



ANNO TERTIO

GEORGIIV. REGIS.

Cap. cxii.

An Act for more effectually amending certain Roads in the several Parishes of *Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church*, in the County of *Surrey*, and for watching, lighting, and otherwise improving the said Roads. [29th July 1822.]

WHEREAS an Act was passed in the Twenty-sixth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for making, widening, and keeping in repair* 26G.3.c.131. *certain Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church, in the County of Surrey, and for watching and lighting the said Roads*: And whereas an Act was passed in the Forty-seventh Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Powers of an Act of the Twenty-* 47G.3.c.115. *sixth Year of His present Majesty, for making and keeping in repair certain Roads in the Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church, in the County of Surrey, and for watching and lighting the said Roads*: And whereas an Act was passed in the Fifty- 58G.3.c.28. *eight Year of the Reign of His said late Majesty, intituled An Act to extend and amend the Powers of Three Acts of His present Majesty's Reign, for building the Waterloo Bridge, and making Roads communicating therewith,*
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and to authorize the Relinquishment of the repairing, lighting, and watching of the Roads on the South Side of the Bridge to the Trustees of the Surrey New Roads acting under Two several Acts of His present Majesty's Reign, for making, widening, and keeping in repair certain Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church, in the County of Surrey, and for watching and lighting the said Roads: And whereas the Trustees appointed for putting the said recited Acts in execution have proceeded in the Execution thereof, to the Advantage of the Public, and have made great Progress in the Amendment and Improvement of the said Roads, and there is a considerable Sum of Money still remaining due and owing on the Credit of the Tolls granted and authorized to be taken on the said Roads, which cannot be paid off, nor can the said several Roads be properly and effectually amended, widened, improved, and kept in repair, and watched and lighted, unless the Term of the said recited Acts be continued; and the Powers and Provisions of the said Acts being found in many respects defective or inefficient, it is expedient that the same should be repealed, and further and other Powers and Provisions granted instead thereof, in One Act of Parliament; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts passed in the Twenty-sixth and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, and also so much and such Part and Parts of the said recited Act of the Fifty-eighth Year of the Reign of His said late Majesty as relate only to the repairing, managing, lighting, and watching of the Roads therein mentioned, and thereby authorized to be relinquished to the said Trustees, shall, from and after the Fourth *Saturday* next after the passing of this Act, be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever, and that instead thereof this Act shall then commence and take effect, and be put in execution for and during the Term herein-after mentioned, for repairing, widening, and improving the Roads herein-after mentioned; (that is to say,) the Roads from the East End of *Westminster Bridge*, through *Mount Row*, *Lambeth*, and across *Saint George's Fields*, to the Stones End in *Blackman Street*, near the *King's Bench Prison*, in the Parish of *Saint George* in the Borough of *Southwark*; from a Place heretofore called *Symond's Corner*, at or near the Asylum for Female Orphans, along *Walcot Place* and by *Kennington Cross*, to *Kennington Common* in the Parish of *Lambeth*; from *Church Street*, *Lambeth*, by new *Bethlem Hospital* and the *Fishmongers Almshouses*, through the Parishes of *Newington* and *Saint George Southwark*, to the *Grange Road* in the Parish of *Saint Mary Magdalen*, *Bermondsey*; from *Symond's Corner* aforesaid, along *Lambeth Marsh*, *Back Lane*, to the last-mentioned Road near the East End of *Union Place*; from the South End of *Blackfriars Bridge* to the *Obelisk* in *Saint George's Fields*, including the Circle or Area thereat, and thence along the *London Road* to *Newington* at or near the *Fishmongers Almshouses* aforesaid; from the *Obelisk* aforesaid, along the *Lambeth Road*, to the said Road leading by new *Bethlem Hospital* aforesaid; from *Mount Row* aforesaid, through *Marsh Street*, *Lambeth*, into the said Road leading from *Blackfriars*

The said Acts repealed;

and instead thereof this Act to take effect.

friars Bridge to the *Obelisk* aforesaid, at the East End of *Great Charlotte Street* in the Parish of *Christ Church*; from the North Side of the Archway, near the South End of the *Waterloo Bridge*, across *Marsh Street* aforesaid, to the said Circle or Area in *Saint George's Fields*; from the last-mentioned Road, at or near the *Coburg Theatre*, through *Oakley Street*, into the said Road leading from *Westminster Bridge* to the Stones End in *Blackman Street*, near *Symond's Corner* aforesaid; and from the *Broad Wall* at the West End of *Stamford Street*, in the Parish of *Christ Church*, to the said Road leading from near the South End of the *Waterloo Bridge* to the said Circle or Area in *Saint George's Fields*; and also the Roads herein-after mentioned; and for watching and lighting the said Roads according to the Directions herein-after contained; and that the Tolls granted and made payable under this Act for the Term hereby granted shall be and are hereby made subject and liable to the Payment of all and every Sum and Sums of Money now due and owing, as well upon the Credit of the Tolls granted by the said recited Acts of the Twenty-sixth and Forty-seventh Years of the Reign of His said late Majesty King *George* the Third, or either of them, as on any other Security given or entered into on account of or for the Use of the said Roads, and all other Monies owing on account of the said Roads, and also of such other Sum and Sums of Money as shall be borrowed for the Purposes of this Act, and the Interest due and to grow due for the same respectively.

II. And be it further enacted, That Sir *James Alexander*, *Launcelot Trustees.*
Baugh Allen, *John Allnutt*, *John Ansley*, *John Ashlin*, *Thomas Ashness*,
John Aspinall, *Joseph Arnould*, *John Falconer Atlee*, *John Atkins*, *Mathias*
Atwood, *George Bacchus*, *John Baker*, *George Bailey*, *Thomas Bainbridge*,
Sacville Stevens Bale Clerk, *George Bankin*, *Benjamin Barnard*, *Henry*
J Barchard, *Robert Wildman Barchard*, *Charles Barclay*, *George Rogers*
Barrett, *Jonathan Tyers Barrett* Doctor in Divinity, *Morris Halford*
Barrow, *Edward Batten*, *Joseph Benwell*, *Thomas Starling Benson*, the
Honourable Mr. Justice *Best*, *George Maximilian Bethune* Doctor in
Divinity, *Samuel Bilke*, *Edward Bilke*, *Vincent Hilton Biscoe*, *Samuel*
Birch, *Benjamin Birkhead*, *Joseph Seymore Biscoe*, *John Blades*, *Sir Mat-*
thew Bloxham, *William Bloxham*, *Francis Scawen Blunt*, *John Bolland*,
Benjamin Bond, *William Borradaile*, *Thomas Borradaile*, *Richardson Bor-*
radaile, *Robert Bostock*, *Benjamin Bovill*, *William Bovill*, *James Bourdieu*,
Charles Bowles, *Thomas Bradford*, *Joseph Bradney*, *James Brandram*,
John Brickwood, *Sir Henry Bridges*, *George Bridges*, *John Bristow*, *Peter*
Wybrants Broadley, *James Brogden*, *John Brooks*, *Sir John Delves Brough-*
ton Baronet, *Anthony Brown*, *Burton Brown*, *Thomas Browning*, *Robert*
Brown, *Richard Brown*, *Robert Brown* the younger, *Benjamin Brown*,
Gilbert Buchannan Doctor in Divinity, *Henry Buckley*, *Robert Burnett*,
Charles Fasset Burnett, *Walter Burrell*, *John Burt*, *Thomas Bush*, *Robert*
Holt Butcher Clerk, *John Buxton*, *Robert Bygrave*, *Thomas Calverley*,
Thomas Carter, *John Carter*, *Robert Chatfield* Doctor in Divinity, *Charles*
Chatfield, *Samuel Chatfield*, *Jonathan Chapman*, *Samuel Chollett*, *Sir Wil-*
liam Clayton Baronet, *William Clarke*, *Robert Clarke*, *John Calvert*
Clarke, *Richard Henry Clarke*, *John Clutton*, *William Clutton*, *Thomas*
Coles, *William Coles*, *Frederick Coles*, *William Costeker*, *William Cowdry*,
Robert Albion Cox, *James Cox*, *Edward Cranston*, *Michael Crapping*,
Richard Crawshay, *Philip Crow*, *William Henry Crowder*, *William Crough-*
ton,

ton, Sir William Curtis Baronet, Edward Jeremiah Curteis, William Curteis, Robert Dagleish, James Danniell, James Davidson, Peter Davey, William Dealtry Clerk, William Joseph Denison, William Dent, Sir William Champion De Crespigny Baronet, Francis Lawrence Dillon, John Dingwall, William Disney, Thomas Dixon, Charles Dodd, John Dorrien, George D'Oyley Doctor in Divinity, Beriah Drew the younger, Patrick Drummond, Christopher Dunkin, John Hodgson Durand, Sir John Dixon Dyke Baronet, Sir John Eamer, Charles Elliott, Samuel Elyard, William Esdaile, Thomas Evance, Thomas Evans, John Evans, George Evans, John Manship Ewart, John Farley, Thomas Farley, Richard Farmer, Samuel Farrar, Samuel Favell, William Fenning, Ralph Fenwick, George Field, Richard Field, Thomas Fish, Robert Fisher, James Fisher, Sir Charles Flower Baronet, Matthew Flower, Samuel Fossick, Philip Francis, Charles Francis, William Franks, Thomas Fulcher, Augustus Elliott Fuller, John Fuller, William Fuller of Tooting, William Fuller, Thomas Fynmore, Thomas Gaitskell, Henry Gaitskell, Henry Gardiner, Abraham Gardner, John Garrat, Edward Gibson, Robert Gibson, Sir Richard Carr Glyn Baronet, Henry Golding, David Gordon, Charles David Gordon, William Levison Gower, John Grantham, James Greenwood, John Gurney, Joseph Gutteridge, Daniel Haigh, John Harris, Charles Hammersley, Anthony Harman, John Harris, Joseph Harrison, Benjamin Harrison, Matthew Harrison, George Harrison, Thomas Harrison, Richard Harvey, Charles Nairn Hastie, Benjamin Hawes, John Head, William Hedger, Robert Hedger, Thomas Helps, Henry Hewitson, William Hughes Hewitt, Henry Heylyn, William Heygate, George Hibbert, Rowland Hill Clerk, Robert Hillier, John Grove Hillesden, John Hitchens of Clapham, John Hitchens, George Matthew Hoare, John Hodgson, Benjamin George Hodges, George Holland, William Hollingsworth, Stephen Holloway, William Holme, William Holmer, Thomas Holmes, Thomas Horne, William Horne, James Horne, John Horner, John Howell, Arthur Edward Howman Clerk, Benjamin Huggett, Sir Claudius Stephen Hunter Baronet, Francis Hurlbatt, James Jacks, Thomas Jackson, Joseph Jackson, Randle Jackson, William James, Charles Jemmett, Hilton Joliffe, William Jones, Joseph Kay, William Kenrick, Jarvis Kenrick Clerk, John Kershaw, David King, Thomas George Knapp, Henry Knight, John Knight, Edward Knipe the younger, Maximilian Kymer, John Kymer, James Laing, William Lambert, Marmaduke Langdale, Thomas Langley, Charles John Lawson, Samuel Lawford, John Layton, John Lee, William Lee, Thomas Lett, John Lett, Thomas Leverton, John Lister, John Coutts Lockwood Clerk, Peter Lock, Isaac Lowdell, Matthias Prime Lucas, Robert Lucas, Thomas Lucas, William Bedcott Lutley, Zachary Macawley, Magons Dorrien Magons, the Right Honourable Christopher Magnay, Lord Mayor of the City of London, Ebenezar Maitland, Henry Malcomb, William Manfield, John Manley, Abraham Mann, James Henry Mapleton Clerk, Thomas Wayte Marson, Francis Maseres, Leigh Hoskins Master Clerk, Thomas Meager, Francis Meager, Thomas William Meller, Spencer Newcomb Meredith, John Middleton, William Minier, William Montague, James Moore, Charles Mortimer, Richard Mosely, Nathaniel Muggeridge, John Petty Muspratt, Francis Nalder, the Honourable George Henry Neville, Robert Finch Newman, Nathaniel Newnham, John Newnham, John Nicholls, Richard Noble, William Notidge, Thomas Oldham, Arthur Cyril Onslow Clerk, William Orme, George Owen, William Oxenford, William Paine, Richard Pain, Charles Nicholas Pallmer, Clarkson Palmer, Archdale Palmer, John Parrott, Benjamin

jamin Patterson, Francis Paynter, William Pearson, Thomas Penfold, Henry Perkins, Frederick Perkins, Charles Perkins, John Perkins, Sir John Perring Baronet, Joseph Peyton, John Phillips, Henry Pigeon, William Pinchback, Sir John Pinhorn, Robert Pitches, John Platt, John Plaskett, John Plummer, Robert Polhill, Joseph Pomeroy, Robert Pott, Arthur Pott, Thomas Poynder, Joseph Prestwich, William Randall, Nathaniel Randall, John Ravenhill, William Rayley, Joseph Reid, Jacob Forster Reynolds, Forster Reynolds, Robert Rich, Thomas Ridley, William Robinson, William Sanders Robinson, Matthew Robinson, John Rogers, David Riddall Roper, George Boone Roupell, Daniel Henry Rucker, John Anthony Rucker, Sir William Rush, Edward Russell, Joshua Ryle, James Ryle, Thomas Sampson Doctor in Divinity, Edmund Sandford Clerk, Richard Sander-son, Robert Sangster, William Saville, George Sawyer, George Scholey, George Scott, John Scriven, Harry Scrivenor, Edward Sells, William Sewell, Sir James Shaw Baronet, Benjamin Shaw, Michael Shepley, Edward Shewell, John Shewell, John Shorey, William Shrubsole, Thomas Allen Shuter, Thomas Simpson, Robert Slade, William Slade, Daniel Slade, Thomas Smith, Joshua Jonathan Smith, Thomas Bennet Smith, Joseph Smith, Thomas Smith, Richard Smith, Kennard Smith, Charles Smith, William Smith, Ralph Smith, Henry Smith, George Smith, Christopher Smith, Samuel Smith, Edward Smyth Clerk, Hugh Stanger, George Stevenson, George Henry Storie Clerk, Miles Stringer, Thomas Styan, Sir Charles Sullivan Baronet, George Holme Sumner, Stephen Swabey Clerk, Henry Swann, Samuel White Sweet, Thomas Tait, Christopher Taddy, Richard Taylor Clerk, Christopher Terry, Ebenezer Thompson, William Thompson, Samuel Thornton, John Thornton, John Thomas Thorp, Thomas Thorp Clerk, William Toulmin, Edward Townsend, George Tritton, Charles Turner, John Turner, James Turpin, Sir Thomas Turton Baronet, John Varnham, Isaac Vaughan, George Vaughan, Edward Vaux, William Venables, Robert Waithman, Thomas Walsham Doctor of Physic, William Walton, Seth Stephen Ward, Daniel Watney, George Ware, Samuel Waring, Daniel Richard Warrington, Henry Weymouth, Thomas Weall, James Webber, James Weller Doctor in Divinity, John West, Henry Weston, William White, Richard Whitfield, John Whitmore, William Whitten, William Wilkinson, Mathias Wilkes, Joseph Brown Wilkes, John Willes, William Williams, James Williams, William Willis, John Strange Winstanley, John Wisker, John Withers, Sir Mark Wood Baronet, Matthew Wood, Thomas Wood, William Woodyer, John Woolley, Jonathan Worrell, Jacob George Wrench, Joseph Wyndham, Florance Young, Charles Young, and their Successors, to be elected in manner herein-after mentioned, shall be and they are hereby appointed the Trustees for putting this Act into execution, and all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done by or before the said Trustees, shall and may be exercised, had, and done by the major Part of the said Trustees who shall be present at the respective Meetings of the said Trustees, the whole Number of Trustees present not being less than Seven; and all Acts, Matters, and Things when so done shall be of as full Force and Effect as if done or executed by or before all the said Trustees.

III. And be it further enacted, That when any of the Trustees hereby appointed or to be appointed in manner herein-after mentioned shall die, neglect, refuse, or decline to act, or shall cease to reside in the said

For appoint-
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Trustees.

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County

County of *Surrey*, the surviving or remaining Trustees, or any Seven or more of them, may and they are hereby empowered and required from Time to Time to choose and appoint any other Person residing in some one of the Parishes in which the said Roads do lie, in the Place of every such Trustee so dying, neglecting, or refusing or declining to act, or ceasing to reside in the said County; and the Non-attendance of any Trustee for the Term of One Year shall be deemed to be a Refusal to act: Provided always, that Ten Days Notice of the Meeting for every such Election shall be given in some Newspaper circulated in the Neighbourhood of the said Roads, and affixed upon all the Gates or Turnpikes which shall be then standing upon the said Roads, and every such Trustee who shall be so appointed is hereby empowered to act in the Execution of this Act in such and the same Manner to all Intents and Purposes as if he had been named and appointed a Trustee in and by this Act.

Qualification
of Trustees.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in any Case in the Execution of this Act, unless at the Time of his acting he shall be in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above all Reprizes, or possessed of a Personal Estate, or Real and Personal Estate together, to the Amount or Value of Six thousand Pounds, or shall be Heir Apparent to a Person possessed of an Estate in Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of Two hundred Pounds; and every Person (not being such Heir Apparent as aforesaid) before he acts as such Trustee shall take and subscribe the Oath or Affirmation following, before any Two or more of the Trustees hereby appointed or to be appointed in manner aforesaid, who are hereby authorized and empowered to administer the same in the Words or to the Effect following; (that is to say,)

Oath.

‘ I *A.B.* do swear [*or, being one of the People called Quakers do solemnly affirm*], That I truly and *bonâ fide* am in my own Right or in the Right of my Wife] in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Freehold and Copyhold or Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above all Reprizes [*or possessed of or entitled to a Personal Estate, or a Real and Personal Estate together, to the Amount or Value of Six thousand Pounds*].

‘ So help me GOD.’

And if any Person not being qualified as aforesaid, or not having taken and subscribed the Oath aforesaid, or, being a Quaker, not having made and subscribed the Affirmation aforesaid, shall nevertheless presume to act as a Trustee in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed, and the Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty without any further or other Proof on behalf of the

Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings which shall have been done and performed by any such Person touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

Validating Acts of unqualified Trustees before Conviction.

V. And be it further enacted, That such of the said Trustees as are or shall be Justices of the Peace shall and may in their respective Jurisdictions, and they are hereby empowered to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where he or they shall be personally interested; and that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money on the Credit of the Tolls granted by this Act, or receiving Interest for the same, shall on that Account be deemed disqualified to act as a Trustee.

Trustees may act as Justices, except when interested. Mortgagee or Assignee may act as Trustee.

VI. And be it further enacted, That the several Roads by this Act authorized to be repaired shall be distinguished and known by the Name of "The *Surrey* New Roads;" and the said Trustees shall be styled "The Trustees of the *Surrey* New Roads."

Style of the Trusts.

VII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee, in any Case in the Execution of this Act, if at the Time of his acting he shall be directly or indirectly interested or concerned in any Contract or Contracts, or shall receive or derive any Profit or Emolument under the Trustees acting in the Execution of this Act, and if any Person being so interested or concerned in any Contract or Contracts, or receiving or deriving any such Profit or Emolument, shall presume to act as a Trustee in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed: Provided nevertheless, that all Acts and Proceedings which shall have been done and performed by any such Person touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had not been concerned or interested as aforesaid.

No Person holding any Place of Profit to act as a Trustee.

VIII. And be it further enacted, That the said Trustees or any Seven or more of them shall meet at the *Horns Tavern* at *Kennington* in the said County of *Surrey*, or at some other convenient House or Place in the said County, on the Fourth *Saturday* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, or as soon after as conveniently may be, and shall then and there proceed to the Execution of this Act, and adjourn themselves from Time to Time, and afterwards meet there or at any other Place, on or near the said Roads, as the said Trustees or any Seven or more of them shall think proper and appoint, as often as it shall be necessary for putting this Act in execution: Provided always, that Two Trustees shall

First and other Meetings.

shall be sufficient to constitute a Meeting for the Purpose of Adjournment; and in case a competent Number of Trustees required to do any Act or Thing under and by virtue of this Act shall not appear at any Time and Place appointed for a Meeting of the Trustees for putting this Act in execution, it shall be lawful for the Trustees then assembled to adjourn to any other Time or Place; or in case no Trustess or only One Trustee shall appear at any Time and Place appointed for any such Meeting, or in case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, then and in either of the said Cases it shall be lawful for any Two or more of the said Trustees, or the Clerk or Treasurer to the said Trustees for the Time being, by a Notice in Writing affixed on all the Toll Gates, Bars, or Turnpikes upon the said Roads, and inserted in some Newspaper circulated in the Neighbourhood, at least Ten Days before the next Meeting, to appoint a Meeting of the said Trustees, to take place at the same Place where the last Meeting was held, or was to have been held, on such future Day as shall be specified in such Notice, not exceeding Twenty-one Days after the Day on which such last-mentioned Meeting was held or was to have been held as aforesaid; and in case such Clerk or Treasurer respectively shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall be lawful for any Seven or more of the said Trustees, although not assembled at a Meeting, at any Time or Times after such Refusal, Neglect, or Prevention respectively, as aforesaid, by Notice in Writing under their Hands, to be affixed and inserted in manner aforesaid, to appoint the Trustees to meet at some House on or near the said Roads, upon some Day within Twenty-one Days after the Date of such last-mentioned Notice; and if after any Adjournment of the said Trustees it shall be thought necessary that they should meet at an earlier Time than the Day appointed by such Adjournment, in that case the Clerk to the said Trustees, upon an Order in Writing signed by any Seven or more of them, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place and Purpose which shall be mentioned in such Order, (such Time not being less than Seven Days after such Notice,) and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at all such Meetings as aforesaid shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournments; and all Orders, Proceedings, and Determinations of the Trustees in the Execution of this Act shall be made at Meetings to be held in pursuance of this Act and not otherwise, (except as herein mentioned,) and that no Order or Determination shall be made, unless the major Part of the Trustees present shall concur therein, such Meeting not consisting of less than the Number of Trustees by this Act authorized to make such Orders or Determination.

Trustees at their Meetings to appoint a Chairman.

IX. And be it further enacted, That at every Meeting of the said Trustees to be held under or by virtue of this Act, the said Trustees shall pay their own Expences, and a Chairman shall be appointed from among the Trustees then present; and when and as often as it shall 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 the Chairman shall have, and he is hereby empowered to give, a double or casting Vote.

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X. Provided always, and be it further enacted, That no Order or Resolution made by the said Trustees at any General or Special General Meeting shall be revoked or altered at any General or Special General Meeting unless a Majority of the Trustees present at such General or Special General Meeting shall concur in such Revocation or Alteration, nor unless such Majority shall consist of Nine Trustees at the least, nor unless Notice of such last-mentioned General or Special General Meeting, specifying the Business to be done thereat, shall have been given in manner by this Act directed.

No Order to be revoked, unless a Majority of Trustees concur.

XI. And be it further enacted, That no Order, Resolution, or Proceeding made or had by the said Trustees, and entered in the Book in which their Orders, Resolutions, and Proceedings are or shall be entered, shall be revoked, repealed, or altered at any Special Meeting, or Meeting on Emergency, unless such Meeting shall be held at the same Place where the last preceding General Meeting of the said Trustees shall have been held, and Notice thereof given in manner by this Act directed; and that every Adjournment from such Special Meeting, or Meeting on Emergency, shall be to the same Place where such last-mentioned Meeting shall have been held: Provided always, that no further or other Business shall be entered upon or taken into consideration at any such Special Meeting, or Meeting on Emergency, than such as shall have been set forth in the Order and Notice for calling such Meeting.

Directions as to holding Special Meetings.

XII. And be it further enacted, That the said Trustees, or any Seven or more of them, at their first or any subsequent Meeting, as Occasion shall require, shall and may, by Writing under their Hands, elect and appoint or continue a Treasurer or Treasurers, and a Clerk or Clerks, Collector or Collectors of all Monies to be collected or which shall be due and payable under or by virtue of this Act, and also shall appoint a Surveyor or Surveyors, and all such other Officers as they the said Trustees, or any Seven or more of them, shall think proper, and also may remove from Time to Time all such Treasurers, Clerks, Collectors, Receivers, Surveyors, and other Officers, or any of them, when and as often as they the said Trustees, or any Seven or more of them, shall see Occasion; and the said Trustees, or any Seven or more of them, shall and may, out of the Money to be raised by virtue of this Act, make such Allowance unto the Treasurers, Clerks, Receivers, Collectors, Surveyors, or other Officers so appointed or continued, for and in consideration of the Care and Pains respectively taken in the Execution of their respective Offices, and to such other Persons as shall be assisting in and about the Execution of this Act, as to them the said Trustees, or any Seven or more of them, shall seem proper; and all such Officers and Persons shall from Time to Time, when thereunto required by the said Trustees, or any Seven or more of them, deliver to such Trustees, or to such Person or Persons as they, or any Seven or more of them, shall for that Purpose appoint, a true and perfect Account, in Writing under their respective Hands, of all Monies which shall have been by them respectively had, collected, or received, and how and to whom and for what Purpose the same and every Part thereof hath been disposed of, together with the Vouchers and Receipts for such Payments; and all such Officers and Persons shall and are hereby respectively required to pay all such Monies as upon the Balance of such Account or Accounts shall appear to be in their Hands to such Person or Persons as the said Trustees, or any Seven or

Trustees to appoint Officers.

more of them, shall appoint to receive the same; and if the said Officers or Persons, or any of them; shall refuse or neglect to render and give such Account as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance remaining in their Hands when thereunto required in manner aforesaid, or if any such Officer or Person shall refuse or neglect to deliver up to the said Trustees, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, shall appoint, within Ten Days after being thereunto required by the said Trustees, or any Seven or more of them, or by such other Person or Persons, all Books, Papers, or Writings in their Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made by the said Trustees, or any Seven or more of them, or by any Person or Persons on their Behalf, of any such Neglect or Refusal, to any Justice of the Peace for the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing, shall live or reside, such Justice may and he is hereby authorized and required by Warrant or Warrants to cause such Officer or Officers, Person or Persons, to be brought before him, and upon his or their appearing, or not being to be found, or not sending some reasonable Excuse, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees, or any Seven or more of them, might have done; and if upon the Confession of the Officer or Officers, Person or Persons, against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may and he is hereby authorized and empowered, upon Nonpayment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to give and deliver to the said Justice an Account or Accounts of Receipts and Payments as aforesaid, or to verify the Truth of such Accounts, and of the Articles thereof, on Oath, as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or to deliver up all such Books, Papers, and Writings as aforesaid, then and in either of the Cases aforesaid the said Justice may and he is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Common Gaol of the County or Place where he or they shall live or reside, there to remain, without Bail or Mainprize, until he or they shall have delivered in and settled his or their Accounts, and have verified the same upon Oath, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in his or their respective Hands, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he or they shall have compounded with the said Trustees, or any Seven or more of them, for the same, and paid the Composition Money to the said Trustees, or any Seven or more
1 of

of them, or to such Person or Persons as they shall appoint to receive the same, and which Composition the said Trustees, or any Seven or more of them, are hereby empowered to make, or until he or they shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees, or any Seven or more of them: Provided always, that no Person who shall be committed for Want of a sufficient Distress shall be detained in Prison for any longer Time than Six Calendar Months.

XIII. And be it further enacted, That the said Trustees, or any Seven or more of them, shall and they are hereby required to take such sufficient Security from their Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls and other Monies, or other Officers to be appointed for the Purposes of this Act, for the due and faithful Execution of their respective Offices, as they the said Trustees, or any Seven or more of them, shall think proper.

Officers to give Security.

XIV. And be it further enacted, That all Orders and Proceedings of the said Trustees shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings, so entered, shall be signed by the Trustees making the same, or the major Part of them, or by their Clerk by their Order on their Behalf, which said Book or Books, and also the Books herein-after mentioned and directed to be kept for registering the Mortgages and Assignments of the Tolls hereby granted, or Transcripts thereof signed by the Clerk to the said Trustees, shall and may be read in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, or Actions touching any thing done or to be done in pursuance of this Act.

Proceedings to be entered in a Book.

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

Books used under former Acts to be Evidence.

XVI. Provided always, and be it further enacted, That the present Clerk, Surveyors, and Collectors of the Tolls arising upon the said Roads, and other Officers (save and except the Treasurer), appointed by virtue of the said recited Acts or either of them, for the Care and Management of or relating to the said Roads or any of them, shall and they are hereby authorized to act in the Execution of this Act until they shall be removed or others appointed in their Stead.

Present Officers to continue till new ones be appointed.

XVII. And be it further enacted, That the said Trustees may sue and be sued, for or concerning any thing to be done by virtue or in pursuance of this Act, in the Name or Names of any one or more of them, or in the Name of their Treasurer or Clerk for the Time being, and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees, by virtue of this Act, in the Name or Names of any one or more of them, or in the Name of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of any such Trustee or Trustees, Treasurer or Clerk, nor by the Act of such Trustee or Trustees, or such Treasurer or Clerk, without the Consent of the Trustees, or any Seven or more of them; but that the Trustee or Trustees, or the Treasurer

Trustees may sue or be sued in the Name of their Treasurer or Clerk.

Treasurer or Clerk to be reimbursed Expences.

sureur or Clerk for the Time being to the said Trustees, shall be deemed Plaintiff or Defendant, Plaintiffs or Defendants, as the Case may be, in such Action or Suit: Provided always, that every such Trustee or Trustees, or such Treasurer or Clerk, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully reimbursed and paid, out of the Monies to arise in pursuance of this Act, all such Costs, Charges, Damages, and Expences as by the Event or in consequence of any such Action or Proceeding he or they shall pay, bear, expend, or be put unto or become liable for or chargeable with by reason of his or their being so made Plaintiff or Defendant, Plaintiffs or Defendants, as aforesaid.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

XVIII. And be it further enacted, That the said Trustees, or any Seven or more of them, shall and they are hereby required, from Time to Time and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Roads, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all the Meetings of the said Trustees be open to the Inspection of the said Trustees, and any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Clerk restrained from acting as Treasurer, and vice versa.

XIX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, nor to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk, in the Execution of this Act, every Person so offending shall, for every Act, Matter, or Thing done or executed by him or them respectively as such Clerk and Treasurer, or Clerk or Treasurer, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager at Law, or more than One Impar lance, shall be allowed.

All Persons owing Money to continue.

XX. And be it further enacted, That all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the

the said recited Acts, shall be liable to the Payment thereof to the Trustees for executing this Act; and all Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons to or with the Trustees for executing the said recited Acts shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed, on account and for the Benefit of the Trust under this Act, in the same Manner as if such Bonds, Covenants, Agreements, Contracts, and Securities had been entered into by such Person or Persons under and by virtue of this Act, and with the Trustees hereby appointed; and all Lettings of Tolls, Contracts, Agreements, or Notices, made, entered into, or given by the said Trustees for executing the said recited Acts to or with any Person or Persons, or for any other Purpose, shall remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, and by the other respective Parties thereto, according to the Terms, Stipulations, and the true Intent and Meaning thereof.

liable, and all Bonds, Contracts, &c. to remain in force.

XXI. And be it further enacted, That no Person shall be capable of holding any Place of Profit under the said Trustees who shall sell Wine, Ale, Beer, Cyder, or Spirituous Liquors by Retail.

Victuallers not to hold Places of Profit.

XXII. And be it further enacted, That the said Trustees, or such Person or Persons as they shall for that Purpose authorize, delegate, or appoint, are hereby empowered to contract with any Person or Persons for altering, widening, or repairing the said Roads or any Part thereof, or for doing any other Work to be performed in the Execution of this Act, in such Manner and for such Sum or Sums of Money as the said Trustees shall think proper, and that all Contracts and Agreements in Writing entered into pursuant to any Order of the said Trustees, with any Workmen or other Person or Persons, relating to any Matter or Thing to be done by virtue of this Act, shall be binding upon all such Parties and Persons as shall sign the same, his, her, and their Executors and Administrators, and that Actions and Suits shall and may be maintained thereon by the said Trustees, or by their Clerk or Clerks, Treasurer or Treasurers, and in his or their Name or Names respectively, and Damages and Costs recovered against the Party or Person, Parties or Persons, failing in the Performance of such Contracts or Agreements respectively, and such Sum of Money as shall or may be requisite for repairing the said Roads or for doing any other Matter or Thing to be done by virtue of this Act, and which by such Contracts or Agreements respectively the Parties ought to have done, shall be the Measure of the Damages to be recovered in any Action or Suit against any such Party or Person, Parties or Persons, so as aforesaid making default in fulfilling his, her, or their Contract or Agreement, any Law or Usage to the contrary in anywise notwithstanding.

Trustees may contract for Repairs, &c.

XXIII. And be it further enacted, That the said Trustees shall and they are hereby empowered, from Time to Time, to appoint or continue such a Number of fit and able-bodied Men, to be armed and clothed in such Manner as the said Trustees shall direct, to be employed as Watchmen upon the said Roads hereby directed to be watched and lighted, who shall attend at such Times and Places thereon, and perform such Duty as the said Trustees shall appoint; and the said Trustees shall and may cause to be erected or provided, or continued, proper and sufficient Watch-

For appointing and regulating Watchmen and Superintendants.

houses, Watch-boxes, Benches, or other Requisites for such Watchmen, at such Places on the said Roads as they shall judge necessary; and the said Trustees shall and may appoint or continue a proper Person or proper Persons to be Superintendant or Superintendants, who shall attend and go along the same Roads at such Times and in such Manner and for such Purposes as the said Trustees shall direct; and the said Trustees may, from Time to Time, remove any of the said Superintendants or Watchmen, and appoint others in their Room, or in the Room of such as shall die, neglect, refuse, or become incapable to serve in such Capacities; and the said Trustees are hereby empowered and required from Time to Time to make such Rules, Orders, and Regulations for the better governing of the said Watchmen and Superintendants, and for other the Purposes of this Act, with respect to watching the said Roads and keeping the Peace thereon, as the said Trustees shall think proper; all which Rules, Orders, and Regulations shall be of the same Force and Effect for the Purposes hereby intended as if the same were enacted in this Act, provided such Rules, Orders, and Regulations are not contrary to the Provisions of this Act, or repugnant to the Laws of this Realm.

For regulat-
ing Age of
Superin-
tendant and
Watchman.

XXIV. And be it further enacted, That no Person shall hereafter be appointed a Superintendant or Watchman for the Purposes of this Act who shall be above the Age of Forty Years, unless he shall have been previously, and up to the Time of his Appointment, employed in the Horse or Foot Patrole acting under the Orders of the Chief Magistrate of the Public Office in *Bow Street* in the County of *Middlesex*, or employed under the Trustees acting in the Execution of the said recited Acts.

Rules and
Orders for
Superinten-
dants and
Watchmen
to be given
to them.

XXV. And be it further enacted, That true Copies or Transcripts of all such Orders, Rules, Regulations, Nominations, and Appointments as shall from Time to Time be made for the better Government and Direction of the said Watchmen and Superintendants shall be fairly written or printed, and signed by the said Trustees, or by their Clerk by their Order, and shall be delivered to each and every of the said Watchmen and Superintendants, who shall in their several Turns or Courses of Watching, and they and each and every of them are hereby required to use their best Endeavours to prevent Fires, Murders, Burglaries, Robberies, and all Outrages and Disorders, and to that End shall and they are hereby jointly and severally empowered and required to arrest and apprehend all Night Walkers, Malefactors, Rogues, Vagabonds, and all disorderly Persons whom they or any of them shall find disturbing the Public Peace, and to carry them to the Watch-house or Watch-houses provided or to be provided by the said Trustees for that Purpose, there to be kept until the Watchmen, Superintendants, or some or one of them, can take such Person or Persons before some Justice of the Peace for the said County of *Surrey*, to be examined and dealt with according to Law; and the Superintendants in their respective Turns shall, so often in every Night as shall be ordered by the said Trustees, go upon the said Roads, and take notice whether the Watchmen, and each and every of them, perform their Duties in their several Stations, according to such Rules, Orders, and Regulations as shall have been made for that Purpose by the said Trustees as aforesaid; and that every such Watchman and Superintendant shall and may and is and are hereby required, during the Times of his or their watching or superintending, to assist and defend any Person or Persons who

who shall be unlawfully assaulted, attacked, or abused upon or near the said Roads.

XXVI. And be it further enacted, That the Treasurer to the said Trustees for the Time being, or the said Trustees, or any Five or more of them, shall and he and they is and are hereby declared to have Power respectively to suspend any Superintendant or Superintendants, Watchman or Watchmen, to be continued or appointed by virtue of this Act, and to appoint another Superintendant or other Superintendants, Watchman or Watchmen, in his or their Place or Places, until the next Meeting of the said Trustees, and which Superintendant or Superintendants, Watchman or Watchmen, so appointed by the Treasurer or the said Trustees, or any Five or more of them, shall be and is and are hereby vested with all the Powers and Authorities by this Act vested in or given to the said Superintendants and Watchmen.

Treasurer or Five Trustees may suspend Watchmen, &c.

XXVII. And be it further enacted, That the said Trustees shall have full Power and Authority to cause such and so many Lamps, Lamp Posts, and Lamp Irons as they shall think proper to be erected or set up, and to continue all or any of such Lamps, Lamp Posts and Lamp Irons now or hereafter to be erected and set up upon the said Roads, or to be affixed to the Premises of any Person whomsoever, making good any Damage which shall be done thereto by the same; and shall also have full Power and Authority from Time to Time to contract with any Person or Persons for lighting, maintaining, and repairing such Lamps, Lamp Posts, and Lamp Irons, and to give such Orders and Directions concerning the same as the said Trustees shall judge reasonable, necessary, and expedient, or as the said Services or Works may require.

Trustees to cause Lamps to be erected.

XXVIII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or otherwise damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, or shall wilfully extinguish any of the said Lamps when lighted, it shall be lawful for any Justice of the Peace for the said County of *Surrey* and he is hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party or Parties accused, or it shall be lawful for any Person or Persons whomsoever who shall see such Offence committed to apprehend, as also for any other Person or Persons to assist in apprehending such Offender or Offenders, and by the Authority of this Act, and without any other Authority, to convey him, her, or them, or to deliver him, her, or them into the Custody of a Peace Officer, or any Watchman or Superintendant appointed under this Act, in order to be secured and conveyed before some Justice of the Peace for the said County of *Surrey*, to be dealt with as herein-after is directed; and the Party or Parties accused being brought before any such Justice, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and that such Party or Parties, either by his, her, or their own Confession, or upon such Information as aforesaid, so convicted, shall for the First Offence forfeit and pay any Sum not exceeding Ten Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid, and for the Second Offence any Sum not exceeding Twenty Shillings, and for the Third and every other subsequent Offence

For punishing Persons wilfully damaging Lamps.

Offence any Sum not exceeding Forty Shillings, and full Satisfaction shall also be made to the said Trustees by such Offender or Offenders for the Damage so by him, her, or them done as aforesaid, to be ascertained on Oath before such Justice, and to be found by him at the Time of such Conviction; and in case such Offender or Offenders shall not upon Conviction pay such Forfeiture by him, her, or them incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or Offenders shall be convicted is hereby required to commit him, her, or them to the House of Correction for the said County of *Surrey*, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture shall be sooner paid and given, and such Satisfaction made.

Persons accidentally damaging Lamps to make Satisfaction.

XXIX. And be it further enacted, That if any Person shall accidentally damage, throw down, or otherwise injure any of the said Lamps, or any of the Posts, Irons, or Furniture thereof, and shall not, upon Demand, make satisfaction to the said Trustees for the Damage by such Person done as aforesaid, it shall be lawful for any Justice of the Peace for the said County of *Surrey* and he is hereby required, upon Complaint made by the said Trustees, or by any Person on their Behalf, to summon before him the Party complained of, and upon his or her Appearance or making default to appear (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or last Place of Abode, if known, or that he or she could not be found,) such Justice shall proceed to examine the Matter of the said Complaint in a summary Way, and upon Proof thereof, either by Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of, for the Damage or Injury so by him or her done, as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded (in case the same be not paid forthwith upon the making of such Award or Order) to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering to him or her the Overplus (if any), upon Demand, after the Charges of prosecuting such Complaint and of such Distress and Sale shall be deducted; and in case sufficient Distress cannot be found such Justice shall commit the Party complained of to the House of Correction for the said County of *Surrey*, there to remain until he or she shall pay the Sum awarded, or for any Time not exceeding One Calendar Month.

Trustees may continue Turnpikes and erect others.

XXX. And be it further enacted, That the said Trustees may and are hereby authorized and empowered to continue or take down all or any of the Toll Gates, Bars, or Turnpikes, and Toll Houses, now or hereafter to be erected in, upon, or across any of the Roads by this Act authorized to be repaired, or on the Side or Sides thereof; and also to erect or cause to be erected such Toll Gates, Bars, or Turnpikes in, upon, or across any of the said Roads, or upon or near the Side or Sides thereof, across any Street, Lane, or Way leading into the same, as they shall think proper, and to continue or erect a Toll House adjoining or near to the said respective Toll Gates, Bars, or Turnpikes, or such of them as they shall think proper (except as by this Act is otherwise particularly provided),

provided), and the respective Tolls following shall be demanded and taken at all such Toll Gates, Bars, or Turnpikes as aforesaid, before any Horse, Cattle, or Carriage shall be permitted to pass through the same; (that is to say,)

For every Horse or Mule, laden or not laden, and not drawing, the Sum of One Penny Halfpenny : Tolls.

For every Ass, laden or unladen, and not drawing, the Sum of One Halfpenny :

For every Chaise, Chair, or other such like Carriage, drawn by One Horse or other Beast of Draught, the Sum of Two-pence :

For every Horse or other Beast of Draught drawing any Chaise, Chair, Curricule, or other such like Carriage, on Two Wheels only, drawn by Two or more Horses or other Beasts of Draught, the Sum of One Penny Halfpenny :

For every Horse or other Beast of Draught drawing any Coach, Chariot, Landau, Berlin, Hearse, Chaise, Curricule, Sociable, Barouche, Calash, or other such like Carriage, on more than Two Wheels, drawn by Two Horses or other Beasts of Draught, not being any Stage Coach or other such like public Carriage or Caravan, or Carriage travelling for Hire, the like Sum of One Penny Halfpenny :

For every Horse or other Beast of Draught drawing any Coach, Chariot, Landau, Berlin, Hearse, Chaise, Curricule, Sociable, Barouche, Calash, or other such like Carriage, drawn by Three or Four Horses or other Beasts of Draught, not being any Stage Coach or other such like public Carriage or Caravan, or Carriage travelling for Hire, the like Sum of One Penny Halfpenny :

For every Horse or other Beast of Draught drawing any Chariot, Landau, Berlin, Hearse, Chaise, Curricule, Sociable, Barouche, Calash, or other such like Carriage, drawn by Six Horses or other Beasts of Draught, not being any Stage Coach or other such like public Carriage or Caravan, or Carriage travelling for Hire, the like Sum of One Penny Halfpenny :

For every Horse or other Beast of Draught drawing any Waggon, Cart, Dray, or other such like Carriage, with Wheels of less Breadth than Six Inches, the Sum of Two-pence :

For every Horse or other Beast of Draught drawing any Waggon, Cart, Dray, or other such like Carriage, with Wheels of the Breadth of Six Inches and upwards, the Sum of One Penny Halfpenny :

For every Drove of Oxen or Neat Cattle the Sum of Five-pence *per* Score, and so in proportion for any less Number ; and

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

XXXI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, and they are hereby required, to demand and take, or cause to be demanded and taken, the Sum of One Penny for every Horse or Mule drawing any Stage Coach, or other such like public Carriage, or any Caravan or Carriage travelling for Hire (except Post Chaises), every Time they shall pass along or upon the said Roads included in this Act, or any or either of them ; and to order and direct, that the Tolls hereby granted for and in respect of all Post Horses or Mules drawing any Post Chaise or other such Carriage shall be paid every Time they shall pass along or upon the said Roads, or any or either of them,

Stage
Coaches, &c.
liable to Toll
every Time
of passing.

in case of a fresh Hiring of such Post Chaise or other Carriage, and the Driver thereof shall deliver a Ticket denoting a fresh Hiring.

Tolls on
Hackney
Coaches.

XXXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to demand and take, or cause to be demanded and taken, for each and every Hackney Coach and Hackney Chariot passing through any of the Gates erected or to be erected on the said Roads, the Toll payable by virtue of this Act in respect of such Carriages every Time any such Hackney Coach or Hackney Chariot shall pass through any of the said Gates, save and except the Person or Persons inside of such Coach or Chariot, or other Person or Persons hiring the same, shall produce a Ticket or Tickets denoting such Toll has been paid on that Day for and in respect of such Coach or Chariot; and each and every Collector or Collectors of the said Tolls shall and he and they is and are hereby required to deliver to the Person or Persons in the Inside of such Coach or Chariot, or other Person or Persons hiring the same, a Ticket denoting the Payment of the said Toll; and in case any such Collector or Collectors shall refuse or neglect to deliver such Ticket, *gratis*, to such Person or Persons, then and in every such Case such Collector or Collectors shall forfeit and pay any Sum not exceeding the Sum of Five Pounds, nor less than Forty Shillings.

An additional
Toll may be
taken at cer-
tain Times
for watering
the Roads.

XXXIII. And whereas it would be a great Accommodation to the Public if the said Roads, or certain Parts thereof, were watered at particular Times or Seasons of the Year; be it further enacted, That it shall be lawful for the said Trustees, at any Time or Times between the First Day of *April* and the First Day of *October* in every Year, to order and direct such Part or Parts of the said Roads by this Act authorized to be repaired, as they shall think fit, to be watered when and as often as they shall think fit; and it shall also be lawful for the said Trustees, and their Lessees, Collectors, and Receivers, to take, collect, levy, and receive for every Horse or other Beast, laden or unladen, drawing or not drawing, the Sum of One Halfpenny over and above the Tolls granted by this Act, provided that such additional Toll shall only be paid and payable on those Parts of the said Roads which shall be actually watered by the said Trustees.

Carts not to
pass more
than Twice
in One Day
without Pay-
ment of a
fresh Toll.

XXXIV. Provided always, and be it further enacted, That no Cart, Waggon, Dray, or other Carriage, laden with Bricks, Tiles, Clay, Sand, Stones, Brick Earth, Rubbish, Soil, Sand, or Ashes, shall be permitted to pass through any of the said Toll Gates, Bars, or Turnpikes more than Twice in any One Day without paying again the like Tolls as if the same had not already passed through any of such Toll Gates, Bars, or Turnpikes, except such Carts or Waggon as shall be employed and used in carrying and conveying Materials for the repairing and amending the said Roads; any thing herein contained to the contrary notwithstanding.

Tolls vested
in Trustees.

XXXV. And be it further enacted, That the said several and respective Tolls, and all other Tolls by this Act granted or authorized to be collected, shall be and are hereby vested in the said Trustees for the Purposes of this Act.

XXXVI. Pro-

XXXVI. Provided always, and be it further enacted, That if any Person subject to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same, or any Part or Parts thereof, it shall be lawful for the Person or Persons authorized and appointed to collect such Tolls, by himself, herself, or themselves, and with such Assistance as he, she, or they shall think necessary (and which Assistance all Persons are hereby required to give if called upon), to seize and distrain any Horse or Horses, Beast or Beasts, Cattle, or other Thing or Things, upon or in respect of which such Toll is hereby imposed, together with its or their respective Bridles, Saddles, Gears, Harness, Accoutrements, or Loading (except the Bridle, Halter, or Reins of any Horse or Beast separate from such Horse or Beast); and if such Tolls, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may, as soon as convenient, afterwards sell the Things so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any), and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted.

On Non-payment of Toll, Collectors may distrain.

XXXVII. And be it further enacted, That if any Dispute shall happen about the Amount due for any of the Tolls hereby granted, or the Charges of making, keeping, or selling any Distress, such Dispute shall be settled and determined by any Justice of the Peace for the said County of *Surrey*, who, upon Application made to him for that Purpose, shall examine the Matter by Oath of the Parties, or other Witness or Witnesses, and determine the Amount of the Tolls due, and shall make such Order, and award such Costs and Charges to either Party, as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered in case of Non-payment thereof forthwith, by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, rendering the Overplus (if any) on Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

For settling Disputes concerning Tolls.

XXXVIII. And be it further enacted, That the Tolls to be collected by virtue of this Act shall be and the same are hereby declared to be a Security for the Repayment of the Money borrowed and now due and owing upon the Credit of the Tolls authorized to be collected upon the said Roads by any former Act, and all Interest due and to become due for the same, in such and the same Manner as if all such Money had been borrowed by the said Trustees upon the Credit of this Act.

Tolls to be a Security for Money already borrowed.

XXXIX. Provided always, and be it further enacted, That all Persons who shall have been employed, or who shall have received any Tolls or other Monies by virtue or on account of the said recited Acts, or shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or other Things relating to the said Roads, shall account for the same and every Part thereof to the said Trustees, in the

Persons who have received Tolls, &c. by virtue of former Acts, to account with Trustees in like Manner.

like

like Manner and under the like Penalties as the several other Officers and Persons are herein-before directed to account.

To prevent
evading Pay-
ment of Tolls.

XL. And be it further enacted, That if any Person shall, with any Cattle or Carriage whatsoever, pass through any Land or Ground (not being a Public Highway) adjoining to or lying near to any of the said Roads, or if any Owner or Occupier of any such Land or Ground shall knowingly or wilfully, by permitting any Fence to be broken down, removed, or decayed, or otherwise, permit or suffer any Person with any Cattle or Carriage whatsoever to pass through the same, whereby the Payment of any of the said Tolls shall be avoided; or if any Person shall give to or receive from any Person, other than the Collectors of the said Tolls, any Note or Ticket by this Act directed to be given by the said Collectors, or shall forge or counterfeit any such Note or Ticket, or make use of any such forged or counterfeited Note or Ticket, knowing the same to have been forged or counterfeited, whereby the Payment of any of the said Tolls shall be evaded; or if any Person shall forcibly pass through any of the said Toll Gates, Bars, or Turnpikes, with any Carriage, Horse, or other Cattle, without Payment of the Tolls for the same, or shall take off or cause to be taken off any Horse or other Cattle from any Carriage, or shall leave or cause to be left upon or near any Part of the said Roads any Carriage, Horse, or other Cattle, or any Goods, with Intent to evade the Payment of the said Tolls or any Part thereof, every Person so offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Exemptions
from Toll.

XLI. Provided always, and be it further enacted and declared, That no Toll shall be demanded or taken at any Toll Gate or Turnpike to be continued or erected by virtue of this Act, for any Cattle or Carriage laden with Gravel, Stones, Sand, or other Materials for repairing the said Roads, or any of the Roads or Highways within any of the Parishes wherein the Roads by this Act authorized to be repaired do lie, or in any of the adjoining Parishes; or for any Dung, Mould, Soil, or Compost of any Nature or Kind soever for manuring any Lands or Grounds within any of the said Parishes; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or for the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning from so doing; or for any Horses belonging to Officers or Soldiers upon their March or upon Duty, or for any Horses, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers, or returning empty after having been so employed; or for any Horse, Mare, or Gelding furnished by or for any Person or Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him or them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Person or Persons shall be dressed 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 the Horses or Carriages of any Person or Persons going to or returning from any Election of a Knight or Knights

of the Shire to serve in Parliament for the County of *Surrey*, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded, nor shall any Toll be demanded or taken for any Horses or Carriages of whatsoever Description, employed or to be employed in conveying any Mails of Letters or 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; or for any Horse or Carriage attending His Majesty or any of the Royal Family, or returning after having so attended; or for any Horse or Carriage travelling with any Vagrant sent by legal Pass, or any Prisoner in Custody under a legal Warrant, or returning after having been so employed; and if any Person or Persons shall claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and in all Cases the Proof of Exemption shall lie on the Person or Persons claiming the same.

XLII. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight in any such Waggon, Wain, Cart, or other Carriage, or for being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of such Waggon, Wain, Cart, or other Carriage to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

Owners or Drivers of Waggons in the King's Service not subject to the Penalties for Overweight.

XLIII. Provided always, and be it further enacted, That all Persons who shall have paid the Tolls hereby granted at any Toll Gate, Bar, or Turnpike to be continued or erected by virtue of this Act, shall on the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) be permitted to pass and repass any Time or Times, as often as he or they shall think proper, through the same Toll Gate, Bar, or Turnpike, and through all or any other Toll Gates, Bars, or Turnpikes, or Toll Gate, Bar, or Turnpike, which shall be continued or erected by virtue of this Act, for or in respect of the same Horses or other Cattle and Carriages for which such Tolls shall have been so paid (except as by this Act is otherwise directed), and that no Person passing any of the said Toll Gates, Bars, or Turnpikes, with any Horses not drawing a Carriage, and paying the Toll for such Horses, and returning the same Day (to be computed as aforesaid) with the same Horses drawing a Carriage, shall be subject or liable to pay any greater Toll in respect of such Carriage than will, with what shall have been paid for such Horses as aforesaid, make up the complete Toll authorized to be collected for such Carriage by virtue of this Act; and also that no Person passing any of the said Toll Gates or Turnpikes with any Horses drawing a Carriage, and paying the Toll for the same, and returning on the same Day (to be computed as aforesaid) with the same Horses not drawing any Carriage, shall be subject or liable to pay any Toll in respect of the Horses for returning, such Persons respectively producing a Note or Ticket denoting such respective Payments.

Toll to be paid but once a Day.

[*Local.*]

41 H

XLIV. And

Trustees may
appoint tem-
porary Col-
lectors.

XLIV. And be it further enacted, That when and as often as any Collector or Receiver of the said Tolls shall refuse, neglect, or be incapable of performing his Duty, or shall misbehave, abscond, or absent himself, any Five or more of the said Trustees, though not assembled at a Meeting of the said Trustees appointed by virtue of this Act, shall and may, by Writing under their Hands, discharge such Collector or Receiver so refusing, neglecting, or being incapable of performing his Duty, or misbehaving, absconding, or absenting himself, and in such Case, and also in case any such Collector or Receiver shall die, such Trustees shall and may, by Writing under their Hands, nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue until the next Meeting of the Trustees, in the Stead of such Collector or Receiver as shall die or be discharged, and such Person so nominated and appointed shall have the like Power and Authority and be answerable and accountable in the same Manner in all respects as the Person who shall so die or be discharged would have had or would have been subject to; and that if any Collector or Receiver of the said Tolls who shall be discharged from his Office by virtue of this Act, or the Wife or Widow or any of the Children, Family, or other Representative or Representatives of any Collector or Receiver who shall die or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll House or Building erected on the said Roads for the Space of Five Days next after Demand thereof made, and Notice in Writing given for that Purpose by any Five or more of the said Trustees, although not assembled at any Meeting, or by their Clerk or Clerks or Treasurer or Treasurers for the Time being, then and in any of the said Cases it shall and may be lawful for any Justice of the Peace for the County of *Surrey*, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House or Building in the Daytime, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and to put the said Trustees or such new appointed Collector or Receiver into the Possession thereof.

Exempting
Return
Chaises and
Post Horses
from Pay-
ment of Toll
for repassing,
&c.

XLV. Provided always, and be it further enacted, That all Horses drawing, or having drawn, any Post Chaise or other such like Carriage, for which any Toll shall have been paid at any Turnpike erected or to be erected on the said Roads, shall, on returning within the Space of Twelve Hours, without a Ticket denoting a fresh Hiring being produced, be permitted to repass Toll-free, although such Horses, Chaise, or Carriage shall not have passed through such Turnpike on the same Day.

Toll Collec-
tors to put up
their Names.

XLVI. And be it further enacted, That each and every Collector appointed by the said Trustees of the Tolls payable at any Toll Gate, Bar, or Turnpike now erected and set up or hereafter to be erected and set up on the said Roads, shall and he is hereby required to place or cause to be placed his Christian and Surname, painted on a Board in Words at Length in legible Characters, immediately over the Door, or in such conspicuous Place in the Front of the Toll House, Gate, Bar, or Turnpike, as the said Trustees shall from Time to Time direct, immediately upon his coming on Duty, each of the Letters of such Name to be at least Two Inches in Length and of a Breadth in Proportion, and painted in White Letters on a Black Ground, or in Black Letters on a White Ground, and shall

shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place or cause to be placed such Board as aforesaid, and keep the same there during the Time aforesaid, or shall refuse to permit or suffer, or shall not permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having been paid the said Tolls or any of them, or shall give a false Name or Names, on Demand, or shall refuse or neglect to deliver a Ticket *gratis* denoting the Payment of the Toll, and naming or specifying the Gate at which such Payment shall have been made, and also the Gate or several Gates, Bars, and Turnpikes freed by such Payment, or shall without sufficient Cause detain or delay any Person or Persons travelling on the said Roads, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

XLVII. And be it further enacted, That if any Person or Persons, not duly authorized and empowered by the said Trustees, shall demand, take, collect, or receive any of the said Tolls, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

None to collect Tolls but those appointed by the Trustees.

XLVIII. And be it further enacted, That the said Trustees shall and they are hereby required to find and provide, or cause to be found and provided, Tickets to be delivered to all and every Person and Persons on Payment of Toll at each and every Gate or Gates, Bar or Bars, Turnpike or Turnpikes, erected and set up or to be erected and set up on the Roads by this Act authorized to be repaired, and each and every such Ticket shall be printed, and shall contain the Name of the Gate at which Payment shall have been made, and also the Name and Names of all and every the other Gates, Bars, and Turnpikes, and shall express thereon that the said Ticket will clear the same, and each and every such Ticket and Tickets to be delivered at all and every the said Gates, Bars, and Turnpikes shall bear on the same Day the same Letter and no other, and in case any Collector or Collectors of the said Tolls, or any Lessee or Lessees, Farmer or Farmers of the said Tolls, or his, her, their, or either of their Agents, Servants, or Collectors, do and shall issue, use, or give any Ticket of a different Form or Description than as aforesaid (except any Ticket or Tickets by Law required to be of a different Form or Description), and which shall not have thereon written or printed the Name of all and every the Gates, Bars, and Turnpikes, or contain a different Letter from that delivered or given at each and every other Gate, Bar, or Turnpike during the same Day, then and in every such Case, and so often as the same shall happen, such Collector or Collectors, Lessee or Lessees, Farmer or Farmers, their Agents, Servants, or Collectors, for each and every Ticket so delivered, issued, used, or given of a contrary Form or Description than herein-before mentioned shall forfeit and pay any Sum not exceeding Twenty Pounds.

Tickets to be provided denoting the Payment of Toll.

XLIX. And be it further enacted, That a Table of the Tolls authorized to be taken under or by virtue of this Act shall be affixed to or upon all the Toll Houses erected or to be erected on the said Roads, and the

Table of the Tolls to be put up.

Name

Name of the Turnpike Gate adjoining thereto respectively shall be placed over the said Table of Tolls.

Names of the Gates to be put up at Toll Houses, &c.

L. And be it further enacted, That the said Trustees shall and they are hereby required to cause to be painted in large and legible Characters, on a Board to be affixed to some conspicuous Part of each and every Toll House on the said Roads, the Names of all the Toll Gates, Bars, or Turnpikes on the said Roads, so that the Toll Gates, Bars, or Turnpikes to be cleared by the Tickets by this Act directed to be provided may be better known and ascertained.

For punishing Toll Collectors guilty of Misconduct.

LI. And be it further enacted, That if any Toll Collector so to be appointed as aforesaid shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do, or shall demand or take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall be guilty of any Misconduct in his Office, or shall insult, abuse, or ill-treat any Passenger or Person on the said Roads, or otherwise misbehave himself to such Passenger or Person, every such Toll Collector so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Surrey*, and for Want of sufficient Distress such Justice is hereby empowered and required to commit such Offender to the Common Gaol or House of Correction for the said County, there to remain and be kept to hard Labour for any Time not exceeding One Calendar Month, unless such Penalty shall be sooner paid and satisfied.

Collectors of Tolls not incompetent Witnesses.

LII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being so appointed to collect or being paid for collecting the said Tolls, or acting or being paid to act under the said Trustees, or under the Authority of this Act.

No Turnpike or Toll Gates to be taken down or set up, except by Order made at General Meetings.

LIII. And be it further enacted, That none of the Toll Gates or Turnpikes now standing or hereafter to be erected upon or on the Sides of the Roads by this Act directed to be repaired shall be taken down or removed, or any Toll Gate or Turnpike be erected by virtue of this Act, except by Order of the said Trustees, made at some General Meeting to be holden in pursuance of this Act, of which Meeting Ten Days Notice in Writing (specifying the Business to be done at such Meeting) shall be given in some public Newspaper printed or circulated in *London*, *Westminster*, or the said County of *Surrey*, and upon the Toll Gates or Turnpikes which shall be then standing upon the said Roads.

Power to reduce the Tolls, and raise them again.

LIV. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered from Time to Time, by and with the Consent of Five-sixths Parts in Value of the several Persons who shall have advanced any Money on the Credit of the said Tolls, to lessen or reduce all or any of the Tolls hereby granted and made payable, and

and to take or cause or order to be taken such reduced Tolls for such Time or Times as they shall think proper; and the said Trustees may and are hereby empowered to raise again the Tolls so lessened or reduced, so that the same do not in any Case exceed the Tolls herein-before granted, and so that the Tolls for the Time being taken on the said Roads by the said recited Act of the Fifty-eighth Year of the Reign of His said late Majesty authorized to be relinquished as aforesaid shall not be greater than the Tolls for the Time being taken at the Toll Gates, Bars, or Turnpikes on the other Roads included in this Act; and such Toll, so lessened or reduced or raised again, shall be collected and recovered in the same Manner as the Tolls hereby granted are directed to be collected and recovered, but Fourteen Days Notice shall be given in some public Newspaper printed or circulated in *London, Westminster*, or the said County of *Surrey*, and upon all the Toll Gates, Bars, or Turnpikes which shall be then standing upon the said Roads, previous to any Alteration in the said Tolls.

LV. And be it further enacted, That it shall be lawful for the said Trustees at any Meeting, whereof Fourteen Days Notice shall have been given in Writing affixed upon all the Turnpike Gates erected upon the said Roads, and also inserted Once in some public Newspaper printed or circulated in the Neighbourhood through which the said Roads pass, from Time to Time to let to farm in such Manner and Form as they shall think fit, by Writing under their Hands and Seals, all or any Part of the Tolls arising by virtue of this Act, and all or any of the said Toll Gates, Bars, or Turnpikes, either together and in one Lot, or by Parcels and in several Lots, and for any Term not exceeding Three Years at any One Time, for the best Rent or Price that upon public Bidding or Auction can be gotten for the same, payable at such Times, to such Person or Persons, under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Trustees shall think fit, without being compelled to put up the said Tolls at the Sum at which they were last let, or to have any other Meeting for the Letting thereof; and in case at any Time or Times hereafter when the said Tolls or any Part thereof shall be put up to Auction, there shall be no Bidder or Bidders, or in case the same shall not be let at such Auction, then it shall be lawful for the said Trustees to accept a private Tender for the same, and to demise or let to farm, or agree to demise or let to farm, all or any of such Tolls, Toll Gates, Bars, and Turnpikes, at any Sum not less than the Sum at or for which they shall have been last let, any thing in any Law or Statute to the contrary notwithstanding; and the Money arising thereby shall be applied in such Manner as the Tolls under this Act are directed to be applied.

Trustees may let the Tolls.

LVI. And be it further enacted, That in case the said Trustees shall at any Time or Times let or demise or agree to let or demise the said Tolls and Toll Gates, Bars, and Turnpikes for collecting the same, in Parcels or Lots, it shall be lawful for the said Trustees to put up each such Parcel or Lot at such Sum of Money as they shall think fit.

Tolls may be put up in Lots, at such Sum for each Lot as Trustees shall see fit.

LVII. And be it further enacted, That when the Tolls payable by virtue of this Act shall be put up to be let to farm, the said Trustees may, if they shall think fit, appoint some Person to bid for the same on their Account,

Trustees may bid at the letting of Tolls.

count, to the Intent that such Tolls may not be let for less than an adequate Value.

To enable Trustees to take possession of Toll Houses.

LVIII. And be it further enacted, That in case all or any of the Tolls by this Act granted, or any of the Toll Gates, Bars, or Turnpikes, or Houses or Buildings at which the same shall be collected, shall be demised or let to farm, or be agreed to be demised or let to farm, at any Time or Times to any Person or Persons, and such Person or Persons shall neglect or refuse to perform the Terms and Conditions of the Demise or Contract by which the same shall be let or be agreed to be let to him, her, or them, either by taking a greater or less Toll in respect of any Horse, Cattle, or Carriage than those demised or let or agreed to be demised or let to him, her, or them or in any other Way or Manner; or in case the Rent for which such Tolls shall be demised or let, or be agreed to be demised or let, or any Part thereof, shall be in arrear and unpaid by the Space of Fourteen Days next after any of the Days or Times whereon the same shall become due and ought to be paid pursuant to such Demise or Contract, and the said Toll Gates, Bars, or Turnpikes, Houses and Buildings, or any of them, or any Part thereof, shall be in the Possession of any such Lessee or Lessees, Farmer or Farmers, or any Person or Persons by him, her, or them appointed or nominated to collect the Tolls thereat, then and in any or either and in every such Case it shall and may be lawful to and for the said Trustees, or any Seven or more of them, (if they shall think proper,) to vacate and determine such Demise and Contract, giving Notice in Writing of such their Determination by leaving the same at any one of the said Toll Gates, Bars, Turnpikes, or Houses, and such Lease and Contract, and the Term for which the said Tolls shall be let or agreed to be let, shall from that Time be utterly void and at an end to all Intents and Purposes whatsoever (save as to the Covenants and Agreements therein contained and to be observed by and on the Part or Behalf of the Lessee or Lessees) as if the same had not been made; and in case any such Lessee or Lessees, Farmer or Farmers, shall not on Service of such Notice as aforesaid deliver up the Possession of such Toll Gates, Bars, Turnpikes, Houses and Buildings, with the Appurtenances so demised or let or agreed to be demised or let to him, her, or them, it shall and may be lawful for any Justice of the Peace for the said County of *Surrey*, by Warrant under his Hand and Seal (which Warrant such Justice is hereby empowered and required to grant upon the Request of the said Trustees), to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter and take possession of such Toll Gates, Bars, Turnpikes, Houses and Buildings, and Premises, in the Day-time, and to remove the Person or Persons who shall be found therein, and his, her, and their Goods, and put any Person or Persons into Possession of the said Toll Gates, Bars, Turnpikes, Houses and Buildings, and into the Receipt and Collection of the said Tolls, and to do such other Act in the Premises as the said Trustees shall appoint and think proper.

Penalty on Lessees of Tolls taking greater or less Toll than authorized.

LIX. And be it further enacted, that if the Person or Persons who at any Time shall be the Lessee, Farmer, or Renter of any of the Tolls by this Act granted, shall at any Time or Times take or direct or permit to be taken a greater or less Toll from any Person or Persons than what is authorized

authorized by Law to be taken, he or they shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and also forfeit his, her, or their Lease of or Contract for renting the said Tolls, if the said Trustees shall think fit to vacate the same.

LX. And be it further enacted, That the said Trustees, and the Mortgagee and Mortgagees, Farmer and Collectors of the said Tolls, and the Treasurer and Clerk and Surveyor under this Act, shall not, nor shall any or either of them, be disqualified from giving his or their Testimony or Evidence in any Action, Suit, or other legal Proceedings under this Act, by reason of being such Trustee, Mortgagee, Farmer, Collector Treasurer, Clerk, or Surveyor, nor shall such Testimony or Evidence, for any of the Reasons aforesaid, be liable to be questioned or set aside.

Trustees, &c.
not disqualified
from
being Witnesses.

LXI. And be it further enacted, That if any Mortgagee or Mortgagees, or Assignee of the said Tolls, Toll Gates, Bars, Toll Houses and Buildings, shall seek to obtain Possession of the said Toll Gates, Bars, Toll Houses and Buildings, in order to pay himself, herself, or themselves the Principal Money and Interest, or any Part thereof, due to him, her, or them, it shall be competent for him, her, or them, as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the other Mortgagees of such Tolls and Premises, to obtain such Possession; but such Person or Persons who shall obtain the Possession thereof shall not apply the Tolls which may consequently be received by him, her, or them to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the Mortgagees of the said Tolls, Toll Gates, Buildings, and Premises *pari passu*, and in proportion to the several Sums which may be due to them as such Mortgagees or Assignees.

Action of
Ejectment
may be supported
by one
Mortgagee.

LXII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, to borrow and take up at Interest such Sum and Sums of Money as they shall think fit, upon the Credit of the Tolls arising by virtue of this Act, and by Writing under their Hands and Seals to mortgage, demise, or assign over the said Tolls or any Part thereof, and the Turnpikes and Toll Houses for collecting the same, (the Charges of such Mortgages or Assignments to be paid out of such Tolls,) to any Person or Persons, for any Term during the Continuance of this Act, as a Security for the Re payment of the several Sums which shall be so borrowed, with the Interest thereof, which Mortgages or Assignments, and also all Mortgages or Assignments which shall be given for any Money now due on the Credit of the said former Acts, in lieu of the Securities the Creditors are now possessed of, (which the said Trustees, or any Seven or more of them, are hereby authorized to give in case any of the said Creditors shall be desirous of changing their present Securities,) shall be in the Words or to the Effect following; (that is to say,)

For borrowing
Money.

‘ **B**Y virtue of an Act passed in the Third Year of the Reign of His
‘ Majesty King *George* the Fourth, intituled *An Act, &c.* [*here insert*
‘ *the Title of this Act*], we, _____ or more of the Trustees for putting
‘ the said Act in execution, in consideration of the Sum of _____
‘ _____ to the Treasurer of the said Roads in hand paid
‘ by _____

Form of
Mortgage.

' by _____ of _____ do hereby grant and assign
 ' unto the said _____ Executors, Administrators, and
 ' Assigns, such Proportion of the Tolls arising by virtue of the said Act,
 ' and of the Toll Gates, Bars, or Turnpikes and Toll Houses for collect-
 ' ing the same, as the said Sum of _____ doth
 ' or shall bear to the whole Sum advanced or to be advanced on the
 ' Credit thereof, to be had and holden from the _____ Day of
 ' _____ in the Year of our Lord
 ' for and during the Continuance of the said Act, unless the said Sum
 ' of _____ with Interest at the Rate of
 ' _____ for One hundred Pounds for a Year, shall be sooner repaid
 ' and satisfied. In witness whereof we have hereunto set our Hands
 ' and Seals this _____ Day of _____ in the Year of our
 ' Lord _____

Entries of
 Mortgages to
 be made in a
 Book.

And Entries of all such Mortgages or Assignments shall be made in a
 Book to be kept for that Purpose, by the Clerk to the said Trustees, but
 no Money shall be borrowed unless Fourteen Days Notice shall be given
 in some public Newspaper, and upon the Toll Gates, Bars, or Turnpikes
 which shall be then standing upon the said Roads, of the Meeting for the
 borrowing thereof, and all Mortgages or Assignments so to be made as
 aforesaid shall be good, valid, and effectual to all Intents and Purposes;
 and all Persons to whom any such Mortgages or Assignments shall be
 made, and their respective Executors, Administrators, or Assigns, may
 from Time to Time, by Writing under his, her, or their Hand and Seal
 or Hands and Seals, transfer his, her, or their Right, Title, Interest, or
 Benefit to the Principal Money and Interest thereby secured to any Per-
 son or Persons whomsoever, by Indorsement on such Security, in the
 Presence of One credible Witness; which Transfer shall be in the Words
 or to the Effect following; (that is to say,)

Mortgages
 may be trans-
 ferred.

Form of
 Transfer.

' I DO transfer this Mortgage, with all my Right and Title to the
 ' Principal Sum thereby secured, and to all the Interest now or here-
 ' after to grow due upon the same, unto _____ of
 ' _____ Executors, Administrators, and Assigns. Witness my
 ' Hand and Seal, this _____ Day of _____ in the Year
 ' of our Lord _____

Transfers
 to be regis-
 tered.

Which Transfer shall be produced and notified to the Clerk to the said
 Trustees, who shall cause an Entry to be made thereof, containing the
 Dates, Names of the Parties, and the Sum of Money, in a Book to be
 kept for that Purpose, for which the said Clerk shall be paid the Sum
 of Two Shillings and Sixpence and no more, and after such Entry made
 such Transfer shall entitle the Person to whom the same shall be made,
 his, her, and their Executors, Administrators, and Assigns, to the Benefit
 thereof and Payment thereon; and every such Person may in like Man-
 ner transfer again, and so from Time to Time, as often as Occasion shall
 require, and it shall not be in the Power of any Person making such
 Transfer to make void, release, or discharge the same, or any Money
 thereby due; and all Persons to whom any Mortgage or Assignment of
 the Tolls authorized to be collected upon the said Roads by virtue of
 the said former Acts or this Act, or any Transfer of any such Mortgage
 or Assignment, hath been or shall be made, and their respective Execu-
 tors, Administrators, and Assigns, shall be, in proportion to the respective
 Sums

Sums therein mentioned, Creditors on the said Tolls in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing such Monies, or the Dates of such Assignments or Mortgages.

LXIII. And be it further enacted, That all the Tolls and other Monies raised by virtue of the said former Acts, and now in the Treasurer's Hands, and all the Tolls and other Monies to arise by virtue of this Act, shall be applied, in the first place, and in preference to all other Payments whatsoever, in paying and defraying the Charges and Expences incident to or in anyways relating to obtaining and passing this Act; in the Payment of Interest upon the Money borrowed or to be borrowed; in continuing, erecting, and supporting and lighting the several Toll Gates, Bars, Turnpikes, Toll Houses, Sheds, Watch-houses, Watch-boxes, Lamps, and Lamp Posts to be continued, erected, supported, or lighted by virtue of this Act; in paying the Salaries and Allowances to the several Clerks, Collectors, Surveyors, Superintendants, Watchmen, and other Officers and Servants to be employed under this Act; and in paying and defraying all other Charges and Expences to be incurred or occasioned in or relating to the Execution of this Act, and to and for no other Use or Purpose whatsoever.

Application of Tolls and other Monies.

LXIV. And be it further enacted, That it shall not be lawful for the said Trustees to pay and defray, by and out of the said Tolls, for any Term exceeding Ten Years from the passing of this Act, the Expences or any Part of the Expences of watching and lighting the said Roads from the North Side of the Archway near the South End of the *Waterloo Bridge*, across *Marsh Street*, to the Circle or Area in *Saint George's Fields*, from the last-mentioned Road at or near the *Coburg Theatre* to the North-east End of *Oakley Street*, and from the *Broad Wall* at the West End of *Stamford Street* to the said Road leading from or near the South End of the *Waterloo Bridge* to the said Circle or Area in *Saint George's Fields*, and the new Road by this Act authorized to be made, and the Roads by this Act authorized to be relinquished; and that it shall not be lawful for the said Trustees to pay or defray, by and out of the Tolls, for any Term exceeding Seven Years from the passing of this Act, the Expences or any Part of the Expences of watching and lighting so much and such Parts of the several other Roads by this Act authorized to be repaired as shall have on either Side of the same inhabited Houses or other Buildings.

Trustees not to pay Expences of watching and lighting Roads beyond certain Periods.

LXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to authorize or empower the said Trustees to watch or light, or to cause to be watched or lighted, any Part or Parts of the Roads by this Act authorized to be repaired, situate in any Parish or Place which are directed to be watched and lighted under or by virtue of the Provisions of any Act or Acts of Parliament, or which can or may be watched and lighted under the Provisions of any Act or Acts.

Trustees not to watch or light such Parts of Roads as are or may be watched or lighted under any Local Act.

LXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to prevent or in any Manner prohibit the said Trustees, during the Con-

Trustees may light Toll Houses, &c. during Continuance of Act.

tinuance of this Act, from lighting the several Toll Gates, Bars, or Turnpikes, and Direction Posts, already erected, built, or set up, or to be erected, built, or set up or continued on the Roads by this Act authorized to be repaired, or any of them, and paying and defraying the Expence of such lighting by and out of the Tolls by this Act granted.

Certain
Roads formed
by Corpora-
tion of Lon-
don placed
under Care of
Trustees.

LXVII. And whereas the Mayor and Commonalty and Citizens of the City of *London* have set out and are making a Road leading from the said Road from the East End of *Westminster Bridge* to the Stone's End in *Blackman Street*, to the Road leading from the said Stone's End in *Blackman Street* to the *Fishmongers Almshouses* aforesaid, and a Road also leading from the said first-mentioned Road to the said Road leading from *Church Street, Lambeth*, by *New Bethlem Hospital* aforesaid: And whereas the said Trustees may be willing to undertake the Control, Superintendence, and Management, and the repairing, lighting, and watching of the said Roads, when and as the same shall respectively be completed and made fit for the Use of the Public; be it therefore enacted, That if at any Time hereafter the said Trustees shall be so willing, and shall enter into an Agreement with the said Mayor and Commonalty and Citizens of *London* for that Purpose, the said Roads so set out and making by the said Mayor and Commonalty and Citizens of *London*, when and as the same or either of them shall be completed, and Notice thereof shall be given in Writing by the Comptroller of the Works and Revenues of *London Bridge* to the Clerk of the said Trustees, and upon the said Roads or either of them being so completed and made fit for the Use of the Public, to the Satisfaction of the Treasurer for the Time being of the said Trustees (such Satisfaction to be certified by Writing under his Hand, which said Certificate the said Treasurer shall, in case of Approval, sign and give within Fourteen Days next after such Notice being received by the Clerk of the said Trustees), then from and immediately after the Delivery of such Certificate to the said Comptroller the said Roads, or such of them as shall be in the said Notice and Certificate mentioned and described, shall thenceforth be entirely under the Control, Superintendence, and Management of the said Trustees, and shall be repaired, managed, lighted, and watched in the same Manner as the other Roads included in this Act are directed to be repaired, managed, lighted, and watched; and the said Trustees shall have such and the same Powers and Authorities over the whole of the said Roads respectively, and to erect, place, and set up Toll Gates or Bars, with suitable Toll Houses and other Conveniences thereon, or on any Part or Parts thereof, or across the same, or on the Side or Sides thereof, and to demand, take, collect, and receive the same Tolls and Duties, as are hereby vested in or given and granted to the said Trustees in respect of the several other Roads hereby directed to be repaired; and that the said Trustees shall to all Intents and Purposes become the Trustees of the said Roads, in the same Manner and to the same Extent as they are the Trustees of the said several other Roads, with full Power and Authority to apply the Tolls which may hereafter be collected on the said Roads so to be relinquished as aforesaid to the same Purposes as the several other Tolls herein mentioned, and which Tolls are hereby declared to be vested in the said Trustees for the said Purposes; and the several Powers, Authorities, Remedies, and Provisions in and by this Act given and granted shall apply and be in Force and Effect with regard to the said Roads so set out and making by the said Mayor and Commonalty

1

and

and Citizens of the City of *London*, as fully and effectually as if such Roads were particularly mentioned, specified, and included in this Act; and from and after the said Roads or either of them shall have been made and completed fit for the Public, and to the Satisfaction of the said Treasurer of the said Trustees for the Time being, certified in manner aforesaid, the said Mayor and Commonalty and Citizens of the City of *London* shall not interfere or meddle, by themselves, their Officers, Agents, or Servants, with the said Roads or either of them, or any Part or Parts thereof.

LXVIII. And whereas by several Acts passed in the Forty-ninth, Fifty-third, and Fifty-sixth Years of His late Majesty's Reign, for building the *Waterloo Bridge*, and making Roads communicating therewith, or by some or one of the said Acts, the Company of Proprietors of the said Bridge are authorized to set out and make, and have set out and made, a Road from a certain Street called *Stamford Street* in the said Parish of *Christ Church* in the said County of *Surrey* into the Road leading from the said Bridge to the *Obelisk* in *Saint George's Fields* (being the Road herein-before described leading from the *Broad Wall* at the West End of *Stamford Street* in the said Parish of *Christ Church* to the Road leading from near the South End of the said Bridge to the Circle or Area in *Saint George's Fields*), and the said Company were by the said Acts, or some or one of them, authorized to continue the same Road from *Stamford Street* aforesaid, across the last-mentioned Road, into a certain Road called the *Westminster Road* in the Parish of *Saint Mary Lambeth*, in such manner as they the said Company of Proprietors should deem proper and expedient, they the said Company first making Satisfaction to the Owner or Owners of such Lands, Houses, Tenements, and Hereditaments as they might require for making and constructing such Roads in manner therein-after directed; and by the said first-mentioned Act it is enacted, that it should be lawful for the said Company of Proprietors to take and use any Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, mentioned and contained in the Schedule thereunto annexed, being in the Line of Road specified and laid down in the Plan deposited with the Clerks of the Peace for the Counties of *Middlesex* and *Surrey*, and which might be deemed necessary and convenient for the making and constructing any Road or Roads, Accesses or Avenues, to or from the said Bridge, which they the said Company of Proprietors were authorized to make and construct by virtue of the said last-mentioned Act: And whereas the said Company of Proprietors have not made or continued the said Road into the Road called the *Westminster Road*: And whereas by the said Act passed in the Fifty-eighth Year of His said late Majesty's Reign it is enacted, that the Continuation of the said Road from the End of *Stamford Street* into the *Westminster Road*, when the same should be completed as therein mentioned, should be entirely under the Control, Superintendance, and Management of the said Trustees, and be repaired, managed, watched, and lighted by them: And whereas it would greatly promote the Execution of the Purposes of the said Act of the Forty-ninth Year of His late Majesty, and be of great public Utility and Benefit, if the said Trustees were empowered to make and complete the Continuation of the said Road from the End of *Stamford Street* to the *Westminster Road*, and the said Company of Proprietors of the *Waterloo Bridge* are willing to consent thereto, upon having so much of the Site of the late Road called

Trustees to continue Road from Waterloo Bridge Road to Westminster Bridge Road.

Narrow

Narrow Wall as lies Eastward of the *Waterloo Bridge*, together with the Site of the Stairs formerly called *Cuper's Stairs*, and Approach thereto from *Narrow Wall*, vested in them the said Company, who have at great Expence made a new and more convenient Road and new and more convenient Stairs in lieu of the same, and who are the Owners of the adjoining Land on all Sides : And whereas the said Sites are of very small Dimensions, and the Archbishop of *Canterbury*, who in right of his See is alone interested therein, together with the said Company, is desirous that the Continuation of the said Road from the End of *Stamford Street* to the *Westminster Road* should be effected upon the Terms aforesaid, being satisfied that the same will be of considerable Advantage to the Property of the See of *Canterbury* ; and the said Trustees are willing to undertake the making of the same, and the Repair and Management and watching and lighting thereof when made ; be it therefore further enacted, That from and immediately after the passing of this Act so much of the Site of the late Road called *Narrow Wall* as lies between the Lands of the Company of Proprietors of the *Waterloo Bridge* Eastward of the said Bridge, together with the Site of the Stairs called *Cuper's Stairs*, and Approach thereto from *Narrow Wall*, shall be and the same are hereby vested in the said Company of Proprietors of the *Waterloo Bridge* and their Successors, to be held and disposed of together with the adjoining Lands, and that it shall and may be lawful to and for the said Trustees to set out and make a Road from the said Road already made from the End of *Stamford Street* to the Road leading from the said Bridge to the said Circle or Area in *Saint George's Fields*, to the said *Westminster Road* or *Westminster Bridge Road*, in such Manner as they the said Trustees shall deem proper, and to take and use for that Purpose any Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments mentioned and contained in the said Schedule, they the said Trustees first making Satisfaction to the Owner or Owners of such Lands, Tenements, or Hereditaments as they may require for making and constructing the said Road in manner herein-after directed ; and the said Road, when made, shall afterwards be amended, improved, and kept in repair and watched and lighted by the said Trustees, in the same Manner as the other Roads herein-before described are directed to be amended, improved, and kept in repair, and watched and lighted.

Power to take
Lands, &c.
for Road.

LXIX. And be it further enacted, That it shall and may be lawful to and for the said Trustees to take and use any Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments mentioned and contained in the Schedule hereunto annexed, (being the same as are mentioned in the Schedule to the said Act of the Forty-ninth Year of His late Majesty, and being in the Line of Road specified and laid down in the Plan deposited with the Clerks of the Peace for the Counties of *Middlesex* and *Surrey*, as before mentioned,) and which may be deemed necessary and convenient for making and constructing the said Road, upon giving Six Calendar Months Notice of such their Intention to the Owner or Owners, Occupier or Occupiers of such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, and first making Satisfaction to the Owner or Owners, Occupier or Occupiers of such Lands, Grounds, Houses, Erections, Buildings, Tenements, or Hereditaments in manner herein-after directed : Provided always, that it shall not be lawful for the said Trustees to retain after the Completion of the said Road,

Road, any Lands or Grounds so to be taken as aforesaid, exceeding Seventy Feet in Breadth: Provided also, that the Quantity of Land to be taken by the said Trustees for the Use of the said Road shall in no Part exceed Seventy Feet in Breadth, unless so thereunto required by or on behalf of the Proprietors of such Lands or Grounds: Provided also, that the said Trustees, in making and forming the said Road, shall not deviate more than One hundred Yards from the Line of the said Road described in the said Map or Plan herein-before referred to, without the Consent in Writing of the Owner or Owners and Occupier or Occupiers, or Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

LXX. And be it further enacted, That after any Lands, Grounds, Houses, Waters, Erections, Buildings, Tenements, or Hereditaments shall be set out and ascertained for making and constructing the said Road, or any Part or Parts thereof, it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever who is, are, or shall be seised, possessed of, or interested in any Lands, Grounds, Houses, Erections, Buildings, Tenements, or Hereditaments which shall be so set out and ascertained for the Purposes aforesaid, to contract for, sell, and convey the same and every Part thereof to the said Trustees; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Bodies Politic
and Corpo-
rate, &c.
empowered
to sell and
convey.

LXXI. Provided always, and be it further enacted, That all and every Bodies and Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons, who are or is seised, possessed of, or interested in any Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments through, in, or upon which the said Road is intended to be made, may accept and receive Satisfaction for the Value of such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, and for the Damage to be sustained by the making the same, in gross Sums as shall be agreed upon by and

Satisfaction-
to be made.

[Local.]

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between

between the said Parties respectively, or any of them, and the said Trustees.

Trustees may purchase Lands for widening Roads.

LXXII. And be it further enacted, That the said Trustees, or any Seven or more of them, are hereby fully authorized and empowered to cause to be made, raised, opened, repaired, and kept in repair all such Causeways, Footpaths, Ditches, and Drains, and also all such Mounds, Banks, Drains, Sluices, and other Water Works, in, upon, or under the said Roads, and also in and upon any Place or Places and through any Grounds convenient for such Purposes, and also to widen, divert, turn, shorten, vary, or alter the Course or Path of any Part of the Roads by this Act authorized to be repaired, by carrying the same through the Grounds and Premises of any Person or Persons, Body or Bodies Politic, Corporate, and Collegiate, lying contiguous thereto, or by laying any Part of such Grounds and Premises into the said Roads, as the said Trustees, or any Seven or more of them, shall think necessary for the better repairing, widening, straightening, draining, and amending the said Roads, and keeping the same in repair, and to contract and agree with the several Owners, Proprietors of, and Persons interested in any Lands, Tenements, or Hereditaments, for the Purchase of any such Lands, Tenements, or Hereditaments, and for the Loss or Damage any such Owners, Proprietors, Occupiers, and Persons interested shall or may anyways sustain by widening, turning, or altering the Course or Path of any of the said Roads, or by such other Works as aforesaid, and out of the Money arising by virtue of this Act to pay for such Lands, Tenements, or Hereditaments, and for such Loss or Damage, such Sum or Sums of Money as shall be so agreed upon, and also the Costs and Charges attending such Agreement and Purchase; and it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, or Feoffees for any charitable or other Use or Uses, or for or on behalf of any Infant, Feme Covert, Idiot, Lunatic, Cestuique Trust, or other Person under any Disability whatsoever, who are or shall be seised, possessed of, or interested in any such Lands, Tenements, or Hereditaments, to agree with the said Trustees, or any Seven or more of them, for the Purchase of such Lands, Tenements, or Hereditaments for the Purposes aforesaid, and to sell and convey the same as Occasion shall require; and all Contracts, Agreements, Sales, and Conveyances which shall be so made shall be good, valid, and effectual, to all Intents and Purposes, any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding; and all such Corporations, Feoffees, Trustees, and Persons whomsoever are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Jury to settle the Damage or Recompence in case the Parties cannot agree.

LXXIII. And be it further enacted, That if any such Corporation or Person, upon Notice to them or him given, or left in Writing at the Dwelling House or Place of Abode of such Person, or of the head Officer of such Corporation, or at the House of the Tenant in Possession of any Lands, Tenements, or Hereditaments to be taken or used for the Purposes of this Act, to treat for the Sale thereof, shall, for the Space of Ten Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be

prevented from treating, then and in any such Case the said Trustees, or any Seven or more of them, shall cause to be inquired into, ascertained, and assessed, by and upon the Oath of a Jury of Twelve indifferent Men of the said County of *Surrey*, what Damages will be sustained by and what Recompence shall be made to such Owners, Proprietors, Occupiers, or other Persons interested, for or upon account of the taking such Lands, Tenements, or Hereditaments, or of turning any of the said Roads into or through any Lands, Tenements, or Hereditaments, or for such Loss or Damage as aforesaid; and in order thereto the said Trustees, or any Seven or more of them, are hereby empowered, from Time to Time, as Occasion shall be or require, to summon before the said Jury, and examine upon Oath, any Persons whomsoever as Witnesses concerning the Premises, which Oath, and also the Oaths to be taken by the said Jurymen, any Seven or more of the said Trustees are hereby empowered to administer; and they shall also order and cause the said Jury to view the Places in question, if there be Occasion, and use all lawful Ways and Means, as well for their own as for the said Jury's Information in the Premises, as the said Trustees or any Seven or more of them shall think fit; and after the said Jury shall have inquired of, ascertained, and assessed such Damages and Recompence, and shall have pronounced and signed their Verdict or Inquisition, the said Trustees, or any Seven or more of them, shall thereupon order, adjudge, and determine the Sum and Sums of Money so assessed by the said Jury to be paid to the Owners, Proprietors, or Occupiers of or Persons interested in the said Lands, Tenements, or Hereditaments, or into the Bank of *England* as herein-after mentioned; which said Verdict or Inquisition, and Judgment, Order, or Determination, so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Assigns, as well absent as present, Infants, Issue unborn, Femes Covert, Idiots, Lunatics, Cestuique Trusts, and Persons under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and all and every such Owners, Proprietors, and Occupiers, and Persons interested in such Lands, Tenements, or Hereditaments, upon Payment or Tender of the Money so assessed as aforesaid, or Payment into the Bank of *England*, as herein-after mentioned, shall be thereby from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, and to the same Lands, Hereditaments, and Premises; and for summoning and returning such Jury the said Trustees, or any Seven or more of them, are hereby empowered to issue their Warrant to the Sheriff of the said County of *Surrey*, requiring him to impanel, summon, and return Twenty-four indifferent Persons to appear before the said Trustees, or any Seven or more of them, at such Time and Place as in such Warrant shall be appointed, and the said Sheriff or his Deputy is hereby authorized and required, whether such Sheriff and his Deputy or either of them be Trustee or Trustees for putting into execution this Act, or not, to impanel, summon, and return such Number accordingly, and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Seven or more of them, shall swear or cause to be sworn Twelve, to be drawn by Ballot out of the said Twenty-four; and in default of a sufficient

Jury how to
be sum-
moned.

sufficient Number of Persons so impannelled the said Sheriff or his Deputy shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, who shall be sworn in like Manner, until the Number of Twelve be completed, which Twelve shall be the Jury for the Purposes aforesaid ; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn ; and the said Trustees, or any Seven or more of them, acting in the Premises, shall have full Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff, his Deputy, Bailiffs, or Agents, making default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury and shall not appear, or shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence, and from Time to Time recover, levy, and apply such Fines in the same Manner as any other Forfeiture or Penalty is by this Act directed to be recovered, levied, and applied, so that no such Fine shall exceed the Sum of Ten Pounds upon any one Person for one Offence.

How Expences of Jury to be paid.

LXXIV. And be it further enacted, That in case any such Jury shall give in and deliver a Verdict or Assessment for more Monies as a Recompence for the Right, Interest, or Property of any Person or Persons in any such Lands, Tenements, or Hereditaments, or for any such Loss or Damage, than what shall have been agreed to or offered by the said Trustees, or any Seven or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then and in such Case the Costs and Charges of summoning and maintaining the said Jury and Witnesses having been ascertained and settled by some Justice of the Peace for the said County of *Surrey*, not interested in the Matter in question, shall be borne and paid by the said Trustees, or any Seven or more of them, out of the Money arising by virtue of this Act ; but if such Jury shall give in and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees, or any Seven or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then the Costs and Charges of summoning and maintaining the said Jury and Witnesses shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute, which Costs and Charges, having been ascertained and settled by some Justice of the Peace for the said County of *Surrey* not interested in the Matter in question (who is hereby empowered to examine and settle the same), shall and may be deducted out of the Money so assessed or awarded, as so much Money advanced to or for the Use of such Person or Persons, and the Payment or Tender of the Remainder of such Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the Sum so assessed or awarded : Provided always, that in all Cases where any Person or Persons shall, by reason of Absence out of the Kingdom, be prevented from treating
about

about such Recompence and Satisfaction as aforesaid, such Costs and Expences, to be ascertained and settled as aforesaid, shall be borne and paid by the said Trustees.

LXXV. And be it further enacted, That all and every Sum and Sums of Money so agreed upon or assessed as aforesaid is and are hereby charged upon the Monies which shall be raised by virtue of this Act, and shall be paid thereout by the said Trustees or their Treasurer, to the Party or Parties entitled thereto, or his, her, or their Agent or Agents, or the same shall be paid into or deposited in the Bank of *England* (as the Case may be) in manner by this Act directed, for the Use of the respective Persons entitled thereto; and upon Notice thereof in Writing, signed by any Seven or more of the said Trustees, or their Treasurer, given to such Persons, or left at their respective usual Places of Abode, such Lands, Tenements, or Hereditaments shall, by the said Trustees, their Surveyors or Workmen, be laid into and made Part of the said Roads, and shall, to all Intents and Purposes whatsoever, become and be and be deemed and taken to be a public and common Highway, and shall be for ever afterwards deemed Part of the said Roads, and shall be repaired and kept in repair by such Ways and Means, and in all respects in such Manner as the other Roads were and ought to have been kept in repair; and after such new Road shall be completed, the Land constituting the former Road, or such Part thereof as shall become useless or unnecessary for the Purposes of a common or public Highway, shall be vested in and shall and may be sold by the said Trustees, or any Seven or more of them, for the best Price that can be gotten for the same, and the Money arising by such Sale shall be applied and disposed of for the repairing of the Roads hereby directed to be repaired, and other the Purposes of this Act; and the Conveyance or Conveyances to be made of such Land, being executed by the said Trustees, or any Seven or more of them, and inrolled by the Clerk of the Peace for the said County of *Surrey* among the Public Records of the said County, shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

Monies assessed to be paid out of the Tolls.

LXXVI. And be it further enacted, That it shall not be lawful for the said Trustees, in diverting, turning, or altering the Course or Path of any Part or Parts of the said Roads, to deviate more than One hundred Yards from the present Line or Course of the said Roads, without the Consent in Writing of the Owners or reputed Owners and Occupiers for the Time being of the Lands or Grounds which may be affected by any such Diversion or Alteration.

In altering the Course of the present Road, Trustees not to deviate more than 100 Yards.

LXXVII. Provided always, and be it further enacted and declared, That the Powers and Authorities herein given to the said Trustees for widening, turning, or altering the Course or Path of the said Roads, shall not extend to taking down any Dwelling House or other Buildings, or to the taking in of any Orchard, Yard, Court, inclosed Shrubbery, planted Walk or Avenue to a House, without the Consent of the Owners and Proprietors thereof respectively (except the Houses and Premises mentioned in the Schedule to this Act annexed).

Trustees not to pull down Houses, &c.

LXXVIII. And be it further enacted, That if any Money shall be agreed or assessed for any Lands or Hereditaments purchased, taken, or used

Directing the Application of Money paid

for Compensation for Lands, &c. when amounting to or exceeding 200*l.*

used by virtue of the Powers of 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 this 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 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 Part thereof as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands and Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then 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 and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands or Hereditaments, which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such 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 meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and 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 said Lands and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

Where less than 200*l.* and exceeding 20*l.*

LXXIX. Provided always, and be it further enacted, That if any Money so agreed or assessed 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 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 Per-

son

son or Persons making such Option, and approved of by Seven or more of the said Trustees for executing 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 manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

LXXX. Provided also, and be it further enacted, That where such Money so agreed or assessed as before mentioned shall amount to or 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 this Act, in such Manner as the said Trustees or any Seven 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.

Where less than 20*l.*

LXXXI. 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 Lands or Hereditaments, to be purchased by virtue or under the Authority of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees or any Seven or more of them; or in case the Person or Persons to whom any 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 or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees, or any Seven 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 or Hereditaments (describing them), subject to the Order, Control, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise, as to the 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, or 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.

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.

LXXXII. Provided always, 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

Respecting disputed Titles.

Accountant

Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands or Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments to be purchased in pursuance of this Act; or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of any such Lands 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 or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

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

LXXXIII. 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 or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and to be applied in the Purchase of other Lands or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Lands to vest in Trustees upon Payment or Tender of Purchase Money or Composition.

LXXXIV. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or adjusted and determined by any Jury in manner by this Act directed, for the Purchase of any Lands, Grounds, Houses, Erections, Buildings, Tenements, or Hereditaments, or as a Compensation for Damages as herein-before mentioned to the Proprietor or Proprietors of such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Purchase Money or Compensation, or to his, her, or their Agent or Agents, at any Time within Three Calendar Months after the same shall have been actually so agreed for or adjusted and determined, or depositing the same in the Bank of *England* in manner by this Act directed, as the Case may be, it shall and may be lawful to and for the said Trustees, and their Agents, Workmen, and Servants, immediately to enter into and upon such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments (or before such Payment, Tender, or Deposit, by Leave of the Owners and Occupiers thereof); and then and thereupon such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole

Property of the said Trustees for the Purposes of this Act for ever; and such Payment, Tender, or Deposit shall not only bar all Right, Title, Claim, Interest, or Demand of the Person or Persons to whom the same shall be or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates, in Reversion, Remainder, Expectancy, or otherwise, of his, her, or their Issue, and of all and every other Person and Persons interested therein: Provided nevertheless, that before such Payment, Tender, or Deposit made as aforesaid, it shall not be lawful to or for the said Trustees, or any Person or Persons acting under or by virtue of their Authority, to dig or cut or otherwise affect any Lands or Grounds, or to take down, remove, or otherwise affect any Houses, Erections, Buildings, or other Hereditaments of the Person or Persons entitled to such Payment, Tender, or Deposit, without the Leave or Consent of such Person or Persons respectively.

LXXXV. Provided always, and be it further enacted, That if any or either of the Premises mentioned in the said Plan herein-before mentioned, or in the Schedule hereunto annexed, or the Owner or Owners thereof, or any Person or Persons in whose Possession or Occupation the same, or any of them, or any Part thereof, are or is stated or described to be, shall happen to be misnamed or inaccurately described in the said Plan or Schedule, such Misnomer or inaccurate Description shall not prevent or retard the said Trustees in the Execution of this Act; but the same Premises, and every Part thereof, shall and may be used, sold, and conveyed, disposed of, and applied to and for the Purposes of this Act, in such and the same Manner, and as fully and effectually, to all Intents and Purposes, as if the same were accurately, correctly, and more particularly described and named; any thing herein contained to the contrary notwithstanding.

Misnomers
not to prevent the
Execution
of this Act.

LXXXVI. And be it further enacted, That every Tenant at Will, or Lessee for a Year, or from Year to Year, of any of the Premises aforesaid, shall deliver up Possession of such Premises to the said Trustees, or any Seven or more of them, or to such Person or Persons as they shall appoint to receive Possession of the same, upon having Six Calendar Months Notice to quit and deliver up such Possession from the Clerk to the said Trustees, or from the Person or Persons as shall be authorized by them to receive such Possession; and such Person or Persons in Possession shall, at the End of the said Six Calendar Months, whether such Notice be given with reference to the Time or Times of such Tenants holding or not, or, so soon after as he, she, or they shall be required, peaceably and quietly deliver up Possession of the said Premises to the said Trustees, or any Seven or more of them, or the Person or Persons authorized by them to receive the Possession thereof (such Authority to be signified in Writing under the Hands of the Trustees, or any Seven or more of them); and in case any such Tenant or Lessee, or any Person or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid (all reasonable Satisfaction being first made or tendered), it shall be lawful for the said Trustees, or any Seven or more of them, to issue their Precept or Precepts to the Sheriff of the said County of *Surrey*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the

Tenants at
Will to deliver
Possession on
Six Months
Notice.

[*Local.*]

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same,

same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods: Provided always, that in case any Dispute shall arise touching the Amount of such Satisfaction as aforesaid, then the same shall be ascertained, settled, and determined by a Jury, as by this Act is directed in Cases of ascertaining and making Compensation or Satisfaction for Lands to be taken for the Purposes of this Act.

Mortgagees
to convey,
on Tender
of Principal
and Six
Months In-
terest.

LXXXVII. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, or Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on Tender of the Principal Money by the said Trustees, or by such Person or Persons as they, or any Seven or more of them, shall appoint (together with Six Calendar Months Interest thereon), or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Trustees, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on such Mortgage or Mortgages, at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then and in such Case, at the End of the said Six Calendar Months, upon Payment or Tender of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Trustees, or to such Person or Persons as they, or any Seven or more of them, shall appoint, in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid, on such Payment or Tender, then and in such Case all Interest on every such Mortgage or Mortgages shall from thenceforth cease and determine: Provided always, that in case the Sum due on such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained in manner by this Act directed, then and in such Case the said Trustees shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises ascertained as aforesaid: Provided also, that in case any such Mortgagee or Mortgagees shall neglect or refuse to convey and assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any such Mortgage or Mortgages, or the real Value of such Premises, to be ascertained as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money in like Manner as is directed in or by this Act in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, and Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person or Persons in Trust for him, her, or them, shall vest in the said Trustees, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents, Constructions, and Purposes whatsoever.

Materials
of Houses,
&c. pur-

LXXXVIII. And be it further enacted, That all Timber, Stones, Bricks, Tiles, Slates, Planks, Iron, Lead, Glass, and all other Materials
belonging

belonging or appertaining to any House, Building, and Premises which shall be purchased and taken down by virtue of this Act, shall be and they are hereby vested in the said Trustees, and they are hereby required, with all convenient Speed, when and as the same are taking down or taken down, to cause such Materials from Time to Time to be removed off the Premises, and to use and employ so much thereof as they shall see fit for the Purposes of this Act, and the remaining Part of the said Materials shall be sold and disposed of for as much Money as can be reasonably gotten for the same, which Money shall be applied for and towards the Purposes of this Act.

chased,
vested in
the Trus-
tees.

LXXXIX. And whereas the said Trustees, under the Powers of the said former Acts or this Act, are or may happen to be seised or possessed of some Piece or Pieces of Ground and Premises over and above what may be necessary for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, to sell and dispose of and convey the said Piece or Pieces of Ground and Premises to such Person or Persons as shall be willing to agree for the Purchase of the same, and that the Conveyance or Conveyances thereof, being executed by the said Trustees, or any Seven or more of them, and inrolled by the Clerk of the Peace for the said County of *Surrey* among the public Records of the said County, shall be good and effectual in the Law to all Intents and Purposes whatsoever.

Trustees
may sell
surplus
Ground.

XC. Provided always, and be it further enacted, That the said Trustees, before they shall sell and dispose of any Piece or Pieces of Ground and Premises not wanted for the Purposes of this Act to any other Person or Persons, shall first offer the same, to the Person or Persons of whom the same shall have been purchased, or in case such Ground shall be a Piece or Pieces of old Road, to the Person or Persons whose Lands shall adjoin thereto; and if such Person or Persons respectively shall then and thereupon refuse or shall not agree (except with respect to or on account of the Price thereof) to purchase the same respectively, an Affidavit being made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said County of *Surrey* (who are hereby respectively empowered to take such Affidavit), by some Person or Persons no way interested in the said Piece or Pieces of Ground and Premises, stating that such Offer was made by or on behalf of such Trustees, and that such Offer was then and thereupon refused or was not agreed to by the Person or Persons to whom the same was made, shall, in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made and was refused or not agreed to by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Piece or Pieces of Ground and Premises, and he, she, or they, and the said Trustees, shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury, in manner in this Act directed with respect to disputed Value of Premises to be taken and used in pursuance of this Act, and the Expence of hearing and determining such Difference shall be borne and paid in manner herein-before directed with respect to such Purchases made by the said Trustees, *mutatis mutandis*; and the Money

First Offer
to be made
to Person of
whom
Ground
purchased.

to

to arise by Sale or Sales of such Pieces or Parcels of Ground and Premises shall be applied by the Trustees to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money; and the Conveyances of such Piece or Pieces of Ground shall be made to the Purchaser or respective Purchasers thereof, and in such Manner and Form as is herein-before directed.

Tolls to be taken on the Road to the Westminster Road.

XCI. And be it further enacted, That when and so soon as the said Trustees shall have set out and made the said Road, from the Road leading from the *Waterloo Bridge* to the Circle or Area in *Saint George's Fields* to the *Westminster Road* aforesaid, a Toll Gate or Bar shall be thereon erected by the said Trustees, at or near *Vine Street* in the said Parish of *Saint Mary Lambeth*, at which shall be taken the same Tolls as are or may be payable upon the other Roads herein-before mentioned, under and by virtue of the Powers of this Act; and in case, at any Time or Times hereafter, any Street, Lane, or Way shall be opened or made from the said intended Road, which shall lead to or communicate with the said *Westminster Road*, and by which the Tolls hereby directed to be taken upon the said intended Road may be evaded, the same Toll shall be demanded and taken at every such Street, Lane, or Way which may be so opened as aforesaid.

Trustees not to take Tolls within certain Distance of the Waterloo Bridge.

XCII. And be it further enacted, That it shall not be lawful to or for the said Trustees to take any greater Toll on the Roads by the said recited Act of the Fifty-eighth Year of the Reign of His said late Majesty authorized to be relinquished as aforesaid than the Tolls which now are or shall for the Time being be payable on the several other Roads herein mentioned, nor to erect, set up, build, or place any Toll Gate or Bar, or to take any Toll whatever on the said Road leading from the *Broad Wall* at the End of *Stamford Street* aforesaid, to the Road leading from the *Waterloo Bridge* to near the *Obelisk* in *Saint George's Fields* aforesaid, or on the said Road leading from the said Bridge to the *Obelisk* aforesaid, nearer to the said Bridge than the Road leading from *Mount Row* aforesaid, into the *Blackfriars Road*, or within Sixty Feet thereof.

Tolls paid at Gates on Roads relinquished to clear Gates on other Roads.

XCIII. Provided always, and be it further enacted, That any Person or Persons who shall pass through any Toll Gate or Turnpike to be erected on the Roads by the said recited Act of the Fifty-eighth Year of the Reign of His said late Majesty authorized to be relinquished, and producing a Note or Ticket of the Payment of such Toll (which Note or Ticket the Toll Collector is hereby required to deliver *gratis*), shall be permitted to pass Toll free on the same Day through all and every Gates or Bars erected or to be erected on the said other Roads, or any or either of them.

Toll paid at Gates on other Roads to clear Gates on Roads relinquished.

XCIV. Provided always, and be it further enacted, That all and every Person and Persons having paid the Toll for passing through any Toll Gate or Turnpike erected or to be erected on the said other Roads, or any or either of them, and producing a Note or Ticket of the Payment of such Toll (which Note or Ticket the Toll Collector is hereby required to deliver *gratis*), shall be permitted to pass Toll free on the same Day through

through all and every Gates or Bars to be erected on the said Roads by the said recited Act of the Fifty-eighth Year of the Reign of His said late Majesty authorized to be relinquished.

XCV. And be it further enacted, That whenever any Arch or Arches under the said Road leading from near the South End of the *Waterloo Bridge* to the Area in *Saint George's Fields* aforesaid shall be broken down or become dilapidated, or out of Repair, and the Company of Proprietors of the *Waterloo Bridge*, or their Lessee or Lessees, or the Occupier or Occupiers of the said Arch or Arches, shall neglect or omit immediately thereafter to substantially rebuild, reinstate, or repair the same, then the Clerk or Surveyor for the Time being of the said Trustees shall give Notice in Writing of such breaking down, Dilapidations, or Want of Repair, to the said Company, or their Clerk, or to the said Lessee or Lessees, Occupier or Occupiers of the said Arch or Arches, immediately to rebuild, repair, or amend the same; and in case the said Company, or their Lessee or Lessees, Occupier or Occupiers of the said Arch or Arches, shall neglect or refuse, for the Space of Four Days next after Notice of such breaking down, Dilapidations, or Want of Repair as aforesaid, to proceed in such Rebuilding or Repair, then it shall be lawful to and for the said Trustees, or their Surveyor or Surveyors as aforesaid, to cause the said Arch or Arches to be substantially rebuilt or repaired, as the Case may be, and the Costs, Charges, and Expences to be incurred thereby, together with the further Sum of Ten Pounds by way of Fine or Penalty, shall be paid by the said Company, or their Treasurer or Clerk, to the Treasurer or Treasurers of the said Trustees; and in case the said Company, or their Treasurer or Clerk, shall not pay such Sum or Sums as shall be laid out or incurred in such Rebuilding or Repair, as the Case may be, together with the said Sum of Ten Pounds, within Ten Days next after Notice thereof shall be left at the Office of the said Company, or at the Dwelling House or last Place of Abode of their Treasurer or Clerk, which Notice shall be in Writing, signed by the Treasurer or Clerk to the said Trustees, and annexed to or written under a Bill containing an Account of such Charges and Expences, it shall be lawful to and for the said Trustees, or any Seven or more of them, in the Name of their Treasurer or Clerk, and they and he are hereby respectively authorized and empowered, to bring or cause to be brought any Action or Actions against the said Company for the Recovery of and therein to recover such Sum or Sums of Money as shall or may be so laid out and expended or incurred, together with the said Sum of Ten Pounds by way of Fine or Penalty, and full Costs of Suit, in which Action or Actions no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

For Repair
of Arches
under Water-
loo Bridge
Road.

XCVI. Provided always, and be it further enacted, That the said Company of Proprietors of the *Waterloo Bridge* shall at all Times, at their own Costs and Charges, well and substantially support and uphold, repair, amend, preserve, and keep the said Arches under the said Road from the Bridge to the Obelisk aforesaid, in thorough, sound, and complete Repair, fit and proper for the Safety and due Maintenance of the said Road, and to the Satisfaction and Approbation of the Treasurer for the Time being of the said Trustees; and that it shall be lawful to and for the said Company, or their Committee, or their Agents, Servants, and Workmen,

Company
may break up
Roads to re-
pair Arches.

[*Local.*]

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from

from Time to Time, and at all Times when Occasion shall require, to come upon any Part of the said Road after Six Hours previous Notice, signed by their Clerk, and given to the Clerk of the said Trustees, of their Intention to break up the said Road or any Part thereof, for the Purpose of rebuilding, repairing, putting or keeping in repair all or any of the said Arches, they the said Company, at their own Costs and Charges, fencing such Part or Parts of the said Road as shall be so broken up; and during the Rebuilding or Repairs of the said Arches, and reinstating the said Road, protecting and preserving the Public from Damage or Accident by placing proper Lights and Persons to guard the same, and restoring the said Road, after such Arch or Arches shall be rebuilt, repaired, or amended, to the same State as before such Road was broken up, or such Arch or Arches became dilapidated or out of repair; and in the breaking up of the said Road, rebuilding or repairing the said Arches, and restoring the said Road, all possible Diligence shall be used by the said Company, their Agents and Servants.

If Walls on Sides of Road leading from Waterloo Bridge are pulled down, Materials to belong to the Company.

XCVII. And be it further enacted, That in case the Walls built and erected by the said Company of Proprietors of the *Waterloo Bridge* on each Side of the Road leading from the said Bridge, or any Part thereof, shall be pulled down or removed by the said Trustees, or by any Person or Persons who shall erect any House or Houses on the Sides of the said Road, the Materials of the said Walls, or such Part or Parts thereof so pulled down, shall be and become the Property of the said Company.

Surveyors to get Gravel, &c.

XCVIII. And be it further enacted, That the Surveyor or Surveyors to the said Trustees, and such other Person or Persons as shall be employed by such Surveyor or Surveyors, or by the said Trustees, is and are hereby empowered to cut, dig, gather, take, and carry away any Materials proper for making and repairing the said Roads, in, upon, and out of or from any Commons or Waste Grounds, Common Rivers or Brooks (except the River *Thames*), in any Parish, Township, Hamlet, or Place in which any Part of the said Roads lie, or in any adjoining Parish, Township, Hamlet, or Place, to be used in making and repairing of the said Roads, without paying any thing for the same, and to cart and carry away the same over the Lands or Grounds of any Person or Persons, making Satisfaction as herein-after mentioned, such Surveyor or Person filling up the Pit or Pits and levelling the Ground from which such Materials shall be taken, or railing or fencing off such Pit or Pits, so that the same may not be dangerous to Passengers or Cattle; and if such Quantities of Materials proper and sufficient for that Purpose cannot be had or found in or upon such Waste Grounds, Common Rivers or Brooks, contiguous to the said Roads, then and in such Case the said Surveyor or Surveyors, or other Person or Persons as aforesaid, by and with an Order in Writing, signed by any Two Justices of the Peace for the said County in manner herein directed, may cut, dig, and make any Pit or Pits, and get, gather, take, and carry away such Materials as aforesaid, in, upon, or out of, from, and over the private Lands or Grounds of any Person or Persons where the same may be had or found, within any Parish, Township, or Place in which the said Roads or any Parts thereof do or shall lie or be situate, or in any adjoining Parish, Township, or Place (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk

Walk, or Avenue to a House, or any inclosed Ground planted or set apart as a Nursery for Trees), paying or tendering Payment to the respective Owners and Occupiers of such Lands or Grounds such Damages, for cutting, digging, gathering, taking, and carrying away the said Materials, and for carrying the same, or the Materials gotten in any Commons or Waste Ground, Common Rivers or Brooks, as aforesaid, over their Lands or Grounds, as the said Trustees shall think reasonable; and in case of any Difference between the said Trustees or their Surveyor or Surveyors, or other Person or Persons by them appointed or employed as aforesaid, and the said Owners or Occupiers, or any or either of them, concerning the said Damages or the Value of such Materials, then and in every such Case any Justice of the Peace of the County or Place wherein such Lands or Grounds shall lie, within Forty Days next after such Difference shall arise (on Three clear Days Notice thereof to be given by the said Surveyor or Surveyors to such Owner or Owners, Occupier or Occupiers, or by such Owner or Owners, Occupier or Occupiers, to the said Surveyor or Surveyors, or to be left at his, her, or their respective Places of Abode), shall hear and settle and determine the Matter of the said Damages, and the Value of such Materials, and the Costs attending the hearing and determining the same.

XCIX. Provided nevertheless, and be it further enacted, That it shall not be lawful for any such Surveyor or other Person or Persons, under the Authority of this Act, to take and carry away Materials for repairing the said Roads from any inclosed Lands or Grounds, until Notice in Writing shall have been given to the Occupiers of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before any Two Justices of the Peace acting for the said County of *Surrey*, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice such Justices shall, if they think meet, authorize such Surveyor or other Person to dig, take, and carry away such Materials at such Time or Times as to such Justices shall seem proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent, such Justices shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier or his Agent had attended.

Surveyors not to carry away Materials out of private Grounds without giving Notice to the Occupiers.

C. Provided always, and be it further enacted, That if any Person whomsoever shall take away any Materials which shall have been dug or gathered for the Purpose of repairing or improving the said Roads, or shall get or take away any Materials out of any Pit or Quarry which shall have been made, dug, or opened for the Purpose of getting the said Materials, before the said Surveyor or his Workmen shall have discontinued working therein for the Space of Ten Days, (except the Owner or Occupier of any private Ground, and the Person or Persons authorized by such Owner or Occupier to get Materials for his own private Use only, and not for Sale,) every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on taking away Materials got by the Surveyor.

CI. And be it further enacted, That all new or complete Mains of Pipes (not being Service Pipes fitted to any House or Building) for the Conveyance

Mains of Water and GasPipes, &c.

to be made
of Iron, and
not to be
laid down be-
tween Mi-
chaelmas and
Lady Day.

Conveyance of Water or Inflammable Air or Gas, which after the passing of this Act shall be laid down beneath the Surface of any of the Roads by this Act authorized to be repaired by or on account of any Water or Gas Light Company, and whether such new or complete Main of Pipes shall or shall not be substituted for or added to any other complete Main or Mains of Pipes for the Conveyance of Water or Inflammable Air or Gas, theretofore laid down for the Conveyance of Water or Inflammable Air or Gas, shall consist and be made of Iron alone, and of no other Material; and that the Ground, Soil, or Pavement of or in any of the Roads by this Act authorized to be repaired, or of any Part thereof, shall not be broken or taken up for the Purpose of laying down any Main of Pipes for the Conveyance of Water or Inflammable Air or Gas, at any Time between the Twenty-ninth Day of *September* in every Year and the Twenty-fifth Day of *March* in the following Year, without the Consent in Writing of the said Trustees, or any Seven or more of them; and that if any Water or Gas Light Company, or any other Person, shall break or take up, or cause to be broken or taken up, any such Ground, Soil, or Pavement, for the Purposes aforesaid, during the Time aforesaid, or shall lay or cause to be laid down any Pipe or Pipes consisting or made of any Materials in Violation of this Act, then and in every such Case the Company or other Person so offending shall forfeit and pay the Sum of Five Pounds for every Square Foot of Ground, Soil, or Pavement which shall be so broken or taken up by them, or on their Authority, and the like Sum for every Foot in Length of Pipe which shall be so laid down, consisting or made of any such Material.

Restrictions as
to breaking
up Roads by
Water or Gas
Company,
&c.

CII. And be it further enacted, That it shall not be lawful to or for any Water or Gas Light Company, or any Person or Persons acting by or under the Authority of them or any of them, or on their Account, to break or take up or disturb, or cause to be broken or taken up or disturbed, the Ground, Soil, or Pavement in any of the said Roads, for the Purpose of laying down any Mains or Pipes (except Service Pipes of a Diameter not exceeding One Inch in the Bore), without the Consent in Writing of the said Trustees, signified under the Hand or Hands of their Clerk or Clerks, or other proper Officer or Officers, first obtained; but that nothing in this Act contained shall be deemed or construed to prevent the said Company from laying down, repairing, or altering such Main or Pipes, after such Consent obtained as aforesaid, or from laying down, repairing, or altering any Service Pipes or Apparatus leading from such Main Pipes, after such Consent obtained as aforesaid.

Notice to be
given of
breaking up
Roads.

CIII. And be it further enacted, That after such Consent as aforesaid it shall not be lawful to or for any Water or Gas Light Company, or any Person or Persons acting by or under their Authority, to break or take up or disturb, or cause to be broken or taken up or disturbed, the Ground, Soil, or Pavement in the said Roads or any Part thereof, for the Purpose of laying down or repairing any Main Pipe or Pipes (except Service Pipes as aforesaid), or of altering the Position of any such Main Pipe or Pipes (except as aforesaid), unless Notice in Writing of their Intention to break or take up such Ground, Soil, or Pavement, signed by the Clerk or Inspector or Surveyor to the said Company, specifying the Road and particular Part of such Road in which such Ground, Soil, or Pavement is intended to be broken or taken up, shall have been given to the Clerk to the said Trustees,

Trustees, or shall have been left for him at his Dwelling House or Office for the Space of Twelve Hours at the least before such Ground, Soil, or Pavement, or any Part thereof, shall be so broken or taken up (except in all Cases of sudden Emergency, in which such Notice as aforesaid shall be given to such Clerk to the said Trustees immediately after such Ground, Soil, or Pavement, or any Part thereof, shall be broken or taken up); and that if the said Company, or any Person or Persons acting by or under their Authority, shall break or take up or disturb, or cause to be broken, taken up, or disturbed, any such Ground, Soil, or Pavement, without Consent being obtained as aforesaid, and such Notice being given or left as aforesaid (except as aforesaid), or shall break or take up or disturb, or cause to be broken, taken up, or disturbed, any such Ground, Soil, or Pavement, for the Purpose of laying down any Main or Mains, without such Consent as aforesaid, then and in every such Case the said Company shall forfeit and pay to the said Trustees the Sum of Twenty Pounds for every Square Yard of Ground, Soil, or Pavement, to be measured upon the Surface thereof, which shall be so broken or taken up without such Consent and Notice as aforesaid (except as aforesaid).

CIV. And be it further enacted, That whenever and so often as the said Company or other Persons shall have lawfully broken up or removed the Ground, Soil, or Pavement in or of the said Roads or any Part thereof, the said Company or other Persons shall and they are hereby required immediately thereafter to reinstate and make good, under the Superintendance and to the Satisfaction of the said Trustees or their Surveyor, such Ground, Soil, or Pavement in as good sound State or Condition as the same was or were in at the Time of being so broken up; and the said Company and other Persons shall carry away all the old Pipes and Materials, and all surplus Earth, Filth, and Rubbish occasioned thereby, at their own Costs and Charges; and that during the Works of the said Company or other Persons, and reinstating such Ground, Soil, or Pavement as aforesaid, the said Company or other Persons shall, at their own Costs, provide proper Watchmen, with necessary Lights at Night, and otherwise secure and guard the said Works so as to prevent any Injury, Damage, or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Company or other Persons shall neglect and make default in making good and reinstating such Ground, Soil, or Pavement as aforesaid, within Twenty-four Hours next after Notice given to or left for the said Company or other Persons at their House or Office, it shall be lawful for the said Trustees to reinstate and make good such Ground, Soil, or Pavement, and the Charges and Expences thereof shall be reimbursed and repaid by the said Company or other Persons, or their Treasurer, to the said Trustees or their Treasurer, and in default of Payment thereof within Ten Days next after Demand thereof in Writing shall have been made by the Clerk to the said Trustees, Proof of such Demand being made by the Oath of One credible Witness before any One Justice of the Peace for the said County of *Surrey*, such Charges and Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company or other Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, and which Warrant such Justice is hereby empowered and required to grant, and such Charges and Expences shall be paid to the said Trustees or their Treasurer; and in case

Requiring
Company,
&c. to rein-
state Roads.

the said Company or other Persons shall neglect to provide proper Watchmen, with necessary Lights at Night, and otherwise secure and guard the said Works as aforesaid, the said Company or other Persons shall for every such Neglect forfeit and pay to the said Trustees any Sum not exceeding Five Pounds.

Pipes to be laid on Sides of Roads, and no Pipes to be laid which shall prevent the draining the Water off the Roads.

CV. And be it further enacted, That such Mains or Pipes shall be laid Twelve Inches at the least below the Surface of the Ground, to be measured from the upper Side of such Mains or Pipes, and such Mains or Pipes shall be laid on the Sides of the said Roads, and as near to the Footpaths as conveniently may be, (or in the Footpaths, if the said Trustees, or any Seven or more of them, shall think proper,) unless in such Cases where the Intervention of a Common Sewer or other unavoidable Hindrance or Obstruction shall make a Deviation absolutely necessary, or where it shall be necessary for the Purpose of carrying any Main or Pipes across the said Roads, for the Purposes of Communication from One Main Pipe to another, and that no Pipe or Pipes shall be laid down under the said Roads which shall in any Manner prevent the draining of Water off the said Roads.

Trustees may require Repair of Pipes, &c.

CVI. And be it further enacted, That when and so often as it shall appear to the said Trustees that any Main or Mains, Pipe or Pipes, Stopcock, Plug, or other Thing belonging to any Water or Gas Light Company, be broken or damaged, or in want of Repair or Alteration, it shall be lawful for the said Trustees to cause Notice to be given in Writing, signed by their Clerk, to the Company to whom such Main, Pipe, Stopcock, Plug, or other Thing doth or may belong, by either giving such Notice to a Clerk or Secretary or to a Turncock of such Company, or to some or One of them, or by leaving the same at the Place or Places of Abode of some or One of them, or at the Office or Counting-house of such Company, requiring that such Mains, Pipe, Stopcock, Plug, or other Thing be forthwith repaired, altered, amended, or renewed by such Company, and that within Forty-eight Hours after such Notice shall be so given or left as aforesaid the said Company to or for whom or to or for whose Officer or Servant such Notice shall have been given or left as aforesaid shall cause to be taken up the Ground, Soil, or Pavement beneath which the Main, Pipe, Stopcock, Plug, or other defective Thing shall be, and shall cause the Ground to be opened, and also cause the said Main, Pipe, Stopcock, Plug, or other Thing to be substantially repaired, altered, amended, or renewed, and the Ground, Soil, or Pavement properly filled in with hard Rubbish or other good Materials, and rammed down and reinstated within Forty-eight Hours next after such Notice shall be given or left as aforesaid, or with all convenient Expedition, in the Judgment of the said Trustees or any Seven or more of them, and to their Satisfaction; and also within Twelve Hours after such Main, Pipe, Stopcock, Plug, or other Thing shall be so substantially repaired, altered, amended, or renewed, and the Ground, Soil, or Pavement above the same shall be so filled in and rammed down and reinstated, the said Company shall cause Notice thereof to be given to the said Trustees that such Reparation, Alteration, Amendment, or Renewal hath been made, and that the Ground, Soil, or Pavement hath been re-filled, rammed down, and reinstated in the Manner directed by this Act; and in case the said Water or Gas Company to or for whom such Notice shall have been given or left as aforesaid,

said; and to whom such Main, Pipe, Stopcock, Plug, or other Thing referred to in such Notice shall belong, shall neglect to cause the same to be repaired, altered, or amended or renewed, as the Case may be, and the Ground, Soil, or Pavement to be filled in and rammed down and reinstated to the Satisfaction of the said Trustees, in manner and within the Time aforesaid, or shall neglect to give or cause to be given Notice thereof as aforesaid, then the said Company shall for the first Neglect and Offence forfeit and pay the Sum of Five Pounds, and for the Second Neglect and Offence shall forfeit and pay the Sum of Eight Pounds, and for the Third and every subsequent Neglect and Offence shall forfeit and pay the Sum of Ten Pounds.

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

For regulating Stand Cocks during Frosts.

CVIII. And be it further enacted, That in case any Water or Gas Light Company at any Time or Times shall neglect to take up the Ground, Soil, or Pavement in the said Roads or any of them, or any Part thereof, or to substantially repair, alter, amend, or renew any Main, Pipe, Plug, Stop Cock, or other Thing, as the Case may be, according to the Direction of this Act, or to give the Notices required by this Act, or to remove or take away any Pipes or other Materials or Things from the said Roads, or to collect and carry away or remove the old Pipes and Materials, and all Dirt, Gravel, Filth, Rubbish, and other Things from the said Roads, and continue all necessary Posts, Rails, Bars, or Ropes, Lanthorns, Watchmen, or to do and execute all and every such Works and Things, and all or any such other Works and Things directed and required by this Act to be done and executed by any such Company, in manner and within the Times and Periods directed by this Act, then and in every or any of such Cases, and at all Times afterwards, it shall and may be lawful to and for the said Trustees and their Surveyor, and they and he are and is hereby empowered and required forthwith to cause all and every such several Works, Matters, and Things which shall not be executed and performed by every such Company, or which shall not be well, substantially, and effectually executed and performed to the Satisfaction of the said Trustees, to be well and effectually performed to the Satisfaction of the said Trustees at the Costs and Charges of such Company who shall have so neglected well, substantially, and effectually to perform and execute the same and every of them, and every Part thereof, and that such Costs and Charges, and every of them, shall be reimbursed and paid by any and every such Company to the said Trustees or their Treasurer, or to such Person or Persons as they shall appoint to receive the same, and that the Amount of

Works neglected by Companies, &c. may be executed by Trustees.

of such Costs and Charges and of the Monies so to be paid shall be recovered and levied (over and above all and every the Penalties and Forfeitures which may be incurred for any such Neglect by virtue of this Act) in the same Manner as Penalties and Forfeitures by this Act imposed are directed to be recovered, levied, and applied.

Roads to be measured, and Mile Stones erected.

CIX. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, to cause the said Roads or any Part thereof to be measured, and any Stones or Posts to be set up in or near the Sides of the said Roads, with Inscriptions thereon denoting the Number of Miles and Distance of Places, and the Boundary or Boundaries and Line or Lines of the said Roads; and also to erect Posts at all or any of the Roads, Lanes, or Highways leading out of the Roads hereby directed to be repaired, with Inscriptions thereon, denoting to what Place or Places such Roads, Lanes, or Highways respectively lead; and if any Person shall wilfully break, obliterate, deface, or pull up any of the Stones or Posts already erected or to be erected by virtue of this Act, or obliterate such Inscriptions, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Surveyors may remove Annoyances and Obstructions.

CX. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, by Order of the said Trustees or any Seven or more of them, from Time to Time to remove and prevent all Annoyances on any Part of the said Roads or on the Sides thereof, and to remove all Obstructions being in or upon the said Roads or any Part thereof, and to dam out and turn any Waters, Watercourses, Sinks, or Drains running along or flowing upon, into, or out of the said Roads, or near the Side or Sides thereof, to the Prejudice of the said Roads, the Costs and Charges whereof, to be settled by the said Trustees or any Seven or more of them (by Writing under their Hands), shall be reimbursed to the said Surveyor or Surveyors by the Person or Persons occasioning such Annoyances or Obstructions, the same to be recovered, levied, and applied in such Manner as Penalties and Forfeitures by this Act imposed are directed to be recovered, levied, and applied.

For regulating Signs, Stalls, &c.

CXI. And be it further enacted, That the said Trustees shall and may at any Time, and from Time to Time, cause Notice to be given to the respective Owners or Proprietors, Feoffees, Trustees, Lessees, Tenants, or Occupiers of the several Houses, Shops, Warehouses, Stables, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments on the Sides of the said Roads, to take down, fill up, remove, alter, or regulate all Signs or other Emblems used to denote the Trade, Occupation, or Calling of any Person or Persons, and all Sign Posts and Signs, Irons, Bow Windows and Projecting Windows, Shew Boards, Window Shutters, Flaps, Water Spouts, Doors projecting over, on, or upon any Part of the said Footpaths or Sides of the said Roads, and also all outer Doors opening on and Steps projecting into the Footpaths, and all Doors and Steps leading down out of the Footways into any Cellars, Vaults, and other Places belonging to any Building, Shop, Warehouse, or Tenement, and other Annoyance whatsoever on the said Footpaths or Sides of the said Roads, and to cause all Signs and other Emblems as aforesaid, or such Parts thereof as the said Trustees shall think fit, to be affixed and placed on the Fronts of the Houses,

Houses, Shops, Warehouses, or Buildings whereunto the same respectively belonged or were before affixed, and not otherwise; and in case the Owners or Proprietors, Feoffees, Trustees, Lessees, Tenants, or Occupiers, shall refuse or neglect to do as before directed for the Space of Thirty Days next after such Notice shall be given to him, her, or them respectively (which Notice shall be given in Writing or Print, and signed by the said Trustees or their Clerk or Surveyor for the Time being, and delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee, Trustee, Lessee, Tenant, or Occupier respectively); it shall be lawful for the said Trustees to cause such Signs or other Emblems, and other Matters and Things herein-before mentioned, and all other Annoyances whatsoever, to be taken down, carried away, filled up or removed, altered and regulated, in such Manner as they shall think proper, and shall return or cause to be returned to their respective Owners, or to be left on the Spot, or as near as conveniently may be for such Owner or Owners, so much of such Signs or other Projections or Annoyances whatsoever as shall not be affixed or put up or otherwise made use of in the Alterations, and the Charges and Expences attending the same shall be reimbursed to the said Trustees, and be paid and payable by the respective Tenants or Occupiers of such Houses and Premises; and if any Tenant or Occupier of any such Premises shall neglect or refuse to pay such Charges within Five Days after Demand made thereof, or by Notice in Writing or Print under the Hand of the said Surveyor, Clerk, or other Person appointed by the said Trustees, to be delivered to or left at the Dwelling House of such Tenant or Tenants, Occupier or Occupiers, the same shall and may be levied on every such Tenant or Tenants, Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Surrey*, which Warrant the said Justice or Justices is and are hereby authorized and empowered to grant upon Oath of such Neglect or Refusal, returning the Overplus (if any) of the Monies raised by such Distress and Sale, after deducting all Costs and Charges attending the same, to the Owner or Owners of such Goods or Chattels, on Demand.

CXII. Provided always, and be it further enacted, That where any House, Warehouse, Stable, Building, Court Yard, Garden, Land, Tenement, or Hereditament shall be let or demised to more than One Tenant or Occupier, any One or more of such Tenants or Occupiers shall be deemed the actual Tenant or Tenants, Occupier or Occupiers, for the Purposes of this Act; and the said Charges shall be levied by Distress and Sale of all or any of the Goods and Chattels in such respective Premises.

Any One
Tenant liable
for such
Charges, &c.

CXIII. And be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of such House, Shop, Warehouse, Stable, Building, Court Yard, Garden, Land, Tenement, or other Hereditament, before such Charges shall be paid by him, her, or them, or if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall not be sufficient to defray such Charges, or if it shall happen that any of the said Premises shall be untenanted, then and in every such Case such Houses, Shops, Warehouses, Stables, Buildings, Court Yards, Gardens, Lands, Tenements, and Hereditaments shall be and the same are hereby made a Security for and chargeable with all such

For Reco-
very of such
Charges in
case of Re-
moval of
Tenant, &c.

[*Local.*]

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Charges

Charges and Expences, and the same shall be levied by Distress and Sale (by Warrant as aforesaid) of any Goods and Chattels which shall afterwards be found in or upon the said respective Premises, or of the Goods and Chattels of the Owner or Proprietor, Feoffee or Trustee thereof, in case such Owner or Proprietor, Feoffee or Trustee, shall neglect or refuse to pay the same for the Space of Five Days next after the same shall be demanded of him, her, or them, by Notice in Writing or in Print, signed by the said Surveyor or Clerk or other Person, to be delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee or Trustee, and all such Charges shall be levied in like Manner by Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, City, Town, or Place where such Owner or Proprietor, Feoffee or Trustee, shall reside, or where such Goods and Chattels shall be found; and it shall be lawful for any Tenant or Occupier who shall have performed any of the Works, Matters, or Things in manner as directed by this Act, or who shall have paid and reimbursed to the said Trustees the Expences of doing the same, or on whom any such Expences shall have been levied, to deduct out of his or her Rent the Charges and Expences which such Tenant or Occupier shall pay, or which shall have been levied upon him or her on any of the Accounts aforesaid, and the Owner or Proprietor, Feoffee or Trustee of such Premises, is hereby required to allow such Deductions and Payments, upon the Receipt of the Residue of his or her Rent; and in case any Tenant or Occupier shall pay or have levied upon him or her more Money, on account of any thing done by virtue of this Act, than shall be due from him or her for the Rent of his or her House, Shop, Warehouse, Stable, Building, Court Yard, Garden, Land, Tenement, or Hereditament, the Overplus thereof shall and may be levied on the Owner or Proprietor, Feoffee or Trustee of such respective Premises, by Distress and Sale of the Goods and Chattels of such Owner or Proprietor, Feoffee or Trustee, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, City, Town, or Place where such Goods or Chattels shall be found, such Owner or Proprietor, Feoffee or Trustee, having refused or neglected to pay the same for the Space of Five Days after Demand made thereof by such Tenant or Occupier, his or her Attorney or Agent, for that Purpose appointed: Provided also, that nothing in this Act contained shall prevent the said Trustees, at their Discretion, if they shall think fit so to do, from making any Allowance or paying Part of the Expence incurred by the Proprietors, Tenants, or Occupiers of any such House or Building, in removing any of the Obstructions, Nuisances, or Annoyances as aforesaid, in such Cases where the said Proprietors, Tenants, or Occupiers shall or may be materially injured by such Removal, and whereby such Cases may be particularly entitled to some Compensation.

Surveyors
may scour
Water-
courses, cut
down Trees,
&c.

CXIV. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Trustees, and such Person or Persons as aforesaid, by Order of the said Trustees, or any Seven or more of them, from Time to Time to open, scour, cleanse, widen, and make deeper any Watercourse or Ditch adjoining or near to the said Roads, and to make all such Arches of Brick, Stone, or Timber over any such Watercourses or Ditches as they shall think necessary, and at proper Seasons of the Year to cut down, lop, or top any Branches of Trees, Shrubs, or Bushes growing in the said Roads, or in the Hedges or Banks adjoining thereto,
in

in case the Owners or Occupiers of the Premises so adjoining or near the said Roads shall neglect to open, scour, cleanse, widen, and make deeper such Watercourses or Ditches, or make such Arches, or cut down, lop, top, and carry away such Branches of Trees, Shrubs, and Bushes as aforesaid, for the Space of Ten Days next after Notice in Writing given for that Purpose under the Hand of the said Surveyor, or such other Person or Persons as aforesaid, the Costs and Charges whereof to be settled by the said Trustees, or any Seven or more of them, by Writing under their Hands, shall be reimbursed to the said Surveyor or Surveyors, by such Owners or Occupiers as aforesaid, and shall be recovered, levied, and applied in such Manner as Penalties and Forfeitures by this Act imposed are directed to be recovered, levied, and applied.

CXV. And be it further enacted, That all the Toll Gates, Bars, or Turnpikes and Toll Houses, Watch-houses, and other Buildings, Watch-boxes, Lamps, Lamp Posts, Lamp Irons, Mile Stones or Posts, and Direction and other Posts, erected or to be erected by the said Trustees for the Use or Care of the said Roads; and the Materials of which the same do or shall consist, and all Carts, Horses, Barrows, Pickaxes, Rakes, Gravel, Stones, and all other Utensils, Implements, Materials, and other Effects, Matters, and Things, which shall be purchased or provided by the Trustees for carrying this Act into execution, or by their Surveyor or Surveyors, for repairing the said Roads, and all the Scrapings of and from the said Roads, shall be and are hereby vested in the said Trustees, and they, or any Seven or more of them, are hereby authorized and empowered to dispose of the same as they shall think fit, and to bring or cause to be brought any Action or Actions in the Name of their Treasurer or Clerk, and to prefer and prosecute, or order and direct the preferring and prosecuting of Indictments against any Persons who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, deface, or destroy, any of the said Toll Gates, Bars, Turnpikes, Toll Houses, Watch-houses, Buildings, Watchboxes, Lamps, Lamp Posts, Lamp Irons, Mile Stones or Posts, and Direction and other Posts, Materials, Matters, and Things aforesaid, or do any Act to hinder or obstruct any Person employed by the said Trustees in the Execution of this Act; and in any such Indictment it shall be sufficient to describe such Toll Gates, Bars, Turnpikes, Toll Houses, Watch-houses, Buildings, Watchboxes, Lamps, Lamp Posts, Lamp Irons, Mile Stones or Posts, and Direction and other Posts, Materials, or other Effects, as being the Property of and in such Indictment to lay the Property in the said Trustees, by the Name, Style, and Description of "The Trustees of the *Surrey* New Roads," and the same shall be as effectual to all Intents and Purposes as if the same were laid to be the Property of each and every of the said Trustees by Name, any Law, Usage, or Custom to the contrary thereof notwithstanding.

Turnpikes,
&c. vested
in Trustees.

CXVI. And be it further enacted, That all and every the Footpaths on the Sides of or adjoining to the said Roads by this Act authorized to be repaired shall be and the same are hereby declared to be subject to the Regulations of this Act, and to be Part of the said Roads, and shall be repaired and amended by the said Trustees by such Ways and Means and in such Manner as the said Roads are and shall be repaired and amended.

Footpaths
deemed Part
of Roads.

CXVII. And

Gates not to
open into the
Roads.

CXVII. And be it further enacted, That no Gate of any Park, Paddock, Field, or Inclosure whatsoever shall be made to open into or towards any Part of the said Roads, or be suffered to continue so to open, except the Hanging Post thereof shall be so far removed that no Part of the Gate when open shall project over any Part of the said Roads, or any Footpath belonging thereto; and if the Occupier of any Land in which any Gate is or shall be so constructed as to open or swing towards the said Roads, contrary to the true Meaning of this Act, shall not, within Ten Days after Notice to him or her given in Writing from the Surveyor of the said Roads, cause such Gate to be hung so that no Part of such Gate shall when open project over any Part of the said Roads or any Footpath belonging thereto, then and in every such Case the Surveyor of the said Roads is hereby authorized to cause the Gate to be hung according to the Direction of this Act; and the Person or Persons guilty of such Neglect or Default, upon Complaint made to any Justice of the Peace acting for the said County of *Surrey*, shall, upon Conviction upon the Oath of one credible Witness, pay to such Surveyor such Sum of Money as the said Justice shall direct, to defray the Expence of making the Alteration, and hanging such Gate in a proper Manner, and shall also forfeit and pay a further Sum not exceeding Forty Shillings for his, her, or their Neglect therein, to be fixed by and at the Discretion of the Justice before whom such Conviction shall be made.

To prevent
riding, &c.
on the Roads
or Footpaths.

CXVIII. And be it further enacted, That if any Person or Persons shall wilfully or negligently injure, destroy, break down, or otherwise damage, or cause to be injured, destroyed, broken down, or otherwise damaged, or shall ride on or drive or lead any Horse, Beast, Cattle, or Carriage, or cause any Horse, Beast, Cattle, or Carriage to be rode or driven or led along any Footpath or Causeway, made or to be made on the Side or Sides of the said Roads or any of them, or any Part thereof, or shall wilfully or negligently deface, damage, or destroy any Watchbox, Lamp, Lamp Post or Lamp Iron, or any Mile Stone, Direction Post, Fence, Wall, or Gate, on the Sides of the said Roads or Footpaths and belonging thereto, or shall wilfully or carelessly break or damage any Post, Rail, or Stone which now are or may be erected for the Security of the said Footpaths or Causeways, or shall exercise, show, or expose to Sale any Horse or other Beast, or shall bait or cause to be baited any Bull or other Animal on the said Roads or Footpaths or any of them, or if any Person or Persons shall (without the Consent of the said Trustees) scrape off, or cause or procure to be scraped off, any Mud, Soil, or any other Matter or Thing which shall be or lie upon any Part of the said Roads or Footpaths, or if any Person shall draw or cause to be drawn along any Part of the said Roads or Footpaths any Tree or Piece of Timber, or any Stone (otherwise than upon wheeled Carriages), or shall suffer any Part of any Tree or Piece of Timber or Stone, which shall be carried upon or conveyed by any wheeled Carriage, to drag upon any Part of the said Roads or Footpaths, to the Injury thereof; or if any Person driving any Pig or Swine upon the said Roads, or the Owner of any Pig or Swine, shall suffer the same to root up or damage the said Roads or Footpaths or any Part thereof, or any Fence, Hedge, or Wall upon either Side thereof; or if any Person or Persons shall leave, or cause or permit or suffer any Horse, Cattle, Sheep, Beast, or Pig to be and remain loose on the said Roads, or the Footpaths or Sides thereof; or if any Person driving any Coach, Chaise, or Waggon, Cart or other Carriage

riage upon the said Roads, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the Left or Near Side of the said Roads; or if any Person shall in any Manner wilfully prevent any other Person from passing him, her, or them upon the said Roads, or the Coach, Chaise, Waggon, Cart, or other Carriage under his, her, or their Care; or if any Person shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or Fireworks whatsoever upon the said Roads, or within One hundred Feet of the Centre thereof, or wantonly fire any Gun or Pistol, or play at Foot-ball, or fly any Kite, trundle any Hoop, or play at any other Game or Games whatsoever, on any Part of the said Roads or Footpaths; or if the Driver of any Waggon, Cart, Dray, Sledge, or other Carriage used for the carrying of Goods and Merchandize shall ride on the Shafts or any other Part of such Waggon, Cart, Dray, Sledge, or other Carriage, or on any of the Horses drawing the same upon any Part of the said Roads, without having some proper Person immediately on the Side of and attending to guide the Horses or Beasts of Draught thereof; or if any Person or Persons shall leave or cause to be left any Waggon, Wain, Cart, or other Carriage, or any Plough, Harrow, or other Implement of Husbandry, (save and except, with regard to such Waggon, Wain, Cart, or other Carriage, during such reasonable Time as the same shall be loading or unloading, and standing as near to the Side of the said Roads as conveniently may be,) in, upon, or on the Side of the said Roads, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or if any Person shall set or place any Waggon, Wain, Cart, or other Carriage across the said Roads or any Part thereof; or if any Person shall lay or cause to be laid any Piece of Timber, or any Stone, Brick, Hay, Straw, Lime, Coal, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, upon any Part of the said Roads or Footpaths, or on the Side or Sides thereof, to the Prejudice or Injury thereof, or to the Annoyance, Hindrance, or Prejudice of any Person or Persons travelling thereon, or shall shew forth or expose to Sale, or put or place, hang or expose, or cause or permit to be put or placed, hung or exposed, any Goods or Furniture, Matter or Thing whatsoever, upon or so as in any Manner to project over the said Roads or Footpaths, for Sale or any other Purpose, or shall do, or cause, permit, or suffer to be done, any Damage or Injury to the said Roads or Footpaths or any Part thereof, or shall occasion or permit any Hindrance, Obstruction, or Annoyance thereon or on any Part thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

CXIX. And be it further enacted, That if any Person or Persons shall run, roll, drive, draw, or place, or cause or permit or suffer to be run, rolled, driven, drawn, or placed, any Waggon, Cart, Dray, Sledge, or other Carriage, or any Wheel, Wheelbarrow, or Truck, or any Hogshead, Cask, or Barrel, or shall wilfully ride, lead, or drive any Horse or other Beast, along any of the Footpaths on either Side of the said Roads, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

To prevent driving on Footpaths.

CXX. And whereas great Obstructions and Inconveniences are occasioned by the erecting and setting up of Sheds and other Kind of Erections upon and over the Footpaths belonging to the said Roads, and placing

To prevent Erections on Footpaths, &c.

[Local.]

41 R

Goods

Goods and other Things thereon; for Remedy whereof be it further enacted, That if any Person or Persons whomsoever shall erect or set up, or cause or procure to be erected or set up, any Shed or Awning, or any Kind of Erection or Projection, upon or over any of the Footpaths belonging to the said Roads, or on any other Parts of the said Roads, or shall put or place, or cause or suffer to be put or placed, any Furniture, Goods, Materials, or other Things on the said Roads or Footpaths or any Part thereof, it shall be lawful for the said Trustees or their Surveyor to cause the same to be removed, taken, or carried away, deposited, and kept in such Place or Places as the said Trustees or their Surveyor shall direct or appoint, there to remain and be kept until the Owner or Owners, Offender or Offenders, shall have paid and discharged all Costs, Charges, and Expences attending the removing, carrying away, depositing, and keeping the same as aforesaid, such Costs, Charges, and Expences being first settled and ascertained by any Justice of the Peace for the County of *Surrey*; and in case 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 Shed, Awning, Erection, Projection, Furniture, Goods, Materials, and Things shall be sold by the said Trustees or their Surveyor; and after defraying the Expences of such Sale, and deducting all such Costs, Charges, and Expences as aforesaid, the Surplus (if any) shall be returned, upon Demand, to such Owner or Owners, Offender or Offenders.

No Inclosures to be made, or Materials for building to be laid on Roads without Consent of Trustees.

CXXI. And whereas Persons, without any sufficient Leave for that Purpose, inclose or otherwise occupy Part of the said Roads for the making of Mortar, and depositing of Bricks, Lime, Timber, and other Materials, Matters, and Things, to the great Annoyance, Obstruction, and Danger of Passengers and Carriages, and to the Detriment of the said Roads; be it therefore further enacted, That if any Person or Persons shall erect, build, or set up, or cause or procure to be erected, built, or set up, any Inclosure, Post, Bar, or Rail, or lay or deposit any Bricks, Lime, Timber, or other Materials, Matter, or Thing, in or upon any Part of the said Roads or Footpaths, without the Consent of the said Trustees in Writing first had and obtained, or beyond such Bounds or Limits as shall be expressed in such Consent, or without such Inclosure, or continue the same beyond the Time directed or allowed by the said Trustees, it shall be lawful for the said Trustees, or their Surveyor or Surveyors, in any or either of the said Cases, to cause the same to be removed, taken, and carried away, and deposited in such Place or Places as the said Trustees shall direct or appoint, there to remain and be kept until the Owner or Owners, Offender or Offenders, shall have paid and discharged all Costs, Charges, and Expences attending the removing and taking away, depositing and keeping the same as aforesaid, such Costs, Charges, and Expences being first settled and ascertained by any One Justice of the Peace for the said County of *Surrey*; and in case the said Owner or Owners, Offender or Offenders, shall neglect or omit to pay such Costs, Charges, and Expences within Five Days after the same shall have been so settled and ascertained, it shall be lawful for the said Trustees or their Surveyor to sell all such Materials, Matters, and Things, and reimburse themselves and himself such Costs, Charges, and Expences as aforesaid, and of such Sale or Sales, rendering the Overplus, if any, to such Owner or Owners, Offender or Offenders, on Demand.

CXXII. And

CXXII. And be it further enacted, That if any Person or Persons whomsoever, whether being the Owner or Proprietor of any Erection, Building, Shed, Stall, Portico, Porch, Penthouse, Awning, Covering, Inclosure, Post, Bar, Rail, Bricks, Lime, Mortar, Furniture, Goods, Matters, Materials, or Things, shall by any Ways or Means rescue or attempt to rescue the same or any of them, or any Part thereof, from the Person or Persons who by Authority of this Act shall have the same in his or their Custody, Possession, or Power, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

To prevent
rescuing of
Goods, &c.

CXXIII. And whereas great Injury is done to the said Roads by Persons making Sinks or Drains to run into the same, and by the throwing into and upon the said Roads Dust, Dirt, Ashes, Rubbish, Dung, or other Filth; be it therefore enacted, That if any Person or Persons shall make, sink or dig, put or place, or cause to be made, sunk or dug, put or placed, any Sinks, Drains, or Cesspools to run into, upon, or under the said Roads or Footpaths, or shall throw, cast, or lay, or cause to be thrown, cast, or laid, any Dust, Dirt, Ashes, Rubbish, Dung, or other Filth or Annoyance, from their respective Houses or Premises in or upon the said Roads or Footpaths, or into the Drains or Watercourses belonging thereunto, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, over and above the Charges and Expences of stopping up or removing such Sinks, Drains, or Cesspools, or removing such Filth or Annoyance, which the said Surveyor or Surveyors is and are hereby authorized to stop and remove, such Charges and Expences being first settled and ascertained by any Justice of the Peace for the County of *Surrey*; and in case such Penalty, together with such Charges and Expences, shall not be paid within Five Days next after such Charges and Expences shall have been so settled and ascertained, then the same shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of such Justice, and for Want of sufficient Distress within the County such Justice is hereby empowered and directed to commit such Offender to the Common Gaol or House of Correction, there to remain and be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty, Charges, and Expences shall be sooner paid.

To prevent
Persons mak-
ing Drains
into Roads.

CXXIV. And be it further enacted, That it shall not be lawful to or for the said Trustees to pave or cause to be paved the Carriageway or any Part of the Carriageway of the said Road leading from the *Waterloo Bridge* to the said Circle or Area in *Saint George's Fields*, which shall be in front or on the Side of any Church which may be erected on the Side of the said Road, or within One hundred Feet thereof.

Trustees not
to pave cer-
tain Roads.

CXXV. And be it further enacted, That it shall not be lawful to or for the said Trustees to make use of the said Roads hereby directed to be repaired, or any Part thereof, for the erecting of any Building whatsoever (other than such Toll Houses, Watch-houses, Weighing Engines, Cart-houses, and other Buildings as may be erected by order of the said Trustees, for the Use of the said Roads).

No Buildings
to be erected
on Roads,
except Toll
Houses, &c.

CXXVI. And

No Buildings
to be erected
withincertain
Distances of
the Roads.

CXXVI. And whereas by the said Acts passed in the Twenty-sixth and Fifty-eighth Years of the Reign of His said late Majesty King *George* the Third Provision was made that no Erection or Building should be erected or built by any Proprietor or Occupier of the Lands adjacent to such Part of the said Road leading from the East End of *Westminster Bridge*, through *Mount Row*, *Lambeth*, and across *Saint George's Fields*, to the Stones End in *Blackman Street*, near the *King's Bench* Prison, as lies between the said Place heretofore called *Symond's Corner* and the Stones End aforesaid, or adjacent to such Part of the Road leading from *Symond's Corner*, along *Walcot Place*, and by *Kennington Cross*, to *Kennington Common*, as lies between the Road leading from *Church Street*, *Lambeth*, to the *Grange Road* in *Bermondsey* and *Kennington Common*, or adjacent to the said Road leading from *Church Street*, *Lambeth*, by new *Bethlem Hospital* and the *Fishmongers Almshouses*, through the Parishes of *Newington* and *Saint George, Southwark*, to the *Grange Road* in the Parish of *Saint Mary Magdalen, Bermondsey*, within Fifty Feet on either Side of the said Roads; and that no Erection or Building should be erected or built by any Proprietor or Occupier of Lands adjacent to the said Road leading from *Symond's Corner* aforesaid, along *Lambeth Marsh*, *Back Lane*, to the last-mentioned Road near the End of *Union Place*, within Fifteen Feet on either Side of the said last-mentioned Road; and that no Erection or Building should be erected or built by any Proprietor or Occupier of Lands adjacent to the said Roads leading from the South End of *Blackfriars Bridge* to the *Obelisk* in *Saint George's Fields*, and thence along the *London Road* to *Newington*, at or near the *Fishmongers Almshouses* aforesaid, and from the *Obelisk* aforesaid, along the *Lambeth Road*, to the said Road leading by new *Bethlem Hospital* aforesaid, within Ten Feet on either Side of the said last-mentioned Roads; and that no Erection or Building should be erected or built by any Proprietor or Occupier of Lands adjacent to the said Road leading from *Mount Row* aforesaid, through *Marsh Street*, *Lambeth*, into the said Road leading from *Blackfriars Bridge* to the *Obelisk* aforesaid at the East End of *Great Charlotte Street* in the Parish of *Christ Church*, within Fifty Feet on either Side of the said last-mentioned Road; and that no Erection or Building should be erected or built by any Proprietor or Occupier of Lands adjacent to the said Road leading from the North Side of the Archway near the South End of the *Waterloo Bridge*, across *Marsh Street*, to the Circle or Area in *Saint George's Fields*, or the Road leading from the last-mentioned Road at or near the *Coburg Theatre*, through *Oakley Street*, to the said Road leading from *Westminster Bridge* to the Stones End in *Blackman Street* near *Symond's Corner* aforesaid, or the Road leading from the *Broad Wall*, at the West End of *Stamford Street*, in the Parish of *Christ Church*, to the said Road leading from near the South End of the *Waterloo Bridge* to the said Circle or Area in *Saint George's Fields*, within Five Feet on either Side of the said last-mentioned Roads; be it therefore enacted, That no Erection or Building shall be erected, built, or continued by any such Proprietor or Occupier of Lands adjacent to the said Roads or any of them within the Distances aforesaid or any of them; and that if any such Erection or Building shall be hereafter erected, built, or continued, contrary to the true Intent and Meaning of this Act, the same shall be deemed a common Nuisance: Provided always, that nothing herein con-

tained shall extend, or be deemed or construed to extend, to alter, vary, or repeal any of the Provisions contained in an Act passed in the Fiftieth Year of the Reign of His late Majesty King George the Third, intituled *An Act for extinguishing all Right of Common in, over, and upon certain Parcels of Land in Saint George's Fields in the County of Surrey, and for repealing so much of Two Acts passed in the Twenty-sixth and Forty-seventh Years of His present Majesty as prevents the erecting Buildings on certain Parts of the said Parcels of Land, within a limited Distance from the Sides of such of the Roads therein mentioned as abut thereon, and for improving Saint George's Fields aforesaid*, but that the said Act, and all the Provisions therein contained, shall be and continue in full Force and Effect as if this Act had not been made. 50G.3.c.191.

CXXVII. And be it further enacted, That no Part of the Land which shall be purchased, taken, or used for making the said new Road hereby directed to be made, shall be made use of for the erecting of any Buildings whatsoever (other than such Toll Houses, Watch-houses, Weighing Engines, Cart Houses, and other Buildings as shall be erected by Order of the said Trustees for the Use of the said Roads); and that no Erection or Building shall be erected, built, or continued by any Proprietor or Occupier of Lands adjacent to the said new intended Road, within Five Feet on either Side of the said Road; and if any such Erection or Building shall be erected, built, or continued contrary to the true Intent and Meaning of this Act the same shall be deemed a common Nuisance. No Buildings to be erected on new Line of Road, or within Five Feet thereof.

CXXVIII. And for the more speedy Conviction of any such Proprietor or Occupier, and the Removal of any such Erection or Building, be it further enacted, That it shall and may be lawful to and for any Two Justices of the Peace acting for the said County of *Surrey*, upon the Information of One credible Witness, and such Justices are hereby empowered and required, to summon before them such Proprietor or Occupier; and in case such Proprietor or Occupier shall appear upon such Summons, or shall not appear, then, upon an Oath of some credible Witness being made that such Proprietor or Occupier was served with such Summons, or that such Summons was left at his or her last or usual Place of Abode, the said Justices, upon Proof by the Oath of Two credible Witnesses, or by Confession of the Party, of any such Erection or Building having been erected, built, or continued, contrary to the true Intent and Meaning of this Act, shall and may convict the Person or Persons offending, and make such Order for the taking down and removing such Erection or Building as to such Justices shall seem proper. For the more speedy Conviction of Persons erecting such Buildings.

CXXIX. And be it further enacted, That all Justices of the Peace by and before whom any such Person or Persons shall be convicted of the Offence aforesaid shall and may cause the Conviction and Order to be drawn up in the following Form, or to the like Effect; (that is to say,) Form of Conviction of Offenders.

‘ Surrey } BE it remembered, That on the Day
 ‘ to wit. } of in the Year of the Reign
 ‘ of our Sovereign Lord the by the Grace of God,
 [Local.] 41 S ‘ of

' of the United Kingdom of *Great Britain* and *Ireland*, King, Defender of
 ' the Faith, *A.B.* late of the Parish of _____ is convicted
 ' before *C.D.* and *E.F.*, Two of His Majesty's Justices of the Peace for
 ' the said County of *Surrey*, (under an Act passed in the Third Year of
 ' the Reign of His Majesty King *George* the Fourth, for amending certain
 ' Roads in the County of *Surrey*,) for that the said *A.B.*, after the
 ' passing of the said Act, (to wit,) on the _____ Day of
 ' in the _____ Year of the Reign of our said Sovereign Lord
 ' the _____ at the Parish of _____ aforesaid, in the County
 ' aforesaid, did unlawfully and injuriously erect and build, and cause to
 ' be erected and built, a certain Erection or Building, to wit, a certain
 ' Erection or Building called a _____ within _____ Feet of the
 ' Side of a certain Road by the said Act directed to be repaired and
 ' amended, to wit, a certain Road (*describing it*), in and upon a certain
 ' Piece or Parcel of Land whereof the said *A.B.* was then and there the
 ' Proprietor (*or* Occupier), situate and being in the said Parish of
 ' in the County aforesaid, and adjacent to a certain Part of the same
 ' Road; and the same Erection or Building so erected and built con-
 ' tinually from thence until the Day of the Date of this Conviction, did
 ' wrongfully, injuriously, and unlawfully keep and continue contrary to
 ' the Form and Effect of the said Statute; and we the said Justices do
 ' order and direct that the said *A.B.* shall, within Twenty-one Days after
 ' the Date hereof, take down and remove the said Erection or Building,
 ' and the Materials thereof. Given under our Hands and Seals the Day
 ' and Year aforesaid.'

Which Conviction so drawn, or in Words to the like Effect, shall be and be held good in and by all Courts whatsoever, to all Intents and Purposes.

Trustees
may remove
such Build-
ings in case
Offenders do
not after
Conviction.

CXXX. Provided always, and be it further enacted, That in case any
 such Proprietor or Occupier, so convicted as aforesaid, shall not take
 down and remove such Erection or Building, and the Materials thereof,
 according to the Order and Direction of the said Justices, within Twenty-
 one Days after the making of such Order, then and in every such Case
 it shall and may be lawful to and for the said Trustees or their Surveyor,
 and they and he are and is hereby empowered, to take down such Erection
 or Building, and remove the same, or the Materials thereof, to such Place
 or Places as the said Trustees shall direct; and in case such Proprietor
 or Occupier shall neglect or refuse to pay to and reimburse the said
 Trustees the Costs, Charges, and Expences of taking down, removing,
 and keeping such Erection, Building, or Materials for the Space of Five
 Days after Demand thereof, the said Trustees shall and they are hereby
 empowered and required to sell and dispose of the said Erection, Build-
 ing, or Materials, or a sufficient Part thereof, and out of the Money to
 arise thereby to pay and reimburse themselves such Costs, Charges, and
 Expences, and the Costs, Charges, and Expences of such Sale, and the
 Overplus (if any) of such Money, and so much of the said Erection,
 Building, or Materials as shall not be so sold, shall be returned to such
 Owner or Proprietor on Demand.

Buildings
may be erect-
ed beyond

CXXXI. Provided always, and be it enacted, That nothing in this
 Act contained shall extend or be construed to extend so as to prevent or
 prohibit

prohibit the Erection of any Building or Buildings by the Side or Sides of the Roads by the said recited Act of the Fifty-eighth Year of the Reign of His late Majesty authorized to be relinquished, or of the said new Line of Road hereby authorized to be made, or any Part thereof, so that such Building or Buildings be at the Distance of Five Feet or upwards from the Side or Sides of the same Roads respectively, or to prevent the Construction of any Vaults or Areas below the Level of the said Roads on the Side or Sides thereof; and that it shall be lawful for the said Trustees to authorize and empower any Person or Persons who shall erect any House or Houses on the Side or Sides of the Roads included in this Act, or any Part thereof, to construct any Arch or Arches under the said Roads in front of such House or Houses, for the Purpose of making any Cellar or Cellars, or otherwise, save and except under such Parts of the said Roads where Arches have been already constructed by the said Company of Proprietors of the *Waterloo Bridge*.

Five Feet of the Roads relinquished.

CXXXII. And be it further enacted, That if any Person or Persons shall water any of the said Roads or Footpaths without the Consent and under the Direction of the said Trustees or their Surveyors or Surveyor, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Roads not to be watered without Consent of the Trustees.

CXXXIII. Provided always, and be it further enacted, That all Persons who shall be employed by or act under the said Trustees for the Purpose of superintending, managing, or repairing the said Roads shall and may have hereby full Power and Authority to execute the Powers hereby given to Surveyors of the Roads directed to be repaired by this Act, although such Person may not be employed or act by the particular Name or Description of Surveyor.

Persons employed for managing or repairing Roads may act as Surveyors.

CXXXIV. And be it further enacted, That the said Trustees shall from Time to Time order and direct the Place and Places for the standing and plying of all Hackney Coaches and Hackney Chariots on the several Roads hereby authorized and directed to be repaired, and shall and may from Time to Time, and as often as to them shall seem fit, alter, vary, or extend such Place and Places or any of them, and may direct such other Place or Places as to them shall seem fit to be used in lieu thereof, or in addition thereto; and no Hackney Coach or Hackney Chariot shall stand or ply in any other Place or Places on the said Roads for Hire than shall be directed by the said Trustees; and if any Driver of any Hackney Coach or Hackney Chariot shall put or place his Coach or Chariot, or shall ply therewith for Hire, in or upon any other Place or Places on the said Roads than shall be ordered and directed by the said Trustees for that Purpose, every Person so offending shall forfeit and pay for the First Offence any Sum not exceeding Twenty Shillings, and for the Second and every subsequent Offence any Sum not exceeding Forty Shillings.

Trustees to appoint Stands for Hackney Coaches.

CXXXV. And whereas Offences may be committed against this Act, by Persons unknown to the Collectors, Surveyors, or other Officers appointed to put this Act in execution; be it therefore enacted, That it shall be lawful for any One or more of the said Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any other Warrant or Authority than

For securing transient Offenders.

than this Act, to seize and detain any unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice of the Peace for the County or Place where the Offence or Offences shall have been committed, to be dealt with according to Law ; and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint.

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

CXXXVI. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid ; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Trustees, or to their Treasurer for the Time being, as the Case may be.

Penalties and Forfeitures how to be recovered and applied.

CXXXVII. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying and recovering of which is not herein otherwise particularly directed) shall, upon Proof of the Offences respectively before any Justice of the Peace for the said County of *Surrey*, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses, (which Oath such Justice is hereby empowered and required to administer,) or upon the View of such Justice, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties so offending, by Warrant or Warrants under the Hand and Seal of such Justice (which Warrant or Warrants such Justice is hereby authorized and required to grant for those Purposes) ; and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned on Demand to the Owner or Owners of such Goods and Chattels ; and all such Penalties, Forfeitures, and Fines, when so paid and levied, (if not directed to be otherwise applied by this Act, (shall from Time to Time be paid to the said Trustees, or to their Treasurer for the

the Time being, and shall be laid out and applied in putting this Act in execution: Provided nevertheless, that it shall be lawful for such Justice or the said Trustees, if he or they shall think fit, from Time to Time to pay and apply any Part of such Penalties, Forfeitures, and Fines, or of any of them, when recovered, to and for the Use of the Informer and Informers, or any Person or Persons, not being a Witness or Witnesses, aiding or assisting in the Apprehension or Conviction of any Offender or Offenders against this Act; and in case sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice, and he is hereby authorized and required, (except in such Cases as are herein otherwise specially provided for,) by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the County of *Surrey*, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

CXXXVIII. And be it further enacted, That all Justices of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may (except in such Cases as are herein otherwise specially provided for) cause the Conviction to be drawn up in the following Form, or to the like Effect; (that is to say,) Form of Conviction of Offenders.

‘ *Surrey* } **B**E it remembered, That on the Day of
‘ to wit. } in the Year of the Reign of His Majesty
‘ and in the Year of our Lord *A. B.* is convicted
‘ before *C. D.*, One of His Majesty’s Justices of the Peace for the said
‘ County, by virtue of an Act of Parliament passed in the Third Year of
‘ the Reign of His Majesty King *George* the Fourth, intituled *An Act, &c.*
‘ [*here set forth the Title of this Act, and the Offence, and the Time and*
‘ *Place when and where the same was committed, as the Case may be*]:
‘ Wherefore I the said Justice do adjudge that the said *A. B.* hath for-
‘ feited, and do order him to pay for his said Offence to
‘ be disposed of as by Law directed. And [*if any Damages are to be*
‘ *ascertained by such Justice*] I do ascertain and find that the Damages
‘ sustained by the said Trustees on the Occasion of the committing of the
‘ said Offence are . And [*if any Costs are to be*
‘ *given by such Justice*] I do order and direct that the said *A. B.* [*the*
‘ *Offender or Offenders*] do forthwith in addition to the said Penalty [*or*
‘ Penalty and Damages, *as the Case may be*] pay to [*the*
‘ *Person entitled to Costs*], for his Costs and Charges by him
‘ sustained by reason of the Matters aforesaid, and in and about the pro-
‘ curing this Conviction. Given under my Hand and Seal, the Day and
‘ Year aforesaid.’

Which Conviction so drawn, or in Words to the like Effect, shall be and be held good in and by all Courts whatsoever, to all Intents and Purposes.

CXXXIX. And be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been hereby appointed, Persons aggrieved may appeal to the Quarter Sessions.
[*Local.*] 41 T except

except in such Cases where the final Determination is directed by this Act, such Persons may appeal to the Justices of the Peace, at a General Quarter Sessions of the Peace to be holden for the said County of *Surrey*, within Four Calendar Months after such Cause of Appeal shall have arisen, the Person appealing first giving or causing to be given Twenty-one Days Notice in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer of the said Trustees, and within Seven Days after such Notice entering into a Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and the said Justices at the said Quarter Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as the said Justices shall think proper; and the Determination of the said Justices in their said Quarter Sessions shall be final, binding, and conclusive to all Intents and Purposes.

Proceedings
not to be
quashed for
Want of
Form, or be
removed, &c.

CXL. Provided always, and be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceeding made touching or concerning any of the Matters aforesaid, or touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari, or 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; and where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor any of the Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall any of the Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by any of the Parties distraining, but the respective Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case, provided that no Plaintiff shall recover in any Action for such Irregularity if sufficient Tender of Amends hath been made to him by or on behalf of the Defendant or Defendants before such Action brought.

Limitation of
Actions.

CXLI. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any thing done in pursuance of this Act, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid in the County where the Cause of Action shall have arisen, and not elsewhere, unless the Court in which any such Action or Suit shall be commenced shall order and direct the same to be tried in an adjoining County; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was thereupon done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall

shall be brought after the Time before limited for bringing the same, or shall be laid in any other County than as aforesaid, unless as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any Case by Law.

CXLII. And be it further enacted, That no Person shall be deemed incompetent to give Evidence, or be disqualified from giving Testimony or Evidence, in any Action, Suit, Prosecution, or other legal Proceedings to be brought or had in any Court of Law or Equity whatsoever, or before any Justice of the Peace, under or by virtue of this Act, by reason of being a Trustee of the said Roads, or any of them, or a Mortgagee or Creditor of the Tolls thereof, or a Farmer, Lessee, or Collector of such Tolls, or a Treasurer or Clerk, or Surveyor or other Officer, under this Act, or Inhabitant of any Parish or Place through which the said Roads do or shall pass, nor shall such Testimony or Evidence for any of the Reasons aforesaid be rejected or liable to be questioned or set aside.

Trustees, &c.
may be Wit-
nesses.

CXLIII. And whereas by an Act passed in the Twenty-fourth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for making, widening, and keeping in repair several Roads in the several Parishes of Lambeth, Newington, Saint George Southwark, and Bermondsey, in the County of Surrey, and Lewisham in the County of Kent*, the Trustees therein named or appointed were authorized and empowered to set out and make and to widen several of the Roads by this Act authorized to be repaired, and for that Purpose were authorized by the same Act to contract for and purchase any Lands, Tenements, or Hereditaments as they should think necessary, Conveyances whereof the said Act directed should be made to such Persons as the Commissioners for building *Westminster Bridge*, or any Seven or more of them, and their Successors, should appoint, and that all such Conveyances, when duly executed, should be delivered to the said Commissioners, to be safely kept in the Office belonging to the said Commissioners for the Time being; and the said Trustees were empowered to repair and manage the said Roads, when made, and other Roads therein mentioned; and by the same Act, after granting certain Tolls and Duties therein specified, it is declared, that the Property of the said Tolls and Duties should be and the same were thereby vested in the said Commissioners and their Successors, nevertheless upon Trust to permit the said Trustees and their Successors, or any Person or Persons to be appointed by them or any Seven of them for that Purpose, to receive the said Tolls and Duties, and to issue, apply, and dispose of the same as soon as the said Trustees and their Successors, or the major Part of them, at their First General Meeting to be held after passing the said Act, should by their Resolution in Writing, signed by their Clerk, signify to the said Commissioners or their Successors that they the said Trustees would accept the Management of the said Tolls and Duties, and the Execution of the Powers by the said Act granted for the Pur-

To authorize
Commission-
ers of West-
minster
Bridge to de-
liver to the
Trustees cer-
tain Deeds of
Conveyance
of Lands, &c.

poses

poses thereby intended, and also upon Trust to permit the said Trustees and their Successors to continue to take the said Tolls and Duties during such Time only as they the said Trustees and their Successors should continue to execute the Powers and Authorities by the said Act granted, according to the true Intent and Meaning thereof: And whereas the said Trustees, at their first Meeting after the passing of the said Act, which was held on the First Day of *July* One thousand seven hundred and fifty-one, did resolve that they would accept the Management of the said Tolls and Duties, and the Execution of the Powers by the said Act granted for the Purposes thereby intended, and did between the First and the Fifth Days of that Month signify the same to the Commissioners for building *Westminster Bridge*; and in or about the Years One thousand seven hundred and fifty-one and One thousand seven hundred and fifty-two the said Roads were made and widened by the said Trustees, and the Lands and Premises necessary for the Purposes thereof were purchased by the said Trustees, and the Conveyances of such Lands and Premises were made to such of the said Trustees as the said Commissioners did at that Time by Writing under their Hands and Seals appoint, and such Conveyances were then deposited with the said Commissioners, according to the Directions of the said Act, and the same Conveyances are in the Possession of the present Commissioners, or their Treasurer and Secretary: And whereas by the said herein-before recited Act passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, after reciting the said Act above referred to, and other Acts therein recited, it is (among other things) enacted, that, instead of the Powers and Provisions in the therein recited Acts contained, the said Act of the Twenty-sixth Year of His late Majesty should take place and effect, and should commence on the Tenth Day of *June* One thousand seven hundred and eighty-six, and be executed and continued in force until the Expiration of the further Term thereby granted for the Purpose of amending and keeping in repair certain Roads in the said Parishes of *Lambeth, Newington, Saint George Southwark, Bermondsey, and Christ Church*, in the County of *Surrey*, therein particularly mentioned and described, being the Roads by this Act authorized to be repaired, or some Part or Parts thereof, and among them the Roads which by the said Act of the Twenty-fourth Year of His late Majesty King *George* the Second were directed to be made and widened, and for watching and lighting the said Roads; and by the said Act of the Twenty-sixth Year of His late Majesty King *George* the Third certain Trustees were thereby appointed to put the same in execution, by the Name or Style of "The Trustees of the *Surrey* New Roads," and the repairing, managing, watching, and lighting of the said Roads, and all Control over them, was thereby exclusively given to the said Trustees, and has been continued to them by the said recited Act passed in the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, and under and by virtue of the said Two last-mentioned Acts the repairing, managing, watching, and lighting of the said Roads, and the demanding and collecting Tolls thereon, is vested in the said Trustees for and during the Remainder of the Term of the said Acts: And whereas in the Execution of the Powers so granted to the said Trustees it may be advisable and essential that the several Conveyances of the Lands purchased by the said Trustees, under the Authority of the said Act of the Twenty-fourth Year of the Reign of His late Majesty King *George* the

Second, should be in the Custody of the said Trustees; but notwithstanding all Power or Control which the said Commissioners ever had or could have over the said Roads or Tolls has long since ceased by the Repeal of the said Act of the Twenty-fourth Year of the Reign of His late Majesty King *George* the Second, upon an Application made by the said Trustees, for the Purpose of obtaining the Custody of the said Conveyances, some Doubts have been expressed and do exist as to whether the said Commissioners have Power to part with the same: Therefore, in order to remove any such Doubts, be it enacted, That the Commissioners of *Westminster Bridge*, if they shall at any Time think proper so to do, shall and may and they are hereby fully authorized and empowered to deliver or cause to be delivered to the said Trustees by this Act appointed, or their Successors, or to their Treasurer, the several Deeds, Conveyances, and Assurances of the Lands and Premises purchased and taken under and by virtue of the Powers of the said Act passed in the Twenty-fourth Year of the Reign of His late Majesty King *George* the Second, or such of them as are in their Custody, Possession, or Power, at such Time or Times, in such Manner, upon such Terms, and under such Regulations, and upon such an Acknowledgement or Discharge for the same, as the said Commissioners or any Five or more of them shall think proper, and for what they or any Five or more of them shall do or cause to be done, in pursuance of the Power hereby given to them, they shall be and are fully and effectually authorized and indemnified by this Act.

CXLIV. Provided always, and be it further 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 Limits extending from *East Mouldsey* in *Surrey* to *Ravensborne* in *Kent*, 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 the Rights of the Commissioners of Sewers of East Mouldsey, &c.

CXLV. Provided always, and be it further enacted, That nothing in this Act contained shall take away, obstruct, lessen, interfere with, or prejudice the Rights and Powers of paving, lighting, and watching, or any Rights, Interests, Powers, Authorities, and Provisions, granted, made, or subsisting by or under an Act passed in the Fifty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving the Footpaths, and for lighting and watching that Part of the Kent Street Road which leads from Kent Street End unto the Bridge next immediately below the Green Man Turnpike, situated within the Parish of Saint George the Martyr, Southwark, in the County of Surrey, and certain public Streets, Squares, Lanes, Passages, and Places communicating therewith, respectively situated within the said Parish, or within the Parishes of Saint Mary Magdalen Bermondsey, and Saint Mary Newington, adjoining thereto, and for removing and preventing Encroachments and Annoyances therein*; and that all and every the Rights, Powers, Authorities, Provisions, and Interests of or under the said last-mentioned Act shall remain, continue, and be in full Force and Effect, to all Intents and Purposes, as if this Act had not been made.

Saving the Rights of Commissioners for paving Kent Street Road, &c.
52G.3.c.111.

CXLVI. Provided always, and be it further enacted, That nothing in this Act contained shall take away, obstruct, lessen, interfere with, or prejudice

[Local.]

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Saving the Rights of Commissioners-

ers of Christ
Church
Parish.

51 G. 3. c. 32.

prejudice the Rights and Powers of lighting and watching, or any Rights, Interests, Powers, Authorities, and Provisions, granted, made, or subsisting by or under an Act passed in the Fifty-first Year of the Reign of His late Majesty King George the Third, intituled *An Act for better assessing and collecting the Poor and other Rates in the Parish of Christ Church in the County of Surrey ; for better regulating the Poor thereof ; and for cleansing, watching, lighting, and otherwise improving the Streets, Lanes, and other public Passages and Places in the said Parish ; and for other Purposes relating thereto ;* and that all and every the Rights, Powers, Authorities, Provisions, and Interests of or under the said last-mentioned Act shall remain, continue, and be in full Force and Effect, to all Intents and Purposes, as if this Act had not been made.

Public Act.

CXLVII. 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 this Act.

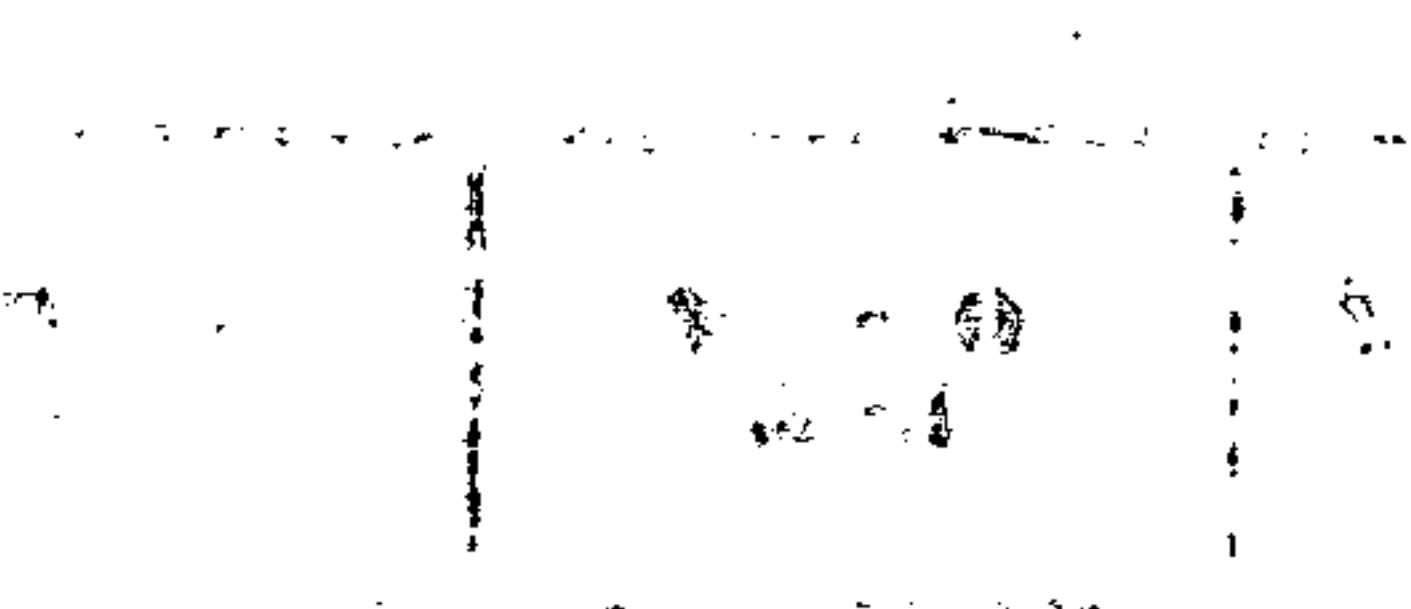
CXLVIII. And be it further enacted, That this Act shall commence upon the said Fourth *Saturday* next after the passing thereof, and shall be and continue in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which the foregoing Act refers.

Parish and County.	No on Plan.	Description of Premises.	Owner of Land.	Owner of Buildings.	Occupier.
SAINT MARY LAMBETH, COUNTY OF SURREY.	174	Vacant Ground	Jesus College, Oxford	-	Messrs. Beaufoy.
	175	Garden	Archbishop of Canterbury & Sir Wm. East	-	William Basing.
	176	Garden Ground	Ditto	-	Ditto.
	177	Timber Yard	Ditto	-	Ditto.
	178	Dwelling-house	Ditto	Mr. Dean	Andrew Black.
	179	Ditto	Ditto	William Basing	John Leaver.
	180	Skittle Ground	Ditto	-	Phillis Cooks.
	181	Dwelling-house	Ditto	Robson	William Rumbel.
	182	Ditto	Ditto	Ditto	Cox.
	183	Ditto	Ditto	Ditto	Stephen Carter.
	184	Garden	Ditto	-	Phillis Cooks.
	185	Coal Shed and Garden	Ditto	John East	John East.
	186	Meadow	Ditto	-	Ditto.
	187	Garden	Ditto	-	Sweetland.
	188	Ditto	Ditto	-	David Carter.
	189	Ditto	Mr. Cooper	-	Fife.
	190	Timber Yard	Ditto.	-	-
	191	Shed & Timber Yard	Ditto	Messrs. Adam and Robinson	Messrs. Adam and Robinson.
	192	Large Shed	Ditto	Ditto	Ditto.
	193	Covered Saw-pits	His Grace the Archbishop of Canterbury	Samuel Saunders	Samuel Saunders.
	194	Timber Yard	Ditto	Ditto	Ditto.
	195	Stables	Ditto	Thomas Gullan	Thomas Gullan.
196	Coach-house	Ditto	Ditto	Ditto.	
197	Deal Shed	Ditto	Samuel Saunders	Samuel Saunders.	
198	Shed & Ride	Ditto	Thomas Gullan and Samuel Saunders	Thomas Gullan and Samuel Saunders.	
199	Stables	Ditto	Richardson	Richardson.	
200	Stable Yard	Ditto	-	Ditto.	
201	Stables and Countinghouse	Ditto	Richardson	Ditto.	
202	Garden	Ditto	-	Ditto.	

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