



ANNO NONO

GEORGH II IV. REGIS.

Cap. cxii.

An Act for more effectually repairing and improving the several Roads called the *Cannon Street Roads*, the *Commercial Road*, the *Horseferry Branch of Road*, the *East India Dock Road*, the *Barking Road*, and the *Shadwell and Mile End Branch of Road*, in the Counties of *Middlesex* and *Essex*; and for laying down a Stoneway on the said *Commercial, East India Dock, and Barking Roads*.

[19th June 1828.]

WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of His Majesty King *George* the Second, intituled *An Act for opening, making, widening, and keeping in repair a Road from Ratcliff Highway, through Cannon Street, in the County of Middlesex, into the Road leading into the County of Essex, and also from the West End of Brook Street into Cable Street, and from Upper Shadwell Street into the Back Lane, in the said County of Middlesex*, whereby certain Persons therein named, and their Successors, to be elected and chosen as therein mentioned, were appointed Trustees for putting the said Act in execution, and were authorized to open, make, and widen a Road not less than Fifteen Feet and not exceeding Seventy Feet in Breadth, from

[Local.]

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Ratcliff

Ratcliff Highway in the Parish of *Saint George* in the County of *Middlesex*, into and through the said Street called *Cannon Street*, and from the North End of *Cannon Street* aforesaid, across a certain Lane called the *Back Lane*, into and through a certain Field or Piece of Land belonging to *Bailey Heath* Esquire, and then in the Occupation of *John Abbott*, situate on the North Side of the said Lane opposite the said Street called *Cannon Street*, and going along and over the same into another Field or Piece of Land belonging to *Peter Storer* Esquire, then in the Occupation of *William Goodale*, situate on the North Side of the said former Field, and going along and over the said last-mentioned Field, into, across, and over a certain other Way or Lane called *White Horse Lane*, into a certain other Field or Piece of Land of the said *Bailey Heath* and the Honourable *Henry Knight* Esquire, then in the Occupation of *Joseph Taylor*, situate on the North Side of the said last-mentioned Way or Lane, and going over the said last-mentioned Field to the West End of another Field or Piece of Land belonging to the said *Bailey Heath* and *Henry Knight*, then in the Occupation of the said *Joseph Taylor*, across and over the said last-mentioned Field, into, across, and over a vacant Piece of Ground belonging to or intended for the Use of the *London Hospital*, situate between the Garden of a House then in the Possession of *Newman*, upon or near *Whitechapel Mount*, and a Cow Yard in the Possession of *George Lindsey*, and crossing over the Footpath and Common Sewer there into the Road leading from *London* into the County of *Essex*; and also to open and widen the said Place called the *Back Lane*, from the West End of *Brook Street* into *Cable Street*, and a certain Place called *King David Lane*, leading from *Upper Shadwell Street* into the *Back Lane* aforesaid; which said several Roads so authorized to be made and maintained as aforesaid have heretofore been called and distinguished, and are intended to be herein-after called and distinguished, by the Name of "The *Cannon Street Roads*:" And whereas an Act was passed in the Fifth Year of the Reign of His late Majesty King *George the Third*, intituled

5 G.3. c.103. *An Act to enlarge the Term and Powers of an Act made in the Twenty-seventh Year of His late Majesty, for opening, making, widening, and keeping in repair a Road from Ratcliff Highway, through Cannon Street, in the County of Middlesex, and other Roads in the said Act mentioned; and for lighting, watching, and watering the said Roads:* And whereas an Act was passed in the Thirty-ninth and

39 & 40 G.3. c.110. *Fortieth Years of the Reign of His said late Majesty, intituled An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and enlarging the Powers of Two Acts passed in the Twenty-seventh Year of the Reign of His late Majesty King George the Second, and the Fifth Year of the Reign of His present Majesty, for opening, making, widening, and keeping in repair a Road from Ratcliff Highway, through Cannon Street, in the County of Middlesex, into the Road leading into the County of Essex, and also from the West End of Brook Street into Cable Street, and from Upper Shadwell Street into the Back Lane, in the said County of Middlesex:* And whereas a Debt or Sum of Two thousand Pounds remains due and owing on the Credit of the Tolls authorized by the said recited Acts to be collected and received on the said Roads called the *Cannon Street Roads*, and the same cannot be

be paid off, nor can the said Roads be effectively maintained, unless the Terms of the said Acts are continued, and the Powers thereof enlarged: And whereas an Act was passed in the Forty-second Year of the Reign of His late Majesty King George the Third, intituled *An Act for making and maintaining, and for watching, lighting, and watering, a Road from the West India Docks in the Isle of Dogs, to communicate with a Street called Church Lane or Church Street, Whitechapel, and for making and maintaining a Branch of Road therefrom, to communicate with Queen Street in the Parish of Saint Anne, all in the County of Middlesex; for opening, widening, and improving certain Streets and Passages therein mentioned; and for more effectually amending and keeping in repair a Road from Ratcliffe Highway, through Cannon Street, in the County of Middlesex, into the Road leading into the County of Essex, and also from the West End of Brook Street into Cable Street, and from Upper Shadwell Street into the Back Lane, in the said County of Middlesex; and certain Persons therein nominated, and their Successors, to be elected as therein mentioned, were appointed Trustees for carrying the several Powers of the said last-mentioned Act into Execution, and they were thereby authorized to make and repair, widen, improve, and maintain and keep in repair, a convenient Road or Carriageway to be called "The Commercial Road" (and which is herein-after intended to be called and distinguished by the same Name), in a direct Line, or as near as may be, from the North-west Corner of the said Docks, through, along, and over a certain Field, into, along, and across *Penny Fields*, through certain Yards and Gardens, into, along, and across *Gun Lane*, to, along, and over certain other Fields, to and along *Three Colt Street*, into, along, and through the North Side or Part of *Limehouse Church-yard*, and from thence to, along, and over the Bridge across the new Cut from the River *Lea*, and from thence crossing the East End of *Rose Lane*, into, through, across, and over certain Fields and Garden Grounds, to *White Horse Street*, and through and across *White Horse Street* into *White Horse Lane*, and along the said Lane and the Sides thereof, to, over, and across the North End of *Stepney Causeway*, and from thence along or near to the said Lane called *White Horse Lane*, and the Sides thereof, through, across, along, and over certain Fields and Garden Grounds to and on the South Side of a certain House called the *Halfway House*, situate in *White Horse Lane* aforesaid; and from thence across certain Rope Walks to and along the said Lane called *White Horse Lane*, and the Sides thereof, through, across, and over certain Fields and Grounds, to, over, and across the *Cannon Street* Roads aforesaid, into another Part of *White Horse Lane* aforesaid, and along the said Lane and the Sides thereof, to meet and join the present paved Carriageway in a certain Street called *Church Lane* or *Church Street*; all which Line of Road was then situate and being in the several Parishes of *Saint Dunstan Stebonheath* otherwise *Stepney*, *Saint Anne* (commonly called *Saint Anne Limehouse*), *Saint George* (commonly called *Saint George in the East*), and *Saint Mary Matfellow* (otherwise *Whitechapel*), but is now situate and being partly in those Parishes and in the Parish of *All Saints Poplar*, all in the County of *Middlesex*; or as near to the said Line of Road as the said Trustees for the Time being should think most convenient; and also to open and make, or to open, widen, and improve,*

42G.3.c.101.

prove, and to maintain and keep in repair, a Branch of Road from and out of the said Road between *Limehouse Bridge* and *White Horse Street* aforesaid, to, over, and across *Rose Lane*, through, across, and over a certain Field into *Queen Street* in the said Parish of *Saint Anne* (commonly called *Saint Anne Limehouse*) and *Saint Dunstan Stebonheath* otherwise *Stepney* aforesaid, (and which is herein-after called and distinguished by the Name of “*The Horseferry Branch of Road*”); and also to cause the said *Commercial Road* and *Horseferry Branch of Road* to be watched, lighted, and watered in manner herein-after mentioned; and also to open, widen, and improve and render more commodious the Streets, Ways, and Passages from the End of the said *Commercial Road*, along and through a Part of *Church Lane* or *Church Street* aforesaid, to *Goodman’s Stile*, and by removing thereof, through the same, to, along, and through *Little Alie Street* and *Great Alie Street*, and from and out of *Great Alie Street* aforesaid, up, along, and through a certain Street called *Somerset Street*, into *Whitechapel High Street*, in the said Parish of *Saint Mary Matfellow* otherwise *Whitechapel*, in the said County of *Middlesex*, and *Aldgate High Street* in the Parish of *Saint Botolph without Aldgate*, in the said City of *London*, in such Manner as they the said Trustees should think most convenient; and Provision was also made in and by the said Act passed in the Forty-second Year of the Reign of His said late Majesty, for causing the Trustees for putting in execution the said Acts of the Twenty-seventh Year of King *George* the Second, and the Fifth and Thirty-ninth and Fortieth Years of His said late Majesty King *George* the Third, respecting the said Roads called the *Cannon Street Roads*, to cease from being such Trustees as if they had died or resigned or become disqualified from being such Trustees, and for appointing the Trustees for the Purposes of the said Act of the Forty-second Year of the Reign of His said late Majesty to be Trustees for putting in execution the said Three several Acts respecting the *Cannon Street Roads*, in lieu of them: And whereas an Act was passed in the Forty-fourth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for altering and enlarging the Term and Powers of an Act made in the Forty-second Year of His present Majesty, for making, maintaining, watching, lighting, and watering several Roads to communicate with the West India Docks in the Isle of Dogs in the County of Middlesex, and also of several Acts for repairing the Cannon Street Road in the said County; and also for making, maintaining, watching, lighting, and watering a new Branch to communicate with the East India Docks*; whereby additional Trustees were appointed, and a certain new Line of Road or Deviation which had been made from the exact Line of the said *Commercial Road* directed to be made and maintained by virtue of the said Act of the Forty-second Year of the Reign of His said late Majesty, was declared to be the new Line of Road to be vested in and maintained by the Trustees for putting the said Act of the Forty-second Year of the Reign of His said late Majesty and that Act into Execution, and to whom Power was also thereby given to make, repair, alter, widen, light, watch, pave, and water a certain Branch of Road leading from and out of the said *Commercial Road* at or near the North-east Corner of *Limehouse Churchyard*, through, along, and over a Piece of Ground the Property of *Cicely Stokes* and *William Stokes*,

Stokes, and from thence along, across, and over a Field late the Property of *Elizabeth Stainsby*, in the Occupation of *William Marchant*, to, along, across, and over a certain other Field the Property of *Richard Smith*, to, along, across, and over a Piece of Land or Garden Ground in the Occupation of *William Hitch*, into, along, and across *North Street*, and from thence to, along, across, and over a Field or Meadow in the Occupation of the said *William Hitch*, to, along, through, across, and over several Pieces or Parcels of Land or Garden Ground in the several Occupations of *Joseph Brandy*, *Oliver Evans*, *Jeremiah Wade*, and a small Messuage or Tenement in the Occupation of *Thomas Clarke*, into, through, along, across, and over a certain Lane called *Bow Lane*, and from thence to, along, across, and over a certain other Field in the Occupation of *William Steevens*, and a certain other Field the Property of *John Wells* and *William Wells*, commonly called *Coachman's Field*, and a certain other Field or Piece of Land the Property of the *East India Dock Company*, and to communicate with the *East India Docks*, to be made by the said *East India Dock Company*, and from thence to, along, over, through, and across other Part of *Coachman's Field* aforesaid, the Property of *John Wells* and *William Wells*, to, along, and across a certain House and Garden, with the Appurtenances, in the Occupation of *Thomas Cole*, situate at the North End of a certain Street or Lane called *Robin Hood Lane*, and to, along, through, across, and over *Robin Hood Lane*, into and to communicate with *Poplar Street*, and the Road leading from *Poplar* aforesaid to *Blackwall* aforesaid; all which said Line of Road was then situate and being in the several Parishes of *Saint Anne* (commonly called *Saint Anne Limehouse*), *Saint Dunstan Stebonheath* otherwise *Stepney*, and *Bromley Saint Leonard* otherwise *Saint Leonard Bromley*, but is now situate and being in the several Parishes of *Saint Anne* (commonly called *Saint Anne Limehouse*), *All Saints Poplar*, and *Bromley Saint Leonard* otherwise *Saint Leonard Bromley*, all in the said County of *Middlesex*; which said last-mentioned Branch of Road has been generally called or distinguished, and is intended to be herein-after called and distinguished, by the Name of "The *East India Dock Road*;" and further Provision was also made in and by the said Act now in recital with respect to the said Roads called the *Cannon Street Roads*: And whereas an Act was passed in the Forty-sixth Year of the Reign of His said late Majesty, intituled *An Act for altering and enlarging the Term and Powers of Two Acts made in the Forty-second and Forty-fourth Years of the Reign of His present Majesty, for making, maintaining, watching, lighting, and watering several Roads to communicate with the West India Docks in the Isle of Dogs in the County of Middlesex, and also of several Acts for repairing the Cannon Street Road in the said County, and also for making, maintaining, watching, lighting, and watering a new Branch to communicate with the East India Docks*, whereby certain Powers were given to the said Trustees for varying the Line of the said *East India Dock Road*, and over which new Line the said Road hath been since made and formed accordingly: And whereas an Act was passed in the Forty-ninth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for altering and enlarging the Term and Powers of Three Acts made in the Forty-second, Forty-fourth, and Forty-sixth Years of the Reign of His present Majesty, for making, maintaining, watching,*

46G.3. c.125.

49G.3. c.172.

watching, lighting, and watering several Roads to communicate with the West India Docks in the Isle of Dogs, and the East India Docks at Blackwall, both in the County of Middlesex, and also of several Acts for repairing the Cannon Street Road in the said County; also for making, maintaining, watching, lighting, and watering a new Road from the said Road, communicating with the East India Docks, to Barking in the County of Essex; and for enlarging the Powers of an Act passed in the Forty-eighth Year of the Reign of His present Majesty, for making and maintaining a Road from the Romford and Whitechapel Road, to or near to Tilbury Fort in the County of Essex; whereby Power was given to the said Trustees acting under and by virtue of the said Acts of the Forty-second, Forty-fourth, and Forty-sixth Years of the Reign of His said late Majesty, to vary Part of a Line of Road authorized to be made by the said Act of the Forty-eighth Year of His said late Majesty, and in lieu thereof to make, repair, alter, widen, light, watch, and water a certain new Road leading from and out of the East End of the said East India Dock Road at or near the Entrance Gate of the said East India Docks, through, along, and over a certain Road or Way on the North Side of the Boundary Wall of the said Docks, to, through, along, and over certain Grounds and Foreland, the Property and in the Occupation of the East India Dock Company, to the River Lea; which Part of the said Line of Road is now situate in the said Parishes of All Saints Poplar and Bromley Saint Leonard otherwise Saint Leonard Bromley, in the County of Middlesex, or one of them; and by erecting a Bridge over the said River to continue the said Road to, along, through, across, and over certain Roads, Ways, Lands, Grounds, Paddocks, Yards, Gardens, Messuages, Tenements, Erections, Buildings, Rivers, Rivulets, Streams, Watercourses, Hereditaments and Premises in the several Parishes of West Ham, East Ham, and Barking, and into and to communicate with the Town of Barking aforesaid, all in the said County of Essex; which said last-mentioned Road hath been formed and made accordingly, and hath been heretofore called and distinguished, and is intended to be herein-after called and distinguished, by the Name of "The Barking Road:" And whereas an Act was passed in the Fifty-first

51 G. 3. c. 42. *Year of the Reign of His said late Majesty, intituled An Act for enlarging the Term and Powers of several Acts of His present Majesty, for making and maintaining the Roads communicating with the West India and East India Docks, and for repairing the Cannon Street Road, and for making and maintaining a new Road to Barking, and a Road from the Romford and Whitechapel Road to Tilbury Fort, in the Counties of Middlesex and Essex, whereby further Powers were given to the said Trustees for making and completing the Barking Road; Bridge, and other Works authorized to be made and maintained under and by virtue of the said Act passed in the Forty-ninth Year of the Reign of His said late Majesty: And whereas an Act was passed in the Fifty-fifth Year of the*

55 G. 3. c. 89. *Reign of His said late Majesty, intituled An Act for enlarging the Term and Powers of several Acts of His present Majesty, for making and maintaining the Roads communicating with the West and East India Docks, and for repairing the Cannon Street Road, and for making and maintaining a new Road to Barking, and a Road from the Romford and Whitechapel Road to Tilbury Fort, in the Counties of Middlesex and Essex; and also for making a new Branch of Road from King David*

Lane, Shadwell, to the Essex Road at Mile End in the County of Middlesex; whereby Powers were given to the said Trustees acting thereunder, for making, repairing, altering, widening, lighting, watching, and watering a new Branch of Road or Communication leading from *King David Lane*, in the Parish of *Saint Paul Shadwell*, to the said Road in and by the said first-mentioned Act called the *Commercial Road*, and from thence to the *Essex Road*, at or near a Place called *Mutton Lane*, at *Mile End* in the Parish of *Saint Dunstan Stebonheath* otherwise *Stepney*; the whole of which said new Branch of Road is situate in the several Parishes of *Saint Mary Matfellow* otherwise *Whitechapel*, *Saint Dunstan Stebonheath* otherwise *Stepney*, *Saint Paul Shadwell*, and *Saint George*, all in the County of *Middlesex*, or one of them; which said Branch of Road is herein-after intended to be distinguished by the Name of "The *Shadwell and Mile End Branch of Road*," but which said Branch of Road hath not been yet formed, nor have the Powers of the said Act been put in execution in relation thereto: And whereas an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term and Powers of several Acts of His late Majesty King George the Third, and of His present Majesty, for making and maintaining the Roads communicating with the West and East India Docks, and for repairing the Cannon Street Road, and for making and maintaining a new Road to Barking, and a Road from the Romford and Whitechapel Road to Tilbury Fort, in the Counties of Middlesex and Essex, and also for making a new Branch of Road from King David Lane, Shadwell, to the Essex Road at Mile End in the County of Middlesex*, whereby further Powers were given to the said Trustees acting thereunder, for making and completing the Roads leading from the *East India Docks* aforesaid to *Barking*, and from *Barking* to *Tilbury Fort*, in the County of *Essex*; but such Powers have not yet been carried into Effect: And whereas the Sum of Fifty thousand Pounds, authorized by the said Act of the Forty-second Year of the Reign of His said late Majesty to be raised for the Purposes of the said Road called the *Commercial Road*, and the further Sum of Fifty thousand Pounds authorized to be raised for the like Purposes by the said Act of the Forty-fourth Year of the Reign of His said late Majesty, have been severally raised by the Subscribers to the said *Commercial Road*, and do now form the Capital of the said *Commercial Road*, no Part of the said Debt having been paid off or satisfied; and the Sum of Nineteen thousand six hundred Pounds, Part of the Sum of Twenty thousand Pounds authorized by the said Act of the Forty-fourth Year of the Reign of His said late Majesty to be raised for the Purposes of the said Road called the *East India Dock Road*, hath been in like Manner raised by the Subscribers to the said last-mentioned Road, and doth now form the Capital of the said *East India Dock Road*, and no Part of the said Debt has been paid off or satisfied: And whereas the Sum of Twenty-nine thousand four hundred and twenty-five Pounds only, out of the said Sums of Twenty thousand Pounds and Ten thousand Pounds authorized by the said Act of the Forty-ninth Year of the Reign of His said late Majesty to be raised for the Purposes of the said Road called the *Barking Road*, hath been in like Manner raised by the Subscribers to the last-mentioned Road, and doth now form the Capital of the *Barking Road*: And whereas the further

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Sum of Twenty thousand Pounds, authorized by the said Act of the Fifty-first Year of the Reign of His said late Majesty to be raised for the Purposes of completing the *Barking* Road and the Bridges and Arches communicating therewith, hath been in like Manner raised by Subscribers to the said Undertaking, and the Interest and Dividends payable in respect of the said last-mentioned Capital or Sum of Twenty thousand Pounds have, by virtue of a Resolution of the Trustees acting under the said several herein-before recited Acts, pursuant to the said last-mentioned Act, been defrayed out of the Tolls received and collected upon the said Road called the *Commercial* Road, and the said Capital Sum of Twenty thousand Pounds doth now form an additional Charge upon the said Road, no Part of the same having been paid off: And whereas no Part of the said Capital Sum of Ten thousand Pounds, authorized to be raised by the said Act of the Fifty-fifth Year of the Reign of His said late Majesty, for the Purposes of the said Branch of Road called the *Shadwell* and *Mile End* Branch of Road, hath yet been raised, nor hath any Part of the said additional Capital or Sum of Eight thousand Pounds, authorized to be raised by the said Act of the Fifth Year of the Reign of His present Majesty, for the Purpose of completing the said Road leading from the *East India* Docks aforesaid to *Barking*, and from *Barking* to *Tilbury Fort*, in the County of *Essex* aforesaid, been yet raised: And whereas the said Roads called the *Commercial* Road and the *East India Dock* Road have been for some Years past paved, pursuant to the Directions of the said Acts relative thereto, and the Toll payable in respect of such Pavements has been collected thereon respectively: And whereas a considerable Quantity of the Merchandize imported into the Port of *London* is received into and unladen and discharged in the said *East India* and *West India* Docks, and it is expedient that increased Facilities should be afforded for the Passage and Transit of such Merchandize between the said Docks and the City of *London*: And whereas it will tend much to the Expedition, Cheapness, and Security of the Conveyance of Goods, Wares, and other Merchandize passing from the *East* and *West India* Docks, and the Warehouses and Premises belonging to the *East India* Company at *Blackwall* and *Bromley*, as well as to the other general Traffic passing along the said Roads, if a substantial Stoneway or Stoneways were laid upon the *Commercial* Road from *Whitechapel* to the *West India* Docks, and upon the *East India Dock* Road from *Limehouse* to the *East India* Docks, and also upon the *Barking* Road from near the Entrance of the *East India* Docks to the Gateway of the Wharf and Warehouses belonging to the *East India* Company at the East End of the *East India* Docks adjoining the River *Lea*, and if such Stoneway or Stoneways were so formed as to be fitted for the Carriages that are now generally used for the Conveyance of Goods upon the said Roads: And whereas, in order to enable the said Trustees to make and complete the said Stoneway or Stoneways, and otherwise to perfect and complete the said several Roads and Branches of Road, and the Pavements thereof, it is necessary that the said Trustees acting under and by virtue of this Act should raise an additional Capital, and that the Term of the said several recited Acts should be extended; and it is expedient, for effecting the several Purposes before mentioned, that the said several recited Acts should be repealed, and that further, better, and

and more effectual Powers, Provisions, and Authorities should be granted for those Purposes; but the same 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 from and after the passing of this Act the said several Acts herein-before mentioned, and all and every the Powers, Provisions, Authorities, Matters, and Things therein respectively contained, shall be and the same are hereby repealed.

Recited Acts repealed.

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of making, completing, repairing, widening, improving, maintaining, and keeping in repair, and watching, lighting, and watering, the said several Roads and Branches of Road herein-before described, and respectively called and intended herein-after to be called the *Cannon Street Roads*, the *Commercial Road*, the *Horseferry Branch of Road*, the *East India Dock Road*, the *Barking Road*, and the *Shadwell and Mile End Branch of Road*, and the said several Streets, Ways, Passages, Bridges, Arches, Pavings, Stoneways, and other Works already connected or to be connected therewith respectively.

This Act to be put in execution for making and repairing the Roads herein-before described.

III. And be it further enacted, That *Charles Hampden Turner*, *Christopher Richardson the elder*, *Benjamin Seavern*, *Thomas Wood*, *Christopher Richardson the younger*, *George Wicke*, *John Roberts*, *David Bevan*, *Michael Bland*, and *William Unwin Sims*, Esquires, and their Successors, to be elected in manner herein-after mentioned, together with the Chairman and Deputy Chairman of the *West India Dock Company* for the Time being, and the Chairman and Deputy Chairman of the *East India Dock Company* for the Time being, and their Successors from Time to Time, shall be and they are hereby appointed Trustees for putting this Act in execution.

Trustees.

IV. And be it further enacted, That all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done and executed by or before the said Trustees, may be done and executed by or before any Three or more of them (except only where some other Number shall be appointed by this Act), and all Matters and Things so done and executed shall be of the same Force and Effect in all respects whatsoever as if the said Matters and Things were and had been done by all the Trustees appointed or to be appointed under or by virtue of this Act; and the said Trustees, or such Person or Persons as they shall from Time to Time appoint for that Purpose, shall and may and they are hereby fully authorized and empowered to make, complete, repair, pave, widen, improve, maintain, and keep in repair, watch, light, and water, the said several and respective Roads and Branches of Road herein-before described, and the said several Streets, Ways, and Passages, Bridges, Arches, and other Works, and the Pavings, Stoneways, and Works already connected or to be connected with the same respectively: Provided always, that such lighting, watching, and watering

Fixing the Number of Trustees to be present at Meetings.

shall not extend to the *East India Dock Road* and *Robin Hood Lane*.

Qualification
of Trustees.

V. And be it further enacted, That no Person who shall be nominated or appointed a Trustee for executing this Act shall be qualified or capable of becoming and acting as a Trustee in the Execution thereof, unless he shall be, in his own Right or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Land, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person possessed of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of Two hundred Pounds above Reprizes, or shall be possessed of a Personal Estate to the Amount or Value of Five thousand Pounds, after Payment of his Debts, and unless he shall, before he shall act as such Trustee, take and subscribe the Oath or Affirmation following, before any Two or more of the said Trustees, who are hereby authorized and empowered to administer the same, in the Words or to the Effect following; (that is to say),

Oath.

‘ I 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 Right of my Wife*], in the actual Possession and Enjoyment of [*or in the Receipt of the Rents and Profits issuing out of*] Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, [*or am Heir Apparent of* _____ who to the best of my Knowledge is seised of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of Two hundred Pounds above Reprizes,] [*or that I am possessed of a Personal Estate to the Amount or Value of Five thousand Pounds, after Payment of my Debts.*] So help me GOD.’

[*Or being a Quaker, omit the Words ‘ So help me God.’*]

Trustees not
to hold
Places of
Profit, or be
concerned in
Contracts.

VI. Provided always, and be it further enacted, That no Person appointed or to be appointed a Trustee under or by virtue of this Act shall be capable of acting as such in the Execution thereof in any Case where he shall be personally interested (except as herein-after mentioned), nor during the Time he shall keep a Victualling House or other House of public Entertainment, or who shall sell Wine, Cider, Beer, Ale, spirituous or other strong Liquors by Retail, or who shall be a Lessee or Farmer of the Tolls hereby granted, or any Part thereof; and if any Person, not being duly qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath herein-before mentioned, or being a Quaker not having made and subscribed the Affirmation herein-before mentioned, shall nevertheless 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 sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty’s Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, 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 and not disqualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person had acted as a Trustee in the Execution of this Act: Provided nevertheless, that no Act or Proceeding touching the Execution of this Act, which shall be done or performed by any such unqualified or disqualified Person previously to his being convicted of the Offence before mentioned, shall be thereby impeached or rendered nugatory; but all such Proceedings shall be as valid and effectual as if such Person had been duly qualified: Provided always, that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls, or receiving Interest thereout for the same, shall on that Account only be deemed unqualified to act as a Trustee in the Execution of this Act.

VII. And be it further enacted, That in case of the Death, Refusal, Neglect, Incapacity, Want of Qualification, Disability to act, or Disqualification of any of the Trustees hereby appointed, or their Successors, to be elected as herein-after mentioned, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, within One Month after such Vacancy shall occur, or as soon after as may be convenient, from Time to Time to elect and appoint one other Person to be a Trustee in the Room of every Trustee so dying or refusing, or being incapable or unqualified, or becoming disqualified to act as aforesaid, Notice in Writing of the Time and Place of Meeting for every such Election having been given by the Clerk to the said Trustees, in Two or more public Newspapers circulated in the said County of *Middlesex*, at the least Fourteen Days before every such Meeting; and every such new Trustee so to be elected and appointed as aforesaid shall be and is hereby empowered to act in the Execution of this Act, to all Intents and Purposes, in as full and ample Manner as the Trustees herein-before nominated are hereby empowered to act: Provided always, that in every Case the Non-attendance of any Trustee for the Space of Twelve Calendar Months shall be taken and deemed to be a Refusal to act.

New Trustees may be chosen.

VIII. And be it further enacted, That the said Trustees shall meet together at the *Commercial Road* Office in *Nicholas Lane*, in the Parish of *Saint Nicholas Acons* in the City of *London*, within Fourteen Days next after the Day of passing this Act, or as soon thereafter as conveniently may be, and proceed to the Execution of this Act, and shall then and from Time to Time afterwards adjourn themselves, to meet at such Time and at such Place upon or near the said Road, either in the City of *London* or in the Counties of *Middlesex* or *Essex*, as the said Trustees shall think proper; and the Orders 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-after mentioned); and no Order or Determination shall be made unless the major Part of the Trustees present shall concur therein; and all such Trustees as are Justices of the Peace may act as Justices in the Execution of this Act, notwithstanding their being Trustees, (except only in such Cases where they shall

Meetings and Orders of Trustees.

shall be personally interested, or as are herein-after excepted): Provided always, that no Order made by Three or more Trustees shall be revoked or altered unless Five Trustees shall be present, and the major Part of them shall concur in such Order.

Meetings of
Trustees on
Emergencies.

IX. And be it further enacted, That if after any Adjournment, or in case of Adjournment of any Meeting of the said Trustees, it shall at any Time be thought necessary that a Meeting of the said Trustees should be holden on an earlier Day than the Day to which such Meeting should have been adjourned, or in case at any Meeting appointed to be holden by the said Trustees a sufficient Number of Trustees shall not be present for the Purpose of carrying this Act into Execution, then and in every such Case the Clerk to the said Trustees (an Order in Writing signed by any Three or more of the said Trustees, mentioning the Time and Place and Purpose of such Meeting, being given to him, or left at his last or usual Place of Abode,) shall forthwith cause public Notice of such Meeting to be affixed on all and every the Turnpike Gates that shall be standing on the said several and respective Roads and Branches of Road, Seven Days at the least before such Meeting; and all Proceedings of the said Trustees at such Meeting shall be as good and effectual, to all Intents and Purposes whatsoever, as they would have been in case the said Trustees had met in pursuance of an Adjournment.

Roads vested
in the Trus-
tees.

X. And be it further enacted, That all and singular the Roads and Branches of Road, Lands, Grounds, Tenements, and Hereditaments, Bridges, Arches, Toll Houses, Weighing Engines, and other Works whatsoever, which under and by virtue of all or any of the several herein-before recited Acts hereby repealed as aforesaid have been from Time to Time purchased or taken, erected or constructed, or used or occupied, by or on behalf or for the Purposes of the said Acts, and which immediately before the passing of this Act remained vested in the said Trustees, or in any of the former or present Trustees of the said Acts, any or either of them, or any other Person or Persons; in Trust for the said Trustees or for the Purposes of the said Acts, or any or either of them, shall be and the same are hereby absolutely vested in the said Trustees by this Act appointed, to hold to them, their Successors and Assigns, for such and the same Estates, Terms, or other Interests as are now existing therein respectively, and for the Purposes of this Act.

Steam Car-
riages to
consume
their own
Smoke.

XI. And be it further enacted, That no Steam Carriage or other Engine shall be used upon the said several Roads and Branches of Road unless the same shall be so constructed as that it will consume its own Smoke, according to the best and most improved Methods which may be in use.

Tolls of this
Act to be
subject to
Debts, &c.
under former
Act.

XII. And be it further enacted, That this Act, and the Term, and Tolls hereby granted and to be received upon the said several and respective Roads and Branches of Road herein-before mentioned and described, shall be and the same are hereby respectively and separately, but not jointly, made subject and liable to the Payment of all Monies which at the Time of the Commencement of this Act shall

shall be due and owing on the Credit of the Tolls authorized to be taken and collected upon the said several and respective Roads and Branches of Road by virtue of the said recited Acts hereby repealed, any or either of them, and of all Interest due and to grow due thereon respectively, and also to the Payment of all other Debts and Sum and Sums of Money which shall be due and owing to any Person or Persons whomsoever in respect of the same Roads and Branches of Road, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed and become due and owing on the Credit of this Act, or of the Tolls hereby authorized to be collected on such several and respective Roads and Branches of Road.

XIII. And be it further enacted, That all Conveyances, Bonds, Costs, Agreements, and Securities made or entered into by any Person or Persons to or with any of the Trustees for executing the said recited Acts, any or either of them respectively, according to the Provisions and Directions of such Acts, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are or shall be fully satisfied and performed on account of or for the Benefit of the Roads and Branches of Road included in this Act; and all Contracts, Agreements, Leases, Demises, Mortgages, and Securities made or entered into by such Trustees to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act, and be observed and kept by them according to the Terms, Stipulations, and Tenor thereof respectively.

Conveyances, Bonds, &c. under former Acts to be good under this Act.

XIV. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed as aforesaid, 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 recited Acts had not been repealed.

Books used under former Acts may be given in Evidence.

XV. And be it further enacted, That all Persons who have been employed or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts hereby repealed, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads and Branches of Road, shall account for, pay, and deliver over the same to the Trustees for executing this Act, in the same and like Manner, and under the like Penalties as are by this Act inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of this Act.

Officers under the former Acts to account to the Trustees for executing this Act.

XVI. And be it further enacted, That the said Trustees may sue and be sued in the Name of their Clerk or Treasurer for the Time being; and no Action or Prosecution to be brought or commenced by or against the said Trustees, or any of them, by virtue of this Act, in the Name of their Clerk or Treasurer, shall be abated or discontinued by the Death or Removal of such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees, or any Five or more of them; but the Clerk or Treasurer for the

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

Time being to the said Trustees shall always be deemed the Plaintiff and Defendant in such Action, as the Case shall be: Provided always, that every such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to be raised by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put unto or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and also the Costs and Charges of prosecuting any Indictment or Indictments, or other Proceedings whatsoever, which shall or may be commenced or prosecuted against any Person or Persons whomsoever, by the Order of the said Trustees.

Trustees may
appoint and
remove Offi-
cers.

XVII. And be it further enacted, That the said Trustees shall and may and they are hereby empowered from Time to Time to appoint a Clerk or Clerks, Treasurer or Treasurers, and also a Surveyor or Surveyors of the said Roads and Branches of Road, and also a Gate Keeper or Gate Keepers, or Toll Gatherer or Toll Gatherers, at the several Toll Bars or Toll Gates already erected on or by the Side or Sides of the said Roads and Branches of Road, any or either of them, or to be erected in pursuance or by virtue of this Act, and also such other Officer or Officers as they shall think necessary to employ in the Execution of this Act; and shall and may take such Securities for the due Execution of the respective Offices of the said Clerk, Treasurer, Surveyor, Gate Keeper, Toll Gatherers, and other Officers to be appointed and employed, as they the said Trustees shall think fit; and shall and may from Time to Time remove such Clerks, Treasurers, Surveyors, Gate Keepers, Toll Gatherers, and other Officers, or any of them, and appoint others in their Stead; and also shall and may, out of the Monies to be raised by virtue of this Act, allow such Clerks, Treasurers, Surveyors, Gate Keepers, Toll Gatherers, and other Officers, and such other Person or Persons as shall be assisting in or about the Execution of this Act, such Salaries or Allowances as to them the said Trustees shall seem reasonable: Provided always, that no Person shall be capable of holding any Place of Profit under this Act who shall sell any Wine, Cyder, Ale, or Spirituous Liquors by Retail.

Trustees to
provide Per-
sons to open
Gates.

XVIII. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required, either to keep the said Gates, Turnpikes, or Toll Gates open, or to provide a Person or Persons who shall constantly be in attendance at the said Gates, Turnpikes, or Toll Gates, erected or to be erected under the Powers of this Act, for the Purpose of opening the same, and permitting the free Use and Passage of the said Roads and Branches of Road, over, across, or at the Extremity of which the same are or shall be placed, subject to the Payment of the Tolls by this Act granted.

Clerk and
Treasurer
not to be the
same Person.

XIX. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of the said recited Acts or this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or
Persons

Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner of such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy or Deputies of such Treasurer or Treasurers, or shall in any Manner officiate for such Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy or Deputies of any such Clerk or Clerks, or shall in any Manner officiate for such Clerk or Clerks, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

XX. And be it further enacted, That all such Officers and other Persons so to be from Time to Time appointed by the said Trustees, and the respective Executors and Administrators of such Officers, shall from Time to Time, within Seven Days after Notice in Writing, signed by the Clerk or Treasurer to the said Trustees (pursuant to an Order of the said Trustees made at a Meeting held by virtue of this Act), to them respectively given, or left at their usual Place of Abode for that Purpose, deliver to such Trustees, or to such Person or Persons as they 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 received, collected, or had, and how, and to whom, and for what Purpose the same and every Part thereof hath been disposed of, together with proper Vouchers and Receipts for such Payments; and such Officers and Persons shall and they 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 shall appoint to receive the same; and if any of the said Officers or Persons shall refuse or neglect to render and give such Accounts as aforesaid, or to produce and deliver up the Vouchers
Officers to
account.
and

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 Officers or Persons shall refuse or neglect to deliver up to the said Trustees, or to such Person or Persons as they or any Three or more of them shall appoint, within Seven Days after such Notice given as aforesaid, all Books, Accounts, Papers, and Writings in their Custody or Power, in anywise relating to the Execution of this Act, or to the said Roads and Branches of Road, or any or either of them, and Complaint shall be made of such Neglect or Refusal to any Justice of the Peace for the County, Borough, City, or Place where the Officer or Officers, Person or Persons, so neglecting or refusing shall be or reside, by or on behalf of the said Trustees, such Justice may and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Officer or Officers, Person or Persons, to be brought before him, and upon his or their appearing, or not appearing (except for some reasonable Excuse), to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Officer or Officers, Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been so collected or received shall be or remain in the Hands of such Officer or Officers, Person or Persons, such Justice may, and he is hereby authorized and required, 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 and Chattels shall be found sufficient to answer and satisfy the said Money, and the Charges of levying the same, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place by him appointed for that Purpose, or if such Officer or Person appearing shall refuse or neglect to give and deliver to the said Justice an Account or Accounts of the Receipts and Payments as aforesaid, then and in any of the Cases aforesaid the said Justice may and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction of the County, City, Borough, or Place where he or they shall be or reside, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his or their Accounts, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his or their Hands respectively, 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 for the same, and paid the Sum compounded for to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, (which Composition the said Trustees are hereby empowered to make,) or until he or they shall deliver up such Books, Accounts, Papers, and Writings as aforesaid, or shall have given Satisfaction in respect thereof to the said Trustees: Provided always, that no Person shall be committed for Want of sufficient Distress for any longer Space of Time than Six Calendar Months.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and for the several Subscribers to the said Roads and Branches of Road, to raise and contribute amongst themselves, in such Shares and Proportions as to them shall seem meet, or to raise, by the Admission of new Subscribers, or in any other Manner by this Act directed, any further or other Sum of Money not exceeding the said Sum of Ten thousand Pounds herein-before mentioned, in addition to the said several Sums of Fifty thousand Pounds, Fifty thousand Pounds, Twenty thousand Pounds, Twenty thousand Pounds, Ten thousand Pounds, and Twenty thousand Pounds, directed to be raised by virtue of the said recited Acts hereby repealed, for the Purpose of carrying this Act into Execution, so far as the same relates to the making, maintaining, watching, lighting, and watering of the said new Branch of Road herein authorized to be made and maintained, called the *Shadwell and Mile End Branch of Road*.

Power to raise 10,000*l.* for the Shadwell and Mile End Branch of Road.

XXII. And whereas the said new Road leading to *Barking*, and the said Road leading from *Barking* to *Tilbury Fort*, authorized to be made and maintained under and by virtue of the said recited Act passed in the Forty-eighth Year of the Reign of His said late Majesty, and a certain other Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to continue the Term and alter and enlarge the Powers of an Act passed for making and maintaining a Road from the Romford and Whitechapel Road to or near Tilbury Fort in the County of Essex*, when fully completed will increase the Traffic on the said Roads called the *Commercial Road*, and on the *East India Dock Road*, and thereby increase the Tolls or Rates to be collected and received on such Roads respectively: And whereas it is necessary that a Sum should be raised, advanced, and applied for the Purpose of making and completing the said Roads leading from the *East India Docks* aforesaid to *Barking*, and from *Barking* to *Tilbury Fort*; be it therefore further enacted, That it shall and may be lawful to and for the said Trustees for executing this Act, by and out of the said several Sums of Money raised and subscribed under and by virtue of the said several Acts passed in the Forty-second, Forty-fourth, Forty-sixth, Forty-ninth, Fifty-first, and Fifty-fifth Years of the Reign of His said late Majesty hereby repealed, or to be raised and subscribed under this Act, or on the Credit of or by and out of the Tolls authorized to be levied under or by virtue of this Act, in such Manner and in such Shares and Proportions as to them the said last-mentioned Trustees shall seem meet, to raise, advance, apply, and lend any Sum or Sums of Money, not exceeding in the Whole the Sum of Eight thousand Pounds, for the Purposes of the said Road called the *Barking Road*, or to advance and lend such Part of the said last-mentioned Sum as the said last-mentioned Trustees may deem necessary and expedient, to the said Trustees for the Time being acting under and by virtue of the said Two several Acts passed in the Forty-eighth Year of the Reign of His said late Majesty, and in the First and Second Years of the Reign of His present Majesty, in aid or as Part of the Sum authorized to be raised under and by virtue of the said last-mentioned Acts, for the Purpose of enabling the said Trustees acting thereunder to make, complete,

Power to advance 8,000*l.* to the Trustees of Barking and Tilbury Roads, under 48 G. 3. c. 92. 1 & 2 G. 4. c. 33.

[Local.]

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and

and maintain the said Road leading from *Barking* to *Tilbury Fort* aforesaid, such Sums respectively to be advanced, applied, and lent at a Rate of Interest not exceeding Five Pounds *per Centum per Annum*, and under and subject to such Provisoos, Conditions, Restrictions, and Agreements as shall or may be agreed and determined upon by and between the said Trustees of the said several and respective Roads, or any Three or more of them respectively, at a Meeting or Meetings to be convened for the Purposes aforesaid: Provided always nevertheless, that such Provisoos, Conditions, Restrictions, and Agreements be not repugnant to the Powers and Provisions of this Act: Provided also, that nothing herein contained shall extend to authorize the said Trustees acting under and by virtue of this Act to receive or take, for or in respect of the said Sum of Eight thousand Pounds so to be lent as aforesaid, or any Part thereof, any greater Interest, or any Payment whatever in the Nature of Interest, beyond the Sum of Five Pounds *per Centum per Annum*.

Trustees of Commercial Road not to advance more than 4,000*l.* towards the said Sum.

XXIII. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees acting under and by virtue of this Act to advance, apply, or lend, by and out of the Capital or Tolls authorized to be levied and collected upon the *Commercial* Road and the *Horseferry* Branch of Road, towards the said Sum of Eight thousand Pounds so to be raised for the Purposes herein-before mentioned, any or either of them, any larger Amount than the Sum of Four thousand Pounds, any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Power to raise additional Capital of 60,000*l.* for Stoneway, &c.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees, and for the several Subscribers to the said Roads and Branches of Road, to raise and contribute amongst themselves, in such Shares and Proportions as to them shall seem meet, or to raise, by the Admission of new Subscribers, or by such Ways and Means as are in and by this Act directed, any further or other Sum of Money not exceeding the Sum of Sixty thousand Pounds, in addition to the said several Sums of Fifty thousand Pounds, Fifty thousand Pounds, Twenty thousand Pounds, Twenty thousand Pounds, Ten thousand Pounds, Twenty thousand Pounds, Ten thousand Pounds, and Eight thousand Pounds, respectively authorized to be raised by the said recited Acts in manner herein-before mentioned, for the Purpose of making, completing, and maintaining the Stoneway or Stoneways hereby authorized to be made and maintained on the said Roads called the *Commercial* Road, the *East India Dock* Road, and the *Barking* Road, or on certain Parts thereof, as herein-after is directed, and for taking up the present Pavements, and repairing such Part of the said Roads as may be necessary and convenient for the said Stoneway or Stoneways.

No Persons to subscribe less than 100*l.*

XXV. Provided always, and be it further enacted, That no Person or Persons shall be permitted or allowed to subscribe or contribute, towards raising the said additional Sums of Ten thousand Pounds and Sixty thousand Pounds, to be raised by virtue of this Act, or any Part thereof, any Portion or Sum less than One hundred Pounds each of lawful Money of *Great Britain*.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, from Time to Time to make such Calls for Money from the several and respective Persons who have subscribed or may hereafter subscribe or undertake to pay any Part or Parts of the said Sums of Ten thousand Pounds and Sixty thousand Pounds, to be raised by virtue of this Act, as they the said Trustees shall from Time to Time find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Twenty-five Pounds for every One hundred Pounds so subscribed or undertaken to be paid, and so in proportion for any greater or less Sum; and such Calls shall not be made but at the Distance of Two Calendar Months at the least from each other; and Notice shall be given of all such Calls by Advertisement in One or more of the *London* Newspapers, signed by the Clerk to the said Trustees, and affixed on all the Turnpike Gates erected or to be erected on the said Roads and Branches of Road respectively, Twenty Days at the least previous to the Day appointed for the Payment of such Calls; and the several and respective Persons so subscribing or undertaking to pay any Part or Parts of the said Sums of Ten thousand Pounds and Sixty thousand Pounds, shall pay his, her, or their rateable Proportion of the Monies to be called for as aforesaid, to such Person or Persons, and at such Time and Times, as the said Trustees shall from Time to Time appoint and direct; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part of the Money so called for as aforesaid, to the Person or Persons at the Time and Place appointed by the said Trustees, or within Thirty Days then next ensuing, he, she, or they so neglecting or refusing shall forfeit and pay the Sum of Five Pounds for every One hundred Pounds so subscribed or undertaken to be paid by him, her, or them; and in case any Person or Persons shall neglect or refuse to pay his, her, or their rateable Call or Calls as aforesaid, for the Space of Three Calendar Months next after the Time so appointed for the Payment thereof, then and in every such Case he, she, or they shall forfeit and lose all and every Sum and Sums of Money paid by him, her, or them towards carrying into Execution the several and respective Purposes of this Act, and all Benefit and Profit arising or to arise from such Payment or Payments respectively; and such Sum or Sums of Money when so forfeited shall be applied by the said Trustees in carrying the several and respective Purposes for which such Sum and Sums of Money shall have been paid into Execution: Provided always, that no such Forfeiture shall be or be deemed to be incurred, save and except personal Notice of such Call or Calls, in Writing signed by the Clerk to the said Trustees, shall have been given to or Notice left at the usual Place or Places of Abode of the Person or Persons making such Default as aforesaid, and such Sum or Sums shall also be declared to be forfeited at the next Meeting of the said Trustees.

Trustees to
make Calls
for Money.

Persons neg-
lecting to pay
Calls to for-
feit their
Shares.

Notice of
Forfeiture.

XXVII. And be it further enacted, That in case any Person or Persons shall refuse or neglect to pay any Sum or Sums of Money so called for as aforesaid, being Part or Parts of the said Sum of Ten thousand Pounds and Sixty thousand Pounds by him, her, or them respectively subscribed or undertaken to be paid, for carrying the
several

To compel
Payment of
Subscrip-
tions.

several and respective Purposes of this Act into Execution, to such Person or Persons, and at such Time or Times, Place or Places, as shall be directed by the said Trustees, then and in every such Case it shall be lawful for the said Trustees, and they are hereby empowered, in case they shall think it right and proper, to sue for and recover the same by Action of Debt or on the Case, Bill, Plaint, or Suit, against any Person or Persons refusing or neglecting as aforesaid, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed.

Power to sell
Subscriptions.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the several Persons who have subscribed or shall hereafter subscribe, or who have or shall become entitled to any Sum or Sums of Money subscribed by virtue of the said recited Acts, or subscribed or to be subscribed by virtue of this Act, to sell and dispose thereof, or of any Part or Parts thereof, subject to the Directions and Provisions herein contained; and the Conveyance of every such Sum and Sums of Money shall be in the Form or to the Effect following; (that is to say,)

Form of
Conveyance.

‘ I *A. B.* of _____ in consideration of
‘ paid to me by *C. D.* of _____ do hereby bargain, sell,
‘ assign, and transfer to the said *C. D.* the Sum of _____
‘ secured to me by virtue of an Act passed in the Ninth Year of the
‘ Reign of King *George* the Fourth, intituled [*here set forth the Title*
‘ *of this Act*], upon the Roads or Branch or Branches of Road in and
‘ by the said Act called [*here set forth the Name of the Road*], to hold
‘ to the said *C. D.*, his Executors, Administrators, and Assigns, subject
‘ to the same Rules, Orders, and Restrictions, and on the same Con-
‘ ditions that I held the same immediately before the Execution
‘ hereof; and I the said *C. D.* do hereby agree to take and accept the
‘ said Sum of _____, subject to the same Rules, Orders,
‘ Restrictions, and Conditions. As witness our Hands and Seals, this
‘ _____ Day of _____ in the Year of our Lord _____.’

And on every such Sale the said Deed or Conveyance, being executed by the Seller or Sellers, and Purchaser or Purchasers, shall be kept by the Purchaser or Purchasers for his, her, or their Security, after the Clerk to the said Trustees shall have entered in the Book or Books to be kept for that Purpose a Memorial of such Transfer or Sale, and have testified or indorsed the Entry of such Memorial in the said Deed of Transfer or Sale, for which the Sum of Five Shillings, and no more, shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly.

No Transfer
to be made of
any smaller
Sum than
100*l.*, and if
attempted to
be made, the
same to be
void.

XXIX. Provided always, and be it further enacted, That no Assignment or Transfer shall be permitted to be made or entered in the Transfer Books of the said Trustees, of or concerning any smaller Sum or Portion of the said Sum or Sums raised by virtue of the said recited Acts hereby repealed, or by virtue of this Act, than One hundred Pounds thereof; and any and every such Assignment or Transfer which shall or may at any Time or Times hereafter be attempted to be made, and shall happen to be so entered, of or concerning

concerning any such smaller or less Sum than One hundred Pounds thereof, shall be utterly null and void ; any thing in this Act contained to the contrary thereof notwithstanding.

XXX. And be it further enacted, That the said Trustees shall and they are hereby required to cause the Names of the several Persons who shall be entitled to any Part or Proportion of the said Sum or Sums of Money to which they are respectively entitled therein, to be fairly and distinctly entered in a Book or Books to be kept by the Clerk to the said Trustees for that Purpose, and shall also cause a Certificate or Instrument, signed by the said Trustees, or any Three or more of them, to be delivered to the several Persons who shall be entitled to any Share or Shares of the said Sum or Sums, together with the Sum or Sums of Money to which they are respectively entitled therein ; and for every such Certificate or Instrument the Sum of Five Shillings, and no more, shall be paid to the Clerk to the said Trustees ; and such Certificate or Instrument shall be admitted in all Courts whatsoever as Evidence of the Title of the Person or Persons mentioned therein, his, her, or their Executors and Administrators, to the Sum or Sums of Money therein specified ; but the Want of such Certificate or Instrument shall not hinder or prevent the Person or Persons entitled to any Share or Shares of the said Sum or Sums from selling or disposing thereof.

Names of the
Subscribers
to be entered,
and Certifi-
cates to be
given of the
Amount due
to them.

XXXI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, by and out of the several Tolls and other Monies to be received and collected on the said Roads called the *Cannon Street* Roads, in the first place to pay and discharge the Proportion by this Act directed to be paid of the Costs and Charges of obtaining this Act and of carrying the same into Effect, and then to pay and discharge the Costs and Charges of opening, making, widening, repairing, and keeping in repair the said Roads, and in paying off and discharging the said Debt due and owing thereon as aforesaid, with the Interest thereon, and all other necessary Charges attending the due Execution thereof, and to no other Use, Intent, or Purpose whatsoever.

Application of
the Tolls re-
ceived on the
Cannon Street
Roads.

XXXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, by and out of the several and respective Tolls and other Monies to be received and collected on the said Road called the *Commercial* Road, and on the said Road called the *Horseferry* Branch of Road, and on the said Road called the *East India Dock* Road, and on the said Road called the *Barking* Road respectively, to pay and discharge the Proportion by this Act directed to be paid in respect of each of the said Roads and Branches of Road, of the Costs and Charges of obtaining this Act, and then to pay and discharge the Costs and Charges of maintaining and keeping in repair the said Roads and Branches of Road respectively, and then to pay such Interest or Dividends, not exceeding in the whole the Rate of Ten Pounds *per Centum per Annum*, upon all Principal Sums of Money which have been subscribed and paid, and now due and owing on the said several and respective Sums of Fifty thousand Pounds, Fifty thousand Pounds,

Application of
the Tolls re-
ceived on
the Commer-
cial Road, the
Horseferry
Branch of
Road, the
East India
Dock Road,
and the Bark-
ing Road.

Twenty thousand Pounds, Twenty thousand Pounds, Ten thousand Pounds, and Twenty thousand Pounds, in and by the said recited Acts of the Forty-second, Forty-fourth, Forty-ninth, and Fifty-first Years of the Reign of His said late Majesty, hereby repealed, authorized to be raised and actually raised upon and in respect of the said Roads and Branches of Road respectively, in manner herein-before mentioned, but not on or for any Sum or Sums of Money whatever which shall at any Time hereafter be received by Mortgage of the Tolls under this Act in manner herein-after mentioned.

Trustees to pay Interest and Dividends on the several Capitals of 10,000*l.* authorized to be raised by recited Act of 55 G. 3., and 60,000*l.* by this Act.

XXXIII. And be it further enacted, That the said Trustees shall and they are hereby empowered and directed to pay Interest after the Rate of Five Pounds *per Centum per Annum* upon all such Principal Sum or Sums of Money, being Part or Parts of the said additional Sum of Ten thousand Pounds directed to be raised by virtue of the said recited Act passed in the Fifty-fifth Year of the Reign of His said late Majesty, hereby repealed, or shall have been actually subscribed or may hereafter be subscribed and paid for the Purposes of the said last-mentioned Act, and also upon all such Principal Sum or Sums of Money, being Part or Parts of the Sum of Sixty thousand Pounds authorized to be raised by virtue of this Act, as shall be actually subscribed or may hereafter be subscribed for the Purposes of the said intended Stoneway or Stoneways; and such Interest shall commence and be computed from the Time or respective Times of Payment of such Principal Money, or of the Instalments thereof respectively; and also, from and after the Time that the said Branch of Road called the *Shadwell* and *Mile End* Branch of Road, directed to be made by virtue of the said Act of the Fifth Year of the Reign of His present Majesty, shall be fully made and completed, the said Trustees shall and may and they are hereby empowered and directed to pay such further Interest or Dividends, not exceeding in the whole the Rate of Ten Pounds *per Centum per Annum*, upon all Principal Sum or Sums which have been and may be so respectively subscribed and paid, or undertaken to be paid, by virtue of the said recited Act passed in the Fifth Year of the Reign of His present Majesty or this Act, as shall be from Time to Time resolved and determined by any Three of the said Trustees, at a Meeting or Meetings to be holden for either of the Purposes aforesaid.

Trustees empowered to make Surveys.

XXXIV. And be it further enacted, That it shall and may be lawful for the said Trustees acting under this Act, and their Servants or Agents, being first by them thereto authorized and empowered, from and immediately after the passing of this Act, and from Time to Time and at all Times, until the *Shadwell* and *Mile End* Branch of Road shall be completed, to enter upon any Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments whatsoever, for the Purpose of surveying, taking a Level of, and marking out the Ground and Premises intended to be made use of for the Purpose of making, widening, and improving the said last-mentioned Branch of Road herein-before mentioned, they the said Trustees doing as little Damage as may be, and giving Three Days Notice in Writing, signed by any Two or more of the said Trustees, or by their Clerk, to the Occupier or Occupiers of such Lands, Tenements, Houses, Buildings, Grounds, or Heredita-

ments,

ments; of the Time of their making such Survey, taking such Level, or marking out such Grounds and Premises, and making Satisfaction for all Damages that shall be done thereby exceeding the Sum of One Shilling.

XXXV. And be it further enacted, That the said several Roads and Branches of Road shall not exceed Seventy Feet in Width, including the Causeways herein-after mentioned; and it shall and may be lawful for the said Trustees, and they are hereby fully authorized and empowered, to treat and agree for the Purchase of all the Houses, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments situated on or along the Line of the said Roads and Branches of Road, or situated in any of the Streets, Lanes, and Passages between the End of the said Carriageway in *Church Lane* or *Church Street* aforesaid and *Aldgate High Street*, and also all Houses, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments situate and being between the present existing old Road or Roads and the *Commercial Road*, on the North and South Sides of and contiguous to the *Commercial Road*, the South Side of *Limehouse Churchyard*, between *Three Colt Street* and *Church Lane*, or such and so many of the same Houses, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments, as they the said Trustees shall deem necessary or expedient to be purchased; and also to treat and agree for the Loss or Damage which the Owners of and Persons interested in any such Houses, Buildings, Erections, Grounds, Lands, Tenements, and Hereditaments shall or may any way sustain or be put unto by the making, opening, widening, improving, turning, or altering any Part or Parts of the said Roads or Branches of Road, or by the opening, widening, or improving, turning or altering, any Part or Parts of the said old Road or Roads, or by the opening, widening, and improving of the Streets and Passages aforesaid, or any Part thereof; and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchase or Purchases, or as a Satisfaction for such Loss or Damage, or as shall be adjudged or assessed in the Manner herein-after mentioned and directed, it shall and may be lawful for the said Trustees to cause all such Houses, Erections, and Buildings whatsoever, not already purchased or taken down, or such or so many or so much thereof as they shall deem necessary to be taken down, and the Ground whereon such Houses, Erections, and Buildings now stand, and the other Grounds, Lands, and Hereditaments so to be purchased, or any Part or Parts thereof, to be laid into the said Roads or Branches of Road, Streets and Passages respectively.

Trustees may purchase Messuages, &c. for Road, and for opening Streets.

XXXVI. And be it further enacted, That it shall and may be lawful for the said Trustees to make a new and convenient Carriage Road in the Line herein-before mentioned, to be called the *Shadwell* and *Mile End* Branch of Road, and to make the same through or over any Waste Ground, without making any Satisfaction for the same; and it shall and may be lawful for any Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, and all Feoffees in Trust, Executors, Administrators, Guardians, Committees, or other Trustees whatsoever, not only for and on behalf of themselves, their Heirs and

Shadwell and Mile End Branch may be made.

Corporations, Guardians, &c. may contract.

Successors,

Successors, but also for and on behalf of any Infants, Wards, Femes Covert, Cestuique Trusts, Lunatics, Idiots, or other incapacitated Persons, and to and for all Femes Covert, and to and for all and every Person and Persons whomsoever who are or shall be seised or possessed of or interested in any Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments which the said Trustees are hereby enabled to purchase or take for any of the Purposes of this Act, to contract and agree with the said Trustees for the Satisfaction to be made for all or any such Loss and Damage as aforesaid, or sell to them all or any of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, and to convey the same, as Occasion shall be or require; and all Contracts, Agreements, Sales, and Conveyances which shall be so made shall be valid and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, Custom, or any other Matter or Thing, to the contrary thereof notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Feoffees in Trust, Executors, Administrators, Guardians, Trustees, Committees, Femes Covert, and all and every other Person and Persons, shall be and they are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

No Person compellable to sell Parts of Premises, if willing to sell the Whole, in certain Cases.

XXXVII. Provided always, and be it further enacted, That if any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate shall be applied to by or on the Behalf of the said Trustees to treat for, sell, dispose of, or convey, for any of the Purposes of this Act, any Part or Parts of any House or Building, or Yard or Garden, at the Rear of or attached to any House or Building specified in the Schedule to this Act, in the actual Occupation of One Person or of several Persons jointly, and shall, by Notice in Writing to the said Trustees, within One Month next after such Application, signify his, her, or their Inclination or Desire to treat for, sell, dispose of, and convey the Whole of such House or Building, or House or Building and Yard or Garden, (as the Case may be,) some Part of which House or Building, or Yard or Garden, shall have been deemed necessary to be purchased for the Purposes of this Act, and if it shall happen that the said Trustees shall not think proper or be willing to purchase the Whole of such House or Building, or House or Building and Yard or Garden, then and in every such Case nothing in this Act contained shall extend or be construed to extend so as to compel the respective Person or Persons interested therein to treat for, sell, dispose of, or convey Part only, or less than the Whole of every such House or Building, with the Offices, Curtilages, Yards, Gardens, and Passages adjoining and belonging thereto; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

How Damages to be assessed in case of Dis-agreement.

XXXVIII. And be it further enacted, That if any Owners, Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Trustees, Femes Covert, or any other Person or Persons interested in any Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments mentioned and contained in the Schedule to this Act

Act annexed, which shall be thought necessary by the said Trustees under this Act to be purchased or employed for the Purposes of this Act, upon Notice in Writing under the Hands of the said Trustees for the Time being, to him, her, or them given, or left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or at the House of the Tenant in Possession of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, shall, by the Space of Ten Days after such Notice so 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 every or any such Case the Sheriff of the said County of *Middlesex*, or his Under Sheriff, or the Sheriff of the County of *Essex*, or his Under Sheriff, as the Case may be, or in case such Sheriff or Under Sheriff shall be any ways interested in the Matter in question, then some one of the Coroners of the said Counties respectively not interested therein, shall, upon the Warrant of the said Trustees in manner hereinafter mentioned, and he and they is and are hereby required and authorized to cause it to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of *Middlesex* or *Essex*, as the Case may be, (which Oaths the said Sheriff, Under Sheriff, or Coroner, is and are hereby empowered and required to administer,) what Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for or on account of the taking of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments for the Purposes of this Act, or of turning any Part or Parts of the said Roads or Branches of Road into, over, or through the same Lands or Tenements, Houses, Buildings, Grounds, or Hereditaments; and in order thereto the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required, from Time to Time, as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises, (which Oath the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered to administer); and such Sheriff, Under Sheriff, or Coroner respectively, shall also order and cause the said Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means as well for his and their own as for the Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, or Coroner shall think fit; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff, Under Sheriff, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Trustees to the said Owners or Occupiers of or other Persons interested in the said Lands, Grounds, Tenements, Houses, Buildings, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Order, so had and made, shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever claiming any

Estate in Fee Simple or Fee Tail, for Life or Lives, in Possession, Reversion, Remainder, or otherwise, their Heirs, Successors, Executors and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Ecclesiastical or Civil, Tenants for Life or in Tail, as well as all other Persons whomsoever; and for the summoning and returning of such Jury or Juries the said Trustees are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, or Coroner, thereby commanding and requiring such Sheriff, Under Sheriff, or Coroner to impanel, summon, and return, at some Place within the said Counties respectively, a Jury of Twenty-four honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, or Coroner, at such Time and Place as in such Warrant shall be appointed; and Eight Days Notice at the least, in Writing under the Hands of the said Trustees, is hereby required to be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in any such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Corporations, or at the House of the Tenant in Possession of such Lands, Grounds, Tenements, Houses, Buildings, or Hereditaments, of the Time and Place of the said Jury being so impanelled, summoned, and returned; and the said Sheriff, Under Sheriff, or Coroner is and are hereby required 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 Sheriff, Under Sheriff, or Coroner shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff, Under Sheriff, or Coroner shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, (being qualified as last aforesaid,) to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel and Solicitors, to attend and be heard and to adduce Evidence before the said Sheriff, Under Sheriff, or Coroner respectively, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Trustees shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff, Under Sheriff, or Coroner, his or their 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 who shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give their Verdict, or shall 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 shall not allege a sufficient Excuse for not appearing, or appearing shall

shall refuse to be sworn and give Evidence; provided that any such Fine shall not exceed the Sum of Ten Pounds upon any such Sheriff, Under Sheriff, or Coroner, nor the Sum of Five Pounds upon any other Person for any One Offence.

XXXIX. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury as aforesaid for more Money than shall have been previously offered by the said Trustees as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damage, Loss, or Injury that may have been sustained by any Person or Persons as aforesaid, all the Costs and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Trustees; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Ten Days after Demand made thereof from the said Trustees, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Trustees, or of any Goods or Chattels of the Treasurer or Treasurers of the said Trustees (unless such Treasurer or Treasurers shall pay such Costs and Expences out of the Monies received by him by virtue of this Act, which he or they is or are hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Trustees as such Recompence or Satisfaction as aforesaid, all the Costs and Expences incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat and agree as before mentioned, and by the said Trustees; but in all Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Trustees, the Costs and Expences so incurred shall be borne by the said Trustees in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Expences, the same shall be settled and ascertained by any Justice of the Peace acting within his Jurisdiction, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where any Costs and Expences shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Trustees as aforesaid, the Amount thereof, having been first paid by the said Trustees, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Expences be not paid upon Demand,

By whom
Expences of
Juries shall
be paid.

Demand, after being so ascertained as aforesaid, the same may be recovered by the said Trustees from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

For Payment
of Costs of
Tenants for
Life.

XL. Provided always, and be it further enacted, That whenever any Lands, Tenements, or Hereditaments shall be purchased by the said Trustees for the Purposes of this Act, in or to which any Person shall be interested or entitled as Tenant for Life, all such Costs, Charges, and Expences as any such Tenant for Life shall and may incur and sustain, or be liable or put unto, for or by reason or means of the Purchase of such Lands, Tenements, and Hereditaments, or of the summoning and maintaining any Jury or Witnesses to ascertain the Value of the same, or of the investing the Money to arise therefrom, or of receiving the Interest thereof, or in any other Manner howsoever in consequence of such Purchase, shall be discharged by the said Trustees out of the Monies which shall arise by virtue of this Act, or shall be paid and satisfied to any such Tenant for Life by the said Trustees out of the said Monies; any thing herein-before contained to the contrary notwithstanding.

Misnomer,
Omission,
or wrong
Description,
not to prevent
the Execution
of the Act.

XLI. Provided always, and be it further enacted, That if any of the Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments situate, lying, and being within the Line or Lines of the said Roads or Branches of Road made or directed to be made or maintained by the said recited Acts or this Act, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be or to have been, shall happen to be misnamed, omitted, or inaccurately described in the Schedule to this Act annexed, such Misnomer, Omission, or inaccurate Description shall not prevent or retard the Execution of this Act, but every Part thereof shall and may be purchased and sold, or assessed and valued by a Jury, and conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same were more properly named and described, in case it shall appear to the Satisfaction of the Jury summoned to assess what Recompence and Satisfaction shall be made to the Owners, Occupiers, or other Person or Persons interested, for or on account of the taking of such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments respectively, that such Lands, Tenements, Houses, Buildings, Grounds, or Hereditaments respectively were intended to be made use of for the Purposes of the said recited Acts or this Act, or either of them: Provided also, that if the said Trustees shall not, within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for, as herein mentioned, the several Houses, Buildings, Lands, Tenements, and Hereditaments which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities hereby granted to them for such Purpose only shall cease, determine, and be utterly void, (save and except with the Consent in Writing of the Owners and Occupiers thereof respectively.)

Lands to be
purchased in
Three Years.

XLII. And

XLII. And be it further enacted, That the Lands constituting any old Road or Roads, or any Part thereof, unless leading to some Street or Place to which such new Roads or Branches of Road shall not communicate respectively, together with such Parts of the said purchased Premises as shall not be laid into the said new Roads or Branches of Road, shall be vested in the said Trustees, and they are hereby empowered to sell or exchange, or to let or demise, or otherwise dispose of as well the said old Road or Roads as the said other purchased Premises, and to convey and to assure the Fee and Inheritance as well of the said old Road or Roads as of the said Premises, or to demise the same from Time to Time to such Person or Persons and in such Manner as the said Trustees shall direct and appoint, and the Money arising from such Sale, or to arise from Time to Time from any such Demise, shall be applied and disposed of for the Purposes of this Act; and any Sale or Conveyance to be made of the said old Road or Roads, or of the said other purchased Premises, being executed by the said Trustees, and enrolled with the Clerk of the Peace for the said County of *Middlesex* or the said County of *Essex*, shall be good and effectual in the Law to all Intents and Purposes whatsoever.

Old Roads to vest in Trustees.

XLIII. 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 assessed by any Jury or Juries as aforesaid, for the Purchase of any such Lands, Tenements, or other Hereditaments, or as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages, as herein-before mentioned, to the Proprietor or Proprietors of such Lands, Tenements, or other Hereditaments, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money or Compensation respectively, within One Calendar Month next after the same shall be so contracted or agreed for or assessed, or if the Person or Persons so entitled or interested as aforesaid, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to, or shall refuse to execute a Conveyance or Conveyances of the said Lands, Tenements, or other Hereditaments which shall be required for the Purposes of this Act, then, upon Payment of the said Sum or Sums of Money into the Bank of *England* as herein-after directed and required, for the Use of the Person or Persons entitled thereto, it shall be lawful for the said Trustees, and their Deputies, Agents, Officers, Servants, and Workmen, immediately to enter upon such Lands, Tenements, and other Hereditaments, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Trustees to and for the Purposes of this Act for ever; and such Payment, Tender, or Investment shall not only bar all Right, Title, Interest, Claim, and Demand of the Body or Bodies, or Person or Persons to whom the same shall 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 or other Estates in Reversion and in Remainder of his, her, or their Issue, and of every

On Payment or Tender of Purchase Money, the Lands, &c. to vest in the Trustees.

other Person whomsoever therein : Provided nevertheless, that before such Payment, Tender, or Investment in the Bank of *England* as aforesaid, it shall not be lawful for the said Trustees, or any Person acting under their Authority, to dig or cut into such Lands, Tenements, or Hereditaments, for the Purpose of making the said Roads and Branches of Road, or other Works hereby authorized to be made, without the Leave of the respective Owners and Occupiers thereof in Writing under their respective Hands.

Occupiers and Owners of Premises adjoining to old Road and extending to new Road, to have the Preference of purchasing.

XLIV. Provided always, and be it further enacted, That before the said Trustees shall sell, demise, or otherwise dispose of any Part of the said old Road or Roads, or of any Ground, Houses, Messuages, Tenements, Lands, Premises, or Hereditaments which shall happen to be between the said old Road or Roads and the Line of the said Roads or Branches of Road, and which shall not be applied by the said Trustees to the Purpose of making the said Roads and Branches of Road, the said Trustees shall first offer to sell to any Person or Persons who shall be the Occupier or Occupiers for any Term longer than Seven Years then to come and unexpired, or in default of such Tenant, then to the Owner or Owners of any Houses, Lands, Grounds, or Hereditaments then lying or adjoining to the said old Road or Roads, so much of the said old Road or Roads or other Premises extending to the said Roads or Branches of Road as shall be equal in Extent of Front to the Ground or Premises occupied by or belonging to such Occupier or Occupiers, Owner or Owners, at or for such Price as shall be in proportion to the Price which shall have been given by the said Trustees for the whole of such Piece or Pieces of Ground or Premises respectively, and no more ; and in case such Person or Persons shall not thereupon agree, or shall refuse to re-purchase the same, any Affidavit to be 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 County of *Middlesex* or *Essex* or City of *London*, by some Person or Persons no way interested in the said Premises, stating that such Offer was made by or on behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same Offer was so made, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made by or on behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom it was made (as the Case may be); and in case such Occupier or Occupiers, Owner or Owners as aforesaid, shall be desirous of purchasing the said Premises, and he, she, or they, and the said Trustees shall differ and not agree with respect to the Price or Prices thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury in manner hereinbefore directed with respect to disputed Value of Premises to be purchased by the said Trustees in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as is herein directed with respect to such Purchase made by the said Trustees, *mutatis mutandis*; and all Money which shall arise by any Sale or Sales, or Demise or Demises, which may be made by the said Trustees of such Premises as aforesaid,

shall be applied to the Purposes of this Act; but the Purchaser or Purchasers, Lessee or Lessees thereof, shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

XLV. Provided also, and be it further enacted, That in the Event of such Sale being made by the said Trustees to any Person or Persons being the Occupier or Occupiers only of such Messuages, Lands, Grounds, Premises, or Hereditaments, the said Trustees shall make it a Condition of such Purchase, that the said Occupier or Occupiers shall make and set out, and from Time to Time during his, her, or their Term in the said Premises keep in repair, a good and sufficient Carriage Road of the Width of Twenty Feet at the least from the Front of the Premises in his, her, or their Possession, then adjoining the said old Road or Roads, into the said Roads and Branches of Road to be made and maintained by virtue of this Act; and the said Carriage Road so to be made by the said Occupier or Occupiers shall, at the Expiration of his, her, or their Term, be delivered up by him, her, or them to the Owner or Owners of the said Premises, to be held and enjoyed by the said Owner or Owners jointly with the said Occupier or Occupiers for the Purpose of Communication with the said Roads and Branches of Road to be made or maintained by virtue of this Act; and the said Occupier or Occupiers so making such Purchase shall enter into an Agreement with the said Trustees, under a sufficient Penalty, for the making and repairing such Carriage Road accordingly; and in default of the Performance of such Agreement the said Trustees shall have full Power to make the said Carriage Road, and to recover the Costs and Charges of so doing from the Occupier or Occupiers so making such Agreement as aforesaid.

Occupiers to make a Carriage Road Twenty Feet wide.

XLVI. Provided always, and be it further enacted, That in the Event of such Sale being made by the said Trustees to any Person or Persons other than such Occupier or Occupiers, or in case no Sale whatever shall be made of the said old Road or Roads, or of the Premises so lying between the same and the said Roads and Branches of Road, it shall and may be lawful for the said Trustees, and they are hereby empowered and required, to set out and make One or more good and sufficient Road or Roads, not exceeding Twenty Feet in Width, from the said Roads and Branches of Road, across the said Premises, to the Houses, Lands, Grounds, or Hereditaments then lying or adjoining to the said old Road or Roads, and to which no such Road or Roads shall have been made and set out, or agreed to be made and set out, by the Occupiers being Purchasers as aforesaid; and the said Trustees shall and may direct how the said Road or Roads shall be from Time to Time kept in repair for the Benefit of the Occupiers and Owners of such Premises so adjoining the said old Road or Roads, during the Continuance of this Act.

Trustees empowered to make a Road in case of default of the Occupiers.

XLVII. And be it further enacted, That the said Trustees appointed and to be appointed under and by virtue of this Act shall keep separate and distinct Accounts of the *Cannon Street* Roads, of the *Commercial* Road, of the *Horseferry* Branch of Road, of the

Trustees to keep Accounts of Receipts and Disbursements, which shall be open to Inspection.

East

East India Dock Road, of the *Barking Road*, and of the *Shadwell* and *Mile End Branch of Road*, and shall keep or cause to be kept a full, true, and particular Account of all Monies disbursed and Payments made by them, and by all and every Persons and Person employed by or under them, and of all and every Sums and Sum of Money which they shall receive on behalf of or in respect of the said Roads and Branches of Road from any Collector or Collectors of the said Tolls and other Monies to be collected or received by virtue of this Act, or other Officer or Officers, or from any other Person or Persons whomsoever employed in or having any Concerns, Dealings, or Transactions with the said Trustees, and shall regularly write, insert, and enter, or cause to be written, inserted, and entered, in a Book or Books to be from Time to Time provided at the Expence of the said Trustees for that Purpose, Notes, Minutes, or Copies; (as the Case may require,) of every such Contract or Bargain, Receipt and Disbursement, and other their Orders and Proceedings; which Book or Books shall be deposited with and kept locked up under the Care and Direction of the said Trustees, or their Clerk or Accountant; and every Subscriber to the said Roads and Branches of Road shall and may at all convenient Times have recourse to and peruse and inspect the same *gratis*, and may demand and have Copies thereof, or of any Part thereof, paying at and after the Rate of Sixpence for every One hundred Words so to be copied; and if any Clerk or Accountant to the said Trustees shall refuse to permit or shall not permit any such Subscriber to inspect or peruse any such Book or Books at all convenient Times and Seasons, or refuse to make any such Copy or Copies in a reasonable Time at the Rate or Price aforesaid, he shall for every such Offence forfeit and pay the Sum of Five Pounds; and the said Trustees are hereby required yearly, previously to the Twenty-fifth Day of *March* in every Year, to make or cause to be made true Statements of the Accounts relative to the several Roads and Branches of Road herein-before mentioned, up to the Thirty-first Day of *December* next preceding such Twenty-fifth Day of *March* respectively, in which several Statements shall be specified and set forth all the Monies subscribed or borrowed for the making or maintaining or otherwise on account of the said several Roads or Branches of Road respectively then remaining due and owing, and also the Application of the same respectively, likewise the Monies received for Tolls or otherwise in respect of each of the said Roads or Branches of Road, and how the same have been from Time to Time applied or disposed of; and the said Accounts shall also specify from Time to Time the Alterations (if any) made by increasing or lessening the Toll to be taken on the said Roads or Branches of Road, or any or either of them; and a Statement of such Accounts, being approved of by the said Trustees and signed by their Chairman, shall within Thirty Days after the said Twenty-fifth Day of *March* in each Year be transmitted by the Clerk to the said Trustees to the Clerk of the Peace of the County in which each of the said Roads or Branches of Road to which the said Statement relates shall lie; and if any Clerk shall refuse or neglect to transmit such Statement within the Time aforesaid, every such Clerk so offending shall forfeit and pay the Sum of Fifty Pounds, to be recovered as herein-after directed.

XLVIII. And

XLVIII. And be it further enacted, That the Clerk of the Peace for each of the said Counties to whom such Statements shall be transmitted, shall, on receiving such Statements, cause the same to be produced to the Justices assembled at the Quarter Sessions to be held next after the Receipt thereof, and also to be registered and kept amongst the Records of the Quarter Sessions of the County for which each of such Clerks of the Peace shall act; and the said Statements so to be transmitted to the said respective Clerks of the Peace shall, when registered, be open to the Inspection of all and every Persons and Person whomsoever, who may take Extracts therefrom or Copies thereof, paying to the Clerk of the Peace in whose Custody the same shall be the Sum of Five Shillings for each Inspection, and the Sum of Sixpence for every Seventy-two Words of each Extract or Copy taken.

Clerk of the Peace to register Statement, and produce the same at Quarter Sessions.

XLIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Directions 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, Tenements, and Hereditaments, in the Purchase of the Land Tax, or 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, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, and 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, Tenements, 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, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the

Application of Compensation when amounting to 200*l*.

1 G. 4. c. 35.

Court of Exchequer, 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 Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and more than 20*l.*

L. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, 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 amount to or 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, Tenements, and 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 of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When less than 20*l.*

LI. And be it further enacted, That where such Money so agreed or awarded to be paid as before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

LII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments already purchased or to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the
Premises

Premises to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum and 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 the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt 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 who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

LIII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, 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 Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to any Money.

LIV. And be it further enacted, That where, by reason of the Disability or Incapacity of the Person or Persons, or Corporation, entitled

The Court of Exchequer may order the

Expences of
Purchases
to be paid by
Trustees.

entitled to any Lands, Tenements, Hereditaments, and Premises already purchased or to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof 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.

Verdicts, &c.
to be recorded
at the Ses-
sions.

LV. And be it further enacted, That all such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Trustees, Sheriff, Under Sheriff, or Coroner and Juries, as relate to or concern any of the Cases before mentioned, and all Receipts which the Cashier or Cashiers of the Bank of *England* shall give for any Sum or Sums of Money paid into the Bank as aforesaid, shall be entered among the Records of the Court of General Quarter Sessions of the Peace of the said County of *Middlesex* or County of *Essex*, as the Case may be; and the said Verdicts, Judgments, Sentences, Decrees, and Orders, and other Proceedings, shall be deemed and taken to be Records to all Intents and Purposes whatsoever, and the same or true Copies thereof shall be deemed and taken to be good and sufficient Evidence and Proof in any Court or Courts of Law or Equity whatsoever; and all Persons shall and may have recourse to the same upon paying the Sum of One Shilling and no more for each Search, and take Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any less Number of Words; and immediately after the Entry of such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Trustees, Sheriff, Under Sheriff, or Coroner, and Juries as aforesaid, and Payments as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the respective Owner or Owners, Corporations, Trustees, or other Person or Persons aforesaid, into and out of the Lands and Hereditaments to be purchased as aforesaid, shall vest in the said Trustees, and they shall be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, or any other Conveyance or Assurance whatsoever; and such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings, shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons, Corporation or Corporations, to whom or on whose Account such Payment shall have been made, but also shall extend to and be deemed and construed to bar the Dower or Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons, and every
Person

Person claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

LVI. And be it further enacted, That the Conveyance of any Estate or Interest of any Feme Covert to the said Trustees, or any Person or Persons in Trust for them, by Bargain and Sale, acknowledged by such Feme Covert, and duly enrolled in the Court of King's Bench at *Westminster* within Six Calendar Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme Covert in the Premises, as any Fine or Fines, Recovery or Recoveries, would or could do if levied or suffered thereof in due Form of Law; and all Bargains and Sales whatsoever to be made of any such Lands and Hereditaments as shall be purchased by the said Trustees by virtue of and for the Purposes of this Act, and enrolled as aforesaid, shall have the like Force, Effect, and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever, would have had if levied or suffered by the Bargainor or Bargainors, or any Person or Persons seised of any Estate in the Premises in Trust for such Bargainor or Bargainors, in any legal Manner or Form whatsoever.

Conveyances by Bargain and Sale shall be effectual.

LVII. And be it further enacted, That every Tenant at Will, or Lessee for a Year, or any other Person or Persons in Possession of any such Lands, Tenements, Houses, Buildings, Grounds, and Hereditaments, or any Part thereof, which shall be purchased by virtue of and for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenant at Will, or as Lessee for a Year, or from Year to Year, shall within Thirty Days after Notice in Writing to such Tenants from the said Trustees, or such Person or Persons as they shall appoint for that Purpose, deliver up the Possession of such Premises to the said Trustees, or to such Person or Persons as they shall appoint to take Possession of the same, in case the said Trustees, or some Person or Persons authorized by them, shall pay or tender to him or them Six Calendar Months Rent of the same Premises; or in case the said Trustees, or such Person authorized by them, shall give Six Calendar Months Notice to quit such Possession, then such Tenant or Tenants shall, at the End of the said Six Calendar Months; without any Reference to the Time of Entry on such Premises, or so soon after as he or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Trustees, or the Person or Persons authorized by them to take Possession thereof; and in case any such Tenant or Tenants, or Person or Persons so in Possession as aforesaid, shall refuse to give such Possession as aforesaid, then it shall and may be lawful for the said Trustees to issue their Precept or Precepts to the Sheriff of the said County of *Middlesex*, or to the Sheriff of the said County of *Essex*, according as the Premises may happen to lie or be, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or

Notices to Tenants at Will, &c. to quit Premises.

Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Interests of such Tenants may be settled by a Jury.

LVIII. Provided always, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up the Possession of any Lands, Tenements, or Hereditaments so occupied by him or her, to the said Trustees, or to the Person or Persons authorized by them to take Possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Trustees shall and they are hereby directed to make or tender unto such Tenant or Lessee Satisfaction or Compensation for the Value of his or her unexpired Term or Interest in the said Premises; which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in the same Manner as any other Satisfaction or Compensation for Lands, Tenements, or Hereditaments intended to be taken or made use of by the said Trustees is by this Act directed to be assessed and ascertained.

Mortgages to be assigned on Tender of the Principal Money, &c.

LIX. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, Houses, Buildings, Grounds, and Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Trustees or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Trustees, or to such Person or Persons as the said Trustees shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Trustees, or 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 the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, that then, at the End of the said Six Calendar Months, on the Payment 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 such Person or Persons as shall be appointed in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine.

Cashier to give a Receipt for Purchase Money paid into the Bank.

LX. And be it further enacted, That upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid, into the Bank, 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 herein-before directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and 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

Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

LXI. And whereas, by reason of taking down Houses and making Alterations in pursuance of the said recited Acts hereby repealed, a Deficiency may have arisen in the Produce of the annual Stipends, Dues, and Oblations, and other Perquisites and Payments payable to the Rector of the said Parish of *Saint Mary Matfellow* otherwise *Whitechapel*; be it further enacted, That the said Trustees shall from Time to Time during the Continuance of this Act, yearly and every Year, pay and make good unto the Rector of the said Parish, by Four equal quarterly Payments, the Deficiency which may have arisen by the pulling down of any Dwelling Houses within the said Parish, and which the consequent Removal of Inhabitants from such Parish may have occasioned; which Deficiency shall be estimated at and after the Rate of Nine Shillings and Sixpence upon each and every House which shall have been pulled down by the said Trustees for the Purposes of the said recited Acts hereby repealed, any or either of them.

Compensation to the Rector of Whitechapel for Deficiency of annual Stipends, Dues, &c.

LXII. And whereas, by the making and using of the said Roads and Branches of Road hereby authorized to be made and maintained, the Lands which have been taken and used for those Purposes, or some Parts thereof, have been rendered unproductive of Tithes, and it is expedient that proper Compensation should be made to the Owners of the said Tithes for the Time being, in lieu thereof: And whereas the Principal and Scholars of the *King's Hall* and College of *Brazen Nose* in the University of *Oxford*, and the Person or Persons entitled under them, are the present Owners of the Tithes, both Great and Small, of the Lands so taken and used; be it therefore further enacted, That in order to the making of such Compensation as aforesaid, the yearly Quantity of Three Pecks of good, clean, wholesome marketable *English* Wheat of the best Sort, for each and every Acre of the Lands and Premises for the Tithes of which such Compensation is intended to be hereby provided, and after that Rate for any greater or less Quantity than an Acre, shall be deemed and considered as equal in Value to and a full and adequate Compensation and Satisfaction for all the Tithes, both Great and Small, arising and payable upon or out of the same Lands and Premises; and the Sum of Six Shillings and Eight-pence *per* Bushel shall be considered and taken as and for the average Price of such Wheat at the *Corn Exchange* in the City of *London*, during the Term of Fourteen Years next preceding the passing of this Act; and that there shall be paid and payable, from Time to Time during the Continuance of this Act, to the said Principal and Scholars and their Successors, or to the Person or Persons for the Time being duly entitled to receive the same under them, such respective yearly Rents or Sums of Money as shall be equal in Value to Three Pecks of such Wheat, at such fixed average Price as aforesaid, for each and every Acre of all such titheable Lands and other Premises situated respectively in the aforesaid Parishes of *Saint Dunstan Stebonheath* otherwise *Stepney*, *Saint Anne* commonly called *Saint Anne Limehouse*, and *Saint George* commonly called *Saint George in the East*, or either of them, or in any

Compensation to be made for the Tithes of Lands and Premises taken.

any of the titheable Places thereof respectively, and *All Saints Poplar*, and which shall have been taken under and by virtue of the said recited Acts hereby repealed, any or either of them, and for the Time being kept, occupied, and made use of in or for the Purposes of this Act; and that the said respective yearly Rents or Sums of Money shall be issuing out of and charged and chargeable upon the Lands and Premises taken, kept, occupied, and made use of for the Purposes aforesaid, and shall be payable and paid by the said Trustees with and out of the Tolls hereby granted or made payable by virtue of this Act; and which said respective yearly Rents or Sums of Money shall be and are hereby declared to be in lieu and full Compensation, Satisfaction, Bar, and Extinguishment of and for all Tithes and Portion of Tithes, both Great and Small, arising and payable upon or out of all Lands and Premises whatsoever in the said Parishes, or either of them, or in any of the titheable Places thereof respectively; which shall have been so taken and for the Time being kept, occupied, and made use of as aforesaid, and for or in respect of which such yearly Rents or Sums shall be payable respectively; and the said respective yearly Rents or Sums of Money shall be payable and paid to the said Principal and Scholars and their Successors, or to the Person or Persons for the Time being entitled to the same under them, at the Parsonage House for the Time being of the said Parish of *Stebonheath* otherwise *Stepney*, or at such other Place or Places within the said Parish as the same Principal and Scholars or their Successors, or other Person or Persons, shall appoint, by equal half-yearly Payments and Portions, upon the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in every Year, during the Continuance of this Act, clear of all Parochial Taxes, Rates, Dues, and Assessments whatsoever, the first Payment thereof to become due and be made upon the first of those Days which shall next happen after the passing of this Act.

The average Price of Wheat may be ascertained at the End of 14 Years, for the Purpose of making such Compensation.

LXIII. Provided always, and be it further enacted, That it shall be lawful for the said Principal and Scholars and their Successors; or to and for the Person or Persons to be for the Time being entitled under them as aforesaid, at any Time after the Expiration of Fourteen Years, to be computed from and next ensuing the Day so as aforesaid appointed for the first Payment of the said yearly Rents or Sums of Money, by Writing under their or his Hands or Hand, to apply to the Justices of the Peace at any General or Quarter Sessions to be holden for the said County of *Middlesex*, (first giving Notice in Writing to the said Trustees Six Calendar Months at least before such Application of his or their Intention so to do,) to have the average Price of Wheat again inquired of and ascertained; and the said Justices of the Peace shall and may and they are hereby required at the same or at the next General or Quarter Sessions of the Peace to be holden for the said County, to inquire into and ascertain, by or from or by means of the *London Gazette* so long as the Returns of the average Price of Corn and Grain shall be published therein, and in case of no such Publication, then by such Ways or Means as they shall think equitable or proper, the average Price of good marketable Wheat at the *Corn Exchange* in the City of *London*, for the Term of Fourteen Years next preceding such Application; and

and after such average Price shall have been so ascertained and fixed, the Amount of all future Payments of the said respective yearly Rents or Sums of Money in lieu of Tithes, as herein mentioned, shall be equal to the Value of the respective proper Quantities of Wheat computed at the said Rate of Three Pecks *per* Acre, and according to the average Price which shall have been last ascertained and fixed by the Court of General or Quarter Sessions, and so from Time to Time as often as any such Application shall be made as aforesaid; provided no such Application be made before the Expiration of Fourteen Years from the Time any such average Price shall have been last ascertained and fixed in pursuance of this Act.

LXIV. Provided always, and be it further enacted, That if Default shall be made in the Payment of the said yearly Rents or Sums of Money hereby made payable in lieu of Tithes as aforesaid, or of either of them, or any Part thereof respectively, for the Space of Twenty-one Days next after any of the respective Times hereby appointed for the Payment of the same, then and in every such Case the said Principal and Scholars and their Successors, and the Person or Persons entitled to the same under them as aforesaid, or any of them, shall and may have and exercise such and the same Powers and Remedies for recovering and receiving the said respective yearly Rents or Sums of Money, or any Part thereof respectively, together with all Costs and Charges which shall be occasioned by the Non-payment of the same, as by Law are provided and given to Landlords for the Recovery of Fee Farm Rents or Rack Rents in arrear.

Remedy for recovering Compensation for Tithes.

LXV. And whereas, by reason of taking down Houses and making Alterations in pursuance of the said recited Acts hereby repealed, or of this Act, there may be or there may have been Deficiencies in the Produce of the Assessments for Land Tax, Poor's Rates, and in the Produce of the other Parochial Rates and Assessments within the said Parishes of *All Saints Poplar, Saint Dunstan Stepney, Saint Anne Limehouse, Saint George, and Saint Mary Matfellow* otherwise *Whitechapel*, and also within the Hamlet of *Ratcliffe*, in the said County of *Middlesex*; be it therefore further enacted, That the said Trustees shall from Time to Time be subject and liable to make good to the said Parishes and Hamlet respectively, with and out of the Monies to arise and be received by the said Trustees under or by virtue of this Act, all such Sum or Sums of Money as shall from Time to Time be deficient in respect of the Produce or Amount of the said several Rates or Assessments within the said Parishes and Hamlet, or any of them, by reason or means of the Alteration arising from or occasioned by the making of the said Roads or Branches of Road, or by opening and widening and improving the said Streets, Lanes, and Passages intended to be opened, widened, and improved, or either of them, according to the Produce or Amount of such several Assessments and Rates respectively from *Lady Day* One thousand eight hundred and one to *Lady Day* One thousand eight hundred and two, and shall pay the same from Time to Time accordingly to the several Collectors of the said Rates and Taxes.

Compensation to be paid by the Trustees to the Parishes of All Saints Poplar, Stepney, St. Anne Limehouse, St. George, and Whitechapel, and Ratcliffe Hamlet, for Deficiencies in Land Tax and Poor's Rates.

When the Land Tax and Poor's Rates, &c. afford a Surplus, such Compensation shall be reimbursed to the Trustees.

LXVI. Provided always, and be it further enacted, That if the Produce or Payment for and in respect of the several Assessments for Land Tax, Poor's Rates, and the other Parochial Rates or Assessments of, for, and upon all and singular such Houses, Buildings, Lands, Tenements, and Hereditaments whatsoever, as for the Time being shall have been standing upon or Part of the Lands or other Hereditaments in the said Parishes and Hamlet respectively, which shall have been or may be purchased for making the said Roads and Branches of Road, or for opening, widening, and improving the said Streets, Lanes, and Passages, or as for the Time being have been situate within One hundred Feet of any Part of the said Roads or Branches of Road, or when and so soon after the passing of this Act as the Produce or Payment for and in respect of the said several Rates or Assessments of, for, and upon all and singular such Houses, Buildings, Lands, Tenements, and Hereditaments whatsoever, as for the Time being shall be standing upon or Part of the Lands or other Hereditaments in the said Parishes and Hamlet respectively which shall be purchased for making the said Roads and Branches of Road, or for opening, widening, and improving the said Streets, Lanes, and Passages, or as for the Time being shall be situate within One hundred Feet of any Part of the said Roads or Branches of Road, shall have raised or shall raise a larger Sum of Money at the same Rate *per* Pound than the Sum raised by the said Assessments from *Lady Day* One thousand eight hundred and one to *Lady Day* One thousand eight hundred and two, of, for, and upon all and singular such Houses, Buildings, Lands, Tenements, and Hereditaments whatsoever, situated in the said Parishes and Hamlet respectively, as shall have been purchased for the said Purposes, or as are now situated within One hundred Feet of any Part of the said Roads or Branches of Road, that then the Surplus shall in the first place be applied and paid to the said Trustees towards reimbursing all such Sum and Sums of Money as shall have been paid by the said Trustees for or in respect of the aforesaid Deficiencies in the said several Rates or Assessments, and so from Time to Time when and as often as there shall be any Surplus, until the said Trustees shall be wholly reimbursed and repaid all Monies which they shall have disbursed to make good such Deficiencies in the said Rates or Assessments, in manner aforesaid.

Compensation to the Parish of Whitechapel for Deficiency in the Rates for paving, cleansing, watching, and lighting.

LXVII. And whereas, by reason of the Improvements aforesaid, certain Deficiencies may have arisen or may arise within the said Parish of *Saint Mary Matfellow* otherwise *Whitechapel*, in the Produce of the Assessments for paving, cleansing, watching, and lighting; be it therefore further enacted, That the said Trustees under this Act shall from Time to Time during the Continuance of this Act be subject and liable to make good to the said last-mentioned Parish, and to the several Trustees and Commissioners acting therein, under and by virtue of any Act or Acts of Parliament, or to such of them as shall claim the same within Six Months after the passing of this Act, with and out of the Monies to arise and be received by the said Trustees under this Act, from the Rates herein-after authorized to be made and collected by the said last-mentioned Trustees, for

watching, cleansing, lighting, and watering the *Commercial Road*, all such Sum and Sums of Money as the said first-mentioned Assessments for paving, cleansing, watching, and lighting, amounted unto in the Year ending at *Lady Day* One thousand eight hundred and two, of, for, and upon all and singular such Houses, Buildings, Lands, Tenements, and Hereditaments as shall be purchased, taken down, and made use of for the Purposes of this Act, in any of the said Streets, Lanes, and Passages leading from the End of the said *Commercial Road*, and intended by this Act to be opened, widened, and improved, or either of them, within the said Parish of *Saint Mary Matfellow* otherwise *Whitechapel*, and the said Trustees under this Act shall pay such Sum and Sums of Money to the several Collectors of the said first-mentioned Rates and Assessments accordingly.

LXVIII. And whereas, by reason of taking down Houses and other Buildings for the Purposes of the *Commercial Road* and the *Horseferry Branch* of Road, directed to be made and maintained under and by virtue of the said recited Act of the Forty-second Year of the Reign of His late Majesty, and making other Alterations pursuant to the said Act, certain Deficiencies may have arisen or may arise within the said Parish of *Saint Anne* in the Produce of the Rates for paving the said Parish; be it therefore further enacted, That the said Trustees under this Act shall from Time to Time be subject and liable to pay to the Commissioners for paving the Streets in the said Parish, acting under and by virtue of any Act or Acts of Parliament, with and out of the Monies to arise and be received by the said Trustees from the Rates authorized to be made and collected by the said Trustees acting under and by virtue of this Act, all such Sum and Sums of Money as the said before-mentioned Assessments for paving amounted unto in the Year ending at *Lady Day* One thousand eight hundred and five, of, for, and upon all and singular such Houses, Buildings, Lands, Tenements, and Hereditaments as have been or shall be purchased, taken down, and made use of for the Purposes of the said Road and Branch of Road; and the said Trustees under this Act shall pay such Sum and Sums of Money to the said Commissioners or to the Collectors of the said Rates for paving the said Streets, accordingly, until the Houses, Buildings, Lands, Tenements, and Hereditaments which for the Time being shall be liable to be assessed to the said Rates shall produce a Sum of Money equal to that which was produced by the said Rates from *Lady Day* One thousand eight hundred and five to *Lady Day* following, or until the several Persons on whose Lives Annuities have been granted for raising Money for making and repairing the Pavement of the said Streets shall all die.

Compensation to the Commissioners for paving the Streets in the Parish of *St. Anne*.

LXIX. And whereas, by reason of making the said several Roads and Branches of Road hereby authorized to be made, there may have been or may be Deficiencies in the Produce of the Rates for making and repairing of Sewers; be it therefore enacted, That from Time to Time when and as often as any Rates shall be made by His Majesty's Justices and Commissioners of Sewers for the *Tower Hamlets*, exclusive of *Saint Catherine* and *Blackwall Marsh*, during the making of the said Roads and Branches of Road, the said Trustees under this Act

Compensation to be made for Deficiencies of Sewers Rate.

Act shall pay to the Treasurer for the Time being of the said Commissioners of Sewers, or to such Person as the said Commissioners shall appoint to receive the same, so much and such Proportion of the said Rates as would have been payable if this Act had not been passed, for and in respect of the Land and Premises which for the Time being have been or shall be taken, kept, and made use of for making and completing the said Roads and Branches of Road, such Proportions to be ascertained, during the making of the said Roads and Branches of Road respectively, by means of the last Rates made by the Commissioners of Sewers before the passing of this Act; and the said Trustees shall also from Time to Time during the Continuance of this Act pay to the said Commissioners such Proportion or Deficiency for and on account of all such Houses and Buildings as shall have been taken down and removed by the said Trustees, until the Rates to be made upon the improved Rents and Value of all such Houses and Buildings as are now erected and standing within One hundred Feet of the said Roads and Branches of Road, and which shall not be taken and removed as aforesaid, or shall hereafter be erected and built within One hundred Feet of the said several Roads and Branches of Road, shall be equal in Value to the Rates which would have been produced by the said Houses or Buildings taken down and removed by the said Trustees, according to the last Rate made by the said Commissioners of Sewers before the passing of this Act; and all Houses and Buildings which shall have been or shall hereafter be erected and built on both Sides of the said Roads and Branches of Road, and within One hundred Feet of the same, shall be liable to be rated and assessed to the said Rates, in like Manner as other Premises which are now liable to the said Rates, and in common with the same; and in case Default shall be made during the Term aforesaid in the Payment of the said respective Proportions of the said Sewer Rates so directed and required to be paid, or either of them, or of any Part thereof respectively, for the Space of Twenty-one Days after the same shall be due and demanded, then and in every such Case it shall and may be lawful for the said Commissioners of Sewers, in the Name of their Clerk, Surveyor, or other Person to be by them named for that Purpose, to sue for and recover the same respectively by Action or Actions at Law against the said Trustees, as the Case shall require.

Remedy for recovering the same.

Compensation to the Commissioners of White Horse Street Pavement.

LXX. And whereas the said *Commercial Road* in one Part crosses the said Street called *White Horse Street*, and the Trustees acting under the said Acts hereby repealed have taken down and removed certain Houses in the said Street, and turned the Scite thereof into the said *Commercial Road*, whereby the Rates for paving the said Street have been and may be diminished; be it therefore further enacted, That the said Trustees under this Act shall from Time to Time during the Continuance of this Act be subject and liable to pay to the Commissioners for paving the said Street, acting under and by virtue of any Act or Acts of Parliament, with and out of the Monies to arise and be received by the said Trustees under this Act from the Rates herein-after authorized to be made and collected by the said Trustees for watching, cleansing, lighting, and watering the *Commercial Road* and the *Horseferry Branch of Road*, the Sum of

Six

Six Pounds yearly and every Year, for and in lieu of such Rates as might and ought to have been imposed on the Houses so pulled down by the said Trustees for the Purposes of the said Acts; and the said Trustees under this Act shall pay such Sum and Sums of Money to the said Commissioners or to the Collectors of the said Rates for paving the said Street, accordingly, until the Houses which for the Time being shall be liable to be assessed to the said Rate shall produce a Sum of Money equal to that which was produced by the said Rate from *Lady Day* One thousand eight hundred and one to *Lady Day* One thousand eight hundred and two, or until the several Persons on whose Lives Annuities have been granted for raising Money for making and repairing the Pavement of the said Street shall all die.

LXXI. Provided also, and be it further enacted, That the said Trustees under this Act shall in no Case be subject or liable to make good any or either of the Deficiencies herein-before mentioned to the said Parishes, Hamlets, Trustees or Commissioners, to whom the Compensation for such Deficiencies is herein-before made payable respectively, at any Time or Times after the several Rates and Assessments on the respective Premises, on account or in respect of which such Compensations shall be respectively payable, shall have produced a Sum equal to or larger than that which was produced by the said Rates and Assessments respectively from *Lady Day* One thousand eight hundred and one to *Lady Day* One thousand eight hundred and two, in manner herein-before mentioned; any thing in this Act contained to the contrary thereof notwithstanding.

When Compensation to the Parishes, &c. shall cease.

LXXII. And be it further enacted, That in case any Dispute, Doubt, Disagreement, or Controversy shall at any Time arise between the said Trustees under this Act and the said Parishes, Hamlets, Trustees, and Commissioners respectively, or either of them, respecting the Sum to be paid by or to the said Trustees under this Act, to, by, or on behalf of the said Parishes, Hamlets, Trustees and Commissioners respectively, or either of them, in Manner and on the Account and for the Purposes aforesaid, or either of them, it shall and may be lawful for Two Justices of the Peace for the said County of *Middlesex*, on Application to them made on behalf of either of the said Parties, to ascertain and determine what Sum or Sums of Money shall and ought to be paid by or to either of the said Parties, to or by the other of them, on the Account and for the Purposes aforesaid, or either of them; and in case either of the said Parties shall be dissatisfied with the Determination of the said Two Justices, it shall and may be lawful for such Party to appeal to the Justices of the Peace assembled at the next General Quarter Sessions of the Peace for the said County, in the same Manner as is herein-after directed in all other Cases of Appeal to the said Sessions.

Disputes as to Compensation to be settled by Two Justices.

Appeal to the Sessions.

LXXIII. And be it further enacted, That the said Trustees acting under this Act, or any Three or more of them, shall and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain a Stoneway or Stoneways from the *East India Company's*

Trustees empowered to make a Stoneway.

Warehouses at *Blackwall* in the Parish of *All Saints Poplar*, and in the Parish of *Bromley Saint Leonard* otherwise *Saint Leonard Bromley*, as aforesaid, both in the County of *Middlesex*, along the said *Barking Road*, to the Entrance to the *East India Docks*, and from the said *East India* and *West India Docks* respectively, to, along, through, and over the said *Commercial Road* and *East India Dock Road* respectively as aforesaid, to *Church Lane* in the Parish of *Saint Mary Matfellow* otherwise *Whitechapel*, in the County of *Middlesex*; which said Stoneway or Stoneways shall pass along and through the several Parishes of *Saint Leonard Bromley* otherwise *Bromley Saint Leonard*, *All Saints Poplar*, *Saint Anne* (commonly called *Saint Anne Limehouse*), *Saint Dunstan Stebonheath* otherwise *Stepney*; and the Hamlets of *Mile End Old Town* and *Ratcliff*, and the Parishes of *Saint George* (commonly called *Saint George in the East*) and *Saint Mary Matfellow* otherwise *Whitechapel* aforesaid, all in the County of *Middlesex*; and for the Purpose aforesaid to take up the present Paving of the said *Commercial Road* and *East India Dock Road*, and to relay the same with Granite, or other good and sufficient paving Stone; the said Stoneway or Stoneways not to be less than Six Feet in Width, the Middle thereof, or Space between the Two Rows of Stone forming the same, to be paved with Granite, and the whole to be constructed so and in such Manner as to be convenient for the Passage of Waggon, Carts, and other Carriages which shall not have Occasion to make use of the said Stoneway or Stoneways, and not paying Toll in respect thereof, according to this Act; and to alter the present Levels of the said Roads, where the same may be required, so as to be suitable and convenient for the said Stoneway or Stoneways.

Power to enter on Roads for that Purpose.

LXXIV. And be it further enacted, That for the Purposes of this Act the said Trustees, their Deputies, Servants, Agents, Surveyors, and Workmen, shall be and they are hereby authorized and empowered to enter into and upon the said several Roads, and to set out, ascertain, and appropriate, for the Purposes herein mentioned, such Parts thereof within the Limits aforesaid as they shall think necessary for making, preserving, improving, completing, maintaining, and using the said Stoneway or Stoneways, and all such other Works, Matters, and Conveniences as are hereby authorized to be made, and there to bore, dig, cut, trench, and embank, and also to remove, take, carry away, lay, use, and dispose of any Earth, Clay, Stone, Soil, Rubbish, Beds of Gravel or Sand, or any other Materials or Things which may be dug, raised, or gotten in making the said Stoneway or Stoneways or other Works, and which may be proper, requisite, or necessary for making, carrying on, continuing, maintaining, altering, or repairing the said Stoneway or Stoneways and other Works; or which may hinder, prevent, or obstruct the making, using, or completing, extending or maintaining the same respectively, according to the Intent and Meaning of this Act, not thereby obstructing or impeding the general Traffic and Transit on the said Roads; and also from Time to Time to alter, repair, and amend; or discontinue the same; and also to place, lay, work, and manufacture the Materials necessary for the making, erecting, or maintaining and repairing the said Stoneway or Stoneways and other Works; and also to take
up,

up, alter, and relay the Gas Pipes, Water Pipes, Sewers, and Drains in the Line of the said Stoneway or Stoneways, in such Manner as the said Trustees shall think convenient; and to construct, erect, make, and do all other Matters and Things which they shall think convenient, fit, or necessary for the making, altering, preserving, improving, completing, and using the said Stoneway or Stoneways, and other Works to be made or constructed in pursuance and according to the true Intent and Meaning of this Act; they the said Trustees, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction, in manner hereinafter mentioned, to any Person or Persons who may be thereby injured, for all Damages to be by him, her, or them sustained in or by the Execution of all or any of the Powers hereby granted, such Damage, in case of Disagreement between the Parties, to be settled by any One of His Majesty's Justices of the Peace for the said County of *Middlesex*; and this Act shall be sufficient to indemnify the said Trustees, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisoes and Restrictions as are herein mentioned and contained.

LXXV. And be it further enacted, That such Stoneway or Stoneways shall be so formed as that there shall be a Space of not less than Nine Feet in Width on each Side of the Roads between the Footways and such Stoneway or Stoneways, except in passing through the Turnpike Gates and at the Approaches thereto.

Stoneway to be Nine Feet from Foot-paths.

LXXVI. Proided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to require or compel the said Trustees to make any Stoneway upon the said *East India Dock Road*, or upon the said Road leading from the said *East India Docks* to the Warehouses belonging to or rented by the said *East India Company* in *Poplar* and *Bromley* aforesaid, or to authorize the said Trustees to make or put such Stoneway thereon, without the Consent in Writing of the said *East India Company*, to be signified under the Hand of their Secretary or Assistant Secretary for the Time being.

Act not to compel Trustees to make a Stoneway on the East India Dock Road.

LXXVII. And be it further enacted, That the said Trustees acting under this Act, or any Three or more of them, shall and may and they are hereby authorized and empowered to erect or cause to be erected a Turnpike or Turnpikes in or across or by the Side of any Part or Parts of the said intended Roads called the *Cannon Street Roads*, and also a Toll House or Toll Houses in or upon the same; and to cause the following Tolls to be demanded and taken by such Person or Persons as the said Trustees, or any Three or more of them, shall from Time to Time appoint for that Purpose, at the said Turnpikes, Once in every Day, before any Horse, Ass, Mule, Cattle, Coach, Chariot, Hearse, Waggon, Cart, or other Carriage whatsoever, shall be permitted to pass through the same, and also so often in any One Day as any such Carriage shall pass with a different Lading, or carrying for Hire a different Person; (that is to say,)

Trustees to erect Turnpikes on the Cannon Street Roads, and take Tolls thereat.

For

Tolls on the
Cannon
Street Roads.

For every Coach, Chariot, Landau, Berlin, Phaeton, Chaise, Calash, Chair, Hearse, Waggon, Cart, or other Carriage, drawn by Two or more Horses or Beasts of Draught, the Sum of Three-pence; and drawn by One Horse or Beast of Draught, the Sum of Two-pence:

For every Horse, Ass, and Mule, laden or unladen, and not drawing, the Sum of One Penny:

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

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Two-pence Halfpenny *per* Score, and so in proportion for any greater or less Number.

Additional
Toll to be
taken in case
the Cannon
Street Roads
are paved.

LXXVIII, And whereas it would be attended with great Benefit to all Carriages heavily laden passing on the *Cannon Street* Roads, if the same were paved; but as such paving will be attended with great Expence, be it therefore enacted, That from and after the Day that such last-mentioned Roads shall for the Space of Two Third Parts thereof in Length be paved, and such Pavement shall be fit for the Passage of Carriages, it shall and may be lawful to and for the said Trustees acting under this Act, in addition to the Toll herein before directed to be demanded and taken, to demand and take, or cause to be demanded and taken, for and on account of every Waggon, Wain, or other such Four-wheeled Carriage, and for and on account of every Cart or such other Two-wheeled Carriage, passing laden along the said Roads, the respective Tolls following; (that is to say,)

For every Waggon, Wain, or such other Four-wheeled Carriage, (laden with Hay or Straw,) or having Wheels of the Breadth of Six Inches or upwards on the Bottom or Sole thereof, being horizontal on the Surface of the Tire, and rolling an even Surface, drawn by Five or more Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by Three or Four Horses or Beasts of Draught, the Sum of Sixpence; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Three-pence:

For every Waggon, Wain, or such other Four-wheeled Carriage, (not being laden with Hay or Straw,) with Wheels of less Breadth than Six Inches as aforesaid, or rolling a Surface not horizontal, and drawn by Three or Four Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses or Beast of Draught, or One Horse or Beast of Draught, the Sum of Four-pence:

For every Cart or such other Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, or upwards, and drawn by Three or more Horses or Beasts of Draught, the Sum of Four-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Three-pence; and drawn by One Horse or Beast of Draught, the Sum of One Penny; and

For every Cart or such other Two-wheeled Carriage of less than Six Inches in Breadth as aforesaid, and drawn by Three Horses or Beasts of Draught, the Sum of Sixpence; and drawn by Two Horses or Beasts of Draught, the Sum of Four-pence; and drawn by One Horse or Beast of Draught, the Sum of Two-pence.

LXXIX. And

LXXIX. And be it further enacted, That the said Trustees acting under this Act shall and may continue the Erection of, and erect and set up, or cause to be erected and set up, One or more Gate or Gates, Turnpike or Turnpikes, in, upon, and across the *Commercial Road*, the *Horseferry Branch of Road*, and the *Shadwell and Mile End Branch of Road*, and also may erect and set up, or cause to be erected and set up, a Side Gate or Turnpike, or so many Side Gates or Turnpikes, as they shall think proper, across or on the Side of that Part of the said *Commercial Road* where the said *Horseferry Branch of Road* joins or meets the said *Commercial Road*, and also across or on the Side or Sides, of any other Part of the said *Commercial Road*, where any Highway doth or shall or may join or meet the same, or at the End or Opening of any other Lane or Highway which doth or may open into or upon any Common or Waste Land adjoining to the said *Commercial Road*, provided such End or Opening be not further distant from the said *Commercial Road* than the Space of One hundred Yards, or at any Point or Place within One hundred Yards up such last-mentioned Lane or Highway not further distant than One hundred Yards from the said *Commercial Road*, together with Toll Houses and proper and necessary Buildings, Gardens, Conveniences, and Fences near to each such Gate or Turnpike, whether across the said *Commercial Road* or on the Side thereof, or across such other Lane or Highway, or at the Side thereof, or in or upon any Common or Waste Ground adjoining thereto; and that the respective Tolls following shall and may, Once in every Day, be demanded and taken of and from all and every or any Person and Persons passing with or attending any Cattle or Carriage, by such Person or Persons as the said Trustees shall from Time to Time appoint, at each of the said Gates or Turnpikes erected or to be erected upon or by the Side or Sides of the said *Commercial Road* or *Horseferry Branch of Road* aforesaid, and also so often in any One Day as any Waggon, Wain, Cart, or other such Carriage shall pass laden through the said Turnpike, and so often in any One Day as any Coach, Chaise, or other like Carriage travelling for Hire shall pass, before any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass through the same; (that is to say,)

Turnpikes may be erected, and Tolls taken on the *Commercial Road*, *Horseferry Branch of Road*, and the *Shadwell and Mile End Branch of Road*.

For every Coach, Berlin, Landau, Vis-a-vis, Chariot, Chaise, and Pleasure Carriage, and for every Hearse, Litter, or such other Carriage, having Four or Three Wheels, drawn by Six Horses or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Four Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Sixpence: For every Two-wheeled Chaise or Chair drawn by Two Horses or Beasts of Draught, the Sum of Sixpence; and drawn by One Horse or Beast of Draught, the Sum of Four-pence:

Tolls on the *Commercial Road* and *Horseferry Branch of Road*.

For every Waggon, Wain, or such other Four-wheeled Carriage, (laden with Hay or Straw,) or having Wheels of the Breadth of Six Inches or upwards on the Bottom or Sole thereof, being horizontal on the Surface of the Tire, and rolling an even Surface, drawn by Five or more Horses or Beasts of Draught, the Sum of

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Two Shillings and Three-pence; and drawn by Three or Four Horses or Beasts of Draught, the Sum of One Shilling and Six-pence; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Nine-pence:

For every Waggon, Wain, or such other Four-wheeled Carriage, (not being laden with Hay or Straw,) with Wheels of less Breadth than Six Inches as aforesaid, or rolling a Surface not horizontal, and drawn by Five or more Horses or other Beasts of Draught, the Sum of Three Shillings; and drawn by Three or Four Horses or Beasts of Draught, the Sum of Two Shillings and Three-pence; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of One Shilling and One Penny Halfpenny:

For every Cart or other such Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid or upwards, drawn by Three or more Horses or Beasts of Draught, the Sum of One Shilling and One Penny Halfpenny; and drawn by Two Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by One Horse or Beast of Draught, the Sum of Four-pence Halfpenny:

For every Cart or other such Two-wheeled Carriage, with Wheels of less than Six Inches Breadth as aforesaid, drawn by Three or more Horses or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horses or Beasts of Draught, the Sum of One Shilling and One Penny Halfpenny; and drawn by One Horse or Beast of Draught, the Sum of Sixpence:

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

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

For every Drove of Swine, Sheep, or Lambs, the Sum of Three-pence *per* Score, and so in proportion for any greater or less Number.

The Trustees, in order to enable them to light, watch, and water the Commercial Road and Horseferry Branch of Road, may take a Night Toll.

LXXX. And the better to enable the said Trustees to light, watch, and water the said *Commercial* Road and *Horseferry* Branch of Road, be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons by them duly authorized, to demand, have, receive, and take, at any Turnpike Gate or Gates, Bar or Bars, erected or to be erected on the said last-mentioned Road and Branch of Road in pursuance of this Act, from the Twenty-ninth Day of *September* to the Twenty-fifth Day of *March* in every Year, both Days inclusive, after Sun-set in one Day until Sun-rising of the next Day, over and above such Tolls or Duties as are herein-before granted, the Tolls or Duties following; (that is to say),

For every Coach, Berlin, Landau, Hearsé, Chaise Marine, Chariot, Calash, Curricle, Chaise, Chair, Pleasure Cart, or any other Carriage (except Waggon, Wains, Carts, and Drays used for Husbandry and Carriage of Goods, and not for Pleasure), drawn by Six Horses or other Cattle, the Sum of Four-pence Halfpenny; and

and drawn by Three or Four Horses or other Cattle, the Sum of Three-pence; and drawn by Two Horses or other Cattle, the Sum of Two-pence:

For every Chaise, Chair, or Pleasure Cart with Two Wheels, drawn by One Horse or other Cattle, the Sum of One Penny Halfpenny:

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

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

LXXXI. And be it further enacted, That it shall and may be lawful to and for the said Trustees acting under this Act, from and after the making and completing of the said Stoneway from the Entrance of the *West India Docks* to *Church Lane Whitechapel* aforesaid, to demand and take, or cause to be demanded and taken, at the several Gates or Turnpikes erected or to be erected on or by the Side or Sides of the said Road called the *Commercial Road*, so often in any One Day as any Waggon, Wain, Cart, or such other Carriage, travelling on the said *Commercial Road* in manner herein-after mentioned, shall pass laden through the said Turnpike, before any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass through the same, in lieu of the Tolls herein-before granted by this Act, the respective Tolls following; (that is to say),

Tolls to be taken on the Commercial Road Stoneway.

For every Waggon, Wain, or other such Carriage, having more than Two Wheels, passing laden either from the *West India Docks* or the *East India Docks*, or the Warehouses belonging to or rented by the *East India Company* situate in the Parish of *All Saints Poplar*, or *Bromley* in the Parish of *Bromley Saint Leonard* otherwise *Saint Leonard Bromley*, both in the County of *Middlesex* aforesaid, drawn by One, Two, Three, or Four Horses or Beasts of Draught or other Cattle, and not more, or otherwise drawn or propelled, but which with the Loading thereof respectively shall not exceed the Weight of Five Tons, the Sum of Two Shillings and Three-pence; and drawn by One Horse or Beast of Draught or other Cattle, or otherwise drawn or propelled, but which with its Loading shall not exceed the Weight of Three Tons, the Sum of One Shilling and Three-pence:

Tolls.

For every other Waggon, Wain, or other such Carriage, having more than Two Wheels, making use of the said Stoneway, drawn by One, Two, Three, or Four Horses or Beasts of Draught or other Cattle, and not more, or otherwise drawn or propelled, but which with the Loading thereof respectively shall not exceed the Weight of Five Tons, the Sum of Two Shillings and Three-pence; and drawn by One Horse or Beast of Draught or other Cattle, or otherwise drawn or propelled, but which with its Loading shall not exceed the Weight of Three Tons, the Sum of One Shilling and Three-pence:

For every Cart or other such Two-wheeled Carriage passing laden either from the *West India Docks* or the *East India Docks*, or the Warehouses belonging to or rented by the *East India Company* situated as aforesaid, drawn by One, Two, Three, or Four Horses or Beasts of Draught or other Cattle, and not more, or otherwise drawn

drawn or propelled, but which with the Loading thereof respectively shall not exceed the Weight of Three Tons Ten Hundred Weight, the Sum of One Shilling and Sixpence; and drawn by One Horse or Beast of Draught or other Cattle, or otherwise drawn or propelled, but which with its Loading shall not exceed the Weight of Two Tons Ten Hundred Weight, the Sum of One Shilling and Two-pence; and not exceeding Two Tons, the Sum of Nine-pence: For every other Cart or other such Two-wheeled Carriage making use of the said Stoneway, drawn by One, Two, Three, or Four Horses or Beasts of Draught or other Cattle, and not more, or otherwise drawn or propelled, but which with its Loading respectively shall not exceed the Weight of Three Tons Ten Hundred Weight, the Sum of One Shilling and Sixpence; and drawn by One Horse or Beast of Draught or other Cattle, or otherwise drawn or propelled, but which with its Loading shall not exceed the Weight of Two Tons Ten Hundred Weight, the Sum of One Shilling and Two-pence; and not exceeding Two Tons, the Sum of Nine-pence.

Toll paid in respect of an empty Waggon passing on the Stoneway to exempt it on its Return.

LXXXII. Provided always, and be it further enacted, That from and after the Formation of the said Stoneway, if Payment of Toll for or in respect of the Passage of any empty Waggon or Cart, whether using the said Stoneway or not, shall have been made at any or either of the said Gates or Turnpikes, no further Toll shall be demanded or taken for the Return or Second Passage of such Waggon or Cart through the same Gate or Turnpike, or for the next Passage through any other Gate or Turnpike on the same Road on the same Day, whether such Waggon or Cart be empty or laden on such Return or Second Passage as aforesaid.

Trustees may erect Gates on the East India Dock Road.

LXXXIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees and they are empowered to erect or cause to be erected such and so many Gates or Turnpikes upon or across such Part or Parts of the *East India Dock* Road aforesaid, and over or near the Sides thereof respectively, through, in, near, unto, or across any Lanes or Ways leading or that may hereafter lead out of the same, and also to erect or cause to be erected such and so many Toll Houses as they shall think proper, and shall and may purchase and take Land sufficient for any such Toll House or Toll Houses, with the necessary Accommodations thereto, and from Time to Time to remove, alter, or discontinue such Gates, Turnpikes, and Toll Houses, or any of them, as they the said Trustees shall judge meet and convenient.

Tolls to be taken on East India Dock Road.

LXXXIV. 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, the respective Tolls following, and no more, at any Gate or Turnpike erected or to be erected on the said *East India Dock* Road, Once in every Day, from all and every Person and Persons passing with or attending any Cattle or Carriage, and also so often in any One Day as any Waggon, Wain, Cart, or other such Carriage shall pass laden, and so often in any One Day as any Coach, Chaise, or other like Carriage travelling for Hire shall pass, before
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any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass through the same ; (that is to say),

For every Coach, Berlin, Landau, Vis-a-vis, Chariot, Chaise, and Pleasure Carriage, and for every Hearse, Litter, or such other Carriage, having Four or Three Wheels, drawn by Six Horses or Beasts of Draught, the Sum of Nine-pence ; and drawn by Four Horses or Beasts of Draught, the Sum of Sixpence ; and drawn by Three Horses or Beasts of Draught, the Sum of Four-pence Halfpenny ; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Three-pence :

Tolls.

For every Two-wheeled Chaise or Chair, drawn by Two Horses or Beasts of Draught, the Sum of Three-pence ; and drawn by One Horse or Beast of Draught, the Sum of Two-pence :

For every Waggon, Wain, or such other Four-wheeled Carriage, (laden with Hay or Straw,) or having Wheels the Breadth of Six Inches or upwards on the Bottom or Sole thereof, being horizontal on the Surface of the Tire, and rolling an even Surface, drawn by Five or more Horses or Beasts of Draught, the Sum of One Shilling and One Penny Halfpenny ; and drawn by Three or Four Horses or Beasts of Draught, the Sum of Nine-pence ; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Four-pence Halfpenny :

For every Waggon, Wain, or other such Four-wheeled Carriage, (not being laden with Hay or Straw), with Wheels of less Breadth than Six Inches as aforesaid, or rolling a Surface not horizontal, and drawn by Three or Four Horses or Beasts of Draught, the Sum of One Shilling and One Penny Halfpenny ; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Sixpence :

For every Cart or such other Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, or upwards, and drawn by Three or more Horses or Beasts of Draught, the Sum of Sixpence ; and drawn by Two Horses or Beasts of Draught, the Sum of Four-pence Halfpenny ; and drawn by One Horse or Beast of Draught, the Sum of One Penny Halfpenny :

For every Cart, or such other Two-wheeled Carriage, of Wheels of less than Six Inches Breadth as aforesaid, drawn by Three Horses or Beasts of Draught, the Sum of Nine-pence ; and drawn by Two Horses or Beasts of Draught, the Sum of Sixpence ; and drawn by One Horse or Beast of Draught, the Sum of Three-pence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny :

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

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

LXXXV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, from and after the making and completing of the said Stoneway from *Limehouse* to the Entrance Gate of the *East India* Docks aforesaid, to demand and take, or cause

Tolls to be taken on the East India Dock Road Stoneway.

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to be demanded and taken, at the several Gates or Turnpikes erected or to be erected on or by the Side of the said Road called the *East India Dock* Road, so often in any One Day as any Waggon, Wain, Cart, or other such Carriage, travelling on the said Road in manner herein-after mentioned, shall pass laden through the said Turnpike, before any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass through the same, in lieu of the Tolls herein-before granted by this Act, the respective Tolls following, and no more; (that is to say),

Tolls.

For every Waggon, Wain, or other such Carriage, having more than Two Wheels, passing laden either from the *East India* Docks, or the Warehouses belonging to or rented by the *East India* Company, situate as aforesaid, drawn by One, Two, Three, or Four Horses or Beasts of Draught or other Cattle, and not more, or otherwise drawn or propelled, but which with the Loading thereof respectively shall not exceed the Weight of Five Tons; the Sum of One Shilling and One Penny Halfpenny; and drawn by One Horse or Beast of Draught or other Cattle, or otherwise drawn or propelled, but which with its Loading shall not exceed the Weight of Three Tons, the Sum of Eight-pence:

For every other Waggon, Wain, or other such Carriage, having more than Two Wheels, making use of the said Stoneway, drawn by One, Two, Three, or Four Horses or Beasts of Draught or other Cattle, and not more, or otherwise drawn or propelled, but which with the Loading thereof respectively shall not exceed the Weight of Five Tons; the Sum of One Shilling and One Penny Halfpenny; and drawn by One Horse or Beast of Draught or other Cattle, or otherwise drawn or propelled, but which with its Loading respectively shall not exceed the Weight of Three Tons, the Sum of Eight-pence:

For every Cart or other such Two-wheeled Carriage, passing laden either from the *East India* Docks, or the Warehouses belonging to or rented by the *East India* Company, situate as aforesaid, drawn by One, Two, Three, or Four Horses or Beasts of Draught or other Cattle, and not more, or otherwise drawn or propelled, but which with the Loading thereof respectively shall not exceed the Weight of Three Tons Ten Hundred Weight, the Sum of Nine-pence; and drawn by One Horse or Beast of Draught or other Cattle respectively, or otherwise drawn or propelled, but which with its Loading shall not exceed the Weight of Two Tons Ten Hundred Weight, the Sum of Seven-pence; and not exceeding Two Tons, the Sum of Four-pence Halfpenny:

For every other Cart or other such Two-wheeled Carriage making use of the said Stoneway, drawn by One, Two, Three, or Four Horses or Beasts of Draught or other Cattle, and no more, or otherwise drawn or propelled, but which with its Loading respectively shall not exceed the Weight of Three Tons Ten Hundred Weight, the Sum of Nine-pence; and drawn by One Horse or Beast of Draught or other Cattle, or otherwise drawn or propelled, but which with its Loading shall not exceed the Weight of Two Tons Ten Hundred Weight, the Sum of Seven-pence; and not exceeding Two Tons, the Sum of Four-pence Halfpenny:

LXXXVI. And be it further enacted, That from and after the making and completing of the said respective Stoneways, every Waggon, Wain, or other such Carriage having more than Two Wheels, and every Cart or other Two-wheeled Carriage returning laden either from the *West India Docks* or the *East India Docks*, or the Warehouses belonging to or rented by the *East India Company*, situated as aforesaid, and every other Waggon, Wain, or other such Carriage, having more than Two Wheels, and every Cart or other such Two-wheeled Carriage, making use of the said Stoneway as aforesaid, and carrying any greater Weight (including such Waggon, Wain, or Cart respectively) than is herein-before respectively allowed for the Horse or Horses, Beast or Beasts, or other Cattle or Power drawing or propelling the same respectively, which shall pass along the said *Commercial Road* or *East India Dock Road* respectively, and within the Distance of Fifty Yards of any Weighing Engine already erected or to be erected thereon respectively by virtue of this Act, shall be liable to the said several and respective Tolls herein-before authorized to be collected on the said Roads respectively as aforesaid, and shall also be weighed at any or either of the Weighing Engines erected or to be erected on the said Roads respectively, and in lieu of the Toll or Tolls granted by this Act as and for Overweight, the Sum of Sixpence shall be paid for every Hundred Weight of such Overweight which shall exceed such Allowance of Weight as is herein-before mentioned in respect thereof respectively as aforesaid; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Waggons and Carts exceeding the Weights allowed to the Number of Horses drawing the same, liable to Toll for Overweight in addition to the other Tolls.

LXXXVII. And be it further enacted, That no Waggon, Wain, or other such Carriage, having more than Two Wheels, and no Cart or other such Two-wheeled Carriage, shall go or pass upon or along or otherwise make use of the said Stoneway or Stoneways, or any Part thereof, (except from unavoidable Cause, or at the Time of passing through the Turnpike Gates or Bars erected or to be erected on the said Roads or Branches of Road, or for the Purpose of and in order to avoid any Obstacle or Obstruction to the free Passage on the said Roads or Branches of Road respectively,) and except as herein-after mentioned, without the Toll by this Act granted being paid by the Person or Persons attending such Waggon, Wain, or other such Carriage respectively, for and in respect of such Passage or Use of the said Stoneway or Stoneways.

Waggons and Carts not to use Stoneway without Payment of Toll.

LXXXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to compel or require any Person or Persons attending any Waggon, Wain, Cart, or Carriage carrying Goods, Wares, or Merchandize to or from the said *East India Docks*, or the Warehouses belonging to or rented by the said *East India Company*, to pay the Toll by this Act charged upon and in respect of any such Stoneway, without the Consent in Writing of the said Company for that Purpose signified under the Hand of their Secretary or Assistant Secretary for the Time being, unless such Stoneway shall be made use of by such Waggon, Wain, Cart, or Carriage: Provided nevertheless, that nothing herein contained shall extend, or be deemed, construed, or

Persons attending Waggons, &c. not to pay Toll for the Stoneway unless they use it.

Proviso as to other Tolls.

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taken to extend, to exempt such Waggon, Wain, Cart, or Carriage from Payment of the other Tolls by this Act granted for Passage on the said Roads or Branches of Road.

Waggons and
Carts passing
Gate without
Payment of
Stoneway
Toll, and
afterwards
using the
Stoneway,
liable to Toll
at next Gate.

LXXXIX. Provided always, and be it further enacted, That if any Waggon, Wain, or other Carriage having more than Two Wheels, or any Cart or other such Two-wheeled Carriage, shall pass through any Turnpike Gate or Bar erected or to be erected upon or by the Side or Sides of the *Commercial Road* or the *East India Dock Road* respectively, without Payment being made or having been made of the Toll herein-before granted and made payable for making use of the said Stoneway, and shall afterwards pass along or upon the said Stoneway (unless from unavoidable Cause, or at the Time of passing through the Turnpike Gates or Bars erected or to be erected on the said Roads or Branches of Road respectively, or for the Purpose of and in order to avoid any Obstacle or Obstruction to the free Passage on the said Roads or Branches of Road respectively), every such Waggon, Wain, Cart, or other like Carriage so passing along or upon the said Stoneway, and making use of the same, shall be liable to double the Amount of the Toll herein-before made payable in respect thereof respectively, at the next Turnpike Gate or Bar erected or to be erected upon or by the Side or Sides of any or either of the said Roads or Branches of Road respectively; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Penalty for
impeding
Traffic on
the Stone-
way.

XC. And be it further enacted, That in case any Person or Persons shall permit or suffer any Coach, Berlin, Landau, Vis-a-vis, Chariot, Chaise, or Pleasure Carriage, Hearse, Litter, or such other Carriage, or any Waggon, Wain, Cart, or such other like Carriage, (except in case of Accident, and then only until the same can be removed,) to stand, remain, or continue upon the said Stoneway or Stoneways, or any Part thereof, for the Purpose of loading or unloading or otherwise, so as to retard or interrupt the free Passage upon the said Stoneway or Stoneways, or any Part thereof, every Person or Persons so offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered in such and the like Manner as Penalties are herein-after directed to be recovered, and the same when recovered shall be applied for the Purposes of this Act.

Trustees may
erect Gates
on the Bark-
ing Road.

XCI. And be it further enacted, That it shall and may be lawful to and for the said Trustees acting under this Act, and they are hereby empowered, to erect or cause to be erected such and so many Gates or Turnpikes upon or across such Part or Parts of the said Road called the *Barking Road*, and over or near the Sides thereof respectively, through, in, near unto, or across any Lanes or Ways leading or that may hereafter lead out of the same; and also to erect or cause to be erected a Turnpike Gate or Bar, or Turnpike Gates or Bars, at the Iron Bridge erected over the River *Lea*, on the Line of the *Barking Road* aforesaid, such and so many Toll Houses as they shall think proper, and shall and may purchase and take Land sufficient for any such Toll House or Toll Houses, with the necessary
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Accommodations thereto ; and from Time to Time to remove, alter, or discontinue the Gates, Turnpikes, and Toll Houses, or any of them, as they the said Trustees shall judge meet and convenient.

XCII. 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, the respective Tolls following, and no more, at any Gate or Turnpike erected or to be erected on the *Barking Road*; Once in every Day, from all and every Persons and Person passing with or attending any Cattle or Carriage, and also so often in any One Day as any Waggon, Wain, Cart, or other such Carriage shall pass laden, and so often in any One Day as any Coach, Chaise, or other like Carriage travelling for Hire shall pass, before any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass through the same ; (that is to say),

For every Coach, Berlin, Landau, Vis-a-vis, Chariot, Chaise, and Pleasure Carriage, and for every Hearse, Litter, or such other Carriage, having Four or Three Wheels, drawn by Six Horses or Beasts of Draught, the Sum of One Shilling and Sixpence ; and drawn by Three or Four Horses or Beasts of Draught, the Sum of One Shilling ; and drawn by Two Horses or Beasts of Draught, the Sum of Nine-pence ; and drawn by One Horse or Beast of Draught, the Sum of Sixpence :

For every Two-wheeled Chaise or Chair drawn by Two Horses or Beasts of Draught, the Sum of Nine-pence ; and drawn by One Horse or Beast of Draught, the Sum of Sixpence :

For every Waggon, Wain, or other Four-wheeled Carriage, laden with Hay or Straw, or having Wheels the Breadth of Six Inches or upwards on the Bottom or Sole thereof, being horizontal on the Surface of the Tire, and rolling an even Surface, drawn by Five or more Horses or Beasts of Draught, the Sum of Two Shillings ; and drawn by Three or Four Horses or Beasts of Draught, the Sum of One Shilling and Sixpence ; and drawn by Two Horses or Beasts of Draught, the Sum of One Shilling ; and drawn by One Horse or Beast of Draught, the Sum of Nine-pence :

For every Waggon, Wain, or such other Four-wheeled Carriage, (not being laden with Hay or Straw), with Wheels of less Breadth than Six Inches as aforesaid, or rolling a Surface not horizontal, and drawn by Three or Four Horses or Beasts of Draught, the Sum of Two Shillings ; and drawn by Two Horses or Beasts of Draught, the Sum of One Shilling and Sixpence ; and drawn by One Horse or Beast of Draught, the Sum of Nine-pence :

For every Cart or such other Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, or upwards, and drawn by Three or more Horses or Beasts of Draught, the Sum of One Shilling ; and drawn by Two Horses or Beasts of Draught, the Sum of Nine-pence ; and drawn by One Horse or Beast of Draught, the Sum of Sixpence :

For every Cart or such other Two-wheeled Carriage, with Wheels of less than Six Inches Breadth as aforesaid, drawn by Three Horses or Beasts of Draught, the Sum of One Shilling and Sixpence, and drawn by Two Horses or Beasts of Draught, the Sum of One

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Shilling ;

Shilling; and drawn by One Horse or Beast of Draught, the Sum of Nine-pence:

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

For every Drove of Oxen or Neat Cattle the Sum of One Shilling *per* Score, and so in proportion for any greater or lesser Number; and

For every Drove of Swine, Sheep, or Lambs, the Sum of Sixpence *per* Score, and so in proportion for any greater or lesser Number.

Toll on Passengers over the Bridge over River *Lea*.

XCIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees acting under this Act to cause to be demanded, received, or taken, for Pontage, as or in the Name of a Toll, from every Foot Passenger, and from every Person riding or being in or upon any Waggon, Wain, Cart, Dray, or such like Carriage, except the Driver and One other Person attending the same, any Sum not exceeding the Sum of One Penny each; which said Toll shall be demanded and taken every Time such Person or Persons shall pass along and over the Iron Bridge erected over the River *Lea* on the Line of the *Barking* Road aforesaid, before any Passage over the said Bridge shall be permitted; and such Tolls, when so raised, levied, and collected, shall be applied for the several Purposes of carrying the several Powers of this Act into Execution, in relation to the *Barking* Road, and the Bridges and Arches communicating therewith.

Penalty on evading Tolls.

XCIV. And be it further enacted, That if any Person shall forcibly pass through any Toll Gate or Turnpike erected or to be erected at or upon the said Bridge, without first paying Toll for the same, or having passed through the same without having paid the same, shall, on Demand thereof, refuse such Payment, or shall get or take any other Person or Persons into or upon any Carriage whatever, or upon any Horse or other Cattle, with Intent to evade the Payment of the said Tolls, or any Part thereof; or if any Person shall give to or receive from any Person, other than the Person or Persons appointed to collect the said Tolls, any Note or Ticket to be given by any of the said Collectors or Toll Gatherers, or shall forge or counterfeit any Note or Ticket, or make use of any such forged or counterfeited Ticket; every Person so offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds, whereof one Moiety shall be paid to the Informer or Informers, and the other Moiety to the said Trustees.

Masters and Owners of Vessels liable for Damage done to the Bridge.

XCV. And be it further enacted, That the Master or Owner or Owners of every Barge, Boat, Ship, or Vessel which shall pass upon the said River *Lea*, under and through the said last-mentioned Bridge, shall be and is hereby made answerable, responsible, and liable to make Satisfaction to the said Trustees for any Damage or Injury that shall or may be done to the said Bridge or any Part thereof, by any such Barge, Boat, Ship, or Vessel respectively, through the Negligence or wilful Default of the Person or Persons navigating the same.

XCVI. And be it further enacted; That if any Person shall, for Hire or Recompence, or with Intent to evade the Payment of the said Tolls, convey any Person, Carriage, Horse, Beast, or other Cattle, or any Goods, Article, or Thing, across the said River *Lea*, within the Distance of Three hundred Yards of the said Bridge, otherwise than over the said Bridge, every such Person shall for every such Offence forfeit and pay the Sum of Five Pounds, one Moiety whereof shall be paid to the Informer or Informers, and the other Moiety shall be paid to the said Trustees.

Penalty on conveying Persons, &c. over the River *Lea* for Hire.

XCVII. And be it further enacted, That in case the said Bridge shall at any Time become impassable or unsafe for Travellers or Carriages, the said Trustees shall and they are hereby required to cause the same to be forthwith rebuilt or repaired, and made safe and commodious for the Passage of Travellers, Cattle, and Carriages; and in the meantime and until the said Bridge shall be so rebuilt or repaired, and made safe and commodious, it shall be lawful for the said Trustees, and they are hereby required, during all such Time as the said Bridge shall be impassable or unsafe as aforesaid, to provide a proper and convenient Ferry for the Passage of Travellers, Cattle, and Carriages over the said River, as near to the said Bridge as conveniently may be; and it shall and may be lawful for such Person or Persons as the said Trustees shall appoint for the Purpose, to demand, collect, and receive, for the Passage of such Travellers, Cattle, and Carriages in and over the said Ferry, before they respectively shall be permitted to pass, the like Toll as is hereby authorized to be taken for passing over the said Bridge, any thing herein-before contained to the contrary thereof notwithstanding; and which Toll shall and may be recovered by such Ways and Means as the Tolls for passing through any Gate or Gates to be erected by virtue of this Act can or may be recovered.

When Bridge impassable, a Ferry to be provided by the Trustees.

XCVIII. And be it further enacted, That if any Person shall wilfully and maliciously pull down and destroy the said Bridge, or any other Bridge to be erected by virtue of this Act, or any Part thereof respectively, or any Toll House, or Posts, Rails, or Fences to be erected by virtue of this Act, every Person so offending shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom such Persons shall be tried shall have Power and Authority to cause such Persons to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm, or in mitigation of such Punishment, such Court may, if they think fit, award such Sentence as the Law directs in Cases of Petty Larceny.

Penalty on Persons wilfully damaging the Bridges.

XCIX. 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, on the *Shadwell* and *Mile End* Branch of Road, at any Gate or Turnpike erected or to be erected on the said Branch of Road, Once in every Day, from all and every Person and Persons passing with or attending any Cattle or Carriage, and also so often in any One Day as any Waggon, Wain, Cart, or other such Carriage shall

Tolls to be taken on the *Shadwell* and *Mile End* Branch of Road.

shall pass laden, and so often in any One Day as any Coach, Chaise, or other like Carriage travelling with a fresh Fare or Hire, shall pass, before any Horse or Horses, Beast or Beasts, Cattle or Carriages, shall be permitted to pass through the same, the following Tolls; (that is to say,)

Tolls.

For every Coach, Berlin, Landau, Vis-a-vis, Chariot, Chaise, and Pleasure Carriage, and for every Hearse, Litter, or such other Carriage, having Four or Three Wheels, drawn by Six Horses or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Four Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Sixpence; and drawn by One Horse or Beast of Draught, the like Sum of Sixpence:

For every Two-wheeled Chaise or Chair, drawn by Two Horses or Beasts of Draught, the Sum of Sixpence; and drawn by One Horse or Beast of Draught, the Sum of Four-pence:

For every Waggon, Wain, or such other Four-wheeled Carriage, laden with Hay or Straw, or having Wheels of the Breadth of Six Inches or upwards on the Bottom or Solethereof, being horizontal on the Surface of the Tire, and rolling an even Surface, drawn by Five or more Horses or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three or Four Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Sixpence:

For every Waggon, Wain, or such other Four-wheeled Carriage, (not being laden with Hay or Straw,) with Wheels of less Breadth than Six Inches as aforesaid, or rolling a Surface not horizontal, and drawn by Five or more Horses or other Beasts of Draught, the Sum of Two Shillings; and drawn by Three or Four Horses or Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horses or Beasts of Draught, or One Horse or Beast of Draught, the Sum of Nine-pence:

For every Cart or other such Two-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid or upwards, drawn by Three or more Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Sixpence; and drawn by One Horse or Beast of Draught, the Sum of Three-pence:

For every Cart or other such Two-wheeled Carriage, with Wheels of less than Six Inches Breadth as aforesaid, drawn by Three or more Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by One Horse or Beast of Draught, the Sum of Four-pence:

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

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

For every Drove of Swine, Sheep, or Lambs, the Sum of Three-pence *per* Score, and so in proportion for any greater or less Number.

Provided

Provided always, that such Gates on the said Branch of Road shall not exceed Two in Number, and Payment of Toll at one of such Gates shall be an Exemption from Payment of Toll at the other.

C. And be it further enacted, That all Coaches and Carriages commonly called Stages or Stage Coaches, which shall pass along any of the Roads or Branches of Road directed to be made or maintained under and by virtue of this Act, shall be and be deemed and taken to be, for the Purposes of this Act, Carriages travelling for Hire, and the same are hereby declared to be liable as such to the several Tolls and Duties authorized to be levied and collected in respect thereof under and by virtue of this Act.

Stage
Coaches to
be deemed
Carriages
travelling
for Hire.

CI. And be it further enacted, That all and every of the several and respective Sums of Money herein-before directed to be taken at the said Turnpike Gates or Bars erected or to be erected on or by the Side or Sides of the said Roads called the *Cannon Street Roads*, the *Commercial Road*, the *Horseferry Branch of Road*, the *East India Dock Road*, the *Barking Road*, and Bridge over the River *Lea*, and the *Shadwell and Mile End Branch of Road* respectively, shall be demanded and taken as Toll; and if any Person or Persons 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 thereof, it shall be lawful for the Person or Persons appointed to collect the said Tolls, and for any Surveyor or Surveyors of the said Roads or Branches of Road, or any other Person or Persons duly authorized by the said Trustees, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to stop, seize, and distrain any Horse or Horses, or other Beasts or Cattle upon which such Toll is by this Act imposed, together with their Bridles, Saddles, Gears, Harness, or Accoutrements, (except the Bridle or Reins of any Horse or other Beast separate from the Horse or Beast,) or any Part thereof, and any Article or Goods of any Foot Passenger liable to Toll as aforesaid; and if such Tolls, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Five Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Beast, Cattle, or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus (if any be), and what still remains unsold, on Demand, to the Owner thereof, after such Toll, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted and paid; and all the Tolls and Monies so to be collected and levied, and the Money borrowed or to be borrowed on the Credit thereof, shall be and are hereby vested in the said Trustees, and shall be paid, applied, and disposed of to and for the Uses, Intents, and Purposes, and in such Manner as is herein mentioned.

Power to
collect Tolls.

CII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to order and cause to be built and erected at any of the Turnpike Bars or Toll Gates erected or to be erected by virtue of this Act upon any Part of the said several Roads or Branches of Road to be maintained by this Act, or at such Distance from such Turnpike Bars or Toll Gates as they shall think

Weighing
Machines may
be erected.

[*Local.*]

30 B

requisite

requisite and expedient, a Crane, Machine, or Engine, with a suitable House or other Building thereto, proper for the weighing of Carts, Waggon, or Carriages conveying any Goods or Merchandizes whatsoever, and to each such Crane, Machine, or Engine to order and cause to be erected a Turnpike Gate or Toll Gate across the said Roads or Branches of Road, and by Writing to order all and every or any such Carriage or Carriages which shall pass loaded through any such Gate or Bar, or shall come upon the said Roads or Branches of Road, within the Distance of Fifty Yards from any such Crane, Machine, or Engine, although the same Carriage or Carriages shall not have passed through any Toll Gate or Turnpike Gate, to be weighed, together with the Loading thereof; and it shall be lawful for the said Trustees to order any Person or Persons to receive and take, over and above the Tolls hereby granted, the following Sums of Money, as additional Tolls, in respect of every Waggon or Cart not making use of the said Stoneways, or either of them, or paying Toll thereby granted in respect of such Act:

Tolls for
Overweight.

For every Hundred Weight, of One hundred and twelve Pounds to the Hundred Weight, which any Waggon, Cart, or Carriage, together with the Loading thereof, shall weigh at any Weighing Engine erected or to be erected by virtue of this Act, over and above the Weights herein-after allowed to each of them respectively; that is to say, for the First and Second Hundred Weight of such Overweight, the Sum of Three-pence for each Hundred Weight; and

For every Hundred Weight of such Overweight above Two hundred Weight, the Sum of Sixpence:

Which said additional Sums of Money or Toll hereby granted and made payable shall and may be levied and recovered in any of the Cases aforesaid, upon any Person liable thereto, or upon his or her Goods or Chattels, who shall, after such Demand made thereof, refuse or neglect to pay the same in such Manner as any other Toll or Duty is by this Act directed to be levied and recovered, and the Money arising from such additional Toll or Duty shall be applied to the Purposes of this Act: Provided always, that no Waggon with Wheels not less than Six Inches in Breadth, and rolling an even Surface, and which together with its Loading shall not exceed the Weight of Five Tons, nor any Cart with Wheels not less than Six Inches in Breadth, and rolling an even Surface, and which with its Loading shall not exceed the Weight of Three Tons, nor any Waggon with Wheels less than Six Inches in Breadth, and which with its Loading shall not exceed the Weight of Three Tons, nor any Cart with Wheels less than Six Inches in Breadth, and which with its Loading shall not exceed the Weight of Two Tons Ten Hundred Weight, nor any Waggon or Cart in respect whereof the Tolls shall be payable and paid for Passage along the said Stoneways, or either of them, and to which certain Weights are herein-before allowed, shall be liable to any of the said last-mentioned Tolls; but that the same shall be payable in respect of such Waggon and Carts respectively only, for any Weight over and above the said Weight so allowed to each of them respectively.

CIII. And be it further enacted, That the Keeper of every such Toll Gate or Bar where any such Weighing Engine shall be erected, or any other Person appointed or to be appointed by the said Trustees to the Care of such Machine or Engine, shall and is hereby required to weigh all such Waggons and Carts liable to be weighed by virtue of this Act, which shall pass laden through such Gates or Bars respectively, or shall come upon any Part of the said Roads or Branches of Road, within the Distance of Fifty Yards from any such Crane, Machine, or Engine, without passing through any such Turnpikes, Toll Gates, or Toll Bars respectively, and which he shall have reason to believe carry greater Weights than are allowed to pass without paying such additional Toll; and if any Gate Keeper or Person so appointed shall permit any such Waggon or Cart to pass through any such Toll Gate with greater Weight than is allowed as aforesaid, without weighing the same, and receiving such additional Tolls as aforesaid, and every Owner or Driver of any such Waggon or Cart which shall pass loaded through any such Gates or Bars respectively, or shall come upon any Part of the said Roads or Branches of Road, within the Distance of Fifty Yards from any such Crane, Machine, or Engine, who shall refuse to suffer his Carriage to be weighed, or who shall refuse to drive his Carriage upon the Engine, upon being required so to do by the Collector or Receiver of such additional Tolls, although such Waggon or Cart shall have passed beyond the Distance of One hundred Yards from any such Gates or Bars respectively, or beyond any such Crane or Engine as aforesaid, or shall not drive his Cart upon the said Weighing Engine for the Purpose of being weighed, being required so to do, every such Gate Keeper or Person so appointed as aforesaid shall for every such Offence forfeit any Sum not exceeding Five Pounds, and the Driver, being the Owner of every such Waggon or Cart, shall for every such Offence forfeit any Sum not exceeding Ten Pounds; and the Driver of every such Waggon or Cart, not being the Owner, shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Engine
Keepers to
weigh Wag-
gons, &c. on
Penalty.

CIV. And in order to detect the said Collector or Receiver in any fraudulent Connivance or Neglect of Duty in the Matters aforesaid, be it further enacted, That it shall and may be lawful for any Trustee, Creditor, Clerk, Treasurer, or Surveyor of the said Roads and Branches of Road respectively; if he shall suspect any such Connivance or Neglect as aforesaid, to cause any Carriage liable to be weighed by virtue of this Act, which shall have passed through any Toll Gate, or shall come upon any Part of the said Roads or Branches of Road within the Distance of Fifty Yards from the Place where such Crane, Machine, or Engine shall be erected, and shall not have passed or be above Three hundred Yards beyond or from such Toll Gate or Weighing Engine, to return to such Weighing Engine, and be there weighed, with the Loading thereof, in the Presence of such Trustee, Creditor, Clerk, Treasurer, or Surveyor, upon requiring the Driver thereof to drive such Carriage back to such Weighing Engine, and upon paying or tendering to him the Sum of One Shilling for so doing, (which Sum of One Shilling shall be returned to the Person weighing the same, if upon such Weighing the Carriage and the Loading of the same shall be found above the Weight thereby allowed); and the said

To prevent
Connivance
of Engine
Keepers.

said Trustees shall and are hereby authorized and required to inclose, from the said Roads and Branches of Road and Lands adjoining thereto, sufficient Ground for the Purpose of erecting such Cranes, Machines, or Engines, and Houses or other Buildings, and Conveniences thereto, and for the Purpose of making convenient Places for turning such Carriages upon every such Road and Branch of Road, where any such Weighing Engine shall be erected on each Side thereof, if the Ground will admit of the same; and there shall be a List of the Names of all the Trustees, and also of the Clerk, Treasurer, and Surveyor of such Roads or Branches of Road respectively, put up in the House or Building where any Weighing Engine shall be placed, to be inspected by the Owner or Driver of every such Carriage; and if the Driver of any such Carriage, being so requested to return with his Carriage to any such Weighing Engine, shall neglect or refuse so to do, he shall forfeit a Sum not exceeding Five Pounds; and it shall be lawful for any Peace Officer, or other Person or Persons being then present, upon such Neglect or Refusal, to drive and take such Carriage back to any such Weighing Engine, in order that the same may be weighed as aforesaid.

Penalty on unloading Waggon to avoid Payment of Tolls.

CV. And be it further enacted, That if any Person or Persons shall unload, or cause to be unloaded, any Goods, Wares, or Merchandize, from any Waggon, Cart, or other Carriage, at or before the same shall come to any Weighing Engine erected by virtue or in pursuance of this Act, or shall load or lay upon any such Carriage, after the same shall have passed any such Weighing Engine, any Goods, Wares, or Merchandize, taken or unladen from any Horse, Cart, or other Carriage belonging to or hired or borrowed by the same Waggoner or Carrier, in order to avoid the Payment of the said respective Duties of Three-pence and Sixpence *per* Hundred Weight in the Cases aforesaid, each and every Person so offending in any of the Cases aforesaid, and being thereof lawfully convicted before One or more Justice or Justices of the Peace for the Limits wherein the Offence shall be committed, upon the Oath of One or more credible Witness or Witnesses, shall forfeit and pay any Sum not exceeding Five Pounds, to be levied upon the Goods and Chattels of the Owner of such Cart, Waggon, or other Carriage; and each and every Driver, not being the Owner of such Waggon or Carriage, so offending, and being thereof convicted as aforesaid, in case he shall refuse or neglect to pay the Penalty or Sum awarded to be paid by such Justice or Justices, shall be committed to the House of Correction for the County or Place wherein the Offence shall be committed, for any Time not exceeding the Space of Three Calendar Months.

Penalty on turning out of Road to avoid Engine.

CVI. And be it further enacted, That if the Owner of any Waggon, Cart, or other such Carriage, or other Person, being the Driver thereof, travelling on the said Roads or Branches of Road where any Weighing Engine is or shall be erected, shall turn out of the same into any other Road, in order to avoid being weighed, or to avoid the paying of Toll, and shall afterwards proceed with such Carriage into and on any Part of the said Roads or Branches of Road, every such Owner or other Person convicted of such Offence, before One or more Justice or Justices of the Peace for the Limits where such Offence shall

shall be committed, upon the Oath of One or more credible Witness or Witnesses, shall forfeit (if he be the Owner) any Sum not exceeding Five Pounds, and if he be the Driver and not the Owner, any Sum not exceeding Fifty Shillings, upon Conviction, for every such Offence.

CVII. And to obviate any Doubts which may arise with respect to such Four-wheeled Carriages as consist of Two Wheels of the Breadth of Six Inches and Two of a less Breadth, be it further enacted, That all such Carriages with Four Wheels, Two whereof shall be of a less Breadth than Six Inches, although the other Two shall be of a greater Breadth, which shall pass through any Gate or Turnpike to be continued or erected by virtue of this Act, shall be liable to and be charged with the Tolls by this Act imposed upon any Waggon, Wain, or other Four-wheeled Carriage having the Fellies of the Wheels of less Breadth than Six Inches.

Breadth of
Wheels.

CVIII. Provided always, and be it further enacted, That all Horses, Cattle, or Carriages which shall pass the same Day through any Side Bar or Gate to be erected on the Side or Sides of the said Roads and Branches of Road respectively authorized to be made by this Act, across any Lane or Way leading into or out of the same, and through the next Turnpike Gate or Bar on the same Roads and Branches of Road, shall, on producing a Ticket, in like Manner be exempt at the other of the same last-mentioned Gates or Bars from so much Toll as shall have been respectively paid for such Horses, Cattle, or Carriages at the other of the same Gate or Gates which they shall have so previously passed through: Provided also, that no Toll shall be taken in respect of any Horse, Beast, Cattle, or Carriage which shall only cross the said Roads or Branches of Road, Stoneway or Stoneways.

Horses, &c.
to pass
through Side
Bars or Gates
free on pro-
ducing a
Ticket of Pay-
ment at other
Gates.

CIX. Provided also, and be it further enacted, That no Toll shall be demanded or taken for any Cattle or Carriages laden only with Stone, Brick, Gravel, Rubbish, or other Materials for making or repairing the said Roads and Branches of Road to be maintained by this Act, or for repairing the Highways in any Parish or Place through which any Part of the said Roads and Branches of Road lead, or laden only with Dung, Marl, Soil, Mould, Compost, or other Manure of what Nature or Kind soever, to be used in manuring or improving of Land (except as herein-after mentioned); or for any Cattle or Carriage laden only with Hay, Hay Grass, Sainfoin, Fodder, Straw, or Corn in the Straw, (except Carts or Carriages laden with Hay or Straw for Sale, or with Hay or Straw which shall have been bought and shall be then drawing home to the Purchasers thereof); or for any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the Inhabitants in any of the Parishes or Places passing in order to the using or repairing of the same; or for Cattle or Carriages going empty and unladen for, or returning empty and unladen after having carried such Stone, Bricks, Gravel, Rubbish, or other Materials for repairing the said Roads and Branches of Road, or for repairing the Highways in any Parish or Place through which the said Roads and Branches of Road lead, or such Dung, Marl, Soil, Mould, Com-

General Ex-
emptions
from Tolls.

[*Local.*]

30 C

post,

post, or other Manure of any Kind or Nature whatsoever, to be used in manuring and improving Land, or any Hay, or Corn in the Straw, or any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the said Inhabitants, or for any Cattle belonging to any of the said Inhabitants which shall be only going or returning from Pasture, Water, or drawing any Plough or Harrow, or for any Cattle or Carriage belonging to any Inhabitant of any Parish or Place wherein any such Turnpike shall be continued or erected, which shall be only passing to the Smith's Shop in order to be shoed or farried, or for the Return of any such Cattle or Carriage unladen; or for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or in returning back from conveying or guarding the same; or for the Horses of Soldiers upon their March or upon Duty, or for Cattle or Carriages attending them, or laden only with their Arms or Baggage, or returning after having been so employed; or for Horses or Carriages travelling with Paupers or Vagrants sent by Passes, or to be examined previously to obtaining the said Passes; nor for any Coaches, Berlins, Landaus, Chariots, Calashes, Chairs, or Passengers on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Middlesex* or the County of *Essex*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; nor for or in respect of any Cart or other Carriage, Horse, Beast, or other Cattle, employed in watering the Streets or Roads of the said Parishes; nor for or in respect of any Cart or other Carriage, Horse, Beast, or other Cattle, employed in collecting the Dirt, Dust, Filth, or Soil within the said Parishes and Hamlets; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, from the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied: Provided always, that nothing herein contained shall extend or be construed to extend to apply to any Pauper or Vagrant taken for the Purpose of being examined before being passed, unless such Pauper or Vagrant shall be conveyed in the ordinary Pass Cart or Carriage in the Custody of a Beadle or other Parish Officer.

Exemptions from Payment of Toll on Commercial Road in favour of the Owners and Tenants of certain Premises near Salmon's Lane in the Parish of St. Anne, Middlesex.

CX. And whereas in and by the said recited Act passed in the Forty-ninth Year of the Reign of His said late Majesty it was enacted, that no Toll or Tolls should be demanded or taken of or from the Owners or Tenants for the Time being of Three certain Pieces or Parcels of Land, Messuages, or Tenements situate and being in front of the *Commercial* Road, formerly belonging to *Robert Woodwell*, and to *John Satchell* and *William Dalgleish*, both since deceased, near to a certain former old Road or Lane called *Rose Lane*, in the Parish of *Saint Anne* in the County of *Middlesex* aforesaid, or the Tenants or Occupiers of the Land there belonging to *Francis Wilson*, and late in the Occupation of the said *Robert Woodwell*, *John Satchell*, and *William Dalgleish*; be it therefore further enacted, That no Toll or

Tolls shall be demanded or taken of or from the Owners or Tenants for the Time being of the said several and respective Premises hereinbefore mentioned and described, for or on account of his, her, or their or any or either of their Horses, Cattle, Carts, or Carriages respectively, or those of any other Person or Persons, bringing or carrying any Goods or Merchandize to or from the said Premises respectively, directly along, into, and through *Salmon's Lane* in the Parish of *Saint Anne* aforesaid.

CXI. Provided always, and be it further enacted, That if Payment of Toll for or in respect of the Passage of any empty Waggon or Cart not going to or coming from the said *East India* or *West India* Docks shall have been made at any or either of the said Gates or Turnpikes, no further Toll shall be demanded or taken for the Return or Second Passage of such Waggon or Cart through the same Gate or Turnpike, or for the next Passage through any other Gate or Turnpike on the same Road on the same Day, whether such Waggon or Cart be empty or laden on such Return or Second Passage as aforesaid.

Empty Waggon having paid Toll to return without further Payment.

CXII. And whereas Carts, Waggons, and other Carriages carrying Manure along the *Essex* Road aforesaid, not exempt from Payment of Toll in respect thereof under or by virtue of the Acts of Parliament passed for making or repairing the said Road, by reason thereof, and in order to avoid such Payment, do oftentimes pass along the said Roads and Branches of Road authorized to be maintained by virtue of this Act, to the great Injury and Destruction of the same, and without contributing to the Repairs thereof, the same being proprietary Roads, and no Statute Labour being performed thereon; be it therefore enacted, That the Exemption from Toll in this Act contained in respect of Carts, Waggons, and other Carriages carrying Manure, shall extend, and be construed, deemed, and taken to extend only to such Carts, Waggons, and other Carriages carrying Manure, as may within Eighteen Hours next before the Claim of Exemption from Toll in respect thereof have paid Toll on the said Roads and Branches of Road, and not otherwise; any thing in this Act or in any other Act or Acts contained to the contrary thereof in anywise notwithstanding.

For explaining certain Exemptions from Toll.

CXIII. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for any Horses or Carriages attending, or going to attend, or returning from having attended His Majesty or any of the Royal Family.

Horses, &c. of the Royal Family exempted.

CXIV. Provided always, and be it further enacted, That no Toll or Tolls shall be demanded or taken by virtue of this Act for or in respect of any Waggon, Wain, or other Carriage, Horse, Beast, or other Cattle, 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.

No Toll for Carriages laden with Ordnance, Barrack Stores, &c.

CXV. 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

Owners or Drivers of Waggons employed in conveying

the Service of His Majesty's Forces not to be subject to Penalties for Overweight, &c.

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, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any 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 herein or in any Act contained to the contrary notwithstanding.

Payment of Tolls on one Road to be maintained by this Act not to be an Exemption from Payment of Toll on the other Roads.

CXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to exempt any Person or Persons who shall have paid any Toll or Tolls for or in respect of any Coach, Berlin, Landau, Vis-a-vis, Chariot, Chaise, Pleasure Carriage, Hearse, Litter, or such other Carriage, or for or in respect of any Cart, Two-wheeled Chaise, or Chair, or for or in respect of any Waggon, Wain, or such other Four-wheeled Carriage, or for or in respect of any Cart or such other Two-wheeled Carriage, or for or in respect of any Horse, Mule, or Ass, or for or in respect of any Drove of Oxen or Neat Cattle, Swine, Sheep, or Lambs, at any Gate or Turnpike erected or to be erected on any One of the said Roads or Branches of Road directed to be amended and kept in repair by virtue of this Act, from the Payment of another Toll or Tolls in respect thereof respectively at any Gate or Turnpike erected or to be erected on any other or others of the said Roads or Branches of Road upon or in respect of which a separate and distinct Scale or Schedule of Tolls is by this Act directed to be demanded or taken by virtue of this Act.

Persons having paid Toll at one Gate exempted from any further Payment of Toll at any other Gate on the same Line of Road.

CXVII. Provided always, and be it further enacted, That after the respective Toll or Tolls shall have been paid for the passing of any Horse or Horses, Beast or Beasts, or any Carriage of any Nature or Description whatsoever, through any Gate erected on either of the said Roads and Branches of Road, then and in every such Case no further or other Toll or Tolls shall be demanded and taken for or in respect of such Horse or Horses, Beast or Beasts, or Carriage as aforesaid, for passing through any other Gate or Gates erected or to be erected on the same Road or Branch of Road, on the same Day, except as herein is directed with respect to Carriages travelling for Hire, or Waggons or Carts passing laden along the said Roads or Branches of Road.

Trustees to put up a Table of the Tolls.

CXVIII. And be it further enacted, That the said Trustees shall and they are hereby required, within Two Calendar Months after the passing of this Act, to put up, or cause to be put up, and afterwards to be continued, at every Toll Gate upon the said Roads and Branches of Road, a Table painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at every such Gate, distinguishing the several Tolls and the different Sorts of Carriages for which they are to be paid, where there shall be any Variation therein, and also a List of the
several

several Gates which shall be wholly or partially cleared by the Payment of Tolls at the Toll Gate or Bar where such Table of Tolls shall be affixed, otherwise no Toll shall be taken at such Gate until the same shall be so affixed and placed; and the said Trustees shall also provide Tickets denoting the Payment of Toll, and on such several Tickets shall be specified the Name of the Gate at which the same respectively shall be delivered, and also the Names of the several Gates freed by such Payment; and on the Production of such Ticket at any Gate or Gates therein mentioned as being cleared as aforesaid by the Payment of the Toll at the Gate where such Ticket was delivered, to the Person producing the same shall pass through the Gate or Gates therein mentioned without paying any further or additional Toll.

CXIX. And be it further enacted, That if any Dispute shall happen or arise about the Amount of the Tolls due, or the Charges of making, keeping, or selling any Distress made for Nonpayment of such Tolls, it shall be lawful for the Collector, or the Person distraining, to retain such Distress, or the Money arising from the Sale thereof, (as the Case may be,) until the Amount of the Tolls due, and the Charges of the making, keeping, and selling the Distress, be ascertained by some Justice of the Peace for the County or Place wherein such Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses (which Oath such Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Tolls due, and shall 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 Nonpayment thereof forthwith, by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon 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.

Any Justice may settle Disputes concerning Tolls.

CXX. And be it further enacted, That every Toll Collector of any of the Tolls by this Act granted shall place or caused to be placed, on some conspicuous Part of the Front of the Toll Houses at which they shall be respectively stationed, and so that the same shall appear to Public View, the Christian and Surname of each Collector, painted in Black on a Board with a White Ground, each of such Letters of such Name to be at least Two Inches in Length, and of a Breadth in proportion; and such Board shall be and remain at such Toll House during the whole of the Time that the Person whose Name shall be expressed thereon shall be on Duty thereat; and if any Collector of the said Tolls shall not place such Board, and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand and take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the said Trustees made in pursuance thereof, or shall demand and take a Toll from any Person or

Toll Collectors to put up their Names.

[Local.]

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Persons

Persons who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall refuse to permit or suffer any Person or Persons to read, or shall in anywise hinder any Person or Persons from reading the Inscription on such Board, or shall refuse to tell his Christian and Surname to any Person or Persons who shall demand the same, on being paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or omit to give to the Person paying the Toll a Ticket *gratis*, denoting the Payment of such Toll, and naming and specifying the Toll Gate at which such Ticket has been delivered, and the Toll Gate or Toll Gates (if any) freed by such Payment, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language, to any Trustee, Traveller, or Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty
for evading
Tolls.

CXXI. And be it further enacted, That if any Person shall, with any Horse, Cattle, Beast, or Carriage, go or pass to or from the said Roads or Branches of Road, through or over any Land or Ground near or adjoining thereto (not being a public Highway, and such Person not being the Owner or Occupier, or Servant or One of the Family of the Owner or Occupier of such Land or Ground), with Intent to evade the Payment of the Tolls granted by this Act; or if any Owner or Owners, or Occupier or Occupiers of any such Land or Ground, shall knowingly or willingly permit or suffer any Person (except as aforesaid), with any Horse, Cattle, Beast, or Carriage whatsoever, to go or pass through or over such Land or Ground with Intent to evade any such Tolls; or if any Person shall give or receive from any Person other than the Collectors of the Tolls, or forge or counterfeit or alter, any Note or Ticket directed to be given, with Intent to evade the Payment of the said Tolls or any Part thereof; or if any Person shall fraudulently or forcibly pass through any such Toll Gate with any Horse, Cattle, Beast, or Carriage whatsoever, by reason whereof the Payment of any Tolls shall be avoided or lessened, or shall take off, or cause to be taken off, any Horse or other Beast or Cattle from any Carriage, either before or after having passed through any Toll Gate, or having passed through any Toll Gate, shall afterwards add or put any Horse or other Beast to any such Carriage, and draw therewith upon any Part of the said Roads or Branches of Road, so as to increase the Number of Horses or other Beasts drawing the said Carriage, after the same shall have passed through any Toll Gate, whereby the Payment of all or any of the Tolls shall or may be evaded; or if any Person shall do any other Act whatever, in order or with Intent to evade the Payment of all or any of the said Tolls, and whereby the same shall be evaded; every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Certain Parts
of the Roads
may be
fenced.

CXXII. And whereas several Parts of the said Roads and Branches of Road lead over Fields or Wastes, Commons, or uncultivated Ground, and the Tolls by this Act granted may be easily evaded;

be it therefore further enacted, That the said Trustees may and they are hereby authorized and empowered, if they shall see Occasion, but not otherwise, to make or cause to be made sufficient Hedges, Ditches, and Fences by the Side or Sides of the said Roads and Branches of Road, so that the Payment of the said Tolls may not be evaded; and if any Person or Persons shall pull down or in anywise damage or displace any such Fence, or any Part thereof, or shall fill up or spoil any such Ditch, every Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

CXXIII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, any Three or more of the said Trustees, though not assembled at a Meeting, shall and may discharge such Collector or Receiver so neglecting or being incapable of performing his Duty, or absconding or absenting himself; and in such Case, and also in case any Collector or Receiver shall die, such Trustees shall and may nominate and appoint a proper Person to be Collector or Receiver of the said Tolls, to continue until the then next Meeting of the said 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 or Branches of Road, for the Space of Seven Days after Demand thereof made, and Notice in Writing given for that Purpose by any Three or more of the Trustees, though not assembled at a 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 or Justices of the Peace for the County or Place wherein the same shall be situated, by Warrant under his or their Hand and Seal or Hands and Seals, 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 any Three or more of them, or such new appointed Collector or Receiver, into the Possession thereof.

Three Trustees may remove Collectors for Misbehaviour.

CXXIV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, or in case of any Proceeding or Prosecution for the obtaining any of the Penalties imposed by this Act, the Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be and are hereby declared to be competent to give Evidence in any such Dispute, Suit, Litigation, or Proceeding.

Toll Collectors may be Witnesses.

CXXV. And

Power to
alter Tolls.

CXXV. And be it further enacted, That it shall be lawful for the said Trustees, assembled at their First Meeting to be held under the Authority of this Act, of which Seven Days Notice shall be given in Writing to be affixed on all the Turnpike Gates now erected upon the said Roads or Branches of Road, and also be inserted Twice in some Newspaper published in the said County of *Middlesex*, from Time to Time to alter, lessen, or reduce all or any of the Tolls by this Act granted, for such Time or Times as they the said Trustees shall think proper, and from Time to Time afterwards, at any Meeting to be held as aforesaid, as they shall see Occasion, to advance all or any of the Tolls so lessened or reduced, to any Sum or Sums of Money not exceeding the respective Rates herein-before mentioned; and such reduced Tolls as aforesaid shall and may be collected, levied, and applied in such and the same Manner as the said Tolls hereby granted are directed to be collected, levied, and applied: Provided always, that after the First Meeting to be held under the Authority of this Act, it shall not be lawful for the said Trustees to alter, lessen, or reduce any of the said Tolls without the Consent in Writing of the Person or Persons who shall be entitled to Three Fourth Parts of the Money which shall be then due on the Credit of the said Tolls.

Trustees may
remove
Toll Gates.

CXXVI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to take down and remove any Gate, Turnpike, or Toll Gate, Weighing Engine, Building, and other Convenience erected or provided by virtue of this Act, and to set up the same again in any other Place or Places in, upon, across, or on the Side or Sides of the said Roads or Branches of Road: Provided always, that no Gate or Turnpike, or Weighing Engine, to be erected or set up by virtue of this Act, shall at any Time after the same shall be set up be taken down or removed to any other Place, except by the Order of the said Trustees, or any Five or more of them, at a Meeting convened for that Purpose, and unless Twenty-one Days previous Notice in Writing shall be given thereof, and be affixed on all the Turnpikes then continued or erected by virtue of this Act, and also be inserted Twice in some Newspaper published or circulated in the said County of *Middlesex*; any thing in this Act contained to the contrary thereof notwithstanding.

Trustees may
lease the
Tolls.

CXXVII. And be it further enacted, That it shall be lawful for the said Trustees, after giving Twenty-one Days Notice in Writing to be affixed on all the Turnpike Gates which shall be then erected upon the said Roads and Branches of Road, and advertising the same Twice at least in some Newspaper published or circulated in the County of *Middlesex*, from Time to Time to lease and demise the Tolls granted by this Act, or any Part or Parts thereof, for any Term of Years not exceeding Three Years at any One Time, for the best Price that can be gotten for the same, payable at such Times and under such Covenants as the said Trustees shall think fit, they the said Trustees having a Counterpart of such Lease or Leases, and taking such other sufficient Security from the Person or Persons to whom any such Tolls shall be leased or demised, for Payment of such
Rents,

Rents, and Performance of the Covenants to be reserved and comprised in such Lease or Leases, as the said Trustees shall think fit.

CXXVIII. And be it further enacted, That it shall be lawful for the Trustees from Time to Time to compound for any Term not exceeding One Year at a Time, with any Person or Persons, or Bodies Politic or Corporate, for any Carriages, Horses, Beasts, or Cattle travelling on the said Roads or Branches of Road, for all or any of the Tolls to be paid in respect of such Carriages, Horses, Beasts, or Cattle; and all such Composition Money shall be paid in advance, quarterly or otherwise, as the said Trustees shall think fit, and in default the Composition shall be void.

Trustees may compound with any Persons for Tolls.

CXXIX. And be it further enacted, That the said Trustees at any Meeting to be held for that Purpose, whereof Fourteen Days Notice shall be given in Writing, to be affixed on all the Turnpike Gates then continued or erected in pursuance of this Act, and inserted Twice or oftener in One or more of the Newspaper or Newspapers published or circulated within the County of *Middlesex*, shall and may and they are hereby empowered from Time to Time to borrow and take up at Interest such Sum and Sums of Money as they shall think needful for the Execution of this Act, and for that Purpose, by any Writing or Instrument under their Hands and Seals, to assign over or mortgage the Tolls to be collected and levied at any of the said Turnpikes or Weighing Engines, or any Part thereof respectively, and also the respective Toll Houses, Weighing Engines, and Appurtenances, (the Charges of assigning or mortgaging the same to be paid out of such Tolls,) for any Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money to be borrowed by the said Trustees upon the Credit of such respective Tolls, to such Person or Persons, or his or their Trustee or Trustees, who shall advance and lend the same, to secure the Payment thereof with such Interest as the said Trustees shall think proper; which said Money so borrowed shall be applied and disposed of to the Purposes of this Act.

Trustees may raise Money by Mortgage or Annuity, secured by the Tolls.

CXXX. And be it further enacted, That such Mortgage or Mortgages may be in the Form following, or in such other Form as the said Trustees making the same shall think proper; (that is to say,)

Form of the Mortgage.

‘ BY virtue of an Act passed in the Ninth Year of the Reign of
 ‘ His Majesty King *George the Fourth*, intituled [*here set forth*
 ‘ *the Title of this Act*], we _____ 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, do grant, bargain, sell, and demise unto *A. B.*, his Executors,
 ‘ Administrators, and Assigns, such Proportion of the Tolls arising
 ‘ from [*here insert the Name or Names of the Road or Roads intended*
 ‘ *to be included in the said Security*], and of the Turnpikes, Toll
 ‘ Houses, and Weighing Engines for collecting the same, as the said
 ‘ Sum of _____ doth or shall bear to the whole Sum
 ‘ due and owing on the Credit thereof, to be had and holden from

[*Local.*]

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‘ this

the said Bridge now standing hath been and ought to have been before the passing of the said Act of the Forty-second Year of His late Majesty kept in repair by the Trustees for the River *Lea* Navigation: Provided always, that the said Trustees under this Act shall not, in repairing the said Bridge or in taking down the same, or in rebuilding or repairing such Bridge as shall be so rebuilt, or in any other Manner whatsoever, anywise obstruct, injure, or damage the Navigation of the said River.

CXXXII. And be it further enacted, That where any particular Part of the said Roads or Branches of Road, or any Bridge, Drain, or Sewer, being in and upon the said Roads or Branches of Road respectively, which hath been accustomed or ought to be repaired and maintained by any particular Person or Persons, Body Politic or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise, or by any County, or by any Parish, Township, or Place therein, every such Part of the said Roads and Branches of Road, Bridge, Drain, or Sewer, shall from Time to Time continue to be maintained and kept in repair by such Person or Persons, Body Corporate or Politic, County, Parish, Township, or Place, and in such Manner as the same were respectively maintained and kept in repair before the passing of this Act, except in Cases where it is otherwise expressly provided for by this Act; and that it shall and may be lawful for the Justices of the Peace for the County wherein such particular Part of the said Roads or Branches of Road, Bridge, Drain, or Sewer, shall lie, and they are hereby required and empowered at their General or Quarter Sessions, upon Application to them made by the said Trustees, or any Two or more of them, or their Clerk or Clerks for the Time being, to adjudge or determine where, how, and in what Manner the same from Time to Time shall be maintained.

Persons liable to repair Bridges, &c. to continue so.

CXXXIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time during the Continuance of this Act to compound and agree with the said Trustees for the River *Lea* Navigation, and with all or any other Person or Persons, Bodies Politic or Corporate, Parish, Township, Tithing, or Place, who is, are, or shall be liable or chargeable for or towards repairing of the said Bridge herein-before mentioned, or of any other particular Part of the said Roads or Branches of Road, or any of the Bridges, Drains, or Sewers in or upon the same, (except the Bridges liable to be repaired by the County, which shall continue to be repaired as heretofore,) for a certain Sum of Money by the Year or otherwise, as the said Trustees shall think fit, in lieu of such particular Works or Repairs to be done by such particular Person or Persons, Bodies Politic or Corporate, Township or Townships, Tithing, or Place as aforesaid.

Trustees may compound for such Repairs.

CXXXIV. Provided always, and be it further enacted, That whenever the ancient or former Road over any Waste Grounds shall by virtue of this Act be turned or diverted, the Inhabitants of the Parish, Township, or Hamlet wherein the ancient or former Road which shall thereby be left or discontinued lieth shall not be obliged to repair

As to Repairs of old Roads by this Act diverted.

repair such ancient or former Road, unless the same leads to some Town, Village, or Hamlet, Street or Place with which the said new Roads or Branches of Road do not communicate.

Fixing Mile
Stones,
Lamps, &c.

CXXXV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered and required, from Time to Time to cause such and so many Mile Stones or other Stones for marking the several Distances on the said Roads or Branches of Road from and to any Place or Places, as the said Trustees shall see fit and convenient, and also from Time to Time to cause such and so many Lamp Irons or Lamp Posts, to be put up or affixed in, upon, or along the Sides of the said Roads and Branches of Road, and within One hundred Feet of any Part or Parts of the said Roads and Branches of Road, or upon or against any Wall or Palisade of any House, Messuage, or Tenement fronting on the said Roads and Branches of Road, as they shall think proper, and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided and affixed or put upon such Lamp Irons and Lamp Posts, as they shall think necessary for lighting the said Roads and Branches of Road, and every or any Part thereof, and shall also have full Power and Authority from Time to Time to contract with any Person or Persons for providing, lighting, maintaining, cleansing, and repairing the said Lamps; and the Expences of providing the said Mile Stones or measuring Stones; and of providing, cleaning, lighting, and maintaining such Lamps, and the Allowances to be made to Watchmen herein-after to be appointed, and all other Charges incident to the said respective Services, shall be paid and defrayed by and out of the Money to be raised by virtue of this Act; any thing herein contained to the contrary notwithstanding.

Turnpikes,
&c. vested in
Trustees.

CXXXVI. And be it further enacted, That the Right and Property of all and every the Bridges, Arches, Gates, Bars, Turnpikes, Toll Houses, Mile Stones and measuring Stones and Posts, Storehouses, Rooms, Sheds, Carts, Machines, Engines, Materials for repairing Pavements, Posts, Rails, Implements, Utensils, and Things whatsoever, which now do or may hereafter belong to the said several Bridges, Arches, Roads, or Branches of Road, or which shall be continued, erected, and set up or provided by the said Trustees or by their Order, or otherwise belonging to and used by them for putting this Act in execution, and also the Right and Property of all such Lamps as shall be erected or fixed in pursuance of this Act, with the Posts, Irons, and other Furniture and Materials of such Lamps, and also the Right and Property of all the Arms and Accoutrements of the Watchmen and Patroles, and of all Watch-houses or Boxes, Benches, Implements, and Things to be provided for the said Watchmen and Patroles, shall be vested in the said Trustees, and they are hereby empowered to dispose of the same for the Use and Benefit of the said several Roads and Branches of Road as they shall think fit; and the said Trustees are hereby authorized and empowered to bring or cause to be brought any Action or Actions, or to prefer or order and direct the preferring of any Bill or Bills of Indictment, against any Person or Persons who shall steal, take, or carry away all or any Part of the said Articles, Matters, or Things herein-before vested in the said Trustees; and in

all

all such Actions or Bills of Indictment it shall be and be deemed and taken to be sufficient to state generally, that the said Articles, Matters, or Things for or on account of which such Action or Actions shall be brought, or such Bill or Bills of Indictment preferred, is or are the Property of the Trustees of the Road or Branch of Road to which such Articles, Matters, or Things shall belong, without particularly stating or specifying the Name or Names of all or any of the said Trustees.

CXXXVII. And be it further enacted, That if any Person shall wilfully break, throw down, deface, or damage any of the said Bridges, Arches, Gates, Bars, Turnpikes, Toll Houses, Mile Stones or measuring Stones or Posts, Storehouses, Rooms, Sheds, Carts, Machines, Engines, or any of the Watch-houses, Boxes, Benches, or other Requisites to be provided as aforesaid for the Purpose of collecting the Tolls, or maintaining or watching the said Roads or Branches of Road, it shall be lawful for any Person or Persons whomsoever who shall see such Offence committed to apprehend, and also for any other Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, without any other Warrant or Authority, to cause him, her, or them to be conveyed before some Justice of the Peace for the County of *Middlesex* or County of *Essex*, and 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 if the Party or Parties accused shall be convicted of all or any of the Offences aforesaid, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they so convicted shall forfeit and pay for every such Offence, to the Trustees for the Time being, a Sum not exceeding the Sum of Five Pounds, and shall also make Satisfaction to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not upon Conviction pay such Forfeitures, and make Satisfaction as aforesaid, such Justices are hereby required to commit him, her, or them to the nearest Bridewell or House of Correction for the said County of *Middlesex* or County of *Essex*, there to be kept to hard Labour for any Space of Time not exceeding Twenty-one Days, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall have been so committed, unless such Penalty or Forfeiture and Satisfaction shall be sooner paid or given.

For prevent-
ing Injuries
to Bridges,
&c.

CXXXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Trustees, or any Body or Bodies Politic or Corporate, or Person, contracting with the said Trustees for lighting with Gas the said Roads or Branches of Road, to carry or lay any Pipe or Pipes, Cocks, or Branches from any Mains or Pipes, against, into, or through any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, or to continue the same without the Consent in Writing of the Owner or Owners, Occupier or Occupiers for the Time being of such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings respectively, nor to enable

Gas Pipes
not to be laid
on private
Premises
without Con-
sent.

any Body or Bodies Politic or Corporate, or Person, contracting with the said Trustees for lighting such Roads or Branches of Road, to enter into or upon any private Lands or Grounds without the Consent in Writing of the Owner or Owners, Occupier or Occupiers of such Lands or Grounds for that Purpose first had and obtained.

Owners of private Grounds may alter the Position of Gas Pipes.

CXXXIX. Provided also, and be it further enacted, That in case the said Trustees shall at any Time hereafter permit the Soil, Pitching, or Pavement of any of the said Roads or Branches of Road, for the Purpose of laying any Gas Main or Gas Pipe along, under, or across the same, to be broken up, with the Consent of the Owner or Owners of the Soil for the Time being, and after the same shall have been so laid and placed such Owner or Owners shall be desirous of having the same removed, it shall be lawful for such Owner or Owners, at any Time or Times thereafter, if he, she, or they shall deem it necessary or expedient, at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to relay the same, so that no Damage be done thereby to the said Body or Bodies Politic or Corporate, or Persons, contracting with the said Trustees, and so that such Body or Bodies Politic or Corporate, or Person, contracting with the said Trustees as aforesaid, be not thereby prevented from or obstructed in lighting any public or private Lamp, unless such Damage or Obstruction be unavoidable.

Gas Pipes to be laid in a particular Manner.

CXL. And be it further enacted, That all and every the Pipes or Conduits to be laid or used for the Conveyance of Gas in, under, along, through, or across any of the said Roads or Branches of Road shall be so laid at the greatest practicable Distance, and (whenever the Width of the Carriageway will allow thereof) at the Distance of Four Feet at least from the nearest Part of any Pipe already laid down or hereafter to be laid down for the Conveyance of Water, except in Cases where it shall be unavoidably necessary to lay any of the said Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Cases the Length of the said Gas Pipes shall always exceed Nine Feet; and no Joint of the said Gas Pipes shall be placed nearer to any Part of the said Water Pipes than Four Feet; and that in laying down the said Gas Pipes, Two or more of them shall in no Case be joined together previously to their being laid in the Trench, but each Pipe shall be laid in the Trench as nearly in its Place as may be, and the Joint be formed in the Trench with proper and sufficient Materials; and all and every such Pipes, and all other Pipes connected therewith, and all Screws, Joints, and Apertures therein respectively, shall be kept tight in every respect, so as to prevent the Gas from escaping therefrom; and if any Body Politic or Corporate, or Person, who shall contract to light the said Roads or Branches of Road, shall make default in any of the Particulars herein mentioned, such Body or Person shall for every such Offence forfeit and pay the Sum of Five Pounds.

For stopping the Escape of Gas.

CXLI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set

set up by Order of the said Trustees in pursuance of this Act; the Body or Bodies Politic or Corporate, or Person whosoever, making, furnishing, or supplying any Gas used or burnt for lighting any of the said Roads or Branches of Road, or any House, Manufactory, Building, or other Premises adjoining thereto, shall, at their own Expence, immediately after receiving Notice by Parol or in Writing, to be given or left at their Office or usual Place of transacting their Business, of any such Escape of Gas, from any Person whomsoever, cause the most speedy and effectual Measures to be taken to stop or prevent such Gas from escaping; and in case the said Body or Bodies Politic or Corporate, or Person as aforesaid, shall not, within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Body or Bodies Politic or Corporate, or Person as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of *Middlesex*, or *Essex*, as the Case may be, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of any such Body or Bodies Politic or Corporate, or Person as aforesaid, by the Warrant of any Justice or Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered by virtue of this Act.

CXLII. And be it further enacted, That whenever the Water of any Company of Proprietors, or of any Person whosoever, for supplying the Inhabitants of any Houses within the said Roads or Branches of Road with Water, shall be contaminated by any Gas used or burnt for lighting the said Roads or Branches of Road, or any House, Manufactory, Building, or other Premises adjoining thereto, the Body or Bodies Politic or Corporate, or Person, making, furnishing, or supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Company or Person supplying Water as aforesaid; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case the said Company or other Person making, furnishing, or supplying such Gas shall, within Twenty-four Hours next after the Notice thereof in Writing signed by the Treasurer or other Officer of and for such Water Company as aforesaid, or by any Person supplying or making use of such Water, to be left at the usual Office or Place of transacting Business of the said Body or Bodies Politic or Corporate or other Person, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting the Water of such Company or Person as aforesaid; and in case the said Body or Bodies Politic or Corporate, or other Person, making,

To prevent
Escape of
Gas and Con-
tamination of
Water.

making, furnishing, or supplying Gas, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof Notice shall be given as aforesaid, that then the said Body or Bodies Politic or Corporate, or other Person as aforesaid, shall on each and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company, or to such Person as aforesaid, for the Use and Benefit of the same Company or Person, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said last-mentioned Company or Person shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or other Officer for the Time being of the said Water Company, or of such Person as aforesaid, against the said Body or Bodies Politic or Corporate, or other Person, making, furnishing, or supplying Gas, before any Justice of the Peace for the said County of *Middlesex*, or *Essex*, (as the Case may be,) with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Body or Bodies Politic or Corporate, or other Person, making, furnishing, or supplying such Gas, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, when so levied, shall be paid to the Treasurer or other Officer for the Time being of such Water Company, or to such Person as aforesaid, for the Use of such Water Company or Person.

For ascer-
taining if the
Water be
conta-
minated.

CXLIII. And be it further enacted, That in any Case in which it shall be or become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Body or Bodies Politic or Corporate, or other Person, making, furnishing, or supplying any Gas used or burnt for lighting the said Roads or Branches of Road, or any House, Manufactory, Building, or other Premises adjoining thereto, it shall be lawful for the Company of Proprietors, or other the Owner of any Waterworks, to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Body or Bodies Politic or Corporate, or other Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Body or Bodies Politic or Corporate, or other Person as aforesaid, and if it shall appear that the said Water has been contaminated by any Escape of Gas as aforesaid, the Costs and Expences of the said digging, Search, and Examination, and of the Repair of the Pavement of the said Roads and Branches of Road which shall be taken up or disturbed, shall be borne and paid by the said Body or Bodies Politic or Corporate, or Person as aforesaid; which Costs and Expences of digging, Search, and Examination shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act:
Provided

Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Body or Bodies Politic or Corporate, or other Person as aforesaid, then and in such Case the said Company of Proprietors, or other the Owners or Proprietors of such Waterworks, shall bear and pay all the Costs and Expences of such Search, Examination, and Repair as aforesaid, and shall also make good to the said Body or Bodies Politic or Corporate, or other Person as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Body or Bodies Politic or Corporate, or other Person as aforesaid, in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined by such Justice or Justices of the Peace as aforesaid.

CXLIV. And be it further enacted, That if any Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any other Person whatsoever, making or furnishing or supplying any Gas used or burnt for lighting the said Roads or Branches of Road, or any House, Manufactory, Building, or Premises adjoining thereto, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein, or any Part thereof, shall or may be spoiled, fouled, or corrupted, then and in every such Case any such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and 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, Complaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and such Penalty shall be paid to the Person who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be sued for or recovered), in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have

Penalty for conveying Washings into Rivers, &c.

[Local.]

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been

been given by any Person whomsoever to the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or any of them, or other Person, making, furnishing, or supplying any Gas used or burnt for lighting the said Roads or Branches of Road, or any House, Manufactory, Building, or other Premises adjoining thereto, and such Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person, shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Body or Bodies Politic or Corporate, Company or Companies of Proprietors, or other Person, so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Nuisance, Injury or Damage, Act or Thing, shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Persons supplying Gas liable to be indicted for a Nuisance.

CXLV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding, by Indictment or otherwise, against any of the Officers, Servants, or Workmen of the Body or Bodies Politic or Corporate, or other Person whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any of the said Roads or Branches of Road, or any House, Manufactory, Building, or other Premises adjoining thereto, in respect of any Works or other Means which shall be employed by them or any of them in making the said Gas, and using the same in furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Body or Bodies Politic or Corporate, Company of Proprietors, or Person as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or Use of the same Gas or Method of lighting, or the Carelessness or Want of Skill of any Person employed therein, or from any other Cause whatsoever connected therewith.

Trustees may appoint Watchmen, and erect Watchboxes.

CXLVI. And be it further enacted, That the said Trustees shall be empowered from Time to Time, as they shall judge proper, to appoint such Number of able-bodied Men, to be armed and clothed in such Manner as the said Trustees shall direct, to be employed as Watchmen or Patroles upon the said Roads and Branches of Road,
and

and within One hundred Feet of any Part or Parts of the said Roads and Branches of Road, and every or any Part thereof, which Watchmen and Patroles shall attend at such Times and Places, and perform such Duty as the said Trustees shall direct and appoint; and the said Trustees shall and may cause to be erected or provided Watchboxes; Benches, or other Requisites for such Watchmen and Patroles, at such Places upon the said Roads and Branches of Road, and within One hundred Feet of any Part or Parts of the said Roads and Branches of Road, as they shall judge necessary; and the said Trustees shall and may also appoint a Person or Persons to be Night Constable or Night Constables, who shall attend and go along the same Roads and Branches of Road, and within One hundred Feet of any Part or Parts of the said Roads and Branches of Road, and at such Times and in such Manner as the said Trustees shall direct; and the said Trustees may from Time to Time remove any of the said Night Constables and Watchmen and Patroles, and appoint others in their Room, or in the Room of such as shall die or refuse to serve in such respective Capacities; and the said Trustees are hereby empowered from Time to Time to make such Rules, Orders, and Regulations for the better governing of the Watchmen and Patroles and Night Constables, and for other the Purposes of this Act, with respect to watching the said Roads and Branches of Road, and within One hundred Feet of any Part or Parts thereof, and for keeping the Peace thereon, as they the said Trustees shall think proper.

CXLVII. And be it further enacted, That all Watchmen appointed or to be appointed on the same Roads and Branches of Road, or either of them, shall be sworn in as Constables before any Justice or Justices of the Peace of the said County of *Middlesex*, or *Essex*, as the Case may be, and act as such while in the Execution of the Powers and Authorities of this Act; and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with or have and enjoy by Law.

Watchmen,
&c. vested
with the
Powers of
Constables.

CXLVIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break, throw down, or otherwise deface or damage any Lamp or Lamps that shall be set up by virtue of this Act, by Order of the said Trustees, or in pursuance of any Contract made by the said Trustees, or by any Person or Persons at his, her, or their own Expence, for the Purpose of lighting any Part of the said Roads or Branches of Road, or any Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, it shall be lawful for any Justice or Justices of the Peace, and he and they is and are hereby required, upon Oath made (or upon Affirmation, if made by a Quaker) of the Commission of such Offence, to issue a Warrant for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons who shall see such Offence committed to apprehend, and for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer in order to be secured and conveyed before

Penalty for
wilfully
breaking of
Lamps, &c.

before some Justice or Justices of the Peace for the said County of *Middlesex*, or *Essex*, (as the Case may be); and upon the Party or Parties accused being brought before such Justice or Justices, such Justice or Justices shall proceed to examine upon Oath (or being a Quaker, upon Affirmation) any Witness or Witnesses who shall appear to give Evidence touching such Offence or Offences; and if the Party or Parties so accused shall be convicted of such Offence or Offences, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and the Offender or Offenders shall also make full Satisfaction to the said Trustees for the Damages so done; and in case such Offender shall not upon such Conviction pay such Forfeiture or Forfeitures by him or her incurred as aforesaid, and make such Satisfaction as aforesaid, the Justice or Justices before whom such Offender shall be convicted is and are hereby empowered to commit him or her to the Common Gaol or House of Correction for the said County of *Middlesex*, or *Essex*, (as the Case may be,) there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months.

Damages to
be paid for
Lamps
broken acci-
dentally.

CXLIX. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, throw down, or damage any of the said Lamps already or hereafter to be hung or set up as aforesaid, or the Irons or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such Case it shall be lawful for any One or more Justice or Justices of the Peace, upon Complaint thereof to him or them made by One or more credible Person or Persons, to summon before such Justice or Justices the Party or Parties who shall be complained of for doing such Damage as aforesaid; and upon hearing the Allegations and Proofs on both Sides, or Non-appearance of the Party or Parties so complained of, to award such Sum or Sums of Money as the Damage to be proved shall amount unto; and in case of Refusal or Neglect to pay the Sum or Sums of Money so awarded, within Five Days after Demand, to cause the same to be recovered in such Manner as Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

For paving
Footpaths.

CL. And whereas by reason of a great Number of Houses and other Buildings having been erected on the Sides of the said *Commercial* Road, and the frequent and constant Passage thereon, it has become expedient that the Footpaths thereof should be paved; be it therefore further enacted, That the said Trustees shall and they are hereby required, as soon as the said Stoneway shall be formed, or within Two Years after the passing of this Act, where Houses are built in front of the said Road, and not exceeding Four Years where Houses are not built, by and out of the Funds hereby authorized to be raised, to form Footpaths on each Side of the said Road, of the Width of Eight Feet where the said Road is Seventy Feet wide, and as wide as conveniently may be where the said Road is not Seventy Feet wide, Four Feet whereof, exclusive of the Curb, is to be paved with good and sufficient Paving Stones, and the Remainder of the

said Footpaths to be effectually formed and covered with Gravel or other equally good Material, and the said Curb not to be laid more than Six Inches above the Level of the said Road, and from Time to Time afterwards, during the Continuance of this Act, to maintain and keep the same in good and sufficient Repair and Condition; and the said Trustees shall and they are hereby required to keep or cause to be kept a separate and distinct Account of the Monies to be from Time to Time expended for and on account of the making and maintaining of the Pavement of the said Footpaths, and the same shall be and become a Charge upon the Rates in and by this Act authorized to be assessed and levied, and in addition to the Debt already incurred by the Trustees acting under the said several recited Acts hereby repealed, for watching, lighting, cleansing, and watering the said *Commercial Road* and *Horseferry Branch of Road*, and shall be from Time to Time paid and defrayed, together with Interest thereon, at and after the Rate of Five Pounds *per Centum per Annum*, by and out of the several Rates and Assessments in and by this Act authorized to be raised and levied.

CLI. And be it further enacted, That for defraying the Costs, Charges, and Expences of lighting, watching, cleansing, and watering the said Roads called the *Commercial Road*, the *Horseferry Branch of Road*, and the *Shadwell* and *Mile End Branch of Road*, and of paving the Footpaths of the said *Commercial Road*, it shall and may be lawful for the said Trustees from Time to Time during the Continuance of this Act to cause One or more Rate or Rates, Assessment or Assessments, to be made, laid, or assessed Once in every Year, or oftener if they shall judge it needful, upon all and every Person and Persons who shall inhabit, hold, use, occupy, possess, and enjoy any House, Land, Building, Tenement, Shop, Warehouse, Yard, Garden, Stable, or other Erections already erected and built, or which may be hereafter erected or built, within One hundred Feet of any Part or Parts of the said last-mentioned Road and Branches of Road, in such Sum or Sums of Money as the said Trustees shall order and direct, but so nevertheless as that such Rate or Rates, Assessment or Assessments, do not exceed in the whole in any One Year the Sum of Two Shillings and Nine-pence in the Pound, according to the yearly Rent or Value of such Houses, Lands, Buildings, Tenements, Shops, Warehouses, Yards, Gardens, Stables, or other Erections which now are or shall be situated within the Distance aforesaid of the said last-mentioned Road or Branches of Road, or which shall hereafter be erected, built, or made within One hundred Feet of any Part thereof; and the said Trustees shall cause separate and distinct Accounts to be kept of the Produce of the said Rates and Assessments, and of the Applications of the same.

Rates for watching, &c. may be made by Trustees.

CLII. And whereas there are or may be many Persons who occupy Houses, Buildings, and other Premises, the Whole or some Part whereof may be within the said Distance of One hundred Feet from the said last-mentioned Road or Branches of Road, who are now liable to contribute and pay certain Rates for lighting, watching, cleansing, or watering, or some of them, under or by virtue of some Act or Acts of Parliament now in force, within the respective Limits through

Persons within the Limits of this Act exempted from other Rates.

[*Local.*]

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which

which the said last-mentioned Road or Branches of Road are intended to pass; be it therefore further enacted, That all and every such Occupier and Occupiers of Houses, Buildings, and other Premises, any Part of which shall be within the Distance of One hundred Feet of the said last-mentioned Road or Branches of Road aforesaid, shall be and they are hereby exempted from being rated, taxed, or assessed as to such Part of the said Premises as shall be within One hundred Feet of the said last-mentioned Road or Branches of Road, under or by virtue of such former Act or Acts: Provided always, that if any House or Premises shall be partly within and partly without the said Distance of One hundred Feet from the said last-mentioned Road or Branches of Road, or shall be or shall have been rated jointly with any other Messuage or Premises not within the said Distance of One hundred Feet, it shall and may be lawful for the said Trustees, or any Person appointed by them at some Meeting to be holden for that Purpose, and they or he are or is hereby respectively authorized and required, to apportion and ascertain the respective Rents at which such Houses or Premises, or Parts thereof, shall be understood to have been or shall be rated; and if any Person or Persons shall be dissatisfied therewith, he, she, or they may appeal to the Justices assembled at the Quarter Sessions of the Peace for the said County of *Middlesex* within the Time and in the Manner herein-after mentioned, and the Determination of the Quarter Session therein shall be final.

The yearly Value of Houses to be ascertained.

CLIII. And be it further enacted, That the annual Value of all Houses, Lands, Buildings, Tenements, Shops, Warehouses, Yards, Gardens, Stables, or other Erections so to be rated and assessed as aforesaid, shall be settled and ascertained according to the real Rack Rent or full yearly Value thereof, or in any certain and equal Proportion of such real Rack Rent or full yearly Value, as the said Trustees shall think proper; and such Rates and Assessments shall commence from the next Quarter Day after the same shall be occupied; and the Money so rated and assessed under and in pursuance of this Act shall from Time to Time be paid to any Collector or Collectors to be appointed by the said Trustees, at such Time in every Year and in such Manner as the said Trustees shall order and direct, and shall be paid over by such Collector or Collectors into the Hands of the Treasurer to the said Trustees, or as the said Trustees shall from Time to Time order and direct.

Persons rated may appeal to Trustees, who may mitigate Rates.

CLIV. Provided always, and be it further enacted, That it shall and may be lawful to and for any Person or Persons who shall think himself, herself, or themselves aggrieved by any of the Rates or Assessments made or to be made under or by virtue of this Act, to appeal to the said Trustees, which said Appeals the said Trustees are hereby required to hear and determine from Time to Time, and are hereby empowered to summon and examine Witnesses, or the Person or Persons so appealing; and it shall and may be lawful to and for the said Trustees, or any Three or more of them, to lessen, mitigate, reduce, or excuse such Rate or Assessment, and to relieve such Person or Persons so appealing in such Manner as the said Trustees or any Three or more of them shall think proper.

CLV. And be it further enacted, That the Churchwardens and Overseers of the Poor, or other Person or Persons having the Custody of the Rates for raising Money for the Relief and Maintenance of the Poor within the said Parishes respectively, shall and they are hereby authorized and required to permit any Person or Persons, having an Order under the Hands of the said Trustees, to inspect every such Rate at all seasonable Times, paying One Shilling for the same; and shall, upon Demand, forthwith give Copies of the same, or any Part thereof, to any such Person or Persons, upon the producing of such Order, and paying at the Rate of Sixpence for every Twenty-four Names; and in case any such Churchwarden or Overseer of the Poor, or other Person having the Custody of any such Rates as aforesaid, shall neglect or refuse so to do within Three Days next after such Order shall have been produced and shewn to him, or a Copy thereof left at his usual Place of Abode, he shall for every such Neglect or Refusal forfeit and pay any Sum not exceeding Twenty Shillings.

Poor Rates
may be in-
spected.

CLVI. And be it further enacted, That in case any Person who shall be rated or assessed, or subject or liable to the Payment of any such Rate or Assessment, by virtue of this Act, shall neglect or refuse to pay any such Rate or Assessment to such Collector or Collectors, for the Space of Ten Days after personal Demand thereof made, or Demand in Writing left at the usual Place of Abode of such Person, it shall be lawful for any Two or more Justices of the Peace for the County of *Middlesex*, upon Proof made upon Oath of such Demand and Nonpayment, by Warrant under their Hands and Seals to authorize and direct the said Collector or Collectors to levy such Rate or Money so in arrear, together with the Costs and Charges attending the same, to be ascertained by such Justices, by Distress and Sale of the Goods and Chattels of the Person so refusing or neglecting to pay as aforesaid, rendering the Overplus (if any) to the Owner of such Goods and Chattels, on Demand.

Recovery of
Rates.

CLVII. And be it further enacted, That where the yearly Rent or Value of any House, Tenement, or Hereditament hereby authorized to be rated and assessed for and towards the lighting, watching, cleansing, and watering of the said last-mentioned Road and Branches of Road, and paving the Footpaths of the said *Commercial* Road, shall not exceed Fifteen Pounds, or where the Houses, Tenements, or Hereditaments shall be let to weekly or to monthly Tenants, or at Rents which shall become payable and be collected at any shorter Period or Periods than quarterly, or shall be let out ready-furnished, or in Lodgings or separate Apartments, either furnished or unfurnished, it shall be lawful for the Trustees acting under this Act, or any Three or more of them, (if they shall think proper,) to compound with the Landlord or Landlords, Owner or Owners of all and every or any such House or Houses, Tenement or Tenements and Hereditaments, for Payment of the said Rate or Rates, Assessment or Assessments, to be made for the Purposes aforesaid, at such reduced yearly Rental as the said last-mentioned Trustees, or any Three or more of them, shall think reasonable, so that such Houses, Tenements, or Hereditaments be not rated at less than Two Thirds or more than Four Fifths of the Rack Rent at which the same shall then be let, or of the annual Value of the said Premises respectively; and the Landlord or Land-

For better
Recovery of
Rates on
Houses let at
small Rents,
&c.

lords,

lords, Owner or Owners of such Houses, Tenements, or Hereditaments as shall not exceed the yearly Rent of Fifteen Pounds, and of such as shall be let to weekly or monthly Tenants, or from whence the Rents shall become due and be collected at any shorter Period or Periods than quarterly, and of such as shall be let out ready-furnished, or in Lodgings or separate Apartments, furnished or unfurnished, is and are hereby required to enter into such Composition with the said last-mentioned Trustees as aforesaid; and in case such Landlord or Landlords, Owner or Owners, shall refuse or object to enter into any such Composition, or the said Landlord or Landlords, Owner or Owners, and the said last-mentioned Trustees, shall not agree as to the Amount of such Composition, such Landlord or Landlords, Owner or Owners, shall from thenceforth be rated and assessed to, and shall from Time to Time pay or cause to be paid, the several Rates or Assessments charged upon the respective Premises for lighting, watching, cleansing, and watering the said last-mentioned Road and Branches of Road, and paving the Footpaths of the said *Commercial* Road, according to a fair and equal Assessment by the said last-mentioned Trustees, unto the said Treasurer, or unto their Collector or Collectors for the Time being, who are hereby authorized and empowered to receive and collect the same, and upon Nonpayment thereof to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners of the respective Premises aforesaid, or of the Person or Persons inhabiting the same respectively; provided always, that no such Landlord or Owner shall be charged with or liable to pay for any increased Rent reserved or made payable to him for or on account of such Landlord or Owner having agreed to pay the several Rates or Assessments heretofore chargeable upon the Occupier; and that in such Case the said Rate or Rates, Assessment or Assessments, or so much thereof as shall remain unpaid, shall be and continue a Charge upon the Premises in respect whereof they shall be so rated, and shall and may be recovered of and from the Owner, Lessee, Landlord, Renter, or Tenant respectively, in manner herein-after mentioned and referred to.

Rates recovered of Tenants to be repaid by Landlords.

CLVIII. And be it further enacted, That the Goods and Chattels of any Person or Persons renting or occupying any such House, Tenement, or Hereditament, or any Part or Parts thereof, the Rates of which the Landlord or Landlords, Owner or Owners, is or are hereby made subject and liable to, shall be liable at all Times to be distrained and sold for Payment of so much of the said Rates or Assessments, and of all Arrears thereof which accrued and became due upon the said Premises during the Time of their Occupancy only, and all reasonable Costs, Charges, and Expences attending thereupon; and that each and every Person who shall pay any such Rates or Assessments as ought to have been paid by his, her, or their Landlord or Landlords, or upon whose Goods and Chattels the same shall be levied in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable to his, her, or their Landlord or Landlords so letting out the same, unless there shall be some Agreement to the contrary between the Landlord and the Tenant; and the Receipt and Receipts for such Payment shall be sufficient Discharge to every such Person for so much Money as he, she, or they shall have so paid, or which shall have been so levied on his, her, or their Goods
and

and Chattels in pursuance of this Act, and shall be allowed by such Landlord or Landlords of such Houses, Tenements, or Hereditaments, in part or in full Payment (as the Case may be) of the Rent due or to become due to him, her, or them from such Person or Persons as aforesaid; provided always, that no such Tenant or Occupier shall be liable or required to pay, for or in respect of any such Rates or Assessments, or for or in respect of any such Costs, Charges, and Expences, any Sum or Sums of Money beyond the Amount of the Rent which shall be then actually due in respect of the said Premises from him, her, or them respectively.

CLIX. And whereas it may happen that many Persons liable to and who may be rated and assessed for lighting, watching, cleansing, and watering the said last-mentioned Road and Branches of Road, and paving the Footpaths of the said *Commercial* Road, may, before the Payment of the Sum or Sums which may be rated on them respectively, quit and leave their Grounds, Dwelling Houses, Shops, Warehouses, Coach-houses, Stables, Wharfs, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and remove beyond the Distance of One hundred Feet from the said last-mentioned Road and Branches of Road; be it therefore further enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit or be about to quit his, her, or their Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Wharfs, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he, she, or they shall have paid such Rate or Rates, Assessment or Assessments, and shall afterwards refuse to pay the same or any Part thereof, when due, and demanded by the said Trustees or their Collector or Collectors hereby authorized and appointed to receive the same, then and in every such Case it shall be lawful for the said Trustees, or their Collector or Collectors as aforesaid, or any One of them, (Oath being made by him or them that he or they hath or have cause to suspect that such Person or Persons is or are removing, or hath or have removed his or their Goods and Chattels,) by Warrant under the Hand and Seal or Hands and Seals of any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex*, (which Warrant such Justice or Justices is and are hereby authorized and required to grant), and in case such Person or Persons shall have removed, such Warrant being first backed or countersigned by some Justice of the County, City, or Liberty to which such Person or Persons shall have removed, (which Warrant such Justice is hereby required to back or countersign,) to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the said Rates or Assessments, or any Part thereof, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, upon Demand, to the Owner or Owners of such Goods and Chattels respectively.

Recovery of Rates from Persons removing.

CLX. And be it further enacted, That in case any Person shall remove out of or from, or quit, the Possession of any House, Building, Tenement, Ground, or Hereditament within the Distance of One hundred Feet from the said last-mentioned Road and Branches of Road, before any Rate or Assessment made or to be made for lighting,

For apportioning the Rates.

[*Local.*]

30 I

watching,

watching, cleansing, and watering the said last-mentioned Road and Branches of Road, and paving the Footpaths of the said *Commercial* Road, shall be paid, or if any Person shall enter into the Occupation of any House, Building, Tenement, Ground, or Hereditament out of or from which any other Person shall have so removed, before Payment of any such Rate or Assessment, or which at the Time of rating or assessing the same shall be empty or unoccupied, then the Person so removing out of or from, or quitting, the Possession, and the Person entering into the Occupation of any such House, Building, Tenement, Ground, or Hereditament, shall be respectively liable to the Payment of every Rate or Assessment, in proportion to the Time such Person or Persons possessed or occupied the same respectively, in like Manner as if the Person or Persons so removing or quitting as aforesaid had remained in the Possession and Occupation of such House, Building, Tenement, Ground, or Hereditament, or the Person or Persons so entering into the Occupation thereof had been originally rated or assessed, which Proportion (in case of Dispute) shall be ascertained by any One of His Majesty's Justices of the Peace for the said County of *Middlesex*.

Power of Trustees under this Act as to watching the Roads to cease, if the Commissioners of Parishes, &c. deem it expedient to resume the same.

CLXI. And whereas the said *Commercial* Road in many Parts intersects and divides the several Parishes and Hamlets through which it passes, and Inconvenience and Expence have been incurred under the Powers for watching the said Road granted to the Trustees acting under and by virtue of the said several recited Acts hereby repealed, by reason of the Want of immediate Communication and Co-operation between the Watchmen employed by the Commissioners, Trustees, or other local Authorities acting in and for the said Parishes and Hamlets respectively, and it may be expedient, for preventing the same in future, and for rendering the Police of the said Parishes and Hamlets more efficient, that the Powers by this Act granted to the said Trustees for watching the District of the said *Commercial* Road, and within One hundred Feet thereof, should be suspended, and that the Powers of the said Commissioners, Trustees, or other local Authorities, in relation to the watching of the said District, should be resumed and acted upon by them respectively; be it therefore enacted, That if at any Time it shall be deemed expedient by the said Commissioners, Trustees, or other local Authorities acting in and for the said Parishes and Hamlets respectively, any or either of them, to take upon themselves the Conduct and Management of watching the District of the said Road, and within One hundred Feet thereof, within such Parishes and Hamlets respectively as aforesaid, and Notice thereof shall be given by them respectively to the Clerk to the said Trustees acting under this Act, that then and in every such Case, within One Month after such Notice shall be given, the Powers of watching such Part of the said District by this Act granted to the said last-mentioned Trustees shall be suspended, and thereupon the Powers already granted to the said Commissioners, Trustees, and other local Authorities, who shall give such Notice as aforesaid, shall be exercised and put in operation with respect to the watching of such District in common with the other Parts of such Parishes or Hamlets, and thereupon the said Trustees acting under this Act shall and they are hereby required yearly and every Year, by quarterly Payments, to pay and allow

allow unto the said Commissioners, Trustees, and other local Authorities, out of the Rates by this Act granted, so much and such Sum or Sums of Money as shall have been incurred or paid by the said Trustees acting under this Act, during the Year preceding the passing of this Act, for and in respect of the watching such Part of the said District as shall lie within such Parishes or Hamlets respectively, for and during the Term by this Act granted, or so much thereof as the said Parishes or Hamlets respectively so giving such Notice as aforesaid shall continue to watch the said District, and to protect the Passengers upon the said Road, and the Collectors by this Act appointed, as well as the Property of the said Trustees, by the same Number of Watchmen as were employed by the said Trustees, and in a good and effectual Manner; and in case any Dispute or Difference shall arise between the said Trustees acting under this Act, and such Commissioners, Trustees, or other local Authorities as aforesaid, touching the Efficiency of such watching, or the Rate of Payment and Allowance to be made by the said Trustees acting under this Act in respect thereof as aforesaid, the same shall be settled and determined by any Two of His Majesty's Justices of the Peace, being also Justices of the Police, acting in and for the District wherein the same shall have arisen, who are hereby authorized to settle and determine the same accordingly.

CLXII. And be it further enacted, That the said Trustees shall and may, when and as often as they shall think proper, order and cause to be watered so much and such Parts of the said Roads and Branches of Road, and at such Time or Times as they shall think proper, and shall for that Purpose have full Power and Authority from Time to Time to dig and sink such Wells on the said Roads and Branches of Road respectively, and to erect such Pumps, and to purchase or cause to be made such Machines, Carts, or Engines, and to purchase such Horses, as shall be necessary for watering, or to contract with any Person or Persons for watering so much of the said Roads and Branches of Road, as they the said Trustees shall think fit.

Trustees may water the Roads.

CLXIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees from Time to Time to contract with any Person or Persons for cleansing the Streets, Squares, Passages, and other Places along the Sides of the said Roads and Branches of Road, and within One hundred Feet thereof or of any Part or Parts thereof; and the said Person or Persons so contracted with shall, on *Tuesday* and *Friday* in every Week, or oftener, bring or cause to be brought Carts or other proper Carriages into all the said Streets, Squares, Passages, and other Places within the Limits aforesaid, where such Carts or Carriages can pass, and at or before their Approach, by sound of Bell, or with an audible and distinct Voice, give Notice to the Inhabitants of their coming, and give the like Notice in every Court, Alley, or Place, within the Limits aforesaid, into which the said Carts or Carriages cannot pass, and shall abide and stay a convenient Time near the said Places respectively, to the Intent that all Persons concerned may bring forth their respective Dust, Dirt, Ashes, Filth, and Soil to the Doors of their Houses or other Premises, all which the said

Trustees may contract for cleansing the Streets, &c.

said Person or Persons so contracted with shall take and carry, or cause to be taken and carried away; and the said Person or Persons so contracted with shall sweep or cause to be swept all the said Streets, Squares, Passages, and other Places within the Limits aforesaid, and carry or cause to be carried away the Dirt and Soil out of the same, at least Twice in every Week, under the Penalty of Five Pounds; provided, that nothing herein contained shall extend to the removing or carrying away any Dirt, Dust, Ashes, Filth, Soil, or Rubbish occasioned by the carrying on and exercising any Trade, Manufacture, or Business whatsoever.

Trustees may regulate Coach Stands.

CLXIV. And for the avoiding of Accidents and Inconveniences by the irregular standing of Coaches and other Carriages in or near the said Roads and Branches of Road, be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time, as they shall see Occasion, with the Approbation of the Commissioners for licensing Hackney Coaches, to make such Orders for regulating the standing of Coaches and other Carriages in or near the said Roads and Branches of Road, and for the ascertaining and fixing, altering, and removing the standing of Coaches and other Carriages in or near the said Roads and Branches of Road, or any Part thereof, as to the said Trustees, with such Approbation as aforesaid, shall seem fit and proper for the Safety and Convenience of all Persons passing and repassing thereon; and if any Person driving or having the Care of any Hackney Coach, or of any other Coach or Carriage, shall refuse or neglect to conform to such Orders and Regulations, and be thereof convicted, he or they shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings, at the Discretion of the Justice or Justices by or before whom such Offender shall be convicted.

Stage Coaches not to ply for Hire during Divine Service within a certain Distance of St. Anne's Church.

CLXV. And be it further enacted, That if the Owner or Driver of any Stage Coach or other such Carriage shall ply or stand on any Part of the said *Commercial* Road between the Toll Bar near to the Bridge over the River *Lea* Cut at *Limehouse*, and the Obelisk or Lamp Post at the Entrance to the *East India Dock* Road, on any *Sunday* during Divine Service in the Parish Church of *Saint Anne Middlesex*, or during the Time that the Church Bell is giving Notice for the same, or for One Quarter of an Hour after such Service shall have ceased, such Owner or Driver shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings.

Trustees may enter into Contracts.

CLXVI. And be it further enacted, That the said Trustees shall and they are hereby authorized and empowered from Time to Time, as Occasion shall require, to contract and agree with any fit Person or Persons, Artificers, Workmen, and others, for the making and doing of all and every or any Part of the Work or Business to be done in and about the making, repairing, widening, improving, and maintaining, lighting, cleansing, watching, and watering the said Roads and Branches of Road, and for the doing of all other Matters and Things authorized or directed to be done and performed by this Act, or for the supplying any of the Materials for the same; which Contract or Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works

Works shall be completed, and the Penalties to be suffered in case of the Nonperformance thereof, and shall be signed by Three or more of the said Trustees, and also by the Person or Persons contracting to perform such Works respectively; which Contracts, or a Copy thereof, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees; but previously to the making any such Contracts Fourteen Days Notice at the least shall be given in One or more public Newspaper or Newspapers published and circulated in the County of *Middlesex* as aforesaid, expressing the Intention of entering into such Contract, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Trustees at a certain Time and Place in such Notice to be mentioned.

CLXVII. And be it further enacted, That the said Trustees shall cause all and every of the Works to be done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or such other Person or Persons as they shall for that Purpose appoint; and in case the same shall not be well and sufficiently performed according to the Intent and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times specified in such Contract or Contracts, then the said Trustees may cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster* against any such Contractor for any Penalty contained in his Contract; and on Proof of the signing of the said Contract, and Nonperformance thereof at the Time or Times for that Purpose to be therein-mentioned, the said Trustees shall be entitled to and shall recover the full Penalty contained in any such Contract, which, when recovered, shall be applied for the Purposes of this Act: Provided always, that it shall be lawful for the said Trustees (if they think fit) to compound and agree with any such Contractor for any Penalty incurred by him for the Breach and Nonperformance of any such Contract, for such Sum of Money as the said Trustees shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract, and all Costs, Charges, and Expences which shall be occasioned thereby.

Trustees may employ Surveyors, and sue for Breach of Contract.

Trustees may compound for Penalties for Breach of Contract.

CLXVIII. And be it further enacted, That nothing in this Act contained shall be construed or taken to hinder or obstruct the Company of Proprietors of the *East London Waterworks*, their Successors and Assigns, from holding, using, exercising, and enjoying all such Right, Title, Estate, Interest, Power, Privileges, and Advantages whatsoever, which the said Company of Proprietors of the *East London Waterworks* now lawfully have and may claim by force and virtue of an Act passed in the Forty-seventh Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for better supplying with Water the Inhabitants of the Parishes of Stratford Bow otherwise Stratford-le-Bow, Saint John Hackney, Saint Mary Islington, Saint Matthew Bethnal Green, and several other Parishes, Hamlets, Townships, and Places adjacent or near thereunto, in the Counties of Middlesex and Essex*; and of an Act passed in the Forty-eighth Year of the Reign of His said late Majesty, intituled *An Act to enable the Company of Proprietors of the East London Waterworks*

Saving the Rights of the East London Waterworks Company.

47 G. 3. c. 72.

48 G. 3. c. 8.

to purchase certain other Waterworks, and to amend an Act of the Forty-seventh Year of the Reign of His present Majesty relating to the said East London Waterworks; or by any other lawful Ways or Means whatsoever; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

For protect-
ing the Pipes
of the East
London
Waterworks.

CLXIX. And whereas by the making of the Stoneway or Stoneways to be laid upon the said Roads and Branches of Road, and other Works hereby authorized to be made, the Aqueducts, Mains, or Service Pipes belonging to the said Company of Proprietors of the *East London Waterworks*, and which now supply with Water the Inhabitants of the several Parishes and Places, may be cut off, whereby the said Inhabitants will be deprived of their said Supply of Water, and the said Company of Proprietors of the *East London Waterworks* sustain great Injury, unless Provision be made to prevent the same; be it therefore enacted, That wherever the said Stoneway or Stoneways, Road or Roads, Branches or other Works, shall cross, intersect, or cut through any of the Aqueducts, Mains, or Service Pipes of the said Company of Proprietors of the *East London Waterworks*, which shall have been sunk, laid, or used for supplying any of the Inhabitants of the Parishes and Places aforesaid with Water, the said Trustees shall and they are hereby required to provide, replace, lay down, and carry through, under, or across such Stoneway or Stoneways, Road or Roads, Branches or other Works, where the same shall be necessary, good and sufficient Aqueducts, Mains, and Service Pipes in lieu and stead of those which shall or may be so crossed, intersected, or cut through, and join or connect, or cause the same to be properly joined and connected, with the Aqueducts, Mains, and Service Pipes from whence the said Aqueducts, Mains, and Service Pipes so crossed, intersected, or cut through, shall be removed, all which Aqueducts, Mains, and Service Pipes shall be made of cast Iron, and of the same Diameter, Size, Length, and Thickness, and shall be laid down and carried in the same Line or Direction, as the Aqueducts, Mains, and Service Pipes which shall be so crossed, intersected, cut through, or removed, or as near thereto as shall be convenient; and the said Trustees shall and they are hereby required to find and provide, and cause to be connected with the said new or other Aqueducts, Mains, and Service Pipes, at or near the Place or Places where the same shall cross or intersect the said Stoneway or Stoneways, Road or Roads, Branches or other Works as aforesaid, such and so many fit and proper Cocks, Valves, Pumps, or other Devices or Contrivances as shall and may be necessary for the preventing of Stoppages or Obstructions, and for the more convenient and effectual Removal thereof from and out of the said Aqueducts, Mains, and Service Pipes; and Fourteen Days Notice in Writing shall be given to the Clerk of the said Company of Proprietors previous to the Removal or Alteration of any Aqueducts, Mains, or Service Pipes belonging to the said Company of Proprietors, or the laying down of any Aqueducts, Mains, and Service Pipes, Cocks, Plugs, Valves, and other Works, Devices, and Contrivances; and the same shall from thenceforth become and be deemed and taken to be the Property of the said Company of Proprietors, their Successors and Assigns, or their Engineers, Officers, Servants, and Workmen shall at all seasonable

Times have full, free, and convenient Access for the Purpose of examining, cleansing, renewing, reinstating, and repairing the same: as often as there may be Occasion, the said Trustees making reasonable Compensation and Satisfaction to the said Company of Proprietors for any extra Costs, Charges, or Expences which they the said Company of Proprietors, their Successors or Assigns, shall or may be put to in the repairing, cleansing, renewing, or reinstating of such new or other Aqueducts, Mains, or Service Pipes, and other Works as aforesaid.

CLXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Trustees, or any Person acting under them, to cut off, break, alter, remove, or take away any of the Aqueducts, Mains, Service Pipes, or other Works of or belonging to the said Company of Proprietors of the *East London Waterworks*, or do any Act, Matter, or Thing whatsoever to impede the Passage or Supply of Water into or through such Aqueducts, Mains, or Service Pipes, until good and sufficient Aqueducts, Mains, and Service Pipes or other Works shall be made and constructed, fixed, laid down, and ready to be joined and connected with the Aqueducts, Mains, and Service Pipes from which the same shall be or shall be intended to be cut off, broken, or removed; and such Aqueducts, Mains, or Service Pipes so cut off, severed, or divided, shall be joined and connected with as much Expedition as the Nature of the Work will admit, so as to occasion as little Inconvenience as possible to the Inhabitants of the Places supplied with Water by means of the said Aqueducts, Mains, and Service Pipes.

Not to cut off Supply of Water from the East London Water Works until other Pipes are laid down.

CLXXI. Provided also, and be it further enacted, That the Works hereby authorized to be done and performed for the Protection and Security of the said Aqueducts, Mains, Service Pipes, and other Works of the said Company of Proprietors of the *East London Waterworks*, shall be executed and completed at the Expence of the said Trustees, but under the Inspection and to the Satisfaction of the Engineer for the Time being of the said Company of Proprietors of the *East London Waterworks*.

Expence of executing the Works for protecting the Waterworks.

CLXXII. And be it further enacted, That when and as often as any such Water Pipes, Mains, or Branches of any such Leaden or other Pipes as aforesaid shall happen to break, burst or decay within the said Line of Roads or Branches of Road, the Water Company or Companies, or Person or Persons to whom such Water Pipes, Mains, or Branches, or Leaden or other Pipes, shall belong, are hereby required, within Twenty-four Hours next after Notice given in Writing to such Water Company, or Person or Persons, or other proper Officer, by any one of the said Trustees, or their Clerk or other Officer, to cause the same to be repaired; and if the same shall not be repaired within the Space of Twenty-four Hours after such Notice given, it shall be lawful for the said Trustees to cause such Water Pipes, Mains, or Branches, or Leaden or other Pipe or Pipes, to be repaired, and all the Expences incurred thereby shall be reimbursed to the said Trustees by the Water Company or Companies, or Person or Persons to whom such Water Pipes, or Mains or Branches, or Leaden

Directions as to Repair of Water Pipes.

Leaden or other Pipes, shall belong; and that when and as often as any Part of the said Roads and Branches of Road shall be taken up for the Purpose of raising any such Water Pipes, or Mains or Branches, or any such Leaden or other Pipes laid down or placed for the Purpose of conveying Water into any House, Area, or other Place as aforesaid, such Roads and Branches of Road shall be reinstated and made good by the said Trustees, and the Expences attending the same shall be reimbursed to the said Trustees by the Water Company or Companies, or Person or Persons to whom such Pipe or Pipes shall belong.

Power to
take Gravel
out of Waste
Grounds,
&c.

CLXXIII. And be it further enacted, That it shall be lawful for the said Surveyor and Surveyors, and such Person or Persons as he or they shall appoint, to search for, dig, gather, and take away any Gravel, Furze, Heath, Sand, Stones, and other Materials for making or repairing the said Roads and Branches of Road, or for the Purposes of this Act, in or out of any Common River or Brook, or out of any Moor, Waste, or Common Grounds in any Parish or Place in or near which any Part of the said Roads or Branches of Road doth or shall lie, without paying any thing for such Materials, such Surveyor or Surveyors levelling or causing to be levelled all Holes and Pits, or otherwise causing the same to be railed or fenced off, where or from whence any such Materials shall be digged, gathered, or taken away, in such Manner as that the same shall not be dangerous to any Cattle or Travellers whatsoever, and paying for the Damages done by going over or through any Lands, Grounds, or private Lands or Roads, for or with such Materials as herein mentioned; and also that it shall and may be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, (such Surveyor or Surveyors first having an Order in Writing from the said Trustees for that Purpose,) to search for, dig, gather, and take away such Materials in and out of the several Grounds of any Person or Persons (not being a Garden, Orchard, Park, Yard, Paddock, or planted Walk or Walks, or Avenue to a House, or any Piece of Ground inclosed, planted, and set apart as a Nursery for Trees, or Ground let for the Purpose of being built upon), paying or tendering such Rates for such Materials, and for the Damages done, to the Owners or Occupiers of such Grounds where and from whence the same shall be digged, gathered, and carried away, or over which the same or any other Materials as aforesaid shall be carried, as the said Trustees or any Three or more of them shall adjudge reasonable, and in case of any Difference concerning the same, as any Two Justices of the Peace for the said County of *Middlesex* or *Essex* wherein the Lands shall lie, shall and may adjudge and determine the same, which Determination shall be final and conclusive.

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

CLXXIV. Provided nevertheless, and be it further enacted, That it shall not be lawful for any such Surveyors, or other Person or Persons, under the Authority of this Act, to take or carry away Materials for repairing the said Roads and Branches of Road from any inclosed Lands or Grounds, until Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence,
to

to appear before Two Justices of the Peace acting for the County where such Lands are situated, to shew Cause why such Materials should 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, gather, 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.

CLXXV. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to give and deliver, Once in every Month at the least, to the Owner or Owners, or Occupier or Occupiers of the respective Grounds in or out of which such Materials shall or may be dug, gathered, or carried away, a full Account of the Amount, Quantity, and Quality of the same Materials so dug, gathered, or carried away, and the Rate at which they the said Trustees are willing to purchase the same.

The Trustees to give Account of Materials taken.

CLXXVI. And be it further enacted, That if the Owner or Occupier of any Ground or Soil, or any Person whomsoever, shall take any Materials which shall have been dug or gathered in any Lands, Fields, Waste Ground, Common River or Brook, for any of the Purposes of this Act, or shall get or take away any Materials out of any Pit or Quarry which shall be made for the Purpose of getting such Materials, before the said Surveyors or their Workmen shall have discontinued working therein for the Space of Three Calendar Months (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials therein, for his, her, or their own private Use only, and not for Sale), every Person so offending shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Penalty for taking away Materials procured for the Purposes of this Act.

CLXXVII. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors appointed or to be appointed by the said Trustees, and such Persons as they shall respectively appoint, from Time to Time to remove all Obstructions, Annoyances, and Encroachments on or by the Side or Sides of any Part of the said Roads and Branches of Road, by any Erection whatsoever within Forty-one Feet of the Centre of the said Roads or Branches of Road or either of them, other than Buildings already erected and built, or an open Palisade in front of the Houses on the Side of the said Roads or Branches of Road, not exceeding Six Feet in Heighth, or by Timber, Stone, or Carriages, or by any Water Troughs, Tubs, or other Things for watering Horses or Cattle, or for any other Purpose, or by Saw Pits, Hovels, Ashes, Rubbish, Straw, or otherwise, and to turn any Watercourses, Sinks, or Drains, running along, into, or out of the said Roads or Branches of Road to the Prejudice thereof, and to open, scour, cleanse, widen, or make deeper any Watercourses or Ditches adjoining or near thereto, and make the same as deep and large as they shall think necessary, and to cut down,

For removing Annoyances.

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lop, or top any Trees, Branches, or Bushes, (Timber Trees excepted,) growing on the said Roads or Branches of Road, or in the Hedges or Banks adjacent thereto, and to take and carry away the same respectively, and dispose thereof for the Purposes of this Act, and to cut and reduce all such Hedges to the Height of Five Feet, in case the Owners or Occupiers of the adjoining Lands or Premises shall neglect to remove such Obstructions, Annoyances, and Encroachments, and to open, scour, or cleanse such Watercourses, Sinks, or Drains, after Seven Days Notice in Writing given for that Purpose, and the Charges thereof, to be settled by One or more Justice or Justices of the Peace of the County where the same shall be situate, shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers, and the same shall be recovered, in case of Nonpayment thereof, in such Manner as Penalties and Forfeitures are hereinafter directed to be recovered.

Further
Powers for
preventing
Nuisances.

CLXXVIII. And be it further enacted, That if any Person or Persons shall, within the Distance of Five hundred Yards from any Dwelling House situate in or upon the said Roads or Branches of Road, burn any Rags or Bones, or other offensive Substance for making Manure, Ivory or other Black, or Ammonia, or for any other Purpose of Trade, Manufacture, or Commerce; or place, deposit, or keep any Night Soil, or the Emptyings, Cleansings, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground, Place, or Wharf, within the aforesaid Distance from any such Dwelling House as aforesaid, otherwise than in the covered Cart or other Carriage wherein the same may be brought or carried; or shall empty or discharge any Cart or other Conveyance containing the same otherwise than at once from and out of the same into some other Cart or Conveyance directly, or by means of a Shoot or some other similar Contrivance; or shall detain or permit such Cart or other Conveyance to remain within the Distance aforesaid from any Dwelling House more than Twelve Hours after any such offensive Matter as aforesaid shall have been placed therein; or if any Person or Persons shall use any such Cart or Conveyance for the Reception of any of the offensive Matters above enumerated, the same not being properly constructed to prevent as much as may be the Escape of any noisome or offensive Smell, or any Gas or Effluvia, tending to the Injury of the Health or the Annoyance of any of the Inhabitants of the Neighbourhood, or any of His Majesty's liege Subjects; every Person so offending as aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and the further Sum of Twenty Shillings shall be forfeited and paid by every Person detaining any such Cart or other Conveyance as aforesaid contrary to the Directions herein-before contained, for every Hour that the same shall be so detained beyond Twelve Hours; and the Occupier or Occupiers of any Place at, in, or upon which, or the Owner or Owners of any such Cart or Conveyance by means of which, or the Employer or Employers of any Person by whom any such Offence shall be committed, shall be taken and deemed to be each and every of them a principal Offender also; and

and for each such Offence shall forfeit and pay as herein-before is mentioned.

CLXXIX. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to order and direct any Alteration they shall think fit to be made by the Owners or Occupiers of any Public House, Alehouse, or other public Place licensed for the Sale of Ale, Beer, and Wine or Spirituous Liquors, in the Form and Situation of the Boxes, Screens, Shades, and other Conveniencies used or to be used as Depositories of Urine, or for the easing of Nature, now placed or at any Time hereafter to be placed in front of any of the Public Houses abutting upon any of the said Roads or Branches of Road; and it shall be lawful for the said Trustees to order and direct the Owner or Occupier of any Public House, Alehouse, or other Place licensed for the Sale of Ale, Beer, Wines, or Spirituous Liquors, which has no such Box, Shade, Screen, or Convenience aforesaid, to erect, at the Expence of such Owner or Occupier, a Box, Shade, Screen, or Convenience for the Purposes aforesaid, according to a Plan to be laid down by the said Trustees, and in such Situation as they the said Trustees shall direct; and no such Convenience shall be hereafter constructed, erected, and made without the Consent in Writing of the Surveyor or of the said Trustees for that Purpose first had and obtained; and the said Trustees are hereby empowered to order and direct the Owner or Occupier of the House at or near the Door of which any such Box, Shade, Screen, or other Convenience for the Puposes aforesaid may be placed, at his own Expence, to alter or pull down and rebuild such Box, Shade, Screen, or other Convenience, and place it (if to be replaced) where the said Trustees shall direct; and in case any such Owner or Occupier shall not, within Twenty-one Days after having received Notice in Writing, signed by the Clerk of the said Trustees, and left at the Dwelling House of such Owner or Occupier, alter or pull down and rebuild such Box, Shade, Screen, or Convenience as aforesaid, or erect such Box, Shade, Screen, or other Convenience where there shall be none, agreeably to a Plan to be furnished by the said Trustees, every such Owner or Occupier so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, and a Sum not exceeding Five Shillings for each Day so long as the Nuisance shall be continued, or such Convenience shall not be erected, to be recovered in like Manner as other Penalties under this Act may be recovered; and the said Trustees are hereby authorized and empowered in such Case to cause such Alterations to be forthwith made under the Direction of a Surveyor to be appointed by them for that Purpose.

Power to alter the Form and Position of watering Places.

CLXXX. And be it further enacted, That if any Person or Persons shall place or put out, or cause or permit to be placed or put out, any Garden or other Pots, (except the same shall be perfectly secured to the Satisfaction of the said Trustees or their Surveyor from falling,) or any other Matter or Thing, from or on the Outside of the Front or any other Part of any House or Houses, Buildings, or Premises over or next unto any of the said Roads or Branches of Road, and shall not immediately remove all such Matters or Things

For preventing dangerous Annoyances.

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on being thereunto required by the said Trustees or their Surveyor, Inspector, or other Person or Persons employed by them, or having removed such Matters or Things on being required so to do as aforesaid, shall again be guilty of any such Offence, or shall at any Time leave the Coal Plate, or other Covering of or belonging to any Hole or Funnel leading to any Cellar, unfastened, or without being properly fastened and secured from moving, or shall leave open after Sun-rise and before Sun-set the Aperture of any Coal or other Cellar, or the Door or Window of or Opening leading into any Area, Cellar, or other underground Room or Apartment, without having placed or left a sufficient Fence round the same, to warn and prevent Persons passing on the said Roads and Branches of Road, from falling into such Apertures, Coalholes, Areas, Cellars, or other underground Rooms, Apartments, or Openings, or shall leave open after Sun-set and before Sun-rise the Aperture of any Coal or other Cellar, or the Door or Window of or Opening leading into any Area, Cellar, or other underground Room or Apartment, without having sufficiently guarded or protected the same, and placed and left a sufficient Light therein to warn and prevent Persons passing in the said Roads and Branches of Road, from falling into such Apertures, Areas, Cellars, or other underground Rooms, Apartments, or Openings, then and in every such Case the Person or Persons who shall be guilty of any such Offence shall forfeit and pay any Sum not exceeding Five Pounds; and the Owner or Occupier of the House or Building where any such Matter of Annoyance shall happen, shall also be deemed and taken to be a principal Offender, and shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For preventing Obstructions and Nuisances on Pavements.

CLXXXI. And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Foot Pavements adjoining to the said Roads or Branches of Road, run, draw, drive, or carry any Truck, Wheel Sledge, Wheelbarrow, Handbarrow, Bier, or any other Carriage or Vehicle whatsoever, or roll any Cask or Tub (except to or from any Carriage or Cart for the necessary loading or unloading of any Carriage or Cart); or shall wilfully ride, lead, or drive any Horse or other Beast or Cattle whatsoever, on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereupon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Railing, or Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements; or hang up, place, or expose to sale any Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Offal, and other Matter or Thing, in or upon or so as to project over or upon the Footway or Carriageway of any of the said Roads or Branches of Road, or beyond the Line or on the Outside of the Window or Windows, or Area or Areas of the House, Shop, or Place at which the same shall be so hung up, placed, or exposed to sale; or set any Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Basket, or Stall, on or in any of the said Footways or Foot Pavements, or Carriageways; or erect, set up, put or place, or continue, any Blind, Shade, Coverlid, Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment

Impediment in the Footway or on the Foot Pavement; or shall in any of the said Roads or Branches of Road hang out or cause to be hung out any Linen or Clothes; or shall hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair, or wash or clean, any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall sift, screen, wet, slack, or mix any Lime, or wet, mix, or make any Mortar, (except with the Consent of the said Trustees or of their Surveyor for the Time being, and also having previously erected a Hoard in such Manner, for such Time, and according to such Regulations as the said Trustees or their Surveyor shall from Time to Time make in that Behalf); or shoe, bleed, or farry any Horse or other Beast, (unless in case of any sudden Accident,) or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or shall show or expose any Stallion or Stone Horse, or shall exercise or expose to sale any Horse or Horses, or other Beast or Beasts, (except only in such Place or respective Places as the said Trustees or their Surveyor for the Time being shall direct or appoint for any of the above Purposes); or kill, slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part; or beat or dust any Carpet or Hearth Rug; or shall drive any Carriage or Carriages for the Purpose of breaking, exercising, or trying Horses; or if any Person shall permit his or her Dog to go at large after public Notice given by any Beadle or Crier within the said Roads or Branches of Road, during such Time as such Notice shall direct Dogs to be confined on Suspicion of the Existence of Canine Madness; or shall leave any Cart, Waggon, Truck, or other Carriage or Obstruction, in any of the said Roads or Branches of Road, (otherwise than during a reasonable Time necessary for loading or unloading the same); or shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, or Vegetables, or any other Offal, Dung, Soil, Blood, or other Filth or Annoyance, or any other Matter or Thing, in or upon the Carriage-way, Footway, or Pavement of any such Roads or Branches of Road, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall wilfully break, or aid, abet, or assist in wilfully breaking, any Glass or Window Panes, or Windows, in or belonging to any Dwelling House or Building; or shall make or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss, or other Fire Arms, or let off, set fire to, or throw any Crackers, Squib, Rocket, or other Firework; or shall fly any Kite, drive any Hoop, or play at Foot Ball, or any other Game or Games, to the Annoyance of any Passenger or Traveller; or shall make or cause any unnecessary Stoppage of any Coach, Cart, Waggon, or Carriage, or otherwise occasion any kind of Obstruction or Annoyance in or upon any such Roads or Branches of Road; or shall obstruct or incommode, hinder or prevent, the free Passage of any Carriageway, Footway, or Causeway, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing, or going thereon; or if the Driver of any Sort of Carriage whatsoever,

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meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side of the Road, or shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, within such Roads or Branches of Road, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage, or of His Majesty's Subjects, within any such Road, Street, or Place; or if any Person shall affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material whatsoever; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Constable or other Peace Officer, or any One of the said Trustees, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before such Justice or Justices of the Peace for the said County of *Middlesex*, or *Essex*; (as the Case may be,) in order to his, her, or their Conviction of such Offence.

Further
Powers for
the same.

CLXXXII. And be it further enacted, That not only shall the said Penalties herein-before enacted become payable and be recovered, but it shall be lawful for any Person or Persons appointed or to be appointed by the said Trustees, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel Sledge, Wheelbarrow, or Carriage, Horse, Beast, or Cattle, Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping Block, Stall, Basket, Blind Shade, Coverlid, or Awning or other Thing, Stone, Wood, or Timber, Coach, Chaise, Waggon, or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules, (if any,) thereunto belonging, with the Harness, Gears, and Accoutrements thereof, or any such Goods, Wares, Merchandize, Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Things, or any of them; and in case any of the Goods or Things so seized shall be perishable, or shall be Articles of Food, then the same shall be immediately forfeited, and the Person or Persons who shall make such Seizure shall deliver or cause to be delivered the Goods so seized to the Overseer or Overseers of the Poor of the Parish in which the same Goods shall have been so seized as aforesaid, the same to be given and distributed by such Overseer or Overseers unto or among the poor Inhabitants of the same Parish; but otherwise such Person or Persons making such Seizure shall cause the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, or any Materials or Things so seized, to be removed to any Place appointed for the Reception thereof within the Parish wherein the same shall be seized (if any such there be), or otherwise to such Place or Places as he or they shall judge convenient, giving parole or written Notice of such Place or Places whereunto the same shall be removed unto the Owner, Driver, or other Person having any Interest in the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or other Things so seized or removed, if he, she, or they shall be then and there present, or otherwise known

known to the Person or Persons so seizing the same, and the same shall be there kept and detained until such Owner, Driver, or other Person interested as aforesaid shall cause to be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Ass or Asses, Mule or Mules, (if any); and in case the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, Materials, or other Things so removed, not being perishable, or Articles of Food, shall not be claimed, and the said Penalty and Charges paid within Five Days next after such Removal thereof, then and in every such Case it shall be lawful for the said Trustees, or their Surveyor or Inspector, or other Person appointed by the said Trustees, to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale to be returned to the Owner or Owners thereof, after deducting the said Penalty, and such Costs, Charges, and Expences attending such seizing, removing, keeping, appraising, and selling the same, as the said Trustees shall ascertain and allow.

CLXXXIII. And for the more easily discovering and effectually punishing the Offender or Offenders so placing, depositing, or keeping such Night Soil or other offensive Matters or Things within the aforesaid Distance of the said Roads and Branches of Road, be it further enacted, That in all such Cases the Owner or Owners of the Cart, Carriage, or other Vehicle whatsoever, which shall be used for bringing and casting such Night Soil, or other offensive Matters or Things, shall be deemed and considered to be the Person and Persons throwing, casting, and laying the same, and, as well as the Person and Persons who shall actually drive or carry the Cart, Carriage, or other Vehicle so bringing and casting such Night Soil or other offensive Matters or Things, shall be subject and liable to the Penalty hereby imposed: Provided always, that in case the Owner or Owners of any Cart, Carriage, or other Vehicle as aforesaid, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage, by reason of any wilful Neglect or Default done or committed by his, her, or their Servant, such Servant shall be liable to repay such Penalty or Satisfaction to such Owner or Owners; and in case of Nonpayment upon Demand thereof, and Oath made by such Owner or Owners of the Payment by him, her, or them of such Penalty or Satisfaction, and that the same hath not been repaid to him, her, or them by such Servant, (such Oath to be made before One Justice of the Peace,) the same Penalty and Satisfaction shall be levied, by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, when recovered, shall be paid to such Owner or Owners in discharge of such Penalty and Satisfaction; and if sufficient Goods and Chattels of such Servant cannot be found to answer such Distress, then such Justice is hereby empowered, by Warrant under his Hand and Seal, to cause such Servant to be apprehended and brought before him the said Justice, and in case such Penalty and Satisfaction, and the Costs of such Proceeding as aforesaid, shall not be forthwith paid, such Justice is hereby required to commit such Servant to the House of Correction for the County of *Middlesex*, there to remain without

Owners of
Carts con-
veying Night
Soil liable to
Penalty for
casting the
same.

Owners to
recover
back from
their Ser-
vants any
Sum paid for
their Neg-
lect, &c.

without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Penalty for drawing Timber, &c. so as to drag upon the Roads.

CLXXXIV. And be it further enacted, That if any Person or Persons shall draw or cause to be drawn upon any Part of the said Roads or Branches of Road, any Tree or Piece of Timber, or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon any Wheel Carriage to drag or trail upon any Part of the said Roads or Branches of Road, to the Prejudice thereof, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Houses to be numbered, and Names of Places to be affixed on Corner of Houses, &c.

CLXXXV. And be it further enacted, That the said Trustees, or any Three or more of them, may order and direct the Houses and Buildings that shall or may be erected and built in, upon, or by the Side of the said Roads or Branches of Road, to be numbered with Figures placed or painted on the Doors thereof, or on such other Part of the said Houses respectively as they the said Trustees or any Three or more of them shall think proper, and may also order and direct to be engraved, painted, or otherwise described, in a conspicuous Part of any Row of Houses or Buildings that may be built as aforesaid, at or near the End or Corner of such Row of Houses or Buildings that may be so built as aforesaid, the Name by which such Row or Rows of Houses may be called or known, and also to place and fit up any such Board or Boards as they shall think proper for ascertaining the Distances between particular Places; and if any Person or Persons shall wilfully or maliciously destroy, injure, obliterate, or deface any such Number, Figure, Name, or Description, or any Part thereof, or cause or procure the same to be done, and shall be convicted thereof by his, her, or their own Confession, or by Oath of One or more Witness or Witnesses, before One or more Justice or Justices of the Peace acting in and for the said County of *Middlesex*, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Gunmakers Company shall prove Guns, &c. only at certain Times.

CLXXXVI. And whereas the Master, Wardens, and Society of the Mystery of Gunmakers of the City of *London* are possessed of a certain Piece or Parcel of Ground situate in *Church Lane* or *Church Street* aforesaid, with a Proving-house, Charging-house, and other Erections and Buildings thereon, in which Premises the said Society or Company have been for a long Time used and accustomed to prove and try Guns, Muskets, Pistols, and other Fire Arms; be it therefore enacted, That it shall not be lawful for the said Society or Company, or any of their Officers, Servants, or Agents, to fire off, or cause or procure or permit to be fired off, any Guns, Muskets, Pistols, or other Fire Arms, to be proved or tried by them in their said Proving-house, Charging-house, or Ground, at any Time or Times between the Hours of Nine of the Clock in the Forenoon and Twelve of the Clock at Night from *Lady Day* to *Michaelmas Day* in each and every Year, or between the Hours of Eleven of the Clock in the Forenoon and Twelve of the Clock at Night from *Michaelmas Day* to

to *Lady Day* in each and every Year; and that if any Guns, Muskets, Pistols, or other Fire Arms, to be proved or tried by the said Society or Company, their Officers, Servants, or Agents, shall be fired off by them or any of them on the said Premises or any Part thereof, after the said Hour of Nine of the Clock in the Forenoon, and before Twelve of the Clock at Night, between *Lady Day* and *Michaelmas Day* in any Year, or after the said Hour of Eleven of the Clock in the Forenoon and before Twelve of the Clock at Night, between *Michaelmas Day* and *Lady Day* in any Year, then and in such Case the said Society or Company shall for every such Offence, on Proof being made thereof before any Two Justices of the Peace acting for the County of *Middlesex*, on the Oath of Two or more credible Witnesses, forfeit and pay any Sum not exceeding Twenty Pounds, one Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the other Penalties and Forfeitures under this Act are herein-after directed to be applied.

CLXXXVII. Provided always, and be it further enacted, That the said Society or Company, their Officers, Servants, or Agents, shall not nor shall any of them be subject or liable to any Prosecution or Information by virtue of this Act, for any Offence or Offences against this Act, unless such Prosecution shall be commenced or Information given within One Calendar Month next after the Offence or Offences committed.

Limitation of Prosecution against the Company.

CLXXXVIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any Manner to molest, hinder, or interrupt the said Society or Company, their Successors or Assigns, in the free Use, Occupation, and Enjoyment of the said Piece or Parcel of Ground, Erections, Buildings, and Premises in *Church Street* or *Church Lane* aforesaid, or in any Manner to prevent or interfere with their proving or trying Guns, Muskets, Pistols, and other Fire Arms there, in such and the same Manner as they now do and have been heretofore used and accustomed to do, save and except as is herein-before particularly enacted concerning the same.

Saving in favour of the Company.

CLXXXIX. And be it further enacted, That the Bridle and Drift Road leading from *Wall End*, in the said Parish of *East Ham*, to and over Three several Bridges adjoining to *Barking Mills*, shall be no longer used as such; and the Person or Persons now liable to repair the said Bridge called *Hand Trough Bridge*, shall be at liberty to take down the same for his, her, or their own Use and Benefit; and from and after the taking down of the same Bridge the Lands over which such Bridle and Drift Road has heretofore passed shall remain in the Occupation and Possession of the present Occupiers and Possessors as they now are, and exonerated from such Bridle and Drift Road over the same.

A Bridle or Drift Road leading from Wall End to Barking Mills to be no longer used.

CXC. And be it further enacted, That it shall not be lawful for the said Trustees to dig, take or carry away, from or out of any Lands or Grounds of *Alice Keeling*, now or late in the Occupation

Trustees not to dig or take any Gravel from Lands

[Local.]

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of

in the Occu-
pation of
Mr. Smith.

of *William Smith*, situate between the River *Roding* and the said Town of *Barking*, called the *Abbey Lands*, any Gravel or Sand or other Materials for the making or maintaining of the said *Barking* Road, without the Consent of the Owner or Owners, and Occupier or Occupiers, of such Lands or Grounds respectively.

All Contracts
for Copyhold
Estates shall
be executed
in the Courts
of the Manor
whereof such
Land shall be
held, &c.

CXCI. Provided always, and be it further enacted, That all Contracts, Agreements, Bargains, Sales, and Exchanges of or concerning any Lands, Tenements, or Hereditaments which shall be Copyhold, or of the Nature of Copyhold, shall be executed and completed, by Surrender thereof or otherwise, in the respective Courts of the Manors whereof such Lands, Tenements, or Hereditaments shall be held according to the Custom of the said Manors respectively, and such Lands, Tenements, or Hereditaments shall no longer remain and continue subject to any Fines, Rents, and Services, but shall be considered as enfranchised by the Lord or Lords, Lady or Ladies of the respective Manors whereof such respective Copyhold Hereditaments shall be holden; and such Lord or Lords, Lady or Ladies, shall be respectively paid, for his, her, or their Estate and Interest in the said Lands, Tenements, or Hereditaments, out of the Monies to be raised, received, or collected by virtue of this Act, such Compensation as if such Lord or Lords, Lady or Ladies had regularly enfranchised such Lands, Tenements, or Hereditaments, such Compensation to be agreed upon between the said Trustees or any Three or more of them, and such Lord or Lords, Lady or Ladies, or adjudged or assessed in like Manner as the Value of the Lands, Tenements, and Hereditaments to be taken for the Purposes of the said Roads or Branches of Road is by this Act directed to be adjudged or assessed.

Recital of
Powers of
Acts 46 G. 3.
c. 77.

CXCII. And whereas in and by a certain Act passed in the Forty-sixth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for more effectually maintaining, regulating, and employing the Poor within the Parish of Saint George in the County of Middlesex, and for cleansing and lighting the Squares, Streets, and other open Passages and Places, and for keeping and regulating a Nightly Watch within such Parts of the said Parish as are not within the Liberty of the Tower of London*, it was enacted, that it should be lawful for the said Trustees therein named, or any Five or more of them, to contract and agree, for any Time not exceeding One Year, with any Person or Persons to be Raker or Rakers, Cleanser or Cleansers of the Squares, Streets, Lanes, Courts, Yards, and other open Passages, Ways, and Places within such Parts of the said Parish as were not within the Liberty of the Tower of *London*, and such Person or Persons should Twice in every Week bring or cause to be brought convenient Carriages into all the Parts aforesaid where such Carriages could be drawn near or pass into, and at or before their Approach, by Bell, Horn, Clapper, or otherwise by a loud Noise or Cry, should give Notice to the Inhabitants of their coming, and give the like Notice in every other Place into which the said Carriages could not pass and abide, to bring forth to the Doors of their respective Houses their Soil, Ashes, Rubbish, Dust, Dirt, and Filth, all which the said Raker or Rakers, Cleanser or Cleansers, should carry
away

away or cause to be carried away *gratis*, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Neglect or Default; except all such Rubbish, Earth, Dust, Dirt, Filth, and Soil as should be occasioned by building, repairing, amending, or altering any House or Houses, or any other Building or Buildings, which said Rubbish, Earth, Dust, and Soil thereby occasioned should forthwith, after such building, repairing, or altering was finished, be carried away by the Owners or Occupiers of such Houses or Buildings respectively as aforesaid, upon pain of forfeiting and paying any Sum of Money not exceeding Five Pounds for every Offence; and it was also in and by the said last-mentioned Act further enacted, that if any Person or Persons, other than the Person or Persons contracting with the said Trustees therein named, or those employed under such Contractor, should on any Pretence whatever go about to collect or gather, receive or carry away, any Dust, Dirt, Cinders, or Ashes from any House or other Premises in any Square, Street, or Place under the Management of the said Trustees, it should and might be lawful for any Person or Persons who should see such Offence committed, to seize and also for any other Person or Persons to assist in seizing the Offender, and by Authority of that Act, and without any other Warrant, to convey him or her before some Justice of the Peace for the said County of *Middlesex*, and such Justice should examine upon Oath the Person or Persons apprehending the Offender, or any Witness or Witnesses who should appear to give Information touching such Offence, and if the Party should be convicted, he, she, or they should for every such Offence forfeit and pay any Sum not exceeding Ten Shillings, and one Moiety of such Penalty should be paid to the Person or Persons who should apprehend the Offender, and the other Moiety to the said Trustees; and if such Offender should not immediately upon Conviction pay the said Penalty, the said Justice was thereby required to commit him or her to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding Twenty Days nor less than Seven Days, unless such Penalty be sooner paid; and it was nevertheless provided, that nothing in that Act contained should extend to prevent or hinder the Owners of such Dust, Dirt, Cinders, and Ashes to carry away the same for their own Use, but not for Sale: And whereas in and by a certain other Act passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act for the more equally assessing and collecting the Poor's Rates* 50G.3.c.131. *within the Hamlet of Mile End Old Town, in the Parish of Saint Dunstan Stebonheath otherwise Stepney in the County of Middlesex, to alter, enlarge, or repair a Workhouse or Workhouses of the said Hamlet, and managing the Concerns thereof*, it was enacted, that it should and might be lawful for the said Trustees therein mentioned, at any Meeting holden under the said now-reciting Act, to contract, for any Time not exceeding Twelve Months, with any Person or Persons for the Sale of the Coal Dust or Ashes, Rubbish, Dust, Dirt, or Filth, such Contractor to purchase and take away the same from the Houses of the Inhabitants, and such Person or Persons should Once or oftener in every Week bring or cause to be brought convenient Carriages into all Parts of the said Hamlet where such Carriages could be drawn near or pass into, and at or before Approach, by Bell or otherwise by a sufficient Noise or Cry, should give Notice to

to the Inhabitants of his or their coming, and give the like Notice in every other Place into which the said Carriages could not pass, and abide and stay a convenient Time; and the said Contractor or Contractors, or the Person or Persons employed by him or them, should carry away or cause to be carried away *gratis* from the Premises of such Occupier or Occupiers, all the Ashes, Rubbish, Dust, Dirt, and Filth therein, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Neglect or Default; except all such Rubbish, Dust, Dirt, and Filth as should be occasioned by building, repairing, amending, or altering any House or Houses, or any other Building, which said Rubbish, Dust, Dirt, and Filth thereby occasioned should forthwith, after such building, repairing, or altering was finished, be carried away by the Owner or Owners, Occupier or Occupiers of such Houses or Buildings respectively as aforesaid, upon pain of forfeiting and paying any Sum of Money not exceeding Ten Shillings for every such Offence; and that all Monies arising by such Contract as aforesaid, and all other Monies raised by virtue of that Act, should be applied towards the Relief of the Poor of that Hamlet; and it was by the said last-recited Act further enacted; that if any Person or Persons other than the Person or Persons contracting with the said Trustees therein mentioned, or those employed under the said Contractor, should on any Pretence whatever go about to collect or gather, receive or carry away, any Dust, Dirt, Cinders, or Ashes from any House or other Premises in any Square, Street, or Place within the said Hamlet, under the Management of the said Trustees, as agreed to be taken away by such Contractor, it should and might be lawful for any Person or Persons who should see such Offence committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, and by Authority of that Act, and without any Warrant, to convey him, her, or them before some Justice of the Peace for the said County of *Middlesex*, and such Justice should examine on Oath the Person or Persons apprehending the Offender or Offenders, or any Witness or Witnesses who should appear to give Information touching such Offence; and in case such Person or Persons so offending could not be immediately seized and apprehended, then upon Complaint made to any such Justice of the Peace by any Person whatever, he the said Justice might and was thereby required to issue his Summons to cause such Person to be brought before him, and such Justice, on the Party or Parties appearing before him, might and was thereby empowered to inquire into the Matter of Complaint by the Oath of One credible Witness, and if the Party should be convicted, he, she, or they should for every such Offence forfeit and pay any Sum not exceeding Five Pounds, one Moiety of such Penalty to be paid to the Person or Persons who should apprehend such Offender, or on whose Oath such Party should be convicted, and the other Moiety to the said Trustees; and if such Offender should not immediately upon Conviction pay the said Penalty, the said Justice was thereby required to commit him or her to the Common Gaol or House of Correction, there to be kept to hard Labour for any Time not exceeding Twenty-one Days, unless such Penalty should be sooner paid; and it was nevertheless provided, that nothing in that Act contained should extend to prevent or hinder the Owners of such Dust, Dirt, Cinders,
and

and Ashes, to carry away the same for their own Use, but not for Sale: And whereas by another Act passed in the Fifty-third Year of the Reign of His late Majesty, intituled *An Act for paving, lighting, watching, and improving the Hamlet of Poplar and Blackwall in the County of Middlesex, and for the better Relief and Maintenance of the Poor of the said Hamlet*, it was enacted, that it should and might be lawful for the Trustees therein named, from Time to Time and at all Times thereafter when they should think proper, to nominate and appoint any Person or Persons, and to purchase any Cart or Carts, or other Carriage or Carriages, and also any Horse or Horses, for the Purpose of cleansing the several Streets, Lanes, public Passages and Places within the same Hamlet, and of carrying away the Dust, Dirt, Ashes, Filth, and Soil thereof, and also the Soil, Ashes, Rubbish, Dust, Dirt, and Filth from the Houses and Premises of the Inhabitants within the said Hamlet, or it should and might be lawful to and for the said Trustees to contract with any Person or Persons for the doing thereof; and it was in and by the said last-mentioned Act further enacted, that if any Person or Persons other than the Person or Persons employed by or contracting with the said Trustees therein named for cleansing the several Streets, Lanes, public Passages or Places within the said Hamlet, and for carrying away the Dust, Dirt, Ashes, Filth, and Soil thereof, and also the Soil, Ashes, Rubbish, Dust, Dirt, and Filth from the Houses and Premises of the Inhabitants within the said Hamlet, or the Person or Persons employed by or acting under the Direction of the Person or Persons so contracting as aforesaid, should take or carry away, or cause to be taken or carried away, any Dirt, Dust, Ashes, Filth, or Soil out of any such Streets, Lanes, or other public Passages or Places as aforesaid, or should on any Pretence whatever go about to collect or gather, or should ask for, receive, or carry away any Soil, Ashes, Rubbish, Dust, Dirt, or Filth from any House or Premises of any Inhabitant within the said Hamlet, it should be lawful for any Justice or Justices of the Peace for the said County of *Middlesex*, and he and they was and were thereby authorized, empowered, and required, upon Complaint to him or them made, to grant a Warrant or Warrants to bring before him or them such Offender or Offenders; and it should also be lawful for any Person or Persons who should see such Offences committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made for carrying the same away, and by Authority of the said now-reciting Act, and without any other Warrant or Authority, to convey him, her, or them before such Justice or Justices for the County of *Middlesex*, and such Justice or Justices should, and he and they were thereby authorized, empowered, and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, or any Witness or Witnesses who should appear to give Information or Evidence touching such Offence, and on the Party or Parties so appearing before him or them, to inquire into the Cause of Complaint; and if the Party or Parties should be convicted, on the Oath of One or more credible Witness or Witnesses, of taking, or carrying away, or causing to be taken or carried away, any Dirt, Dust, Ashes, Filth, or Soil out of any such Streets, Lanes, or other

public Passages or Places as aforesaid, or of going about to collect or gather, asking for, receiving, or carrying away any Soil, Ashes, Rubbish, Dust, Dirt, or Filth from any House or Premises of any Inhabitant within the said Hamlet, not being the Person or Persons so employed by or contracting with the said Trustees, or acting under his or their Authority, he, she, or they should for every such Offence forfeit and pay any Sum not exceeding Five Pounds, one Moiety of such Penalty or Penalties to be paid to the Informer or Informers, or to the Person or Persons who should apprehend the Offender or Offenders, and the other Moiety to the said Trustees; and if such Offender or Offenders should not immediately upon any such Conviction pay the said Penalty or Penalties, such Justice or Justices was and were thereby authorized, empowered, and required to direct any such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which should have been so seized, to be appraised and sold, and after deducting (out of the Monies to arise by such Sale) the Penalty or Penalties incurred, together with the reasonable Costs, Charges, and Expences of such Distress and Sale, the Overplus thereof should be returned, upon Demand, to the Party or Parties whose Horses or other Things should be appraised and sold; and in case there should have been no such Seizure as aforesaid, or if the said Horses, Asses, Cattle, or the Carts, Trucks, Wheelbarrows, or other Carriages or Implements which should be so appraised or sold, should not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Costs, Charges, and Expences, then, if such Offender or Offenders should not upon such Conviction pay the said Penalty or Penalties, or such Part or Parts of the said Penalty or Penalties, Costs, Charges, and Expences, which should remain over and above the Produce of the said Horses, Asses, or other Cattle, or the said Carts or other Things so seized and sold, such Justice or Justices was and were thereby authorized, empowered, and required to commit such Offender or Offenders to the Common Goal or House of Correction for the said County of *Middlesex*, there to be kept to hard Labour for any Time not exceeding Forty Days, unless such Penalty or Penalties, Costs, Charges, and Expences should be sooner paid and satisfied; and it was nevertheless provided, that nothing in the now-reciting Act contained should extend to prevent the emptying of Privies or Necessary Houses as heretofore, or to prevent or hinder the removing or carrying away any Dust, Dirt, Ashes, Filth, or Soil occasioned by the carrying on and exercising of any Trade, Manufactory, or Business whatsoever, of which the Owner or Owners should have heretofore made any Profit, Benefit, or Advantage, or extend to prevent or hinder the Owner or Owners of such Dust, Dirt, Ashes, Filth, and Soil from carrying away the same for his, her, or their own Use and Benefit: And whereas by a certain other Act passed in the Fifty-fourth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for rebuilding the Workhouse of the Parish of Saint Anne Limehouse in the County of Middlesex, and for amending an Act of King George the Second for regulating the Nightly Watch and Paving, and other Purposes relating to the said Parish*, it was enacted, that if any Person or Persons, other than the Person or Persons employed by or contracting with the said Trustees acting under and by virtue of the Act therein recited, for

54G.3.c.194.

cleansing the Streets, Squares, and Places under their Direction, or those employed under such Contractor or Contractors, should on any Pretence whatsoever go about to collect or gather, or should ask for, receive, or carry away, any Dust, Dirt, Filth, Cinders, or Ashes, (Stable Dung and Ashes arising from the burning of Wood only excepted; and those only from the Premises of Bakers or Manufacturers,) from any House or other Premises within the said Parish (except the Owner or Owners of such Dust, Dirt, Cinders, or Ashes, who might remove the same for his or their own private Use only), it should be lawful for any Justice or Justices of the Peace for the said County of *Middlesex*, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, or for any Person or Persons who should see such Offence committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made use of for carrying the same away, and by the Authority of the now-reciting Act; and without any other Warrant, to convey him, her, or them before such Justice or Justices of the Peace, or any other Justice or Justices of the Peace for the said County, and such Justice or Justices should and he and they was and were thereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, or any Witness or Witnesses who should appear to give Information or Evidence touching such Offence; and if the Party or Parties should be convicted of going about to collect or gather, asking for, receiving, or carrying away, any Dust, Dirt, Filth, Cinders, or Ashes (except as aforesaid) from any House or other Premises within the said Parish, not being a Person or Persons so employed by or contracting with the said Trustees, or acting under his or their Authority, he, she, or they should respectively for the First Offence forfeit and pay any Sum not exceeding Ten Shillings, for the Second Offence any Sum not exceeding Twenty Shillings, and for the Third and every other subsequent Offence any Sum not exceeding Forty Shillings; and one Moiety of such respective Penalties should be paid to the Informer or Informers, or to the Person or Persons who should apprehend the Offender or Offenders, and the other Moiety should be applied for the Purposes of the now-reciting Act; and if such Offender or Offenders should not on Conviction pay the said Penalty or Penalties, such Justice or Justices was and were thereby required to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which should have been so seized, to be appraised and sold, and after deducting (out of the Monies to arise by such Sale) the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Distress and Sale, the Overplus thereof should be returned, upon Demand, to the Party or Parties whose Horses or other Things should be appraised and sold, and in case there should have been no such Seizure as aforesaid, or if the Horses, Asses, Cattle, Carts, or other Things which should be so appraised and sold, should not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges, and Expences, then, if such Offender or Offenders should not upon Conviction pay the said Penalty or Penalties, or such Part or Parts of

50 G. 3. c. 83.

of the said Penalty or Penalties, Charges, and Expences which should remain over and above the Produce of the Horses, Asses, Cattle, Carts, and other Things so seized and sold, then such Justice or Justices was and were thereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Middlesex*, there to be kept to hard Labour for any Time not exceeding Forty Days, unless such Penalty or Penalties should be sooner paid and satisfied: And whereas by another Act passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act for better lighting, watching, cleansing, and repairing the Highways, and otherwise improving the Hamlet of Ratcliffe in the County of Middlesex, and for repealing an Act of the Twenty-ninth Year of His late Majesty relative thereto, and for the better Relief and Maintenance of the Poor of the said Hamlet*, it was enacted, that it should and might be lawful to and for the said Trustees acting thereunder, and they were thereby required, to nominate and appoint any Person or Persons, and to purchase any Cart or Carts or other Carriage or Carriages, and also any Horse or Horses, for the Purpose of cleansing the several Streets, Lanes, public Passages and Places within the said Hamlet, and of carrying away the Dust, Dirt, Ashes, Filth, and Soil thereof, or it should and might be lawful to and for the said Trustees to contract with any Person or Persons for cleaning the same, and for carrying away the Dust, Dirt, Ashes, Filth, and Soil thereof; and it was by the same Act further enacted, that if any Person or Persons whomsoever, other than the Person or Persons employed by or contracting with the said Trustees for cleansing the several Streets, Lanes, public Passages or Places within the said Hamlet, or the Person or Persons employed by or acting under the Direction of the Person or Persons so contracting as aforesaid, should take or carry away, or cause to be taken or carried away, any Dirt, Dust, Ashes, Filth, or Soil out of any such Streets, Lanes, or other public Passages or Places as aforesaid, every such Person so offending should for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; provided always, and it was thereby also further enacted, that nothing therein contained should extend or be construed to extend to any Ashes, Cinders, Dust, Filth, or Rubbish which any of the Inhabitants of the said Hamlet should occasion and think fit to keep and preserve within their own respective Houses, Yards, or Gardens, but the same should respectively belong to and be at the Disposal (though not for Sale) of the Person or Persons so reserving the same, so as such Ashes, Cinders, Dust, Dirt, Filth, or other Rubbish be not laid down or placed in any of the said Streets, Roads, Lanes, public Passages or Places in the said Hamlet, for any longer Time than should be necessary for the loading and carrying away the same, nor suffered to annoy the Neighbour or Neighbours of such Person or Persons; but in case such Person or Persons so reserving such Ashes, Cinders, Dirt, Dust, Filth, Soil, or Rubbish should wilfully or neglectfully permit or suffer the same to lay in any of the said Streets, Roads, Lanes, public Passages or Places in the said Hamlet, for any longer Time than Two Hours, for the Purpose of loading and carrying away the same, or should suffer the same to annoy his, her, or their Neighbour or Neighbours, such Person or Persons should for every such Offence forfeit and pay any Sum not exceeding

exceeding Twenty Shillings, and it should and might be lawful for the Person or Persons to be appointed by or contracting with the said Trustees for cleansing the said Streets, Lanes, public Passages and Places, and they were thereby authorized and directed, to take and convert such Ashes, Cinders, Dust, Dirt, Filth, Soil, and Rubbish, to his and their own Use and Uses, and to sell and dispose thereof, without rendering any Satisfaction for the same: And whereas Doubts may arise whether the several Provisions in the said last-recited Acts, or some or one of them, may not militate against the Provisions herein contained: And whereas it is expedient that such Doubts should be removed; be it therefore further enacted, That none of the Clauses or Provisions enacted by the said last-recited Acts of the Forty-sixth, Fiftieth, Fifty-third, and Fifty-fourth Years of His said late Majesty King *George* the Third, shall be deemed or construed to extend to any of the Limits prescribed by this Act, except the *East India Dock Road* and *Robinhood Lane*.

Provisions of recited Acts not to extend to certain Limits of this Act.

CXCIII. And be it further enacted, That if any Person or Persons other than the Scavengers, Rakers, or Cleansers, or other Person or Persons employed or appointed by or contracting with the Trustees for executing this Act, or any Three or more of them, to collect and retain the Dust or Dirt, Cinders, Ashes, Filth, and Soil within the Limits prescribed by this Act, or those employed by and under such Person or Persons, shall on any Pretence whatsoever go about to collect or gather, or shall ask for, receive, or carry away, any Dust, Dirt, Cinders, Ashes, Filth, and Soil, it shall and may be lawful for any Justice of the Peace for the County or Place where the Offence shall be committed, upon Complaint to him made, to grant a Warrant to bring before him such Offender or Offenders, and also for any Person or Persons who shall see any such Offence committed, to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made use of for carrying the same away, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before such Justice of the Peace, or any other Justice of the Peace for the said County or Place, and such Justice shall and he is hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, or any Person or Persons who shall appear to give Information or Evidence touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, or of asking for, receiving, or carrying away any Dust, Dirt, Cinders, Ashes, Filth, or Soil, from any House or other Premises within the Limits aforesaid, not being the Person or Persons employed or appointed by or contracting with the said last-mentioned Trustees to collect the Dust, Dirt, Cinders, Ashes, Filth, and Soil from the Houses and Premises therein, or not acting with or under his or their Authority, he, she, or they shall for every such Offence forfeit and pay the Sum of Five Pounds, one Moiety of which Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety shall be paid and shall belong to the Person or Persons so employed, or appointed by or contracting with the

Dust to be removed only by Scavengers appointed by Trustees.

said last-mentioned Trustees as aforesaid; and if such Offender or Offenders shall not on Conviction pay the said Penalty or Penalties, such Justice is hereby required to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which shall have been so seized, to be appraised and sold, and after deducting, out of the Monies to arise by such Sale, the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Warrant, and of such Distress, Appraisement, and Sale, the Overplus thereof shall be returned, upon Demand, to the Party or Parties whose Horses and other Things shall be appraised and sold; and in case there shall have been no Seizure as aforesaid, or if the Horses, Asses, Cattle, Carts, or other Things which shall be appraised and sold, shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges, and Expences, and if such Offender or Offenders shall not upon the Conviction pay the said Penalty or Penalties, or such Part or Parts of the said Penalty or Penalties, Charges, and Expences as shall remain over and above the Produce of the Horses, Asses, Cattle, Carts, and other Things so seized and sold, then such Justice is hereby required to commit such Offender to the Common Gaol or House of Correction for the said County of *Middlesex*, there to be kept to hard Labour for any Time not exceeding Thirty Days, unless such Penalty or Penalties, and Charges and Expences, and every Part thereof, shall be sooner paid and satisfied.

Powers of
Acts 17 G. 3.
c. 22. and
22 G. 3. c. 86.
relative to
St. George's
Pavement,
not to be
affected.

CXCIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter, change, annul, defeat, or make void all or any of the Rights, Powers, Authorities, Duties, Matters, and Things given and granted to or vested in or required to be done by the Commissioners of Pavement commonly called the *Saint George's* Pavement, acting under the Authority of the several Acts herein-after mentioned; that is to say, an Act passed in the Seventeenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for opening Communications between Wapping Street and Ratcliffe Highway, and between Old Gravel Lane and Virginia Street, and for paving certain Streets intended to be built, and also certain other Streets and public Passages, and Places within the Parishes of Saint George and Saint John of Wapping in the County of Middlesex*; and another Act passed in the Twenty-second Year of the Reign of His said late Majesty, intituled *An Act for explaining and amending Two Acts, one made in the Eleventh and the other in the Seventeenth Year of His late Majesty, for paving certain Streets in the Parishes of Saint John of Wapping and Saint George in the County of Middlesex, and for other Purposes; and for extending the Provisions of the said Acts to other Parts of the said Parishes; and also for opening certain Communications within the said Parish of Saint George*; but that all such Rights, Powers, and Authorities, Duties, Matters, and Things whatsoever, so given and granted to or vested in or required to be done by the said Commissioners under the said several Acts herein-before mentioned, shall from and after the passing of this Act be and remain and continue vested in and be executed, done, and performed by the said Commissioners and their Successors, as fully and effectually to all Intents and

Purposes as the same might or could have been executed, done, and performed by the said Commissioners in case this Act had not been passed.

CXCV. And be it further enacted, That in all Cases in which any Penalty or Forfeiture by this Act is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint in a summary Way, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Justices may proceed by Summons for the Recovery of Penalties.

CXCVI. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Damages and Charges, in case of Dispute, to be settled by Justices.

CXCVII. 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 this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any 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 Ten Days after Demand in Writing shall have been made from the said Trustees, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, 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 their Treasurer, by a Warrant to be issued for that Purpose by such Justice or Justices, 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

In case of Nonpayment of Compensation for Damages, &c. by the Trustees, the same to be levied by Distress of their Goods.

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 every 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: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or been put unto by virtue of any such Warrant as aforesaid.

Appeal.

CXCVIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates made or to be made by the said Trustees acting under and by virtue of this Act, or by any Order, Conviction, Judgment, or Determination of the said Trustees or any of them, or of any Justice or Justices of the Peace, touching or relating to any such Rate or Rates, then and in every such Case such Person or Persons may, within Four Calendar Months next after the making of such Rate or Rates, or such Order, Conviction, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at the General or Quarter Sessions to be holden in and for the County or Place in which the Cause of Appeal shall arise (first giving Ten Days Notice of such Appeal to the Clerk to the said Trustees and of the Nature or Matter thereof,) and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Appeal at such General or Quarter Sessions, or if they think proper may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be holden for such County or Place; and the said Justices may, if they see Cause, amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or by altering the Sum or Sums charged on any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment; and the said Justices also may, if they see Cause, mitigate any such Rate or Rates charged on any Person or Persons, and may order any Money to be returned which shall have been levied in pursuance of such Order, Conviction, Judgment, or Determination, and may also order and award such further Satisfaction to be made to the Party injured as they shall judge reasonable.

Penalty on
assaulting
Officers, &c.

CXCIX. And be it further enacted, That if any Person or Persons shall assault, interrupt, hinder, or disturb, or cause, promote, or encourage to be assaulted, interrupted, hindered, or disturbed, the Collectors of the Tolls, or any of them, or the Turnpike Surveyor or Surveyors, or any Person or Persons employed by him or them, or any other Person or Persons whomsoever employed by the said Trustees

Trustees in the Execution of this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

CC. And whereas Persons guilty of Offences against this Act may be transient Persons, and unknown to the Collectors, Surveyors, or other Officers under this Act; be it further enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers respectively, to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him, her, or them before any One or more Justice or Justices of the Peace for the County or Place where any such Offence or Offences shall be committed, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next General or Quarter Sessions to be holden for the County or Place where such Offence or Offences shall be committed, and on such Conviction, or for want of such sufficient Security, to commit the Person or Persons so offending to the House of Correction for the County or Place where the Offence or Offences shall be committed, until he, she, or they shall pay the respective Penalty by him, her, or them incurred for such respective Offence or Offences, or shall give such Security as aforesaid.

Power to
Collectors
to detain
transient
Offenders.

CCI. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not herein particularly mentioned or directed, shall be adjudged by and be recovered before any Justice of the Peace for the said County of *Middlesex*, or *Essex*, (as the Case may be,) upon Information and by the Oath of any Person or Persons, or on the Confession of the Party offending (which Oath such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures, the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice; and the Money arising by such Penalties and Forfeitures, if not otherwise directed to be applied by this Act, shall be paid (the reasonable Charges of such Distress and Sale being first deducted) to the said Trustees, to be applied and disposed of for the Purposes of this Act; and in case sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant

Recovery and
Application
of Penalties.

or Warrants it shall appear that no such sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, and Charges can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County wherein such Offence shall arise, for any Time not exceeding Three Calendar Months.

Power to give Informer Part of Penalties.

CCII. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, if they shall see Cause, to pay and apply such Part of the said Penalties and Forfeitures, or any of them, to and for the Use of the Informer or Informers, or any Person or Persons (not being a Witness or Witnesses) taking or seizing, or assisting therein, or any of them; anything herein contained to the contrary notwithstanding.

Sale of Distress for Tolls, &c.

CCIII. And be it further enacted, That in all Cases of Distress which shall be taken by virtue of this Act for any Sum or Sums of Money which shall be due and unpaid for or in respect of any Tolls, Duties, Compositions, Rates, Charges, or otherwise, (except for Penalties and Forfeitures as aforesaid,) every such Distress shall and may be kept and detained for the Space of Four Days from the Time of taking thereof, unless the Sum or Sums for which such Distress shall be so taken, together with the reasonable Charges of taking and keeping the same, be sooner paid; and after the Expiration of the said Four Days, it shall be lawful for the Person or Persons making such Distress to sell and dispose of the same, returning the Overplus (if any be) to the Owner or Owners thereof, on Demand, after such Sum or Sums of Money for which such Distress had been so made, with the reasonable Charges of taking, keeping, and selling such Distress, shall be deducted and paid.

Appeal to Sessions for Grievances not particularly described.

CCIV. And be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any thing done in pursuance of this Act, and for which no particular Mode of Relief hath been already appointed, such Person or Persons may appeal to the Justices of the Peace at their General or Quarter Sessions to be holden for the said County of *Middlesex*, or County of *Essex*, (as the Case may be,) next after such Cause of Complaint shall arise, unless the same shall arise within Fourteen Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Cause shall arise; and the said Justices are hereby authorized and required to take cognizance thereof, and to hear and determine such Complaint or Complaints, and shall and may, if they see Cause, by Order of such Sessions, mitigate, at their Discretion, all or any Part of the Penalties or Forfeitures laid upon or incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and set the Parties at liberty, or otherwise may ratify

ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable, and to levy by their Order or Warrant such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same, and for want of sufficient Distress to commit such Person or Persons to some Common Gaol in and for the said County of *Middlesex* or *Essex*, for any Time not exceeding Three Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid shall, and he, she, and they are hereby required to give Notice in Writing to the Clerk to the said Trustees of the said Roads and Branches of Road, of such his, her, and their Intention of bringing or prosecuting such Appeal, Fourteen Days before the said Quarter Sessions, and shall before such Notice given enter into a Recognizance before One or more Justice or Justices of the Peace for the said County of *Middlesex*, or County of *Essex*, with Two sufficient Sureties, in the Sum of Twenty Pounds, with Condition to prosecute such Appeal, and to pay all Costs in case such Appeal be determined against the Party or Parties so appealing.

Persons intending to appeal to give Fourteen Days Notice, and enter into Recognizance to prosecute such Appeal.

CCV. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to give Evidence before any Justice of the Peace acting as such, touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or the Person or Persons accused, or if any Person or Persons who shall be summoned as a Witness or Witnesses to give Evidence at any General or Quarter Sessions of the Peace for the said County of *Middlesex* or *Essex*, or any Adjournment thereof, upon any Appeal by virtue of this Act, either upon the Part of the Appellant or Respondent, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, and their Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or in case of a Quaker or Quakers, on solemn Affirmation) and to give Evidence before such Justice of the Peace, or at such Sessions or Adjournment thereof, then and in either of the said Cases every such Person shall forfeit for every such Offence any Sum not exceeding Twenty Pounds.

For compelling Witnesses to attend.

CCVI. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (that is to say,)

‘ **BE** it remembered, That on the _____ in the Year _____
 ‘ *A. B.* is convicted before me *C. D.*, One of His Majesty’s
 ‘ Justices of the Peace for the County of _____ [specifying the
 ‘ Offence, and Time and Place when and where the same was committed,
 ‘ as the Case shall be]. Given under my Hand and Seal, the Day
 ‘ and Year first above mentioned.’

Form of Conviction.

CCVII. And

Distress not to be deemed unlawful for Want of Form.

CCVII. And be it further enacted, That when any Distress shall be made by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or in the Appointment of the Collector or Collectors, Surveyor or Surveyors, or in any other Proceeding relating thereto, nor shall the said Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall happen or be done in making such Distress, but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages which he, she, or they shall have sustained thereby, with usual Costs, and no more, in an Action of Trespass or on the Case, at the Election of the Party or Parties so aggrieved.

Plaintiff not to recover if Tender of Amends made.

CCVIII. Provided nevertheless, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity as aforesaid, if Tender of good and sufficient Amends shall have been made by or on behalf of the Party or Parties distraining before such Action brought, nor if such Tender of Amends shall be made at any Time after the said Action brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender; but on Proof made of such Tender on any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgment as in Cases of Nonsuit, with Double Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law.

Proceedings of Trustees to be entered in a Book, and may be given as Evidence.

CCIX. And be it further enacted, That all Orders and Proceedings of the Trustees at their several Meetings shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered, and signed by a competent Number of the Trustees, as the Case shall require, shall be deemed to be Originals; and which said Book or Books, and also the Book or Books to be kept for registering the Mortgages herein mentioned, shall be admitted as Evidence in all Courts whatsoever.

Certain Prosecutors and Persons prosecuted to be indemnified.

CCX. And be it further enacted, That in case any Action or Prosecution shall be commenced or prosecuted in pursuance of this Act, under the Authority or by the Direction of the said Trustees, they the said Trustees shall, out of the Monies arising by virtue of this Act, allow and pay to the Prosecutor, or such Person or Persons in whose Name or Names such Action or Prosecution shall be commenced and prosecuted, all such reasonable Costs and Charges as such Person or Persons shall be really and *bonâ fide* out of Pocket for or by reason of such Action or Prosecution, or any Judgment or Determination thereof, and likewise indemnifying all such Persons as shall be prosecuted, or have any Action or Actions brought against them, for or by reason of any thing done in pursuance of this Act, under the Authority and by the Direction of the said Trustees.

Evidence of Inhabitants, to be taken

CCXI. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That upon any Complaint, Information,

Information, Indictment, or Action, to be laid or brought against any Person for any Offence committed against this Act, the Evidence of any of the Inhabitants of the Parishes or Places through which the said Roads or Branches of Road do or shall lead shall be taken and admitted in all Cases whatsoever; any Law, Custom, or Usage to the contrary notwithstanding.

CCXII. Provided always, and be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done in pursuance of this Act, until Twenty-one Days Notice shall be thereof given to the Clerk to the said Trustees, nor after a sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and every Action or Suit shall be laid, brought, and tried in the County where the Causes of Action shall have arisen, and not elsewhere; and the Defendant and Defendants in every such Action or Suit may, at his, her, or their Election, plead specially or 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 done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought before Twenty-one Days Notice thereof shall be given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Case by Law.

Limitation of
Actions.

General
Issue.

CCXIII. Provided always, and be it further enacted and declared, 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 of the *Tower Hamlets* in the County of *Middlesex*; but that all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had never been made.

Saving the
Rights of the
Commissioners of
Sewers of
the Tower
Hamlets.

CCXIV. Provided always, and be it further enacted and declared, That nothing in this Act 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 of *Poplar* and *Blackwall* in the County of *Middlesex*; but that all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had never been made.

Saving the
Rights of the
Commissioners of
Sewers for
the Limits of
Poplar and
Blackwall.

CCXV. Provided always, and be it further enacted, That nothing in this Act shall extend or be construed to extend to prejudice or

Saving the
Rights of the
City of
London.

[Local.]

30 R—S

derogate

derogate from the Rights, Interests, Privileges, Franchises, or Authorities of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of making this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being as Conservator of the River *Thames*, did or might lawfully claim, use, or exercise; nor to authorize or empower the said Trustees, their Workmen or Servants, or any of them, to embank, encroach upon, or interfere with any Part of the Soil or Bed of the said River or the Banks or Shores thereof, without the Licence and Consent of the said Mayor and Commonalty and Citizens first had and obtained in Writing for that Purpose; any thing herein contained to the contrary thereof in anywise notwithstanding.

Saving the Rights of the Lords of the Manors of East Ham Hall, Bromley, West Ham, &c.

CCXVI. Provided always, and be it further enacted, That nothing contained in this Act shall extend or be construed to extend to lessen, prejudice, take away, or defeat any Right, Title, or Interest of the Lord of the Manor of *East Ham Hall* in the said County of *Essex*, or of the Lords of the Manors of *Bromley Saint Leonard* and *West Ham* aforesaid, or the Lord or Lords of any other Manor or Manors through which the said intended Roads and Branches of Road will pass, or their or any of their several Tenants of the same Manors or any of them respectively; but that the said Lords or Lord of the same several Manors, and every of them for the Time being, shall and may for ever hereafter hold and enjoy all Wastes, Waste Grounds, Fisheries, Streams, Rights of Soil in the same, and in all Highways, Roads, Paths, and other public Places, and other Privileges and Franchises whatsoever appertaining or incident to such several Manors or any of them, or lawfully granted with the same or any of them or with any Part thereof respectively; and that all Tenants of the same Manors and every of them shall and may hold and enjoy all Rights and Privileges to them or any of them respectively belonging, in as ample and beneficial Manner, to all Intents and Purposes, as if this Act had not been passed; provided that nothing in this Act contained shall be construed to hinder or prevent the said Trustees from executing the Authorities given by this Act for the Purpose of carrying the same into Execution.

Saving the Rights of all Bodies Politic, Commissioners, Trustees, &c.

CCXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, diminish, alter, or take away any of the Powers, Rights, or Authorities vested in any Body or Bodies Politic or Corporate, Commissioners, Trustees, Vestrymen, or other Person or Persons whomsoever, under or by virtue of any Act or Acts of Parliament; but all such Powers, Rights, or Authorities vested in such Body or Bodies, Commissioners, Trustees, Vestrymen, Person or Persons, shall be as good, valid, and effectual as if this Act had not been passed, save and except so far as the same may be varied, altered, or repealed in and by this Act.

Costs of this Act.

CCXVIII. And be it further enacted, That One Fifth Part of the Costs, Charges, and Expences incident to and attending the obtaining and

and passing of this Act, and of carrying the same into Execution, shall be paid and satisfied by the said Trustees out of the Monies collected or received by virtue of the said recited Acts hereby repealed, or to be received by virtue of this Act, on the *Cannon Street* Roads; Two other Fifth Parts of such Costs, Charges, and Expences shall be paid and satisfied by the said Trustees out of the Monies collected or received by virtue of the said recited Acts hereby repealed, or to be collected or received by virtue of this Act, on the *Commercial* Road; One other Fifth Part of such Costs, Charges, and Expences shall be paid and satisfied by the said Trustees out of the Monies collected or received by virtue of the said recited Acts hereby repealed, or to be collected or received by virtue of this Act, on the *East India Dock* Road; and the remaining Part of such Costs, Charges, and Expences shall be paid and satisfied by the said Trustees out of the Monies collected or received by virtue of the said recited Acts hereby repealed, or to be collected or received by virtue of this Act, on the *Barking* Road; in preference to all other Payments whatsoever.

CCXIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded. Public Act.

CCXX. And be it further enacted, That this Act shall commence and take effect from and after the passing thereof, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament. Commence-
ment and
Continuance
of this Act.

The SCHEDULE to which this Act refers.

The Commercial Road.

The Fronts of sundry Wooden Building on the South Side of Church Lane, Whitechapel, the Property of Sir James Screed and James Ripley, and in the several Occupations of James Day, Martin Sharp, Robert Wier, and Mary Kent; also Part of Two Houses West of the above, in the Occupations of Solomon Smithers and William Spiers.

A Coalshed belonging to the Executors of Johnson.

Also the several Lands, Grounds, and Hereditaments on which the Roads and Branches of Road called the Cannon Street Roads, the Commercial Road, the Horseferry Branch of Road, the East India Dock Road, and the Barking Road, are formed and situated.

The Shadwell and Mile End Branch of Road in the County of Middlesex.

PREMISES.	OWNERS.	OCCUPIERS.
Crooked Billet Public House	Price	John Simmons.
Yard and Buildings	Morrice	Gole and Son.
Ditto	Hilliard	Messrs. Sims.
Garden and Yard	Ditto	Empty.
House	Read	Macking.
Ditto	Ditto	Bishop.
Ditto	Ditto	Woodhouse.
Ditto	Ditto	Phillips.
Ditto	Ditto	Edington.
Ditto	Ditto	Crookes.
Ditto	Ditto	Mackey.
Field	Mercers Company	Vacant.
Ditto	Ditto	Ditto.
Ditto	Ditto	Gunn.
Ditto	Hawkins	Myers.
Ditto	Ditto	Ditto.
Ditto and Cow Yard and Buildings	Mercers Company	Mowbray.
House	Curtis	Haswell.
Ditto	Ditto	Plumbridge.
Shed and Garden	Ditto	Sebbings.