any Rate or Assessment as aforesaid, or any Part or Parts thereof, shall refuse or neglect, on Demand, to pay the Money rated or assessed upon, or made payable by him or her, by virtue of this Act, and all Arrears due thereon, it shall be lawful for the Collector or Collectors of the said Rates or Assessments, appointed by the said Trustees, or any Seven of them, to collect and levy such Rates or Assessments, by Warrant under the Hands and Seals of any Two of His Majesty's Justices of the Peace for the said County of *Middlesex*, (such Justices having first summoned, or caused to be summoned), to appear before them the Party so refusing or neglecting to pay as aforesaid, by Summons in Writing, or partly in Print and partly in Writing, to be left at his or her usual Place of Abode, to raise and levy such Rates or Assessments, and all Arrears due upon the said Rates or Assessments, by Distress and Sale of the Goods and Chattels of the Party so refusing or neglecting to pay the same as aforesaid, which shall be found either within the said County of *Middlesex*, or elsewhere, such Warrant being first backed or countersigned by some Magistrate for the County, City, or Liberty, where the Distress is to be made; which Warrant such Magistrate is hereby required to back or countersign, without Fee or Reward; and if within Five Days after such Distress shall be made, the said Rate or Rates, Assessment or Assessments, and all Arrears due thereon, shall not be paid, together with the reasonable Charges for attending and obtaining such Summons; the Service thereof, and the Attendance and Warrant thereon, and of taking and keeping the said Goods and Chattels, the said Collector or Collectors shall cause the said Goods and Chattels, or so much thereof as shall be sufficient to pay the said Rates or Assessments, and the reasonable Charges aforesaid, and of selling such Goods and Chattels as aforesaid, to be sold; and shall thereout retain and keep such Rates or Assessments, and all Arrears thereof, and the Costs and Charges aforesaid; and the Overplus Money, and the Goods and Chattels remaining (if any), shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels.

Power to recover Rates by Distress and Sale of Goods, &c.

XLIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, if they shall think fit, where no sufficient Distress can be made, to direct and cause an Action or Actions to be brought and prosecuted in any of His Majesty's Courts of Record at *Westminster*, for the Recovery of any of the said Rates or Assessments; and upon Proof of the Demand made, and Refusal or Neglect of Payment of the Rate or Assessment, for the Recovery whereof such Action or Actions shall be brought, the said Trustees shall be intitled to a Verdict against the Defendant or Defendants in such Action or Actions.

If no Distress to be found then the Trustees may, if they think fit, remove by Action.

XLIV. And be it further enacted, That in case any Person shall remove out of or from, or quit the Possession of any House, Building, Tenement, Ground, or Hereditaments within the Limits of this Act, before the Rate or Assessment charged thereon by virtue of this Act shall be paid; or if any Person shall enter into the Occupation of any House, Building, Tenement, Ground, or Hereditaments, out of or from which any other Person

Persons removing liable to a Proportion of Rates.

[*Loc. & Per.*]

21 U.

shall



shall have so removed before Payment of the said Rates or Assessments, or which at the Time of rating and assessing the same as aforesaid shall be empty or unoccupied, then the Person so removing out of or from, or quitting the Possession, and the Person so entering into the Occupation of any such House, Building, Tenement, Ground, or Hereditament, shall respectively be liable to the Payment of the Rate or Assessment, in proportion to the Time such Person possessed or occupied the same respectively, in like Manner as if the Person so removing or quitting as aforesaid had remained in the Possession or Occupation of such House, Building, Tenement, Ground, or Hereditaments, or the Person so entering into the Occupation thereof, had been originally rated or assessed.

Recovery  
and Applica-  
tion of Pen-  
alties.

XLV. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act, or by virtue of the Powers thereof imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed), 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 any Justice of the Peace for the County, Town, or Place where the Offence shall happen, (which Warrant such Justice is hereby empowered to grant upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath), and the Overplus (if any) of the Money arising by such Distress and Sale shall be returned, upon Demand, to the Owners of such Goods and Chattels, after deducting the Costs and Charges of making, keeping and selling the Distress; and such Penalties and Forfeitures, when recovered, (if not herein-before directed to be otherwise applied), shall be paid to the Treasurer to the said Trustees, to be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of such County, Town, or Place, there to remain without Bail or Mainprize, for any Time not exceeding One Calendar Month, nor less than Seven Days, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner fully paid and satisfied.

XLVI. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or any Matter in pursuance of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say,)

Form of  
Conviction.

“ **B**E it remembered, That on this \_\_\_\_\_ Day of \_\_\_\_\_  
“ in the \_\_\_\_\_ Year of the Reign of \_\_\_\_\_  
“ *A. B.* is convicted before \_\_\_\_\_ of His Majesty’s  
“ Justices of the Peace for the \_\_\_\_\_, of having  
“ [*as the Offence shall be,*] and I, [*or we*] the said \_\_\_\_\_  
“ do adjudge him [*her or them*] to forfeit and pay for the same the Sum  
“ of \_\_\_\_\_  
“ Given under my Hand and Seal, [*or, our Hand and Seals*] the Day  
“ and Year aforesaid.”



XLVII. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Rate or Assessment to be made in pursuance of this Act, every such Person may apply for Relief to the said Trustees, at their First or Second Meeting next after Demand made of such Rate or Assessment, (he or she first giving Ten Days Notice at least, in Writing, to the Clerk of the said Trustees of such his or her Intention), and the said Trustees or any Seven or more of them are hereby authorized and empowered to give such Relief, or make such other Order in the Premises as to them shall seem meet; and in case the Party so applying shall not be satisfied with the Determination or Order of the said Trustees, he or she may appeal to the General or Quarter Sessions of the Peace to be holden in and for the said County of *Middlesex* next after Thirty Days shall have expired from the Time of making such Order or Determination of the said Trustees, such Appellant first paying the Rate or Assessment appealed against, or giving and causing to be given Twelve Days Notice in Writing at least, of his or her Intention to bring such Appeal and of the Matter thereof to the Clerk to the said Trustees of the said Road, and within Three Days next after such last mentioned Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at such Sessions, upon due Proof of the Payment of the Rate or Assessment appealed against, and of such Notice being given, and Recognizances entered into as aforesaid, shall hear and determine such Appeal in a summary Way, and award such Costs to the Party appealing, or to the said Trustees, as they the said Justices shall think proper; and the Determination of such Justices at their said Sessions shall be final, binding, and conclusive.

Power of  
Appeal.

XLVIII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity that shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not  
to be unlawful  
for Want of  
Form.

XLIX. And be it further enacted, That no Order, Verdict, Assessment Judgment, or other Proceedings made touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings  
not to be  
quashed for  
Want of Form  
or remove-  
able by Cer-  
tiorari.

L. And



Plaintiffs not  
to recover  
without No-  
tice, or after  
Tender of  
Amends.

L. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Thirty Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgement shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of  
Actions.

LI. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County of *Middlesex* and not elsewhere; and if any such Action or Suit shall be brought before Thirty Days Notice shall have been given, 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 than as aforesaid, then and in every such Case 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, Judgement shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Public Act.

LII. 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.

Commence-  
ment and  
Continuance  
of the Act.

LIII. And be it further enacted, That this Act shall commence and take place on the passing thereof, and shall be in force and have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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