



ANNO NONO

# GEORGIIV. REGIS.

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## Cap. cxx.

An Act for more effectually amending the Road leading from the *Stones End* in *Blackman Street*, in the Borough of *Southwark* in the County of *Surrey*, to *Highgate* in the County of *Sussex*, and several other Roads therein mentioned; and for other Purposes relating thereto

[15th July 1828.]

**W**HEREAS an Act was passed in the Forty-second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for repealing an Act passed in the Twenty-fifth Year of the Reign of His present Majesty King George the Third, for more effectually repairing the Roads leading from the Stones End in Blackman Street, in the Borough of Southwark in the County of Surrey, to Highgate in the County of Sussex, and several other Roads therein mentioned, and for granting other Powers for those Purposes:* And whereas an Act was passed in the Fifty-eighth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to continue the Term, and to amend, alter, and enlarge the Powers of an Act passed in the Forty-second Year of His present Majesty's Reign, for repealing an Act of the Twenty-fifth Year of His said present Majesty, for repairing the Roads from the Stones End in Blackman Street, in the Borough of Southwark in the County of Surrey, to Highgate in the County of Sussex, and other Roads therein mentioned; and for making a*

42 G. 3. c. 76.

58 G. 3. c. 76.

[Local.]

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new

*new Road from Kennington Lane to Camberwell Green in the said County of Surrey*: And whereas the Trustees appointed for putting the said recited Acts in execution have proceeded in the Execution thereof, to the Advantage of the Public, and have made great Progress in the Amendment and Improvement of the said Roads; and there is a considerable Sum of Money still remaining due and owing on the Credit of the Tolls granted and authorized to be taken on the said Roads, which cannot be paid off, nor can the said several Roads be properly and effectually amended, widened, improved, and kept in repair, unless the Term of the said recited Acts be continued; and the Powers and Provisions of the said Acts being found in many respects defective or inefficient, it is expedient that the same should be repealed, and further and other Powers and Provisions granted instead thereof, in One Act of Parliament; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fourth Year of the Reign of His said Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fifth Year of the Reign of His said Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas an Act was passed in the Seventh and Eighth Years of the Reign of His said Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in England*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts passed in the Forty-second and Fifty-eighth Years of the Reign of His late Majesty King George the Third shall from and after the Fourth *Saturday* next after the passing of this Act be and the same are hereby declared to be then repealed, and null and void to all Intents and Purposes whatsoever.

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

7 & 8 G. 4.  
c. 24.Recited Acts  
of 42 and  
58 G. 3. re-  
pealed.This Act to  
take effect  
instead  
thereof.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect, and be put in execution for and during the Term herein-after mentioned, for repairing, widening, and improving the Roads herein-after mentioned; (that is to say,) the Roads from the *Stones End* in *Blackman Street* in the Borough of *Southwark* in the County of *Surrey*, through *Croydon* and *East Grinstead*, to *Highgate* in the County of *Sussex*, and from thence to *Witchcross* in the same County; the Road from the said Road at or near the present Turnpike Gate at *Kennington Common*, through *Clapham*, *Tooting*, and *Mitcham*, to *Sutton* in the said County of *Surrey*; the Road from the said first-mentioned Road at or near the *Plough and Harrow* Public House at *Newington*, through *Vauxhall* and *Wandsworth*, to the *King's Arms Inn* in the Town of *Kingston-upon-Thames* in the said County of *Surrey*; the Road from the last-mentioned Road at or near the present Turnpike at *Vauxhall*, through *South Lambeth* and *Stockwell*,

to the first-mentioned Road at or near *Brixton Causeway*; the Road from the said Road leading to *Kingston-upon-Thames*; at or near the West End of *Kennington Lane*, across *Kennington Common*, to *Camberwell Green* in the said County of *Surrey*; the Road from the said first-mentioned Road at or near the *Elephant and Castle* at *Newington*, through *Walworth*, *Camberwell*, and *Peckham*, to the East End of *Peckham Lane* in the said County of *Surrey*; and the Road from *Camberwell Green* aforesaid to the *Fox Public House* at *Denmark Hill* in the said County of *Surrey*.

III. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisoos, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (except such Parts thereof as are expressly varied, altered, or repealed by the said herein-before recited Act passed in the Fourth Year of the Reign of His present Majesty,) and also the said herein-before recited Acts passed in the Fourth, Fifth, and Seventh and Eighth Years of His present Majesty's Reign, and all and every the Powers, Provisoos, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, shall apply and be in force and effect with regard to the said Roads hereby authorized to be repaired, as fully and effectually, to all Intents, Constructions, and Purposes, as if the same had been respectively repeated and re-enacted in the Body of this Act; and the Tolls granted and made payable under this Act for the Term hereby granted shall be and are hereby made subject and liable to the Payment of all and every Sum and Sums of Money now due and owing, as well upon the Credit of the Tolls granted by the said recited Acts of the Forty-second and Fifty-eighth Years of the Reign of His said late Majesty King *George* the Third, or either of them, as on any Security given or entered into on account of or for the Use of the said Roads, and all other Monies owing on account of the said Roads, and also of such other Sum and Sums of Money as shall be borrowed for the Purposes of this Act, and the Interest due and to grow due for the same respectively.

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

V. And be it further enacted, That all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said recited Acts hereby repealed shall be liable to the Payment thereof to the Trustees for executing this Act; and all Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons to or with the Trustees for executing the said recited Acts hereby repealed, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed on account and for the Benefit of the

Powers of General Turnpike Acts extended to this Act.

Tolls under this Act liable to Debts under Acts repealed.

Present Officers (except the Treasurer) to continue.

All Persons owing Money to continue liable, and all Bonds, Contracts, &c. to remain in force.

the Trust under this Act, in the same Manner as if such Bonds, Covenants, Agreements, Contracts, and Securities had been entered into by such Person or Persons under and by virtue of this Act, and with the Trustees hereby appointed; and all Lettings of Tolls, Contracts, Agreements, or Notices, made, entered into, or given by the said Trustees for executing the said recited Acts hereby repealed, to or with any Person or Persons, or for any other Purpose, and all Adjournments of Meetings of the said Trustees, shall remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, and by the other respective Parties thereto, according to the Terms, Stipulations, and true Intent and Meaning thereof.

Persons who have received Tolls, &c. under former Acts to account with Trustees under this Act.

VI. Provided always, and be it further enacted, That all Persons who shall have been employed, or who shall have received any Tolls or other Monies, by virtue or on account of the said recited Acts hereby repealed, or shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or other Things relating to the said Roads, shall account for the same and every Part thereof to the Trustees for executing this Act, in like Manner and under the like Penalties as other Officers and Persons are directed to account.

Trustees.

VII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said Counties of *Surrey* and *Sussex* respectively, together with the Honourable *Charles Abbot*, *Sir James Alexander* Knight, *Launcelot Baugh Allen*, *John Allnut*, *Richard Alsager*, *John Ashlin*, *Joseph Arnould*, *John Falconer Atlee*, *Matthias Atwood*, *John Baker*, *Thomas Bainbridge*, *Sackville Stevens Bale* Clerk, *Charles Baldwin*, *George Bankin*, *Benjamin Barnard*, *Henry James Barchard*, *Robert Wildman Barchard*, *Charles Barclay*, *George Rogers Barrett*, *Jonathan Tyers Barrett* Doctor in Divinity, *Morris Halford Barrow*, *Edward Batten*, *Joseph Benwell*, *Thomas Starling Benson*, the Right Honourable *Sir William Draper Best*, *George Maximilian Bethune* Doctor in Divinity, *Henry Bilke*, *Vincent Hilton Biscoe*, *John Blake*, *Benjamin Birckhead*, *Joseph Seymour Biscoe*, *John Blades*, *Charles Bleaden*, *William Bloxam*, *Francis Scawen Blunt*, *John Bolland*, *Benjamin Bond*, *William Borradaile*, *William Borradaile* Clerk, *Thomas Borradaile*, *Richardson Borradaile*, *William Borradaile* the younger, *Benjamin Bovill*, *William Bovill*, *James Bourdieu*, *Charles Bowles*, *Sir Henry Bridges* Knight, *John Bristow*, *John Britten*, *James Brogden*, *John Brooks*, *Samuel Brooke*, *Sir John Delves Broughton* Baronet, *Burton Brown*, *Thomas Browning*, *Robert Brown*, *Richard Brown*, *Robert Brown* the younger, *Benjamin Brown*, *Gilbert Buchanan* Doctor in Divinity, *Henry Buckley*, *Charles Fassett Burnett*, *Thomas Bush*, *John Buxton*, *Thomas Calverley*, *Thomas Carter*, *Thomas Stead Carter*, *William Charrington*, *William Chatfield*, *Robert Chatfield* Doctor in Divinity, *Charles Chatfield*, *James Chapman*, *Jonathan Chapman*, *Abel Chapman*, *Samuel Chollett*, *Sir William Clayton* Baronet, *George Clayton*, *Thomas Clarke*, *William Clarke*, *Robert Clarke*, *John Calvert Clarke*, *Richard Henry Clarke*, *William Clarke*, *John Clutton*, *William Clutton*, *Thomas Coles*, *William Coles*, *Frederick Coles*, *William Costeker*, *William Cowdry*, *James Cox*, *Edward Cranston*, *Robert Crawford*, *Phillip Crow*, *William Curteis*, *Robert Dalglish*, *James Danniell*, *James Davidson*, *Peter Davey*, *William Dealtry* Clerk,  
Sir

Sir William Champion de Crespigny Baronet, John Dingwall, William Disney, Charles Dodd, George D'Oyley Doctor in Divinity, Beriah Drew the younger, Patrick Drummond, John Hodgson Durand, Thomas Edwards, Evan Edwards, Charles Elliott, Joseph Ellis, Samuel Elyard, George Enderby, William Esdaile, Thomas Evance, Thomas Evans, George Evans, John Manship Ewart, Thomas Farley, Richard Farmer, Samuel Farrar, Samuel Favell, William Fenning, John Fentiman, Ralph Fenwick, Thomas Fish, James Fisher, Edward Foss, Samuel Fossick, Philip Francis, Charles Francis, Thomas Freeman, Thomas Fulcher, Augustus Elliott Fuller, John Fuller, William Fuller, Robert Fitzherbert Fuller Clerk, William Fuller (Tooting), Thomas Fynmore, Thomas Gaitskell, Henry Gaitskell, Henry Gardiner, John Garrett, Robert Gibson, Henry Golding, David Gordon, William Levison Gower, John Grantham, James Greenwood, John Gurney, Joseph Gutteridge, Daniel Haigh, William Haigh, John Hains, Anthony Harman, Charles Harman, Joseph Harrison, Benjamin Harrison, Matthew Harrison, Richard Harvey, John Harwood, Charles Nairne Hastie, Benjamin Hawes, Thomas Hawes, Benjamin Hawes the younger, John Head, William Hedger, Robert Hedger, Thomas Helps, Major Jacob Henniker, Henry Hewitson, Henry Heylin, Rowland Hill Clerk, Robert Hillier, John Grove Hillesden, George Matthew Hoare, Benjamin George Hodges, George Holland, Stephen Holloway, William Holmer, Thomas Horne, William Horne, James Horne, John Horner, James Howell, William Hughes Hughes, James Hunt, Francis Hurlbatt, Thomas Jackson, Joseph Jackson, Randle Jackson, William James, Thomas James, Hylton Jolliffe, Sir William George Hylton Jolliffe Baronet, William Jones, John Cuthbert Joyner, Joseph Kaye, Joseph Keeley, William Kenrick, Jervis Kenrick Clerk, Robert Kent, Charles Kerr, John Kershaw, Henry Garrett Key, David King, Thomas George Knapp, Henry Knight, Admiral John Knight, Edward Knipe the younger, Maximilian Kymer, John Kymer, James Laing, William Lambert, Thomas Lane, Marmaduke Langdale, Thomas Langley, Charles John Lawson, Samuel Lawford, John Layton, John Lee, William Lee, Roger Lee, Thomas Lett, John Lett, John Cutts Lockwood Clerk, Isaac Lowdell, Robert Lucas, William Bedcott Luttlly, Zachary Macawley, Magens Dorrien Magens, John Dorrien Magens, Ebenezer Maitland, Henry Malcolm, William Manfield, James Henry Mapleton Clerk, Thomas Wayte Marson, Thomas Meager, Thomas William Meller, Spencer Newcomb Meredith, Richard Mills, John Middleton, William Minier, James Moore, Charles Mortimer, Richard Moseley, Nathaniel Muggeridge, Fashan Nairne, Francis Nalder, Honourable George Henry Neville, Charles Newberry, George Nicholson, Richard Noble, William Nottedge, Thomas Oldham, Adam Oldham, Arthur Cyril Onslow Clerk, William Orme, William Oxenford, Charles Nicholas Pallmer, Clarkson Pallmer, Archdale Palmer, Samuel Palmer, John Parrott, Benjamin Patterson, William Sanders Patterson, Francis Paynter, James Courthope Peache, William Pearson, Thomas Penfold, James Penfold, Henry Perkins, Frederick Perkins, Charles Perkins, John Phillips, Henry Pigeon, William Pinchback, Sir John Pinhorn Knight, Thomas Piper, Robert Pitches, John Plaskett, John Plummer, Joseph Pomroy, Thomas Poynder, Joseph Prestwich, Richard Price, William Price, Nathaniel Randall, John Peter Rasch, John Ravenhill, William Rayley, Joseph Reid, Jacob Forster Reynolds, Forster Reynolds,

*nolds, Robert Rich, Thomas Ridley, William Robinson, William Sanders Robinson, Matthew Robinson, John Rogers, David Riddall Roper, John Anthony Rucker, Sir William Rush Knight, Edward Russell, Joshua Ryle, Thomas Sampson Doctor in Divinity, Richard Sanderson, George Scholey, George Scott, John Gwillum Scott, John Scriven, Harry Scrivenor, Edward Sells, William Sewell, Benjamin Shaw, James Henry Shears, Thomas Sherwood, Michael Shipley, Edward Shewell, John Shewell, William Shrubsole, Thomas Allen Shuter, Herman Sillem, Thomas Simpson, Pindar Simpson, Robert Slade, William Slade, Robert Small, Joseph Smith, Richard Smith, Kennard Smith, William Smith, George Smith, Christopher Smith, Samuel Smith, George Spence, John Stenning, George Stephenson, John George Storie Clerk, Miles Stringer, Thomas Styan, John Sudlow, Samuel White Sweet, Emanuel Sylva, Richard Taylor Clerk, Christopher Terry, Ebenezer Thompson, Henry Sykes Thornton, John Thornton, Edward Townsend, George Tritton, Charles Hampden Turner, John Turner, James Turpin, Sir Thomas Turton Baronet, Edward Vaux, William Venables, James Walsh, Thomas Walshman Doctor of Physic, William Walton, Seth Stephen Ward, Daniel Watney, James Watney, George Ware, Samuel Waring, Daniel Richard Warrington, Thomas Weall, James Webber, James Weller Doctor in Divinity, John West, Henry Weston, William White, Richard Whitfield, William Whitton, Matthias Wilks, Joseph Brown Wilks, John Willes, William Williams, William Willis, William Willis the younger, Joseph Wilson, John Wisker, John Withers, Sir Mark Wood Baronet, Thomas Wood, William Woodbridge, William Woodyer, John Woolley, Jonathan Worrell, Jacob Wrench, John Wrench, Joseph Wyndham, Florance Young, and Charles Young; and their Successors; to be elected in manner herein-after mentioned, the said several Persons herein-before named, and their Successors, being duly qualified according to the Provisions of the said Act passed in the Third Year of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for putting this Act into Execution; and all and every the Powers, Authorities, Directions, Matters, and Things by this Act given to or directed to be done by or before the said Trustees shall and may be exercised, had, or done by the major Part of the said Trustees who shall be present at the respective Meetings of the said Trustees, the whole Number of Trustees present not being less than Seven; and all such Acts, Matters, and Things when so done shall be of as full Force and Effect as if done or executed by or before all the said Trustees.*

For appoint-  
ing new  
Trustees.

VIII. And be it further enacted, That when any of the Trustees (except the Justices of the Peace) hereby appointed, or to be appointed in manner herein-after mentioned, shall die, neglect, refuse, or decline to act, or shall cease to reside in either of the said Counties of *Surrey* and *Sussex*, the surviving or remaining Trustees, or any Seven or more of them, may and they are hereby empowered and required from Time to Time to choose and appoint any other Person residing in either of the said Counties, in the Place of every such Trustee so dying, neglecting or refusing or declining to act, or ceasing to reside in either of the said Counties: Provided always, than Ten Days Notice of the Meeting for every such Election shall be given in some Newspaper circulated in the Neighbourhood of

the said Roads, and affixed upon all the Toll Gates or Turnpikes which shall be then standing upon the said Roads; and every such Trustee who shall be so appointed is hereby empowered to act in the Execution of this Act in such and the same Manner, to all Intents and Purposes, as if he had been named and appointed a Trustee in and by this Act.

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

Style of the Trust.

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

First and other Meetings of Trustees.

XI. And be it further enacted, That no Order, Resolution, or Proceeding made or had by the said Trustees, and entered in the Book in which their Orders, Resolutions, and Proceedings are or shall be entered, shall be revoked, repealed, or altered at any Special Meeting or Meeting on Emergency, unless such Meeting shall be held at the same Place where the last preceding General Meeting of the said Trustees shall have been held, and Fourteen Days Notice thereof given in some public Newspaper printed or circulated in the said Counties of *Surrey* and *Sussex*, and also affixed on all the Toll Gates or Turnpikes then standing on the said Roads; and every Adjournment from such Special Meeting or Meeting on Emergency shall be to the same Place where such last-mentioned Meeting shall have been held: Provided always, that no further or other Business shall be entered upon or taken into Consideration at any such Special Meeting or Meeting on Emergency than such as shall have been set forth in the Order and Notice for calling such Meeting.

As to Revocation of Orders, &c.

Special Meetings.

XII. And whereas an Act was passed in the Fifty-first Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for erecting a Bridge over the River Thames, from or near the Three Cranes in the Parishes of Saint James Garlick Hythe and Saint Martin Vintry, in the City of London, to the opposite Bank of the said River in the Parish of Saint Saviour in the County of Surrey, and for making proper Streets and Avenues to communicate therewith*: And whereas an Act was passed in the Fifty-third Year of the Reign of His said late Majesty, intituled *An Act to amend an Act passed in the Fifty-first Year of His present Majesty, for erecting a Bridge over the River Thames from the City of London to the opposite Bank in the Parish of Saint Saviour in the County of Surrey*: And whereas an Act was passed in the Fifty-

For the Relinquishment and Repair of the Southwark Bridge Road.

sixth

sixth Year of the Reign of His said late Majesty, intituled *An Act to amend Two Acts of His present Majesty, for erecting a Bridge over the River Thames from the City of London to the opposite Bank in the County of Surrey*: And whereas an Act was passed in the Fifty-eighth Year of the Reign of His said late Majesty, intituled *An Act for enabling the Southwark Bridge Company to raise a further Sum of Money, and to amend the Acts for building the said Bridge*: And whereas an Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act to alter and amend several Acts, for erecting a Bridge over the River Thames from the City of London to the opposite Bank in the County of Surrey*: And whereas an Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to amend several Acts, for erecting a Bridge over the River Thames from the City of London to the opposite Bank in the Parish of Saint Saviour in the County of Surrey*: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled *An Act to amend the Acts relating to the Southwark Bridge*: And whereas the said Company of Proprietors of the *Southwark Bridge* have proceeded in the Execution of the Powers of the said recited Acts, and have completed the said Bridge: And whereas the said Company of Proprietors have proposed to the Trustees of the *Surrey and Sussex Roads*, acting under and by virtue of the said recited Acts passed in the Forty-second and Fifty-eighth Years of the Reign of His said late Majesty, to relinquish and surrender up to the said Trustees the Care, Controul, Superintendence, and Management of so much of the Road authorized to be made by the said Acts relating to the said Bridge, or by some or one of them, leading from *Union Street* in the Borough of *Southwark* to *Newington Causeway* in the said County of *Surrey*, as extends from the South Extremity of the Manor of *Southwark*, otherwise called the *Clink* or Bishop of *Winchester's* Liberty, to *Newington Causeway* aforesaid, when the same shall be completed; and the said Trustees have consented to undertake such Care, Controul, Superintendence, and Management, when the same shall be completed and made fit in every respect for the Use of the Public, and the necessary Drains made by the said Company, as herein-after provided for: And whereas it is expedient that the said Company of Proprietors should have the Power to relinquish and surrender up to the said Trustees, and that the said Trustees should have the Power to take the Care, Controul, and Management of the said Road; be it therefore enacted, That so much of the said Road leading from *Union Street Southwark* to *Newington Causeway* in the said County of *Surrey*, as extends from the South Extremity of the Manor of *Southwark*, otherwise called the *Clink* or Bishop of *Winchester's* Liberty, to *Newington Causeway* aforesaid, when and as the same shall be completed, and the necessary Drains and Culverts made for preserving and keeping the same in repair by the said Company, and Notice thereof shall be given in Writing by the Clerk of the said Company to the Clerk to the said Trustees, and upon the said Road being so completed and made fit for the Use of the Public, and such Drains and Culverts made as aforesaid, to the Satisfaction of the said Trustees, then, from and immediately after the Notification of the same to the Clerk of the said Company, the said Road shall (freed and discharged from all Mortgages,



Mortgages, Annuities, Application of Tolls and other Incumbrances, Securities, Engagements, or Appropriations whatever,) thenceforth be entirely under the Care, Controul, Superintendence, and Management of the said Trustees, and shall be repaired and managed by them for and during the Term herein-after mentioned; and the said Trustees shall have such and the same Powers and Authorities over the said Road hereby authorized to be relinquished, and to erect, place, and set up Toll Gates or Bars, with suitable Toll Houses and other Conveniences thereon, or any Part or Parts thereof, or across the same, or on the Side or Sides thereof, and to demand, take, collect, and receive the same Tolls and Duties, as are vested in or given and granted to the said Trustees in and by this Act in respect of the Roads herein mentioned; and the said Trustees shall to all Intents and Purposes become the Trustees of the said Road hereby authorized to be relinquished, in the same Manner and to the same Extent as they are the Trustees of the *Surrey* and *Sussex* Roads under this Act, with full Power and Authority to apply the Tolls which may hereafter be collected on the said Road hereby authorized to be relinquished and surrendered up as aforesaid, to the same Purposes as the Tolls collected under this Act are directed to be applied, and which Tolls are hereby declared to be vested in the said Trustees for the said Purposes; and the several Powers, Authorities, Remedies, Clauses, Provisions, Penalties, Forfeitures, Matters, and Things in and by this Act contained, given, and granted, shall apply and be in force and effect with regard to the said Road hereby authorized to be relinquished and surrendered up, as fully and effectually, to all Intents, Constructions, and Purposes, as if such Road was particularly mentioned, specified, and included in this Act.

XIII. And be it further enacted, That from and after the said Road shall have been so relinquished and surrendered up as aforesaid, the said Company, or any Commissioners or other Person or Persons named, authorized, or appointed in, by, or under any or either of the said recited Acts relating to the said Bridge, shall not interfere or meddle, by themselves, their Officers, Agents, or Servants, with the said Road or any Part thereof.

After the Relinquishment, the Bridge Company not to interfere with the said Road;

XIV. And be it further enacted, That from and after the said Road shall have been so relinquished and given up as aforesaid, so much and such Part and Parts of the said Acts relating to the said Bridge, respectively passed in the Fifty-first, Fifty-third, Fifty-sixth, and Fifty-eighth Years of the Reign of His late Majesty King *George* the Third, and in the First, Fourth, and Fifth Years of the Reign of His present Majesty King *George* the Fourth, as relate to the Repair and Management of the said Road hereby authorized to be relinquished, shall be and the same is and are hereby declared to be repealed and null and void to all Intents and Purposes whatsoever.

and the Acts relating thereto repealed.

XV. And be it further enacted, That the said last-recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Clauses, Powers, Provisoes, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (except such Parts thereof as are expressly varied, altered,

Powers of General Turnpike Acts extended to Road to be relinquished.

[*Local.*]

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or repealed by the said last herein-before recited Act passed in the Fourth Year of the Reign of His present Majesty,) and also the said last herein-before recited Acts passed in the Fourth, Fifth, and Eighth Years of His present Majesty's Reign, and all and every the Clauses, Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, shall apply and be in force and effect with regard to the said Road hereby authorized to be relinquished and surrendered up as aforesaid, as fully and effectually, to all Intents, Constructions, and Purposes, as if the same had been respectively repeated and re-enacted in the Body of this Act.

Trustees may  
light Toll  
Houses, &c.

XVI. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to prevent or in any Manner prohibit the said Trustees, during the Continuance of this Act, from lighting the several Toll Gates, Bars, or Turnpikes, and Direction Posts, already erected, built, or set up, or to be erected, built, or set up or continued on the Roads by this Act authorized to be repaired, or any of them, and paying and defraying the Expence of such lighting by and out of the Tolls by this Act granted.

Power to  
continue  
Turnpikes  
and erect  
others.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to continue or take down all or any of the Toll Gates, Bars, or Turnpikes and Toll Houses now or hereafter to be erected in, upon, or across any of the Roads by this Act authorized to be repaired, or on the Side or Sides thereof, and also to erect or cause to be erected such Toll Gates, Bars, or Turnpikes, in, upon, or across any of the said Roads, or upon or near the Side or Sides thereof, across any Street, Lane, or Way leading into the same, as they shall think proper, and to continue or erect a Toll House adjoining or near to the said respective Toll Gates, Bars, or Turnpikes, or such of them as they shall think proper; and the respective Tolls following shall be demanded and taken at all such Toll Gates, Bars, or Turnpikes, before any Horse, Cattle, or Carriage shall be permitted to pass through the same; (that is to say,)

Tolls.

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

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

For every Horse or other Beast drawing any Chaise, Chair, Curricule, or other such like Carriage on Two Wheels only, by whatsoever Name the same may be called, the Sum of Three-pence:

For every Horse or other Beast drawing any Post Coach, Post Chaise, Coach, Chariot, Landau, Berlin, Hearse, Chaise, Sociable, Barouche, Calash, or other such like Carriage on more than Two Wheels, by whatever Name the same may be called, not being any Stage Coach or other such like Public Carriage for the Conveyance of Passengers, the Sum of Four-pence Halfpenny:

For every Horse or other Beast drawing any Waggon, Caravan, Cart, Dray, or such like Carriage, by whatever Name the same may be called, drawn by One Horse only, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Caravan, Cart, Dray, or other such like Carriage, by whatever Name the same may be called, drawn by Two or more Horses or other Beasts, 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 less Number :

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

XVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees and they are hereby required to demand and take, or cause to be demanded and taken, the Sum of One Penny Halfpenny for every Horse or other Beast drawing any Stage Coach or other such like Public Carriage for the Conveyance of Passengers, every Time they shall pass along or upon the said Roads, or any or either of them. Tolls on Stage Coaches.

XIX. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby required to demand and take, or cause to be demanded and taken, the Tolls hereby granted for and in respect of all Horses or other Beasts drawing any Post Coach, Post Chaise, or other such Carriage, every Time they shall pass along or upon the said Roads, or any or either of them, in case of a fresh Hiring of such Post Coach, Post Chaise, or other Carriage. Tolls on Post Chaises.

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

XXI. And whereas it would be a great Accommodation to the Public if the said Roads, or certain Parts thereof, were watered at particular Times or Seasons of the Year; be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, at any Time or Times between the First Day of *March* and the First Day of *November* in every Year, to order and direct such Part or An additional Toll may be taken at certain Times for watering the Roads.  
Parts

Parts of the said Roads by this Act authorized to be repaired, as shall be within the Distance of Ten Miles from the *Stones End* in *Blackman Street* aforesaid, as they shall think fit, to be watered when and as they shall think fit; and it shall also be lawful for the said Trustees, their Lessees, Collectors, and Receivers, to take, collect, levy, and receive, for every Horse or Mule, laden or unladen, drawing or not drawing, not being any Horse or Mule drawing any Stage Coach or other such like Public Carriage for the Conveyance of Passengers, the Sum of One Penny over and above and in addition to the Tolls granted by this Act; and the said additional Toll shall be paid and payable between the Days or Times aforesaid, in such and the same Manner and as often as the other Tolls granted by this Act are made payable and directed to be paid; and it shall be lawful for the said Trustees, their Lessees, Collectors, and Receivers, between the First Day of *March* and the First Day of *September* in every Year, to take, collect, levy, and receive, for every Horse or Beast drawing any Stage Coach or other such like Public Carriage for the Conveyance of Passengers, the Sum of One Farthing every Time they shall pass along or upon the said Roads, or any or either of them, over and above and in addition to the Toll herein-before granted for and in respect of such Horses or Beasts; provided that such additional Tolls shall only be paid on those Parts of the said Roads which the said Trustees shall order and direct to be watered as aforesaid.

Certain  
Carts, &c. not  
to pass more  
than Four  
Times in One  
Day without  
Payment of a  
fresh Toll.

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

No Excep-  
tion from  
Toll for  
Chalk.

XXIII. And whereas great Injury is done to the Roads included in this Act by reason of large Quantities of Chalk being carried and conveyed thereon for the Purpose of being made or burnt into Lime, and afterwards employed in improving Lands; for Remedy whereof be it therefore further enacted, That nothing in this Act, or in the said recited Acts passed in the Third and Fourth Years of His present Majesty's Reign, or either of them, shall extend or be construed to extend so as to exempt any Horse, Beast, or other Cattle, or any Carriage, employed in carrying or conveying Chalk to be made or burnt into Lime, from the Payment of the Tolls imposed by this Act, notwithstanding the Lime so made therefrom may be afterwards employed or used in improving Lands.

After passing  
Sixteen Miles  
on the Road,  
&c. a fresh  
Toll to be  
payable.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby required to demand and take, for every Horse and Head of Cattle for which Toll shall have been paid and payable at any Turnpike or Bar to be erected or continued on the said Roads, and which shall afterwards have travelled and passed upon

upon the said Roads, or any of them, or any Part thereof, on the same Day, Sixteen Miles from the Gate at which the former Toll was paid, a further full Toll as if no former Toll had been paid.

XXV. And be it further enacted, That the said several and respective Tolls, and also the Tolls by this Act, or the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years of His present Majesty's Reign, granted or authorized to be collected, shall be and are hereby vested in the said Trustees for the Purposes of this Act.

Tolls vested  
in the Trus-  
tees.

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

Tolls to be  
paid but  
Once a Day.

XXVII. And be it further enacted, That if any Person or Persons not duly authorized and empowered by the said Trustees shall demand, take, collect, or receive any of the said Tolls, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings.

None to col-  
lect Tolls but  
those ap-  
pointed by  
the Trustees.

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

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

[*Local.*]

33 U

XXIX. And

Application  
of Tolls and  
other Mo-  
nies.

XXIX. And be it further enacted, That all the Tolls and other Monies raised by virtue of the said recited Acts hereby repealed, and now in the Treasurer's Hands, and all the Tolls and other Monies to arise by virtue of this Act, shall be applied, in the first place, and in preference to all other Payments whatsoever, in paying and defraying the Charges and Expences incident to or in anywise relating to obtaining and passing this Act, in the Payment of Interest upon the Money borrowed or to be borrowed, in continuing, erecting, supporting, and lighting the several Toll Gates, Bars, Turnpikes, Toll Houses, and Direction Posts to be continued, erected, supported, or lighted by virtue of this Act, in paying the Salaries and Allowances to the several Clerks, Collectors, Surveyors, and other Officers and Servants to be employed under this Act; and all the Surplus of the Tolls and other Monies which shall come to the Hands of the said Trustees or their Treasurer shall be applied for the first Three Years in repairing and amending the several Roads by this Act authorized to be repaired, in such Proportions as they shall direct at a Meeting to be held for that Purpose within Thirty Days after the passing of this Act, or as soon as conveniently may be; and that at or previous to the Expiration of the said first Three Years the said Trustees shall hold a Meeting to settle and determine how and in what Manner and Proportions the said Surplus shall be applied for the next Three succeeding Years, and shall in like Manner hold such Meeting at or previous to the End of every succeeding Three Years, during the Term of this Act, for the like Purpose, and to and for no other Use or Purpose whatsoever.

Mains of  
Water and  
Gas Pipes,  
&c. to be  
made of Iron,  
and not to be  
laid down be-  
tween Mi-  
chaelmas and  
Lady-day.

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

the like Sum for every Foot in Length of Pipe which shall be so laid down consisting or made of any such Material.

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

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

XXXII. And be it further enacted, That after such Consent as aforesaid it shall not be lawful to or for any Water or Gas Light Company, or any Person or Persons acting by or under their Authority, to break, take up, or disturb, or cause to be broken, taken up, or disturbed, the Ground or Soil in the said Roads, or any of them, or any Part thereof, for the Purpose of laying down or repairing any Main Pipe or Pipes (except Service Pipes as aforesaid), or of altering the Position of any such Main Pipe or Pipes (except as aforesaid), unless Notice in Writing of their Intention to break or take up such Ground or Soil, signed by the Clerk or Inspector or Surveyor to the said Company, specifying the Road and particular Part of such Road in which such Ground or Soil is intended to be broken or taken up, shall have been left for him at his Dwelling House or Office for the Space of Twelve Hours at the least before such Ground or Soil, or any Part thereof, shall be so broken or taken up, (except in all Cases of sudden Emergency, in which such Notice as aforesaid shall be given to such Clerk to the said Trustees immediately after such Ground or Soil, or any Part thereof, shall be broken or taken up); and if the said Company, or any Person or Persons acting by or under their Authority, shall break, take up, or disturb, or cause to be broken, taken up, or disturbed, any such Ground or Soil, without Consent being obtained as aforesaid, and such Notice being given or left as aforesaid, (except as aforesaid,) or shall break, take up, or disturb, or cause to be broken, taken up, or disturbed, any such Ground or Soil, for the Purpose of laying down any Main or Mains, without such Consent as aforesaid, then and in every such Case the said Company shall forfeit and pay to the said Trustees the Sum of Twenty Pounds for every square Yard of Ground or Soil, to be measured upon the Surface thereof, which shall be so broken or taken up without such Consent and Notice as aforesaid (except as aforesaid).

Notice to be given of breaking up Roads.

XXXIII. And be it further enacted, That whenever and so often as the said Company or other Persons shall have lawfully broken up or removed the Ground or Soil in or of the said Roads, or any of them, or any Part thereof, the said Company or other Persons shall

Requiring Companies, &c. to reinstate Roads.

shall and they are hereby required immediately thereafter to reinstate and make good, under the Superintendence and to the Satisfaction of the said Trustees or their Surveyor, such Ground or Soil in as good sound State or Condition as the same was or were in at the Time of being so broken up; and the said Company and other Persons shall carry away all the old Pipes and Materials, and all surplus Earth, Filth, and Rubbish occasioned thereby, at their own Costs and Charges; and that during the Works of the said Company or other Persons, and reinstating such Ground or Soil as aforesaid, the said Company or other Persons shall, at their own Costs, provide proper Watchmen, with necessary Lights at Night, and otherwise secure and guard the said Works, so as to prevent any Injury, Damage, or Inconvenience happening to Passengers, Cattle, or Carriages; and in case the said Company or other Persons shall neglect and make Default in making good and reinstating such Ground or Soil as aforesaid, within Twenty-four Hours next after Notice given to or left for the said Company or other Persons at their House or Office, it shall be lawful for the said Trustees to reinstate and make good such Ground or Soil, and the Charges and Expences thereof shall be reimbursed and repaid by the said Company or other Persons, or their Treasurer, to the said Trustees or their Treasurer, and in default of Payment thereof within Ten Days next after Demand thereof in Writing shall have been made by the Clerk to the said Trustees (Proof of such Demand being made by the Oath of One credible Witness before any Justice of the Peace for the said County of *Surrey* or *Sussex*), such Charges and Expences shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company or other Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, and which Warrant such Justice is hereby empowered and required to grant, and such Charges and Expences shall be paid to the said Trustees or their Treasurer; and in case the said Company or other Persons shall neglect to provide proper Watchmen, with necessary Lights, at Night, and otherwise secure and guard the said Works as aforesaid, the said Company and other Persons shall for every such Neglect forfeit and pay to the said Trustees any Sum not exceeding Five Pounds.

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

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

XXXV. And



XXXV. And be it further enacted, That when and so often as it shall appear to the said Trustees that any Main or Mains, Pipe or Pipes, Stopcock, Plug, or other Thing belonging to any Water or Gas Light Company, beneath the Surface of the said Roads or any Part thereof, shall be broken or damaged, or in want of Repair or Alteration, it shall be lawful for the said Trustees to cause Notice to be given, in Writing signed by their Clerk, to the Company to whom such Main, Pipe, Stopcock, Plug, or other Thing doth or may belong, by either giving such Notice to a Clerk or Secretary or to a Turncock of such Company, or to some one of them, or by leaving the same at the Place or Places of Abode of some or one of them, or at the Office or Counting-house of such Company, requiring that such Mains, Pipes, Stopcock, Plug, or other Thing be forthwith repaired, altered, amended, or renewed by such Company; and that within Forty-eight Hours after such Notice shall be so given or left, the said Company to or for whom, or to or for whose Officer or Servant, such Notice shall have been given or left as aforesaid, shall cause to be taken up the Ground or Soil beneath which the Main, Pipe, Stopcock, Plug, or defective Thing shall be, and shall cause the Ground to be opened, and also cause the said Main, Pipe, Stopcock, Plug, or other Thing to be substantially repaired, altered, amended, or renewed, and the Ground or Soil properly filled in with hard Rubbish or other good Materials, and rammed down and reinstated, within Forty-eight Hours next after such Notice shall be given or left as aforesaid, or with all convenient Expedition, in the Judgment of the said Trustees, or any Seven or more of them, and to their Satisfaction; and also within Forty-eight Hours after such Main, Pipe, Stopcock, Plug, or other Thing shall be so substantially repaired, altered, amended, or renewed, and the Ground or Soil above the same shall be so filled in and rammed down and reinstated, the said Company shall cause Notice thereof to be given to the said Trustees, that such Reparation, Alteration, Amendment, or Renewal hath been made, and that the Ground or Soil hath been refilled, rammed down, and reinstated in the Manner directed by this Act; and in case the said Water or Gas Company to or for whom such Notice shall have been given or left as aforesaid, and to whom such Main, Pipe, Stopcock, Plug, or other Thing referred to in such Notice shall belong, shall neglect to cause the same to be repaired, altered, or amended or renewed, as the Case may be, and the Ground, Soil, or Pavement to be filled in and rammed down and reinstated, to the Satisfaction of the said Trustees, in manner and within the Time aforesaid, or shall neglect to give or cause to be given Notice thereof as aforesaid, then the said Company shall for every such Neglect or Offence forfeit and pay any Sum not exceeding Ten Pounds nor less than Forty Shillings.

Trustees may require Repair of Pipes, &c.

XXXVI. And be it further enacted, That no Water Company or any Person or Persons whose Mains or Pipes shall be laid beneath the Surface of the said Roads or any of them, or any Part thereof, shall place or set up, or cause or suffer to be placed or set up, any Standcock or Pump, or other Instrument, Machine, or Thing for the

For regulating Standcocks during Frosts.

[Local.]

33 X

Supply

Supply of Water in Times of Frost or otherwise, in the said Roads or any of them, or any Part thereof, which shall be furnished with any other than a Metal Cock and Spout, to be to the Satisfaction of the said Trustees or their Surveyor; and any Water Company or other Person or Persons who shall set up, or cause or suffer to be set up, any Standcock, Pump, or other Instrument, Machine, or Thing, furnished with any other than a Metal Cock and Spout, and which shall not be to the Satisfaction of the said Trustees or their Surveyor, shall forfeit and pay for every such Offence the Sum of Twenty Shillings.

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

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

Footpaths deemed Part of Roads.

XXXVIII. And be it further enacted, That all and every the Footpaths on the Sides of and adjoining the said Roads by this Act authorized to be repaired shall be and the same are hereby declared to be subject to the Regulations of this Act, and the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years

Years of His present Majesty's Reign; and to be Part of the said Roads, and shall be repaired and amended by the said Trustees by such Ways and Means, and in such Manner as the said Roads are and shall be repaired and amended.

XXXIX. And be it further enacted, That the said Trustees shall and may at any Time, or from Time to Time, cause Notice to be given to the respective Owners or Proprietors, Feoffees, Trustees, Lessees, Tenants, or Occupiers of the several Houses, Shops, Warehouses, Stables, Buildings, Courts, Yards, Gardens, Lands, Tenements, or Hereditaments on the Sides of the said Roads, to take down, fill up, remove, alter, or regulate all Signs or other Emblems used to denote the Trade, Occupation, or Calling of any Person or Persons, and all Signs and Sign Irons, Bow Windows and projecting Windows, Showboards, Window-shutters, Flaps, Waterspouts, Doors projecting over or upon any Part of the said Footpaths or Sides of the said Roads, and also all outer Doors opening on and Steps projecting into the Footpaths, and all Doors and Steps leading down out of the Footways into any Cellars, Vaults, and other Places belonging to any Buildings, Shop, Warehouse, or Tenement, and other Annoyance whatsoever on the said Footpaths or Sides of the said Roads, and to cause all Signs and other Emblems as aforesaid, or such Parts thereof as the said Trustees shall think fit, to be affixed and placed on the Fronts of the Houses, Shops, Warehouses, or Buildings whereunto the same respectively belonged or were before affixed, and not otherwise; and in case the Owners or Proprietors, Feoffees, Trustees, Lessees, Tenants, or Occupiers shall refuse or neglect to do as before directed, for the Space of Thirty Days next after such Notice shall be given to him, her, or them respectively, (which Notice shall be given in Writing or Print, and signed by the said Trustees or their Clerk or Surveyor for the Time being, and delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee, Trustee, Lessee, Tenant, or Occupier respectively,) it shall be lawful for the said Trustees to cause such Signs or other Emblems, and other Matters and Things herein-before mentioned, and all other Annoyances whatsoever, to be taken down, carried away, filled up, or removed, altered, and regulated, in such Manner as they shall think proper, and shall return or cause to be returned to their respective Owners, or to be left on the Spot, or as near as conveniently may be, for such Owner or Owners, so much of such Signs or other Projections or Annoyances whatsoever as shall not be affixed or put up or otherwise made use of in the Alterations; and the Charges and Expences attending the same shall be reimbursed to the said Trustees, and be paid and payable to the respective Tenants or Occupiers of such Houses and Premises; and if any Tenant or Occupier of any such Premises shall neglect or refuse to pay such Charges within Five Days after Demand made thereof by Notice in Writing or Print under the Hand of the said Surveyor, Clerk, or other Person appointed by the said Trustees, to be delivered to or left at the Dwelling House of such Tenant or Tenants, Occupier or Occupiers, the same shall and may be levied on every such Tenant or Tenants, Occupier or Occupiers, by Distress and

For removing and regulating Signs, Stalls, &c.

In case any Owners, &c. neglect to remove the same, Trustees may do it, and charge the Expences.

and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the said County of *Surrey* or *Sussex*, which Warrant the said Justice or Justices is and are hereby authorized and empowered to grant upon Oath of such Neglect or Refusal, returning the Overplus (if any) of the Monies raised by such Distress and Sale, after deducting all Costs and Expences attending the same, to the Owner or Owners of such Goods or Chattels, on Demand.

Any One Tenant liable for such Expences.

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

For Recovery of such Expences in case of Removal of Tenants, &c.

XLI. And be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of such House, Shop, Warehouse, Stable, Building, Court, Yard, Garden, Land, Tenement, or other Hereditament, before such Charges shall be paid by him, her, or them, or if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall not be sufficient to defray such Charges, or if it shall happen that any of the said Premises shall be untenanted, then and in every such Case such Houses, Shops, Warehouses, Stables, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments shall be and the same are hereby made a Security for and chargeable with all such Charges and Expences, and the same shall be levied by Distress and Sale (by Warrant as aforesaid) of any Goods and Chattels which shall afterwards be found in or upon the said respective Premises, or of the Goods and Chattels of the Owner or Proprietor, Feoffee or Trustee thereof, in case such Owner or Proprietor, Feoffee or Trustee, shall neglect or refuse to pay the same for the Space of Five Days next after the same shall be demanded of him, her, or them, by Notice in Writing or in Print, signed by the said Surveyor, Clerk, or other Person, to be delivered to or left at the Dwelling House or usual Place of Abode of such Owner or Proprietor, Feoffee or Trustee; and all such Charges shall be levied in like Manner by Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, City, Town, or Place where such Owner or Proprietor, Feoffee or Trustee, shall reside, or where such Goods and Chattels shall be found; and it shall be lawful for any Tenant or Occupier who shall have performed any of the Works, Matters, or Things, in manner as directed by this Act, or who shall have paid and reimbursed to the said Trustees the Expences of doing the same, or on whom any such Expences shall have been levied, to deduct out of his or her Rent the Charges and Expences which such Tenant or Occupier shall pay, or which shall have been levied upon him or her, on any of the Accounts aforesaid; and the Owner or Proprietor, Feoffee

Remedy for Tenants.

Feoffee or Trustee of such Premises, is hereby required to allow such Deductions and Payments upon the Receipt of the Residue of his or her Rent; and in case any Tenant or Occupier shall pay or have levied upon him or her more Money on account of any thing done by virtue of this Act than shall be due from him or her for the Rent of his or her House, Shop, Warehouse, Stable, Building, Court, Yard, Garden, Land, Tenement, or Hereditament, the Overplus thereof shall and may be levied on the Owner or Proprietor, Feoffee or Trustee of such respective Premises, by Distress and Sale of the Goods and Chattels of such Owner or Proprietor, Feoffee or Trustee, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices for the County, City, Town, or Place where such Goods or Chattels shall be found, such Owner or Proprietor, Feoffee or Trustee, having refused or neglected to pay the same for the Space of Five Days after Demand made thereof by such Tenant or Occupier, his or her Attorney or Agent: Provided also, that nothing in this Act contained shall prevent the said Trustees, at their Discretion, if they shall think fit so to do, from making any Allowance, or pay Part of the Expences incurred by the Proprietors, Tenants, or Occupiers of any such House or Building, in removing any of the Obstructions, Nuisances, or Annoyances as aforesaid, in such Cases where the said Proprietors, Tenants, or Occupiers shall or may be materially injured by such Removal, and whereby such Cases may be particularly entitled to some Compensation.

XLII. And whereas great Obstructions and Inconveniences are occasioned by the erecting and setting up of Sheds and other kind of Erections upon and over the Footpaths belonging to the said Roads, and placing Goods and other Things thereon; for Remedy whereof be it further enacted, That if any Person or Persons shall erect or set up, or cause or procure to be erected or set up, any Shed or Awning, or any kind of Erection or Projection, upon or over any of the Footpaths belonging to the said Roads, or any other Parts of the said Roads, or shall obstruct or in any Manner impede the free Passage of any of the said Roads or Footpaths, or shall put or place, or cause or suffer to be put or placed, any Furniture, Goods, Materials; or other Things on the said Roads or Footpaths, or any Part thereof, it shall be lawful for the said Trustees or their Surveyor to cause the same to be removed, taken, or carried away, deposited and kept in such Place or Places as the said Trustees or their Surveyor shall direct or appoint, there to remain and be kept until the Owner or Owners, Offender or Offenders, shall have paid and discharged all Costs, Charges, and Expences attending the removing, carrying away, depositing, and keeping the same as aforesaid, such Costs, Charges, and Expences being first settled and ascertained by any Justice of the Peace for the County of *Surrey* or *Sussex*, as the Case may be; and in case such Costs, Charges, and Expences shall not be paid within Five Days next after the same shall have been so settled and ascertained, then such Shed, Awning, Erection, Projection, Furniture, Goods, Materials, and Things shall be sold by the said Trustees or their Surveyor, and after defraying the Expences of such Sale, and deducting all such Costs, Charges, and Expences as aforesaid, the

To prevent  
Persons set-  
ting up Sheds  
on Footpaths,  
&c.

Surplus (if any) shall be returned, upon Demand, to such Owner or Owners, Offender or Offenders.

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

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

For widening the Road from Newington to the East End of Peckham Lane.

XLIV. And whereas by the said Act passed in the Forty-second Year of His late Majesty's Reign, after reciting that the Road leading from the *Elephant and Castle* at *Newington* to the East End of *Peckham Lane* (being Part of the Roads included in this Act) might be rendered much more safe and commodious if certain Buildings mentioned and described in the Schedule thereunto annexed were taken down, and the Sites thereof, and the Fore-courts of certain other Houses in the said Schedule also mentioned and described, were laid into the said Roads, it was enacted, that the said Trustees, or any Five or more of them, should have full Power and Authority to widen the said Road in such Manner as they should think most proper, and to take down the said several Buildings, and to lay the Sites thereof, and also such Fore-courts or Parts thereof, into the said Road; be it therefore enacted, That the said Trustees for executing this Act, or any Seven or more of them, shall have full Power and Authority to widen the said Road in such Manner as they shall think most proper, and to take down the said several Buildings, and to lay the Sites thereof, and also such Fore-courts or Parts thereof, into the

said Road, and which said Buildings and Fore-courts are also mentioned and described in the Schedule to this Act annexed: Provided always, that nothing herein contained shall extend, or be deemed, construed, or taken to extend, to authorize or empower the said Trustees to take and use the said Buildings and Fore-courts, or any of them, without the Consent of the Owner or Owners thereof, after the Expiration of Three Years from the passing of this Act.

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

Misnomers not to prevent the Execution of this Act.

XLVI. And whereas the said Road leading from, at, or near the *Plough and Harrow* Public House at *Newington* to the *King's Arms* Inn in the Town of *Kingston-upon-Thames*, is so extremely dangerous to Passengers, Cattle, and Carriages, by reason of Ground belonging to *Alexander Mitchelson* projecting into the same at or near the End of *Manningate Lane* near *Kingston-upon-Thames* aforesaid, whereby the Width of the said Road at that Place is lessened and interfered with, and a dangerous Turn caused therein, that it is expedient that the said Road should be diverted, or the Site of such Ground laid into the same; be it therefore further enacted, That the said Trustees shall have full Power and Authority, and they are hereby empowered and required, to divert and alter the Course or Path of the said Road, or to widen the same, as they shall deem most proper, and for the Purposes aforesaid they are hereby empowered and required to take and use so much of the said Ground, not exceeding Half an Acre, belonging to the said *Alexander Mitchelson*, as they shall deem necessary, first making or tendering Satisfaction for the same in manner directed by the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years of His present Majesty's Reign.

For widening the Road near Kingston.

XLVII. And whereas by the said recited Act passed in the Third Year of His present Majesty's Reign it is enacted, that the Trustees and Commissioners of every Turnpike Road might sue and be sued in the Name or Names of any One of such Trustees or Commissioners, or of their Clerk or Clerks for the Time being, and that no Action or Suit to be brought or commenced by or against any Trustees or Commissioners of any Turnpike Road, by virtue of the said Act or any other Act or Acts of Parliament, in the Name or Names of any One of such Trustees or Commissioners, or their Clerk or Clerks, should abate or be discontinued by the Death or Removal of such

The Trustees and Clerk declared competent Witnesses in Actions, &c.

Trustee,

Trustee, Commissioner, Clerk or Clerks, or any of them, or by the Act of such Trustee, Commissioner, Clerk or Clerks, or any of them, without the Consent of the said Trustees or Commissioners, but that any One of such Trustees or Commissioners, or the Clerk or Clerks for the Time being to the said Trustees or Commissioners, should always be deemed to be the Plaintiff or Plaintiffs, Defendant or Defendants, (as the Case may be,) in every such Action or Suit; provided always, that every such Trustee, Commissioner, Clerk or Clerks should be reimbursed and paid, out of the Monies belonging to the Turnpike Road for which he or they should act, all such Costs, Charges, and Expences as he or they should be put unto or become chargeable with or liable to by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants: And whereas Doubts have arisen whether any such Trustee, Commissioner, or Clerk is competent to give Evidence in any Action or Suit in which he may be Plaintiff or Defendant; and it is expedient that such Doubts should be removed, and also that such Trustee, Commissioner, and Clerk should be a competent Witness respectively; be it therefore enacted, That no Trustee, Commissioner, or Clerk shall be deemed incompetent to give Evidence or be disqualified from giving Testimony in any such Action or Suit, by reason of such Trustee, Commissioner, or Clerk being Plaintiff or Defendant, as the Case may be, in any such Action or Suit, nor shall such Evidence or Testimony for the Reasons aforesaid be rejected or liable to be questioned or set aside.

Where Roads have been diverted the Trustees not to repair the old Roads.

XLVIII. And be it further enacted, That in all Cases where the Course or Path of any of the Roads included in the said recited Acts hereby repealed may have been diverted or altered, or where the Course or Path of any of the Roads hereby authorized to be repaired may be diverted or altered, by making and completing new Roads in lieu of them or of any of them, or of any Part thereof, nothing in this Act, or in the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years of His present Majesty's Reign, or any or either of them, contained, shall extend, or be deemed, construed, or taken to extend, to authorize or empower the Trustees for putting this Act into Execution to repair or in any Manner to interfere with the said old Roads or any of them, or any Part thereof, but this Act, and every Article, Matter, and Thing herein contained, shall extend and be applied to the said new Roads respectively, and every of them, and every Part thereof.

Windmills.

XLIX. And be it further enacted, That no Windmill shall be erected, built, or continued within the Space of Two hundred Yards from any Part of the Roads by this Act authorized to be repaired.

Penalty on Persons causing Obstructions on the Roads.

L. And be it further enacted, That if any Owner or Driver, or any other Person, shall set, place, have, or leave any Cart, Coach, Waggon, or other Carriage, laden or unladen, (except on account of some Accident having happened thereto, and then only until the same can be conveniently removed or repaired,) in any Part of the said Roads, or any Rubbish, Dung, Compost, Clay, or Grain, or shall



shall set, place, or leave any Timber or Trees or other Matter or Thing thereon, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

LI. Provided always, and be it further enacted, That no Conviction before any Justice or Justices of the Peace for any Offence committed against this Act, or the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years of His present Majesty's Reign, or any or either of them, shall take place after Three Calendar Months from the Day of the Offence being committed, any thing in any Act or Acts contained to the contrary notwithstanding.

Convictions to take place within Three Months.

LII. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, if they shall see Cause, from Time to Time to pay and apply any Part of any Penalty or Forfeiture to and for the Use of the Informer or Informers, or any Person or Persons (not being a Witness or Witnesses) aiding or assisting in the Apprehension of any Offender or Offenders therein, or any of them, any thing herein contained to the contrary notwithstanding.

Power to reward Informers.

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

To prevent rescuing of Goods, &c.

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

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

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

To prevent watering the Roads without Consent of Trustees.

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

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

[*Local.*]

33 Z

LVII. And

Trustees to  
appoint  
Stands for  
Hackney  
Coaches, &c.

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

For regulat-  
ing the  
Height of  
loaded Wag-  
gons, Cara-  
vans, &c.

LVIII. And whereas His Majesty's Subjects in travelling and using the Roads included in this Act are subject and liable to great Danger and Injury by reason of the excessive Height to which Waggons, Caravans, Carts, and other such Carriages are loaded with Hops, Wool, and other Articles; for Remedy whereof be it further enacted, That no Waggon, Caravan, Cart, or other such Carriage which shall travel upon or use the Roads by this Act authorized to be repaired, or any of them, shall carry any Load or Loading which shall, together with and including the Height of the Bottom of such Waggon, Caravan, Cart, or Carriage, exceed the Height of Fourteen Feet from the Ground; and if any Person or Persons, being the Owner or Owners of any such Waggon, Caravan, Cart, or Carriage, shall infringe the Provision herein-before contained, he or they shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and every Driver of any such Waggon, Caravan, Cart, or other Carriage, shall forfeit and pay any Sum not exceeding Forty Shillings.

For regula-  
ting the Per-  
formance of  
Statute  
Labour, &c.

LIX. And be it further enacted, That in all Cases where the said Trustees, or their Surveyor or Surveyors, shall require Statute Labour to be done and performed on the Roads hereby authorized to be repaired, or any Part thereof, or a Composition to be paid in lieu of such Statute Labour, the said Trustees or their Surveyor shall proceed to obtain the Performance of such Statute Labour, or Payment of such Composition, by or under the Order of Two or more of His Majesty's Justices of the Peace acting for the County wherein the Parish from whence such Statute Labour or Composition shall be required shall be situated, in Petty Sessions assembled, and not otherwise; and such Justices shall and they are hereby empowered to call upon and direct the Clerk or Surveyor to the said Trustees to produce to such Justices a full and true Account of the Revenue of the said Trustees, arising by and from the Tolls by this Act granted; and

also an Account of the Application and Expenditure thereof, and of the Debts owing upon or in respect of the said Roads; and the said Justices shall thereupon consider and determine whether such Statute Labour or Composition, or any and what Part thereof, is required for the Repairs of the said Roads, so far as the same run through any Parish or Parishes where such Statute Labour or Composition is awarded; and such Statute Labour or Composition, or such Part thereof as the said Justices shall adjudge to be necessary, shall be performed, laid out, and expended, by and under the Orders of the said Trustees, in the Repair of such Parts of the said Roads as shall be in the Parish from whence such Statute Labour shall be performed, or Composition paid, and not elsewhere.

LX. Provided always, and be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceeding made touching or concerning any of the Matters aforesaid, or touching the Conviction of any Offender against this Act, or the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years of His present Majesty, shall be quashed or vacated for Want of Form only, or be removed or removable by Writ of Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding; and where any Distress shall be made for any Money to be levied by virtue of this Act or the said recited Acts, the Distress itself shall not be deemed unlawful, nor any of the Parties making the same be deemed Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall any of the Parties distraining be deemed Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by any of the Parties distraining, but the respective Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in any Action upon the Case, provided that no Plaintiff shall recover in any Action for such Irregularity, if sufficient Tender of Amends hath been made to him or her, by, or on behalf of the Defendant or Defendants, before such Action brought.

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

LXI. Provided always, and be it further enacted, That nothing herein contained shall alter, take away, or abridge, or be construed to alter, take away, or abridge, any of the Rights, Powers, Privileges, or Authorities vested in the Commissioners of Sewers for the Limits extending from *East Moulsey* in *Surrey* to *Ravensborne* in *Kent*, but all such Rights, Powers, Privileges, and Authorities shall be as good, valid, and effectual, to all Intents and Purposes, as if this Act had not been made.

Saving the Rights of the Commissioners of Sewers.

LXII. 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.

LXIII. And

Commence-  
ment and  
Continuance  
of this Act.

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

The SCHEDULE to which the foregoing Act refers.

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*In the Road leading from the Elephant and Castle at Newington to the East End at Peckham Lane.*

A Stable, Cowhouse, Barn, and Shed, now or late in the Occupation of Robert Bridges, and now or late belonging to Thomas Cope, Esquire, on the East Side of the Road leading from Walworth to Camberwell, and also a Part of the Yard and Garden now or late in the Occupation of the said Robert Bridges, and now or late belonging to the said Thomas Cope :

Part of the Ground in Front of several Houses, now or late in the several Occupations of Henry White, James Corbett, and Edward Gardner, on the said East Side of the said Road at Camberwell, and now or late belonging to Dame Mary Bowyer :

A certain Shed or small Erection used as a Butcher's Shop, in Front of a certain House situate on the East Side of the said Road, now or late in the Occupation of William Loscombe, now or late belonging to Mrs. Lewis and Son :

A certain Tenement, Shed, or small Erection used as a Blacksmith's Shop, in Front of a certain House now or late in the Occupation of Thomas Stodhart, and now or late belonging to Mrs. Lewis and Son, on the said East Side of the said Road at Camberwell, together with the Fore-court, or Part thereof :

A Fore-court, or Part thereof, in Front of a House now or late in the Occupation of Thomas Wrench, and now or late belonging to the said Dame Mary Bowyer, on the said East Side of the said Road at Camberwell :

A certain Fore-court, or Part thereof, in Front of a House now or late in the Occupation of Rose Patch, and now or late belonging to John Slater, lying on the East Side of the said Road at Camberwell :

Parts of certain Houses or Tenements lying on the East Side of the said Road at Camberwell, now or late in the several Occupations of Joseph Wilkinson, Susannah Twine, George Best, and Thomas Whiteman, and now or late belonging to the said Dame Mary Bowyer :

Part of a Room of a Public House called the Red Cap, lying on the East Side of the said Road at Camberwell, now or late in the Occupation of Francis Okines, and now or late belonging to Messieurs Newberry and Company :

Certain Fore-courts, or Parts thereof, in Front of several Houses on the West Side of the said Road at Camberwell, now or late in the several Occupations of James Cox, Winford Mayhew, and William Wiffin, and now or late belonging to Joseph Wyndham, Esquire :

Certain other Fore-courts, or Parts thereof, in Front of several Houses on the West Side of the said Road at Camberwell, now or late in the several Occupations of Martha Broomfield, William Little, William Prestbury, and William Roffey, and belonging to the said Joseph Wyndham :

Certain other Fore-courts, or Parts thereof, in Front of several Houses on the West Side of the said Road at Camberwell, now or late in the several Occupations of James Munyard, Joseph Bockwell, Joseph Haines, Samuel Morgan, John  
 [Local.] [34 A] Washington,

Washington, Edward Bonny, Peter Nicholas Rabandy, George Pearce, and Fizzal White, and now or late belonging to Messieurs Hurpur and others, Executors of John J'Anson, Esquire:

Certain Fore-courts, or Parts thereof, in Front of Two Houses or Tenements, one of which now or late was in the Occupation of James Lickfold and John Ring, and the other now or late in the Occupation of Thomas Tuquet; a Dung Yard and Coach-house, now or late in the Occupation of William Curteis, Esquire; a Stable, now or late in the Occupation of Charles Sell; a Messuage or Tenement, or Part thereof, now or late in the Occupation of John Allen; and a Granary and Stable, now or late in the Occupation of James Havill; all on the North Side of the Road leading from Camberwell Green to Peckham, and now or late belonging to William Frampton:

A Fore-court, or Part thereof, in Front of a House on the North Side of the said Road, now or late in the Occupation of Henry Forbes, and now or late belonging to Elizabeth Constable.

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