Anno ſeptimo

Georgii III. Regis.

An Act to continue and render more effectual ſeveral Acts of Parliament, "for repairing "the Roads in the Pariſhes of *Kenſington*, "*Chelſea*, and *Fulham*, and other Pariſhes "therein mentioned, in the County of *Mid-*"*dleſex*;" and for lighting and watering the ſaid Roads; and for paving the Street and Highway and Footways in *Kenſington*; and for lighting and watching the ſame, and the Courts and Alleys adjoining thereto.



WHEREAS by Two Acts made in the Twelfth Year of the Reign of His Majeſty King George the Firſt, and the Fourteenth Year of the Reign of His late Majeſty, ſeveral Tolls and Powers were granted, "for repairing the Roads in "the Pariſhes of Kenſington, "Chelſea, and Fulham, and "other Pariſhes therein men-"tioned, in the County of "Middleſex; and for repairing ſome other Roads in the "Pariſh of Saint George Hanover Square, and the ſaid "Pariſhes of Kenſington and Chelſea:" And whereas the Truſtees, appointed by the ſaid Acts, have from time Preamble.

time to time proceeded in the Execution thereof, and have borrowed a considerable Sum of Money upon the Credit of the Tolls thereby granted; but find the said Roads, now under the Care and Management of the said Trustees, cannot be effectually repaired, widened, and kept in Repair, and the Money now owing be repaid, unless the Term granted and continued by the said Acts be further continued, and the Powers thereof altered and enlarged: And whereas by Two Acts made in the Fourth and Twenty third Years of the Reign of His late Majesty, several Tolls and Powers were granted, "for repairing the Road leading from the Town of "Fulham, in the County of Middlesex, through Fulham "Fields, to the Great Road near the Pound at Ham-"mersmith, in the said County:" And whereas the Trustees, appointed by the said last recited Acts, have from time to time proceeded in the Execution thereof, and have borrowed a considerable Sum of Money upon the Credit of the Tolls thereby granted; but find the said Road cannot be effectually repaired, widened, and kept in Repair, and the Money now owing be repaid, unless the Term granted and continued by the said Acts be further continued, and the Powers thereof altered and enlarged: And whereas the Road, under the Care and Management of the Trustees appointed by the said last recited Acts, is only about One Mile and an Half in Length, and adjoins to One of the Roads directed to be repaired by the said first recited Acts, and the Execution of the Trusts reposed in the said Trustees is attended with frequent Delays for want of a sufficient Number of Trustees meeting for that Purpose: And whereas if all the said recited Acts were consolidated, and put under the Care and Management of One Set of Trustees, the Intention of the said Acts, "for repairing the Road "from the Town of Fulham, through Fulham Fields, "to the Great Road near the Pound at Hammersmith," would be more effectually answered: And whereas it will tend to the Accommodation of Travellers, if the said Roads respectively be properly watered, and to the Safety and Convenience of Passengers, if the Roads from Hyde Park Corner to Kensington Palace Gate, and from the Terrace at the West End of the Town of Kensington to the Toll-gate near Holland House, and from the North End of Park Lane, otherwise Tyburn Lane, to the North Side of Hertford Street, in the Parish of Saint George Hanover Square, be properly lighted; but as the Purposes aforesaid cannot be effected without the Aid of Parliament; May it therefore please Your Majesty, that

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 Term granted and continued by the ſaid firſt recited Acts, and the Term granted and continued by the ſaid laſt recited Acts, ſhall be, and the ſame are hereby reſpectively further continued from the Expirations thereof, for and during the further Term of Five Years, according to the Tenor of an Act made in the Twenty eighth Year of the Reign of His late Majeſty, intituled, An Act to amend an Act made in the Twenty ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the Amendment and Preſervation of the publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto*; and from and after the Expiration of the ſaid additional Term of Five Years, then for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament; and inſtead of the Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Exemptions, Payments, Puniſhments, Matters, and Things, in the Four Firſt recited Acts, or either of them, contained, and as the ſame are now in Force, the Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Exemptions, Payments, Puniſhments, Matters, and Things, in this Act contained, ſhall, for the Purpoſes of repairing, widening, and keeping in Repair, the ſeveral Roads by all or any of the ſaid Four Firſt recited Acts directed to be repaired (except the Roads leading from the End of Clarges Street to the preſent Turnpike Gate near Hyde Park Corner, and from the South End of Park Lane to the North Side of Hertford Street, in the ſaid Pariſh of Saint George Hanover Square, which were, by an Act paſſed in the laſt Seſſion of Parliament, put under the Care and Management of the Commiſſioners for paving, cleanſing, and lighting, the Squares, Streets, Lanes, and other Places, within the City and Liberty of Weſtminſter) and for other the Purpoſes of this Act, take place, and ſhall commence upon the Fourteenth Day next after the Day of the paſſing of this Act, and ſhall continue in Force during the Terms aforeſaid.

Terms of the Acts continued.

And be it further enacted, That the Truſtees appointed in or by virtue of the ſaid Four Firſt recited Acts, together with William Adair, Pierce A'Court Aſhe,

Truſtees under both Acts united.

Charles Auterac, John Acton, Charles Allanſon, **the Right Honourable Lord Viſcount** Barrington, **in the Kingdom of** Ireland; **the Right Honourable Lord Viſcount** Bateman, **in the Kingdom of** Ireland; **Sir** Nicholas Bayly, **Sir** Brook Bridges, **Baronets**; Peter Burrell, John Blencowe, Richard Bull, Francis Barrell, Abraham Bracebridge, Benjamin Booth, Thomas Leigh Bennett, Benjamin Barlow, William Burrell **Doctor of Laws**, John Brettell, Richard Bateman, Edward Bacon, William Burch, Richard Bull, David Brodie, William Baggott, Francis Burton, John Browning **Maſter in Chancery**, **the Right Honourable Lord** Carysfort, **in the Kingdom of** Ireland; **the Right Honourable Lord** Coleraine, **in the Kingdom of** Ireland; **the Right Honourable Lord** Clare, **in the Kingdom of** Ireland; **Sir** Thomas Clavering, **Sir** John Chapman, **Sir** John Hinde Cotton, **Baronets**; Robert Child, James Clitherow, George John Cooke, Joſeph Creſwicke, Henry Creſwicke, Richard Crop, Ralph Congreve, Aſheton Curzon, Jervoiſe Clarke, Richard Chadd, **the Right Honourable** William Dowdeſwell, **Sir** James Daſhwood, **Sir** John Dyke, **Baronets**; **Sir** Charles Cottrell Dormer **Knight**, Durdan, John Drinkwater, Thomas Drew, John Day, Francis Duroure, Peter Delme, Solomon Dayrolles, William Drake, **Sir** Thomas Edwards **Baronet**, **the Right Honourable** Welbore Ellis, William Ewer, Edward Eyles, **the Honourable** William Fitzherbert, **the Honourable** Richard Fitzpatrick, Jonathan Fletcher, **Sir** Samuel Gordon, **Sir** Robert Goodere, **Baronets**; **the Honourable** Booth Gray, Thomas Gore, Charles Gore, John Godfrey, Joſeph Gulſton, Thomas Gurnell, Lewis Guiguier, Thomas Groſvenor, David Garrick, Robert Goſling, William Green, John Gardner, **Sir** Thomas Heathcote **Baronet**, **Sir** Charles Hardy **Knight**, John Adam Frederick Heſſe, George Colcroft Heſſe, Abraham Hume, Francis Holbourne, Bartholomew Hammond, Blondeau Hart, William Harriſon, William Halbert, Edward Harris, Richard Hopkins, Joſeph Chaplin Hankey, **the Reverend** Heber **Rector of** Chelſea, George Jennings, **Lieutenant Colonel** Philip Jennings, Edward Jennings, **the Reverend** William Jennings, Charles Joye, Edward Kynaſton, Thomas Kyniſton, Nicholas Kemp, John Knowles, **the Honourable Sir** Richard Lyttleton **Knight of the Bath**, John Leſſingham, Robert Latewood, Nicholas Linwood, David Laſcelles, Edward Le Grand, Edward Laſcelles, Edwin Laſcelles, **Mr. Serjeant** Richard Leigh, Chriſtopher Lethieullier, Richard Lowndes, Henry Lowndes,

William Lowndes of Winſlow, Stephen Cæſar Le Maſtre, Thomas Leſſingham, Longmore, John Leſſingham, Thomas Lambert, Richard Long, the Right Honourable Robert Manners, commonly called Lord Robert Manners; Sir William Maynard, Sir Roger Moſtyn, Sir Joſeph Mawbey, Sir Charles Mordaunt, Baronets; John Machin, Thomas Morgan, Thomas Morgan junior, Charles Morgan, William Marter, John Michell, Macknamara, Boulton Mainwaring, Joſeph Martyn, Donald Monro M. D. George Medcalfe, the Right Honourable Frederick North, commonly called Lord North; Northmore, the Honourable George Onſlow, Thomas Parker, George Payne, Edmund Proudfoot, Samuel Proudfoot, Thomas Paylor, Joſeph Parliebien, Penn, John Poole, James Poole, James Piercy, Sir Edward Bayntun Rolt Baronet, the Honourable Henry Roper, Richard Ripley, Robert Randall, Robinſon, William Ringſted, Richard Robinſon, William Rugge, George Rice, William Robinſon, John Rawlins, Charles Smith, John Stephenſon, James Sayer, Philip Stevens, Henry Shiffner, John Stevenſon, Culling Smith, Anthony Sawyer, John Swale, John Skirrow, John Smith, Henry Seymour, John Spooner, John Slade, Sir Charles Kemys Tynte Baronet, the Right Honourable Charles Townſhend, Colonel Henry Trelawney, Henry Thrale, George Forſter Tuffnell, Nicholas Turner, Thomas Tomkyns, John Tucker, the Honourable George Venables Vernon, Charles Vere, John Upton junior, Arthur Vanſittart, Thomas Vaughan, Sir William Wiſeman Baronet, John Way, Lewis Way, Benjamin Way, Charles Whitworth, Albany Wallis, Charles Wymondeſolds, Charles Lowe Whytell, John Warde, William Watſon M. D. Gregory Wright, James Wheble, Thomas Walker, James Wilmot, Wright, Thomas Walter, Joſeph Waite, the Honourable John Ward, George Woodroffe, the Reverend Lutterell Wynn, and their Succeſſors, to be appointed in Manner herein after mentioned, ſhall be, and they are hereby appointed Truſtees for putting this Act in Execution.

On Death, &c. of Truſtees, others to be choſen.

And be it further enacted, That as often as any of the ſaid Truſtees ſhall die, or refuſe to act (ſuch Refuſal being ſignified in Writing to a Board of Truſtees, at a General Meeting by the Truſtee ſo refuſing to act) it ſhall be lawful for the ſurviving or remaining Truſtees, or any Eleven or more of them, by any Writing or Writings under their Hands and Seals, to appoint ſome other Perſon to be a Truſtee, in the Room

Room of the Truſtee deceaſed, or refuſing to act; and the Perſon ſo appointed, ſhall and may act in the Execution of this Act, as fully as any Truſtee herein before appointed is impowered to act.

Truſtees not to act where intereſted.

And be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee under the Authority of this Act, in any Caſe where he ſhall be perſonally intereſted, or during the Time he ſhall hold any Place of Profit ariſing out of the Tolls hereby granted.

Qualification of Truſtees.

And be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, and Hereditaments, of the clear yearly Value of One hundred Pounds, or ſhall be Heir Apparent of ſome Perſon having ſuch Eſtate, of the clear yearly Value of Two hundred Pounds, or poſſeſſed of, or intitled to, a Perſonal Eſtate, to the Amount of Five thouſand Pounds: And if any Perſon by this Act deemed incapable to act, ſhall preſume to act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds, to any Perſon who ſhall inform and ſue for the ſame; to be recovered in any of his Majeſty's Courts of Record at Weſtminſter, by Action of Debt, or on the Caſe, together with Coſts of Suit, wherein no Eſſoin, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and if it ſhall be proved that the Defendant in ſuch Action hath acted as a Truſtee in the Execution of this Act, then ſuch Defendant ſhall prove that he was qualified as aforeſaid, or in Defect of ſuch Proof ſhall pay the ſaid Forfeiture.

Penalty on acting if not qualified.

Time and Place of Truſtees Meeting.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall meet together at the Houſe known by the Sign of the Hercules Pillars at Hyde Park Corner, upon the Fourteenth Day next after the Day of the paſſing of this Act, and ſhall proceed to the Execution of this Act, ſo far as the ſame relates to the ſaid Roads; and they are hereby impowered to adjourn themſelves, from time time to time, to ſuch Times and Places as the ſaid Truſtees, or any Five or more of them, ſhall think proper; and if it ſhall at any Time happen that there ſhall not meet a Number of Truſtees ſufficient to act, then the Clerk to the Truſtees ſhall appoint a Meeting to be held on that Day Fortnight, at the Place where ſuch intended Meeting was appointed

to have been held, and ſhall cauſe Notice thereof to be affixed on all the Toll-gates then erected, at leaſt Seven Days before ſuch Meeting; and the ſaid Truſtees at all their Meetings, ſhall defray their own Charges and Expences.

Truſtees to defray their own Expences.

Provided always, That the ſaid Truſtees ſhall hold Four General Meetings at the leaſt in every Year; and that no Adjournment ſhall be made for a longer Space of Time than Three Months: And in caſe the Treaſurer to the ſaid Truſtees, or any Three of the ſaid Truſtees, ſhall think it neceſſary that a Meeting of the Truſtees ſhould be held between the Times of Adjournment, it ſhall be lawful for the ſaid Treaſurer, or Three Truſtees, to appoint a Meeting to be held, cauſing the like Notice as is herein before directed of the Time and Place of ſuch Meeting to be affixed on all the Toll-gates then erected; and the Proceedings of the Truſtees at ſuch Meeting ſhall be as valid and effectual, to all Intents and Purpoſes, as if the ſaid Truſtees had at their laſt Meeting adjourned to ſuch Time and Place.

Four General Meetings to be held every Year.

And be it further enacted, That no Order made by the ſaid Truſtees, or any Five or more of them, in or concerning the Execution of the Truſts, Powers, or Authorities of this Act, ſhall be revoked or altered, unleſs Seven Truſtees ſhall concur in ſuch Revocation or Alteration.

No Order to be made unleſs Seven of the Truſtees preſent ſhall concur therein.

And be it further enacted, That the ſaid Truſtees, or any Eleven or more of them, may continue or remove the Toll-gates and Toll-houſes, or any of them, now erected upon the ſaid Roads, and may cauſe to be erected any other Toll-gate and Toll-houſe, Toll-gates and Toll-houſes, in, upon, or acroſs any Part or Parts of the ſaid Roads, as they the ſaid Truſtees, or any Eleven or more of them, ſhall think proper; and may cauſe to be demanded and taken the following Tolls, before any Cattle or Carriage ſhall be permitted to paſs through any ſuch Toll-gate; that is to ſay, at any Toll-gate or Toll-gates, erected or to be erected on any Part of the ſaid Road, leading from the Town of Fulham to the Great Road near the Pound at Hammerſmith,

Truſtees may erect Turnpikes and Toll-houſes,

and take Tolls thereat.

For every Coach, Berlin, Chariot, Chaiſe, or Calaſh, drawn by Six Horſes, Six Pence; and drawn by Three Horſes, or Four Horſes, Four Pence; and drawn by Two Horſes, Two Pence.

The Tolls.

For every Calaſh, Chaiſe, or Chair, drawn by One Horſe, One Penny.

For every Waggon, Cart, or Carriage, laden with Hay, Straw, or Wood, Three Pence.

For every other Waggon, Cart, or Dray, drawn by Four or more Horses, Six Pence; and drawn by Three Horses, Four Pence; and by Two Horses, Two Pence; and by One Horse, One Penny.

For every Horse, Mule, or Ass, laden or unladen, and not drawing, One Penny.

For every Drove of Oxen or Neat Cattle, Ten Pence per Score; and so in Proportion for any greater or less Number.

For every Drove of Calves, Hogs, Sheep, or Lambs, Five Pence per Score; and so in Proportion for any greater or less Number.

And at any Toll-gate or Toll-gates, erected or to be erected upon any other Part of the Roads by this Act directed to be repaired,

For every Coach, Berlin, Landau, Chariot, Calash, Chaise, or Chair, drawn by Six Horses or other Cattle, Six Pence; and drawn by Four Horses or other Cattle, Four Pence; and drawn by Three Horses or other Cattle, Three Pence; and drawn by less than Three Horses or other Cattle, Two Pence.

For every Waggon, Wain, Cart, or Dray, drawn by Six Horses or other Cattle, Six Pence; and drawn by Five Horses or other Cattle, Five Pence; and drawn by Four Horses or other Cattle, Four Pence; and drawn by Three Horses or other Cattle, Three Pence; and drawn by less than Three Horses or other Cattle, Two Pence.

For every Horse, Mule, or Ass, laden or unladen, and not drawing, One Penny.

For every Drove of Oxen or Neat Cattle, Ten Pence per Score; and so in Proportion for any greater or less Number.

For every Drove of Calves, Hogs, Sheep, or Lambs, Five Pence per Score; and so in Proportion for any greater or less Number.

Which said respective Sum or Sums of Money shall be demanded and taken in the Name of or as a Toll, and shall be paid to such Person or Persons as the said Trustees, or any Nine or more of them, shall appoint to collect the same; and the Money so to be collected is hereby vested in the said Trustees, and shall be applied

Tolls vested in Trustees.

in

in ſuch Manner as is herein after mentioned: And if any Perſon, ſubject to the Payment of any of the ſaid Tolls, ſhall, after Demand thereof made, refuſe or neglect to pay the ſame, it ſhall be lawful for the Collector or Collectors to ſeize and diſtrain any Horſe or Horſes, or other Cattle or Beaſt, upon which ſuch Toll is by this Act impoſed, or any of the Goods or Chattles of the Perſon ſo refuſing or neglecting; and if ſuch Toll, and the reaſonable Charges of ſuch ſeizing and diſtraining, ſhall not be paid within the Space of Four Days, ſuch Collector or Collectors ſhall and may ſell the Horſes, Cattle, Beaſts, or Goods ſo ſeized and diſtrained, returning the Overplus (if any) after deducting ſuch Toll and all reaſonable Charges, to the Owner thereof, upon Demand.

Tolls may be levied by Diſtreſs and Sale.

Diſtreſs may be ſold after 4 Days.

Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to impower the ſaid Truſtees, or any of them, to erect or ſet up any Toll-gate or Toll-houſe in, upon, or acroſs, any Part of the Lane called Park Lane, otherwiſe Tyburn Lane, in the Pariſh of Saint George Hanover Square aforeſaid; nor in, upon, or acroſs, any Part of the Lane called Church Lane, in the Pariſh of Kenſington aforeſaid; nor in, upon, or acroſs, any Part of the Street and Highway of Kenſingſton, lying between Elphinſtone's Academy and the Houſe near the Terrace, now in the Occupation of John Crook.

No Gate to be erected in *Tyburn Lane* or *Church Lane, Kenſington*.

And be it further enacted, That all Toll-gates and Toll-houſes which ſhall be continued or erected by virtue of this Act, and the Materials of which the ſame ſhall conſiſt, ſhall be, and they are hereby veſted in the ſaid Truſtees; and they, or any Five or more of them, are hereby authorized and impowered to bring, or cauſe to be brought, any Action or Actions in the Name of their Treaſurer or Clerk, or to prefer, or order the preferring of, Indictments againſt any Perſon or Perſons who ſhall dig up, break, or pull down, ſteal, take, carry away, ſpoil, injure, or deſtroy, any ſuch Toll-gate or Toll-houſe, or any of the Materials of which the ſame ſhall be built or conſiſt.

Toll-gates, &c. veſted in the Truſtees.

And be it further enacted and declared, That all the Tolls by this Act granted ſhall be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the ſaid former Acts, or any of them, and of the Intereſt due and to grow due on the ſame.

Truſtees not ſubject to the Payment of Debts, &c.

And be it further enacted, That out of the ſaid Tolls, or out of the Monies to be borrowed upon the Credit thereof,

Application of the Monies.

thereof, the said Trustees, or any Five or more of them, shall, in the First Place, pay and discharge Five Sixth Parts of the Costs and Expences of procuring and passing this Act, and shall apply the Remainder of such Tolls, and Monies borrowed, in defraying the Expences of repairing, widening, and keeping in Repair, the said Roads, and of watering the same, and lighting such Parts thereof as are intended by this Act to be lighted, and in other the necessary Costs, Charges, and Expences, attending the Execution of this Act, so far as the same relate to the said Roads.

Trustees, with Consent of Creditors, may lessen the Tolls,

And be it further enacted, That it shall be lawful for the said Trustees, or any Eleven or more of them, with the Consent of the Person or Persons intitled to Two Thirds of the Money borrowed upon the Credit of the Tolls, to lessen the Tolls hereby granted for such Time as they shall think proper; and such Tolls so lessened, shall be collected, recovered, and applied, in the same Manner as the Tolls hereby granted are directed to be collected, recovered, and applied; and the said Trustees, or any Eleven or more of them, may likewise raise the said Tolls so lessened, so as the same do not exceed the Tolls hereby granted.

and raise them again.

Tolls to be paid but Once a Day.

And be it further enacted, That if any Person shall have paid the Toll by this Act granted for the passing of any Cattle or Carriage through any Toll-gate, continued or erected by virtue of this Act, upon the Road leading from the Town of Fulham to the Pound at Hammersmith, the same Person, upon producing a Note or Ticket denoting such Payment, shall be permitted to pass through the same Toll-gate, and all other Toll-gates continued or erected by virtue of this Act, on that Road, with the same Cattle or Carriage, Toll-free, at any Time or Times during the same Day, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next Night; which Note or Ticket the respective Collectors of the Tolls are hereby required to give gratis, upon the Payment of such Toll; and if any Person shall have paid the Toll by this Act granted for the passing of any Cattle or Carriage through any of the Toll-gates, continued or erected by virtue of this Act, upon any other Parts of the Roads to be repaired by virtue of this Act, the same Person, upon producing a Note or Ticket denoting such Payment, shall be permitted to pass through the same Toll-gate, and all other such last mentioned Toll-gates, with the same Cattle or Carriage, Toll-free, at any Time or Times during

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ing the ſame Day, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next Night, which Note or Ticket the reſpective Collectors of the Tolls are hereby required to give gratis upon the Payment of ſuch Toll.

And be it further enacted, That no Toll whatever ſhall be demanded or taken by virtue of this Act on the Day or Days of Election of a Knight or Knights of the Shire for the County of Middleſex; and that nothing herein contained ſhall extend, or be conſtrued to extend, to charge any of the Coaches or other Carriages, or Horſes paſſing with their Majeſties, or with any of the Royal Family, or any of the Horſes of the Guards attending their Majeſties, or any of the Royal Family; nor to charge any Cart laden with Stones, Gravel, or other Materials for repairing the ſaid Roads, or the Highways in any of the neighbouring Pariſhes; nor any Carts or Waggons carrying any unbound Hay, or Corn in the Straw, to be laid up in the Barns or Outhouſes, or to be ſet or ſtacked upon any Part of the Lands belonging to any of the Inhabitants of the ſeveral Pariſhes in which the ſaid Roads do lie, or of any of the neighbouring Pariſhes; nor any Ploughs, Harrows, or other Implements of Husbandry; nor any Cart laden with Grains, Dung, Mould, or Compoſt, uſed in manuring of Land; nor ſhall any Toll be demanded or taken for any Horſe or Cattle going to or from Water, or to or from Paſture; nor for any Poſt Horſe carrying the Mail or Packet; nor for ſuch Horſe as is or ſhall be uſed to ride on by the Driver of any Waggon, Cart, or Carriage, provided ſuch Horſe do paſs through the Toll-gate at the ſame Time with ſuch Waggon, Cart, or Carriage; nor for the Horſes of any Soldiers upon their March, nor for Waggons, Carts, or Carriages, attending and paſſing with them; nor for Horſes, Carts, or Carriages, travelling with Vagrants under the Authority of legal Paſſes. Exemptions from Tolls.

Provided always, That if any Perſon ſhall claim and take Benefit of any of the Exemptions aforeſaid, not being intitled to the ſame, ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Forty Shillings; One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied in the Manner herein after directed, concerning the general Application of Penalties and Forfeitures by this Act impoſed. Penalty on making illegal Claims, &c.

Penalty on Persons evading the Tolls,

And be it further enacted, That if any Person shall take off, or cause to be taken off, any Horse or other Beast from any Carriage, on either Side of any Toll-gate continued or erected by virtue of this Act, in order to avoid the Payment of any of the Tolls hereby granted; or if any Person shall give to, or receive from, any Person, any Note or Ticket by this Act directed to be given, or shall forge or counterfeit any such Ticket; or if any Person shall forcibly pass through any such Toll-gate with any Carriage or Cattle; or if any Person occupying any Land near to any Toll-gate continued or erected by virtue of this Act, shall permit or suffer any Person to pass through any Gate, Passage, or private Way, with any Carriage or Cattle, or if any Person shall, with any Carriage or Cattle, pass through any such Gate, Passage, or private Way, whereby the Payment of any of the Tolls by this Act granted shall be avoided; every Person offending in any of the Cases aforesaid, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

or giving or receiving Tickets, &c. to avoid Payment of the Tolls.

Not to extend to *Hyde Park*, and the King's Road.

Provided always, That the Penalties prescribed in the Two last mentioned Cases, shall not extend to any Person passing, or permitted to pass, with any Horse or Carriage through Hyde Park, or through the King's Private Road leading from the Cities of London and Westminster, to Fulham Bridge.

Trustees may borrow Money on the Credit of the Tolls.

And be it further enacted, That the said Trustees, or any Eleven or more of them, may, and they are hereby impowered at any General Meeting, by Assignment, Certificate, or other Writing under their Hands, from time to time, to borrow and take up at Interest any such further Sum or Sums of Money as they shall think proper, upon the Credit of the Tolls by this Act granted, in such Manner, and by such Ways and Means, as shall appear to them most proper and convenient for the Payment of the Monies already owing, and for effectually carrying on the Repairs of the said Roads, and other the Purposes to which the said Tolls are by this Act made applicable.

Notice to be given of borrowing Money.

Provided always, That no Money shall be borrowed by the said Trustees upon the Credit of the said Tolls after the First Meeting of the said Trustees, unless Notice in Writing under the Hand of the Clerk to the said Trustees be, by Order of any Five or more of them, fixed upon all the Toll-gates then erected, at least Fourteen Days before the borrowing of such Money.

And

And be it further enacted, That all Perſons poſſeſſed of, and intitled to, any Security or Securities, for any Sum or Sums of Money lent upon the Credit of the Tolls granted by any of the ſaid recited Acts, or by this Act, may, from time to time, aſſign over their reſpective Securities, and all the Monies which ſhall be due thereon, to any Perſon or Perſons; and every ſuch Aſſignment ſhall, from time to time, be aſſignable by the Perſons intitled thereto: And a Memorandum or Entry of all ſuch Aſſignments, and of the Days when the ſame were brought to be entered, ſhall be made by the Clerk to the ſaid Truſtees, in a Book to be kept for that Purpoſe, at the Expence of the ſaid Truſtees; for which Entry, Two Shillings and Six Pence, and no more, ſhall be paid to the Clerk; and every Perſon intereſted, may, at all reaſonable Times, inſpect the ſame; and no ſuch Aſſignment ſhall be deemed good and effectual until ſuch Memorandum or Entry ſhall be made.

Aſſignments may be tranſferred.

Entries to be made of all Aſſignments.

Clerk's Fee.

And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Eleven or more of them, with the Conſent of the Perſon or Perſons intitled to Two Thirds of the Money then borrowed on the Credit of the ſaid Tolls, by Writing under their Hands and Seals, to demiſe and let the Tolls granted by this Act, or any Part thereof, to any Perſon or Perſons willing to take or farm the ſame, for any Term not exceeding Three Years, for the beſt Rent or Price which can be got for the ſame, to be paid Quarterly in Advance to the ſaid Truſtees, or any Five or more of them, or to their Treaſurer; or otherwiſe, the ſaid Truſtees, or any Eleven or more of them, ſhall, and they are hereby required to, take Security for the Payment of ſuch Rent or Price; which Rent or Price when received, ſhall be applied as the Tolls granted by this Act are directed to be applied; and Notice of the Time and Place of Meeting for letting the ſaid Tolls, or any Part thereof, ſhall be given by the Clerk to the Truſtees, by affixing the ſame in Writing on all the Toll-gates then erected, and by advertiſing the ſame Three Times in the London Gazette, at leaſt One Month before ſuch Meeting.

Truſtees may leaſe the Tolls.

And be it further enacted, That the ſaid Truſtees, or any Nine or more of them, may appoint ſuch Officers and other Perſons as they ſhall think neceſſary to employ in the Execution of this Act; and any ſuch Officers or other Perſons, from time to time, may remove, and appoint others in caſe of Death or ſuch Removal; and may, out of the Monies which ſhall ariſe

Truſtees may appoint Officers;

and remove them, and appoint others.

Truſtees to allow Officers Salaries.

by the ſaid Tolls, make Allowances to ſuch Officers and other Perſons, for their Services; which Allowances ſo to be made, ſhall be ſettled and aſcertained at the firſt Meeting of the ſaid Truſtees, previous to the Nomination of any Perſon to execute the reſpective Offices; and no Increaſe ſhall be afterwards made in the Number of Officers, nor in the Allowances ſo ſettled, unleſs Twenty one of the ſaid Truſtees ſhall be preſent at the Time of propoſing the ſame, nor unleſs Three Fourths of the Truſtees preſent ſhall concur therein: And all and every ſuch Officers and other Perſons, and all and every the Officers and other Perſons who have had, received, or paid, by virtue of any of the ſaid recited Acts, or who ſhall, at any Time or Times hereafter, have, receive, or pay, any Sum or Sums of Money by virtue of this Act, ſhall, from time to time, when thereunto required by the ſaid Truſtees, or any Five or more of them, make and render to the ſaid Truſtees, or any Five or more of them, a true, exact, and perfect Account, in Writing, under their reſpective Hands, upon Oath to be taken before Two or more of the ſaid Truſtees (which Oath Two Truſtees are hereby impowered to adminiſter) of all Monies which they, and every of them reſpectively ſhall, to that Time, have received, paid, and diſburſed, by virtue of any of the ſaid recited Acts, or this Act, or by reaſon of their reſpective Offices; and in caſe any Money ſo received, ſhall remain in their or any of their Hands, the ſame ſhall be paid to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon as they ſhall appoint to receive the ſame: And in caſe any ſuch Officer or other Perſon, ſhall not make and render, or ſhall refuſe to verify upon Oath ſuch Account, or to make ſuch Payment as aforeſaid, then any One or more Juſtice or Juſtices of the Peace for the County, Liberty, or Place, where ſuch Officer or other Perſon ſhall reſide or be found, ſhall make Enquiry of ſuch Default in a ſummary Way, as well by Confeſſion of the Parties themſelves, as by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath; and upon Conviction ſhall commit the Offender to the Common Gaol of ſuch County, Liberty, or Place, there to remain without Bail or Mainprize, until he ſhall make and render a full, true, and perfect Account and Payment as aforeſaid, or until he ſhall have compounded and agreed with the ſaid Truſtees, or any Nine or more of them, and ſhall have paid ſuch Compoſition to the ſaid Truſtees, or

Officers to account upon Oath.

Officers refuſing to account,

Juſtices to inquire into the Default,

and commit the Offender, until Payment or Compoſition made.

any

any Five or more of them, or to ſuch Perſon as they ſhall appoint to receive the ſame; which Compoſition the ſaid Truſtees, or any Nine or more of them, are hereby impowered to make.

Proviſo. Provided always, That no ſuch Officer or other Perſon ſhall remain in ſuch Common Gaol, for a longer Space of Time than Twelve Calendar Months after having rendered a true and perfect Account as aforeſaid.

Clerk to deliver up Books, &c. And be it further enacted, That if any ſuch Clerk, Collector, or other Perſon employed by the ſaid Truſtees, ſhall refuſe or neglect to deliver up, within Fourteen Days after being thereunto required by the ſaid Truſtees, or any Five or more of them, all the Books, Papers, and Writings, in his Cuſtody or Power, relating to the Truſts and Powers hereby granted, to the ſaid Truſtees, any One or more Juſtice or Juſtices of the Peace for the County, Liberty, or Place, wherein ſuch Clerk, Collector, or other Perſon, ſhall reſide or be found, ſhall, upon the Complaint of any Five or more of the ſaid Truſtees, make Inquiry of and concerning ſuch Default in a ſummary Way, and upon Proof thereof made before ſuch Juſtice or Juſtices, by the Oath of any One or more credible Witneſs or Witneſſes, or by Confeſſion of the Party complained of, ſhall commit the Clerk, Collector, or other Perſon ſo making Default, by Warrant under his or their Hand and Seal, or Hands and Seals, to the Common Gaol of ſuch County, Liberty, or Place, there to remain without Bail or Mainprize, until he ſhall deliver, or cauſe to be delivered to the ſaid Truſtees, or any Five or more of them, or to their Order, all and every ſuch Books, Papers, and Writings, or until he ſhall give ſuch Satisfaction to the ſaid Truſtees, or any Five or more of them, as they ſhall think reaſonable concerning the ſame.

Treaſurer, &c. to give ſecurity. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby required to take ſuch Security from the Treaſurer or Treaſurers, Receiver or Receivers, Collector or Collectors, and Surveyor or Surveyors, to be appointed for the Purpoſes aforeſaid, for the due Execution of their reſpective Offices, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem meet.

Surveyor to occupy no other Buſineſs. And be it further enacted, That no Perſon ſhall be capable of acting as a Surveyor by virtue of this Act, who ſhall uſe or exerciſe any other Buſineſs or Occupation.

No Victualler, &c. to hold any Place of Profit.

And be it further enacted, That no Perſon keeping an Inn, Alehouſe, or other Houſe of publick Entertainment, or who ſhall ſell Ale, Wine, Brandy, or other Spirituous Liquors by Retail, ſhall be capable of holding any Place of Truſt or Profit under this Act; nor ſhall any Perſon appointed an Officer under the Authority of this Act, furniſh any Horſes or Carriages, being his own Property, to perform any Work to be done upon the ſaid Roads by virtue of this Act.

Surveyors may dig Gravel, &c.

And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors appointed by the ſaid Truſtees, or any Nine or more of them, to cut, dig, gather, take, and carry away, or cauſe to be cut, digged, gathered, taken, and carried away, any Materials proper for repairing of Highways, in, upon, out of, or from, any River or Brook, Waſte or Common, in any Pariſh, Town, or Place, in, adjoining to, or lying near the Roads aforeſaid, to be uſed in repairing the ſaid Roads, without paying any thing for the ſame; they the ſaid Surveyors filling up the Pits and Holes, and levelling the Ground with all convenient Speed, and in the mean Time making a ſufficient Fence to prevent any Misfortune or Accident happening in the Pits or Holes from whence ſuch Materials ſhall be taken: And if a Quantity of Materials ſufficient for that Purpoſe cannot be found in or upon any ſuch River or Brook, Waſte or Common, then by Order of the ſaid Truſtees, or any Nine or more of them, to cut, dig, gather, take, and carry away, or cauſe to be cut, digged, gathered, taken, and carried away, any Quantity of Materials, proper and ſufficient for that Purpoſe, in, upon, out of, or from any River or Brook, or the Lands or Grounds of any Perſon where the ſame may be had or found, to be uſed towards repairing the ſaid Roads (ſuch Lands and Grounds not being a Yard, Garden, Orchard, Park, Paddock, Meadow, Wood, Coppice, Nurſery, planted Walk, or Avenue to any Houſe) they the ſaid Surveyors, paying or tendering a reaſonable Compenſation to the reſpective Owners or Occupiers of ſuch Lands or Grounds, for ſuch Materials, and for the Damage done by carrying the ſame over their Grounds: And in caſe of any Difference between the ſaid Truſtees, or Surveyor or Surveyors, and any of the ſaid Owners or Occupiers, any Two or more Juſtices of the Peace for the County of Middleſex ſhall and may, on Fourteen Days Notice thereof to be given by any ſuch Surveyor to ſuch Owner or Occupier, or

without paying for the ſame;

levelling the Pits.

If ſufficient Materials cannot be had there, the ſame may be taken from private Grounds;

making Satisfaction to the Owners.

Juſtices to determine Differences,

by

by ſuch Owner or Occupier to ſuch Surveyor, to be left at their reſpective Places of Abode, with ſome or One of their reſpective Families, hear, ſettle, and determine the Matter of the ſaid Damages.

Penalty on taking away Materials, &c. got by Order of the Surveyor.

And be it further enacted, That if any Perſon or Perſons, other than thoſe employed by the ſaid Truſtees or their Surveyors for that Purpoſe, ſhall break down, pull up, injure, or take away any Bridge, Arch, Poſt, or Rail, erected, or which ſhall be erected on any Part of the ſaid Roads, or ſhall take, carry away, or deſtroy, any Ballaſt, Gravel, or other Materials, laid, or which ſhall be laid, on any Part of the ſaid Roads for the Repair thereof, or ſhall take or carry away any of the Drift Sand from the ſaid Roads, without Leave in Writing under the Hands of the ſaid Truſtees, or any Three or more of them, ſpecifying the Quantity to be taken, and the Time for taking the ſame; every Perſon ſo offending, and being thereof convicted before One or more Juſtice or Juſtices of the Peace for the County of Middleſex, upon the Oath or Oaths of One or more credible Witneſs or Witneſſes, or by his or her own Confeſſion, ſhall, for every ſuch Offence, forfeit and pay the Sum of Forty Shillings.

Surveyors may make Cauſeways, &c.

And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, or their Surveyor or Surveyors, to make or cauſe to be made Cauſeways, in or along the Sides of any Part or Parts of the ſaid Roads, and to build or cauſe to be built, any Bridge or Bridges, upon, in, or acroſs the ſaid Roads, and to cut or cauſe to be cut, any Watercourſes, in, through, or acroſs, any Lands or Grounds, to prevent the ſaid Roads, or any Part thereof, from being overflowed, and to erect Bridges over ſuch Drains or Watercourſes if neceſſary; and alſo to make or cauſe to be made, a Road or Way, by, through, or over, the Grounds contiguous to any narrow or ruinous Part of the ſaid Roads (not being the Site of, or Ground whereon any Houſe or Houſes ſtand, or Yard, Park, Paddock, planted Walk, or Avenue to any Houſe) to be made uſe of by all Paſſengers with Carriages and Cattle, or otherwiſe, as a publick Highway, whilſt the old or ruinous Road is repairing, and until ſuch Time as it ſhall be convenient and ſafe for Carriages and Cattle to paſs the ſame; making reaſonable Satisfaction to the Owners or Occupiers of ſuch Lands or Grounds, for the Damages they ſhall thereby ſuſtain: And in caſe of any Difference between the ſaid Truſtees, or Surveyor

erect Bridges, &c.

and make a temporary Road;

making Satisfaction to the Owners.

or Surveyors, and any of the said Owners or Occupiers, any Two or more Justices of the Peace for the County of Middlesex, shall and may, on Fourteen Days Notice thereof to be given by any such Surveyor to such Owner or Occupier, or by such Owner or Occupier to such Surveyor, to be left at their respective Places of Abode, with some of their respective Families, hear, settle, and determine the Matters of the said Damages.

Penalty on Owners neglecting to remove Annoyances, &c.

And, for the better preventing Encroachments and Annoyances in and upon the said Roads; be it further enacted, That if any Owner or Occupier of any Lands, Tenements, or other Premisses, near to the said Roads, shall refuse or neglect, by the Space of Six Days after Notice in Writing given to him or her, or left at his or her usual Place of Abode, under the Hand of the Surveyor or Surveyors appointed by the said Trustees, to trim up, lop, cut down, or root up, and remove, any Trees or Bushes growing in or upon the said Roads, or in or upon the Hedges or Banks adjacent thereto; or to scour and cleanse any Ditch, Drain, or Watercourse, contiguous to, or leading out of or from, the said Roads; or to make, build, or erect, across such Ditch, Drain, or Watercourse, an Arch or Arches sufficient for the free Course of the Water under his or her Gate-way or Passage leading from the said Roads into any Field, Ground, or other Premisses, or to pull down or take away any Encroachment; or if any Person shall suffer his or her Sink or Drain to run into the said Roads, or shall throw, cast, or lay, or cause, permit, or suffer, to be thrown, cast, or laid, any Dust, Dirt, Ashes, Rubbish, Dung, or other Filth or Annoyance into or upon the said Roads, or into or in any of the Ditches, Drains, or Watercourses, thereto belonging; it shall be lawful for such Surveyor or Surveyors, and for any Person by him or them employed, to trim up, lop, cut down, or root up and remove, any such Trees or Bushes; and to scour and cleanse any such Ditch, Drain, or Watercourse; and to make, build, or erect, such Arch or Arches as aforesaid; and effectually to turn, prevent, or stop up, such Sink or Drain so running into any Part of the said Roads, and to abate or pull down and take away any such Encroachment; and to remove such Dust, Dirt, Ashes, Rubbish, Dung, or other Filth or Annoyance from the said Roads, or from the Ditches, Drains, or Watercourses, belonging thereto: And in any of the said Cases, by Warrant under the Hand and Seal of

and cut down Trees, &c.

any

any Juſtice of the Peace for the County of Middleſex, to levy the Charges thereof (the ſame being firſt ſettled and aſcertained by ſuch Juſtice) by Diſtreſs and Sale of the Goods and Chattles of ſuch reſpective Owner, Occupier, or other Perſon, rendering, upon Demand, to the Perſon whoſe Goods and Chattles ſhall be ſo diſtrained and ſold, the Overplus (if any be) after deducting the Charges of ſuch Diſtreſs and Sale: And every Perſon who ſhall permit or ſuffer his or her Sink or Drain to run into the ſaid Roads, or any Part thereof, or who after the Abatement or Removal of any Encroachment or Annoyance by him or her made, cauſed, or permitted, ſhall again offend in the like Manner, and ſhall be convicted upon the Oath of One or more credible Witneſs or Witneſſes, or by his or her own Confeſſion, ſhall forfeit and pay the Sum of Twenty Shillings over and above the Charges of removing every ſuch Encroachment and Annoyance, to be ſettled and aſcertained as aforeſaid: And in caſe the Perſon who ſhall throw, caſt, or lay, any Duſt, Dirt, Aſhes, Rubbiſh, Dung, or other Filth or Annoyance, into or upon the ſaid Roads, or into or in the Ditches, Drains, or Watercourſes, belonging thereto, cannot be diſcovered; then, and in ſuch Caſe, the Occupier of any Houſe, Land, or other Premiſſes, adjoining to the ſaid Roads, and before which ſuch Duſt, Dirt, Aſhes, Rubbiſh, Dung, or other Filth or Annoyances, ſhall be thrown, caſt, or laid, ſhall be accounted the Offender, and be liable to pay the Penalty as ſuch.

Poſts, &c. placed from the Wall, deemed Incroachments.

And be it further enacted and declared, That all Poſts, Rails, Pales, and other Fences, between the Foot Paths and Carriage Ways in or upon any Part of the ſaid Roads, which do or ſhall ſtand or be placed above Three Feet Six Inches from any Wall, or other Boundary, ſhall be deemed Incroachments and Annoyances, unleſs where the Carriage Way, excluſive of the Foot Paths, is Twenty ſix Feet wide.

Truſtees may contract for Repairs.

And be it further enacted, That the ſaid Truſtees, or any Nine or more of them, may and they are hereby impowered to contract and agree with any Perſon or Perſons for any certain Sum or Sums of Money for the Repairs of any particular Portion or Portions of the ſaid Roads.

Truſtees may contract for the Purchaſe of Lands to be laid into the Road.

And be it further enacted, That the ſaid Truſtees, or any Nine or more of them, ſhall have full Power and Authority to treat, contract, and agree, with the ſeveral Owners, Proprietors, Occupiers of, and Perſons intereſted

tereſted in, any Lands, Grounds, or Hereditaments, which may by the ſaid Truſtees, or any Nine or more of them, be thought neceſſary or convenient to be taken in and added to the ſaid Roads, for the widening, turning, or altering, any Part or Parts thereof, for the Purchaſe of ſuch Lands, Grounds, or Hereditaments, or for the Loſs or Damage which any ſuch Owners, Proprietors, Occupiers, or Perſons intereſted, ſhall or may thereby ſuſtain; and out of the Tolls by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for ſuch Lands, Grounds, or Hereditaments, and for ſuch Loſs or Damage, ſuch Sum or Sums of Money as ſhall be agreed upon between ſuch Owners, Proprietors, Occupiers, and Perſons intereſted as aforeſaid, and the ſaid Truſtees, or any Nine or more of them, and alſo the Coſts and Charges attending ſuch Agreement and Purchaſe.

Bodies Politick, &c. to contract for the Sale of Lands, &c.

And be it further enacted, That it ſhall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees, for or on Behalf of any Infants, Femes Covert, or Ceſtuique Truſts, and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any ſuch Lands, Grounds, or Hereditaments, to treat, contract, and agree, with the ſaid Truſtees, or any Nine or more of them, for the Sale of ſuch Lands, Grounds, or Hereditaments, or for their Intereſt therein, for the Purpoſes aforeſaid; and to ſell and convey the ſame as Occaſion ſhall be and require; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding: And all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, and all other Perſons are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

Perſons neglecting to treat for the Sale of Lands;

And be it further enacted, That if any ſuch Owner, Proprietor, Occupier, Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Truſtees, or other Perſon or Perſons intereſted in any ſuch Lands, Grounds, or Hereditaments, upon Notice to them given or left in Writing at the Dwelling-houſe or Houſes, or

Place or Places of Abode of ſuch Perſon or Perſons, or of the Head Officer or Officers of ſuch Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of the Lands, Grounds, or Hereditaments, ſo to be taken in, and added to, the ſaid Roads, or into or through which any ſuch Road is to be turned or altered as aforeſaid, ſhall, by the Space of Twenty one Days after ſuch Notice given or left as aforeſaid, refuſe or neglect to treat, or ſhall not agree for the Sale of ſuch Lands, Grounds, or Hereditaments, or by reaſon of Abſence ſhall be prevented from treating; then, and in every ſuch Caſe, the ſaid Truſtees, or any Nine or more of them, ſhall cauſe to be inquired and aſcertained, by and upon the Oaths of a Jury of Twelve indifferent Men of the County of Middleſex (which Oath any Two or more of the Truſtees are hereby impowered to adminiſter) what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to, ſuch Owners, Proprietors, Occupiers, or Perſon or Perſons intereſted for or upon account of the taking ſuch Lands, Grounds, or Hereditaments, into the ſaid Roads, or of turning any ſuch Road into or through any ſuch Lands, Grounds, or Hereditaments; and in order thereto, the ſaid Truſtees, or any Nine or more of them, are hereby impowered and required to ſummon and call before ſuch Jury, and examine upon Oath, all Perſons who ſhall be thought neceſſary or proper to be examined as Witneſſes, touching or concerning the Premiſſes (which Oath any Two or more of the ſaid Truſtees are hereby impowered to adminiſter) and they ſhall alſo order and cauſe ſuch Jury to view the Places in Queſtion, if there be Occaſion, and ſhall uſe all lawful Ways and Means, as well for their own as for the Jury's Information in the Premiſſes; and after the Jury ſhall have inquired, aſcertained, and ſettled, ſuch Damage and Recompence, they the ſaid Truſtees, or any Nine or more of them, ſhall thereupon adjudge and order the Sum or Sums of Money, which ſhall be aſſeſſed by the Jury, to be paid to the ſaid Owners, Proprietors, or Occupiers, of, or other Perſons intereſted in, ſuch Lands, Grounds, or Hereditaments, according to the Verdict or Inquiſition of the Jury; which ſaid Verdict or Inquiſition, Judgement and Order, ſhall be final, binding, and concluſive, to all Intents and Purpoſes, againſt all Parties and Perſons claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants,

Infancy, Feme Covert, and Persons under any Disability whatever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and all such Owners, Proprietors, and Occupiers, and all Persons interested in such Lands, Grounds, or Hereditaments, shall, upon Payment or Tender of the Sum or Sums of Money to be settled as aforesaid, be thereby, from thenceforth, to all Intents and Purposes, divested of all Property, Right, Title, Interest, or Claim, in, to, or upon, the same: And, for the summoning and returning of such Jury, the said Trustees, or any Nine or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of the County of Middlesex, thereby commanding and requiring him to impanel, summon, and return, an indifferent Jury of Twenty four Persons to appear before the said Trustees, or any Nine or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return, such Number accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any [illegible] or more of them, shall swear, or cause to be sworn, Twelve who shall be drawn by Ballot out of the said Twenty four, which Twelve shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, to make up the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn: And the said Trustees, or any Nine or more of them, shall have full Power, from time to time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premisses; and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, or who shall refuse to be sworn on the said Jury, or being sworn, shall not give a Verdict, or shall, in any other Manner, wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who, being required to give Evidence before such Jury, shall refuse or neglect to appear, or appearing, shall refuse to be sworn and give Evidence; so as the such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence;

And be it further enacted, That in caſe any Jury ſummoned and ſworn purſuant to the Authority of this Act, ſhall give in and deliver a Verdict or Aſſeſſment for more Monies as a Recompence or Satisfaction for the Property, Right, or Intereſt, of any Perſon or Perſons in any ſuch Lands, Grounds, or Hereditaments, or for any ſuch Loſs or Damage, than what ſhall have been agreed to, and offered by, the ſaid Truſtees, or any Nine or more of them, before the ſummoning or returning of ſuch Jury; then the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes concerning the aſcertaining and determining the Value of any ſuch Property, Right, or Intereſt, or Loſs or Damage ſuſtained as aforeſaid, ſhall be borne and paid by the ſaid Truſtees, or any Nine or more of them, out of the Tolls hereby granted, or out of any Money borrowed upon the Credit thereof: But if the Jury ſhall give in and deliver a Verdict or Aſſeſſment for no more or for leſs Monies than ſhall have been agreed to, and offered by, the ſaid Truſtees, or any Nine or more of them, before the ſummoning and returning of ſuch Jury; then the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes ſhall be borne and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute. Expences of the Jury how to be borne.

And be it further enacted, That all Sums of Money, ſo aſſeſſed as aforeſaid, ſhall be, and the ſame are hereby charged upon the Monies which ſhall be collected or raiſed by virtue of this Act, and ſhall be paid thereout accordingly by the ſaid Truſtees, or any Nine or more of them, or by their Treaſurer, to the Perſons reſpectively intitled thereto, or to their Agents; and upon Payment or Tender thereof to ſuch Perſons, or their Agents, and in caſe of Refuſal to accept the ſame, then, upon leaving the ſame in the Hands of the Treaſurer to the ſaid Truſtees, for the Uſe of ſuch Perſons, ſuch Lands, Grounds, or Hereditaments, ſhall be laid into and made Part of the ſaid Roads, and ſhall to all Intents and Purpoſes whatſoever become, and be deemed and taken to be, a publick and common Highway, and be from thenceforth Part of the ſaid Roads for ever after, and ſhall be repaired, and kept in Repair, by ſuch Ways and Methods, and in all Reſpects in ſuch Manner, as the old Road ſo widened, altered, or turned, was and ought to have been kept in Repair; and after ſuch new Road ſhall be completed, the Lands and Grounds comprized in or conſtituting the old or former Road, ſhall be Monies allowed for Lands, how to be charged and tendered. Lands, &c. purchaſed to be deemed Part of the Road, and eſteemed a publick Highway. Old Road may be ſold.

vested in, and may be sold by, the said Trustees, or any Nine or more of them, to such Person or Persons as shall be willing to become the Purchaser or Purchasers thereof, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied towards the Repair of the said Roads, and other the Purposes relating thereto; and the Conveyance or Conveyances to be made of such Lands or Grounds, being executed by the said Trustees, or any Nine or more of them, and inrolled with the Clerk of the Peace for the County of Middlesex, shall be good and effectual in the Law to all Intents and Purposes whatsoever; or it shall be lawful for the said Trustees, or any Nine or more of them, with the Consent of the Lord or Owner of the Manor, to exchange all or any such Lands or Grounds comprized in or constituting the old or former Road, for any Land, Ground, or Hereditament, which the said Trustees shall think necessary to become possessed of, for the widening, turning, or altering, any Part or Parts of the said Roads.

Application of Monies.

Buildings, &c. not to be damaged.

And be it further enacted, That in widening, turning, or diverting, any Part or Parts of the said Roads, nothing shall be done which shall or may in any wise injure or damage any Dwelling-house, Out-house, or other Building, or any Garden, Orchard, Yard, Court, Park, Paddock, Nursery Ground, planted Walk, or Avenue to an House (except Gardens, Orchards, or Nursery Grounds, in the Tenure or Occupation of Gardeners, Nursery Men, or Farmers, whether Owners or Tenants); any thing herein contained to the contrary notwithstanding.

Persons liable to the Repair of the Roads, &c. to continue so.

And be it further enacted, That all Bodies Politick, and Corporate, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, and all Persons who, before the making of this Act, have used, or of Right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account, to repair any Part or Parts of the Roads hereby intended to be repaired, or any Bridges, Causeways, Drains, Sewers, or Arches, shall, notwithstanding this Act, be subject and liable to, and charged with, the Repair of the same respectively, in the same Manner as they have heretofore usually done or ought to do; and that the Inhabitants to do Statute-work.

Inhabitants to do Statute-work.

and Occupiers of Lands, Tenements, and Hereditaments, in the several Towns, Parishes, Hamlets, and Places, through which the Roads hereby intended to be repaired do lie, who, by the Laws and Statutes of this

this Realm, are liable to perform the Work in the Highways for the Repair thereof, commonly called Statute-work, shall still be subject and liable to do and perform the same, and shall and are hereby required to do and perform such and so many Days Work in such Parts of the said Roads by this Act directed to be repaired, and lying within the said Towns, Parishes, Hamlets, or Places, in which such Inhabitants respectively shall live, or shall occupy any Lands, Tenements, or Hereditaments, as aforesaid, as any Three Justices of the Peace for the County of Middlesex, at any Petty or Special Sessions of the Peace, upon Application made to them by any Five or more of the said Trustees, shall adjudge and determine; which Statute-work shall be done at such Times, and in such Manner, as the said Trustees, or any Five or more of them, or their Surveyor, shall appoint.

Application or Monies.

Surveyors of the Highways to deliver in Lists of Persons liable to do Statute-work.

And be it further enacted, That the Surveyors of the Highways of and for every of the said Towns, Parishes, Hamlets, and Places, shall, and they are hereby required, at the First Meeting of the said Trustees after the First Day of July, One thousand seven hundred and forty seven, and at the First Meeting of the said Trustees after the Twenty fifth Day of March in every succeeding Year, or at any other Meeting of the said Trustees, if thereunto required by the said Trustees, or any Five or more of them (Ten Days Notice of such Meeting being fixed on all the Tolls-gates then erected) to deliver in to the said Trustees, true and perfect Lists in Writing, under their respective Hands, of the Names of all the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments, in such Towns, Parishes, Hamlets, and Places respectively, who are liable to do their Statute-duties in and upon the said Highways; and shall, in such Lists, distinguish and set forth which of such Inhabitants or Occupiers keep a Team or Teams, or occupy a Plough Land or Plough Lands, and which of them are liable to do Duty as Labourers.

Persons liable to the Repair of the Roads, &c. to cause to be.

Penalty on Surveyors neglecting to deliver Lists.

And be it further enacted, That if the respective Surveyors of the several Towns, Parishes, Hamlets, and Places, through which the said Roads lead, shall not deliver in to the said Trustees Lists of the Inhabitants of and Occupiers of Lands, Tenements, or Hereditaments, in their several Towns, Parishes, Hamlets, and Places, at such Times, and in such Manner, as by this Act is directed, every such Surveyor shall forfeit and pay, for every such Default, the Sum of Thirty Pounds;

Inhabitants to Statute-work.

Penalty on Perſons not performing Statute-work.

and if any ſuch Inhabitant or Occupier, being obliged or liable by Law to do Statute-work in and upon the ſaid Roads, ſhall not perform the ſame at ſuch Times and Places, and in ſuch Manner, as ſhall, by the ſaid Truſtees, or any Five or more of them, or their Surveyor, be directed, ſuch Inhabitant or Occupier ſhall, for every ſuch Neglect or Default, forfeit and pay the ſeveral Sums which are or ſhall be in ſuch Caſes directed to be forfeited and paid by the ſeveral Laws and Statutes of this Realm for repairing the Highways thereof; and if any Perſon, who ſhall come to work as a Labourer, or who ſhall be ſent with any Team, Draught, or Cart, to work on the ſaid Roads, ſhall be found idle or negligent, or ſhall not properly perform ſuch Statute-work, the Surveyor, employed by the ſaid Truſtees, may and is hereby impowered and required to diſcharge ſuch Perſon, and it ſhall be deemed and taken as if ſuch Perſon had not come, or ſuch Team, Draught, or Cart, had not been ſent to work on the ſaid Roads; and the Perſon liable to perform ſuch Statute-work ſhall be ſubject to the like Forfeitures as if he or ſhe had refuſed or neglected to perform the ſame.

Perſons found idle to be turned off.

Truſtees may compound with Pariſhes, &c. for Statute-work.

And be it further enacted, That the ſaid Truſtees, or any Nine or more of them, may, and are hereby impowered to compound with any Body Politick or Corporate, Town, Pariſh, Hamlet, or Place, and the Inhabitants thereof, or any Perſon or Perſons, for the Repairs to be by them reſpectively done upon the ſaid Roads, or to any Bridges, Cauſeways, Sewers, or Drains, and alſo with the Surveyor or Surveyors of the ſeveral Towns, Pariſhes, Hamlets, and Places, through which the Roads hereby intended to be repaired, or any Part or Parts thereof, do lie, or with any of the Inhabitants thereof, or Occupiers of Lands, Tenements, and Hereditaments therein, for the ſeveral Days Statute-work to be by them reſpectively done upon the ſaid Roads, for any certain Sum or Sums of Money, by the Year or otherwiſe; and the ſame ſhall be inſtantly paid to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as ſhall be appointed by them to receive the ſame.

Surveyors paying the Compoſition-money, how to be reimburſed.

Provided always, That if the Surveyor or Surveyors of the Highways of any Town, Pariſh, Hamlet, or Place, for the Statute-work whereof ſuch Compoſition ſhall be made, ſhall pay the Compoſition-money in Manner herein before directed; then, and in ſuch Caſe, ſuch Surveyor or Surveyors ſhall be repaid or reimburſed the

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ſame in ſuch Manner as, by the Laws now in being, Surveyors of the Highways of this Kingdom are to be repaid or reimburſed the Monies by them expended in buying Materials for amending the Highways.

And whereas the Pariſh of Saint George Hanover Square aforeſaid hath agreed to compound with the ſaid Truſtees for the annual Payment of One hundred Pounds, and the Pariſh of Kenſington aforeſaid hath agreed to compound with the ſaid Truſtees for the annual Payment of Seventy Pounds, in lieu of Statute-work to be done on ſuch Parts of the Roads directed to be repaired by this Act as lie within thoſe Pariſhes reſpectively; be it therefore further enacted, That the ſaid reſpective Sums of One hundred Pounds, and Seventy Pounds, ſhall be aunually paid during the Continuance of this Act by the reſpective Treaſurer or Treaſurers, Collector or Collectors, appointed or to be appointed to collect and receive the Rates to be raiſed for the Repairs of the Highways, and other Purpoſes within the ſaid Pariſhes of Saint George Hanover Square and Kenſington reſpectively, to the ſaid Truſtees, or to ſuch Perſon or Perſons as ſhall be appointed by any Five or more of them to receive the ſame, in lieu and in full Satisfaction of all Statute-work to be done in or upon any Parts of the Roads directed to be repaired by this Act, which lie within the ſaid reſpective Pariſhes; the Firſt Payment of the ſaid yearly Sum of One hundred Pounds to be made by ſuch Treaſurer or Treaſurers, Collector or Collectors, for the time being of the Pariſh of Saint George Hanover Square, on the Twenty fifth Day of March, which will be in the Year of our Lord one thouſand ſeven hundred and ſixty eight, or within Thirty Days after: And the Firſt Payment of the ſaid yearly Sum of Seventy Pounds to be made by ſuch Treaſurer or Treaſurers, Collector or Collectors, for the time being of the Pariſh of Kenſington, on the ſaid Twenty fifth Day of March, One thouſand ſeven hundred and ſixty eight, or within Thirty Days after; and in caſe the ſaid Sums of One hundred Pounds, and Seventy Pounds, ſhall not be reſpectively paid as aforeſaid, after Demand thereof made, it ſhall be lawful for any Two or more Juſtices of the Peace for the County of Middleſex, and they are hereby required (upon Proof made before them upon Oath that the ſaid Monies, or any Part thereof, are in Arrear and unpaid, after the Time limited for Payment of the ſame) to grant a Warrant or Warrants, under their Hands and Seals, for levying the ſame, by

Annual Sums to be paid by the Pariſhes of *St. George Hanover Square*, and *Kenſington*, in lieu of Statute-work.

Diſtreſs and Sale of the Goods and Chattles of ſuch Treaſurer or Treaſurers, Collector or Collectors, who ſhall refuſe or neglect to pay the ſame, rendering the Overplus (if any be) after deducting the Charges of making ſuch Diſtreſs and Sale, to the Owner or Owners thereof, upon Demand; and the Sum or Sums paid by any ſuch Treaſurer or Collector ſhall be allowed in paſſing the Account of ſuch Treaſurer or Collector, upon producing a proper Receipt for the ſame.

Truſtees are to indemify the Pariſhes of *St. George Hanover Square*, and *Kenſington*, from all Indictments, &c.

Provided always, That if the ſaid Compoſition-money ſhall be paid to the ſaid Truſtees, or to their Uſe, in Manner aforeſaid, they the ſaid Truſtees ſhall, and they are hereby obliged, during the Continuance of this Act, to keep the Inhabitants of the ſaid Pariſh of Saint George Hanover Square, and the Inhabitants of the ſaid Pariſh of Kenſington reſpectively, indemnified, freed, and diſcharged, of and from all ſuch Preſentments, Indictments, Amerciaments, and Fines, as ſhall be brought againſt or laid upon the Inhabitants of the ſaid Pariſhes reſpectively, for or on account of any Defect or Want of Repair in any of the Roads directed to be repaired by this Act which lie within the ſaid reſpective Pariſhes.

Roads to be watered.

And be it further enacted, That, for the Accommodation of Travellers, the ſaid Truſtees, or any Five or more of them, may, and they are hereby impowered to, cauſe the ſaid Roads reſpectively to be properly watered, from time to time, as Occaſion ſhall require; and all Charges incident thereto ſhall be defrayed out of the Tolls granted by this Act, or any Monies which ſhall be borrowed upon the Credit thereof.

Power to water the Road from *Hyde Park Corner*, to *Counters Bridge*.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby required to, cauſe the great Weſtern Road from the preſent Toll-gate at Hyde Park Corner to Counters Bridge to be properly watered.

And, to the End that the Road from Hyde Park Corner to Kenſington Palace Gate, and from the Terrace at the Weſt End of the Town of Kenſington to the Toll-gate at Holland Houſe, and alſo the Road from the North End of Park Lane, otherwiſe Tyburn Lane, to the North Side of Hertford Street, in the Pariſh of Saint George Hanover Square, may be properly lighted, be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby impowered to, cauſe ſuch and ſo many Glaſs Lamps to be erected in or near the ſaid Parts of the ſaid Roads as they ſhall think neceſſary; and to fix ſo many of ſuch Lamps as they

Truſtees may erect Lamps and appoint Watchmen.

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ſhall think proper to any Houſe or other Building; making good the Damages which ſhall be done thereto; and, from time to time, to contract with any Perſon or Perſons for lighting, maintaining, and repairing, ſuch Lamps in ſuch Manner as they ſhall think proper; and all Charges incident thereto ſhall be defrayed out of the Tolls granted by this Act, or any Monies which ſhall be borrowed upon the Credit thereof.

For lighting and watering particular Places, upon Application to Truſtees, &c.

Provided nevertheleſs, and be it further enacted, That in caſe the Inhabitants of any Pariſh, Hamlet, or Place, through which the ſaid Roads do lead, ſhall be deſirous that the Parts of the ſaid Roads lying within their Pariſh, Hamlet, or Place reſpectively, ſhould be lighted, or ſhould be ſooner watered, than the Produce of the Tolls may admit of; that then, and in ſuch Caſe, and upon Application of all or any of the above-mentioned Inhabitants, and upon their depoſiting in the Hands of the Treaſurer to be appointed by the ſaid Truſtees a ſufficient Sum of Money to anſwer the above-mentioned Purpoſes, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to contract and agree with any Perſon or Perſons for lighting or watering the ſaid Parts of ſuch Pariſh, Hamlet, or Place; but the Charges incident to the Lighting of any other Parts of the ſaid Roads than thoſe herein before directed to be lighted, ſhall not be defrayed out of the Tolls granted by this Act, nor any Monies to be borrowed upon the Credit thereof.

Property of the Lamps, &c. veſted in the Truſtees.

And be it further enacted, That the Right and Property to and in all ſuch Lamps as ſhall be erected or fixed in purſuance of this Act as aforeſaid, and to and in the Poſts, Irons, and other Furniture, of ſuch Lamps; and alſo the Right and Property to and in all Carts, Pumps, Implements, Utenſils, and Things whatſoever, which are or ſhall be bought and purchaſed by the ſaid Truſtees, or any Five or more of them, or by their Order, or belonging to and uſed by them in the Execution of any the Purpoſes of this Act, ſhall be veſted in the ſaid Truſtees; and they, or any Five or more of them, are hereby impowered to bring Actions in the Names of any Three or more of them, or in the Name of their Treaſurer or Clerk, or to prefer and proſecute with Effect Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, injure, or damage, the ſame, or ſhall diſturb them in the Poſſeſſion thereof.

Truſtees may bring Actions or Indictments.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, may cauſe the ſaid Roads to be

Roads to be meaſured, and Mile-ſtones erected.

be measured, and Stones or Posts to be, from time to time, set up on the Sides thereof, with Inscriptions, denoting the Number of Miles and Distances of Places; and if any Person shall wilfully and designedly break, pull down, dig up, injure, or destroy, any such Stones or Posts, or shall erase, obliterate, or deface, any of the Inscriptions made thereon; every Person so offending shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Penalty on defacing Mile-stones.

Penalty on drawing Timber otherwise than upon Wheel-carriages.

And be it further enacted, That if any Person shall hale or draw, or cause to be haled or drawn, along any Part of the said Roads, any Tree or Piece of Timber, otherwise than upon or by Wheel Carriages, or hale or draw, or cause to be haled or drawn, any Plough upon or cross any Part of the said Roads, whereby the same shall be prejudiced; every Person so offending shall, for every such Offence, forfeit and pay the Sum of Ten Shillings.

Penalty on Persons obstructing the Passage of the Road.

And be it further enacted, That if any Owner, Driver, or other Person, shall set, place, or leave, any Waggon, Cart, Coach, or other Carriage, laden or unladen, in any Part of the Roads by this Act directed to be repaired, so as to interrupt or hinder the free Passage thereof; every Person so offending, and being thereof convicted, either by his own Confession, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the County of Middlesex, shall, for every such Offence, forfeit and pay any Sum which shall be adjudged by such Justice, not exceeding Forty Shillings; and the Sum so adjudged to be forfeited shall be forthwith paid, One Moiety whereof shall be paid over to the Informer, and the other Moiety shall be applied towards repairing the said Roads and other the Purposes aforesaid; and, in Default of the Payment of such Forfeiture, such Justice shall and is hereby required to commit the Offender to the House of Correction for the said County of Middlesex; there to remain and to be kept to hard Labour for any Time not exceeding One Calendar Month, unless such Penalty shall be sooner paid: And it shall be lawful for any Person or Persons, without any Warrant, or other Authority than that of this Act, to apprehend any such Offender; and, with all convenient Speed, to convey and deliver him to the Constable or other Peace Officer nearest to be found to the Place where the Offence shall have been committed, in order to his being conveyed before some Justice of the Peace to be dealt with according to Law:

Offenders may be apprehended without Warrant.

And

And in caſe any Perſon or Perſons ſhall reſiſt, abuſe, or prevent, any Perſon endeavouring to apprehend ſuch Offender, or when apprehended ſhall reſcue, or endeavour to reſcue, him, the Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Forty Shillings.

Proceedings to be entered in a Book.

And be it further enacted, That Accounts of all Receipts and Diſburſements, and all Contracts, Orders, and Proceedings, entered into, made, and had, by or on the Behalf of the ſaid Truſtees in the Execution of this Act, ſhall be entered in Books to be kept for that Purpoſe by the Treaſurer or Clerk to the ſaid Truſtees; and that any Perſon may take Copies thereof, paying for every Copy, not exceeding One hundred Words, Six Pence, and ſo proportionably for any Number of Words; and all Orders and Proceedings ſo entered ſhall be ſigned by the Chairman preſiding at the Meeting where ſuch Orders and Proceedings ſhall be made and had; which ſaid Books, and alſo the Books directed to be kept for the regiſtering and entering Securities for Monies borrowed, and of any Aſſignments thereof, ſhall be admitted to be read in Evidence in all Caſes of Appeal, Suits, or Actions, touching any Thing done in purſuance of this Act.

And whereas the Street and Highway leading from the Palace Gate to a certain Houſe known by the Sign of the Coach and Horſes in Kenſington aforeſaid, Part of the great Weſtern Road, is in general ill paved, and not duly lighted, and the ſame is annoyed by Sign Poſts, Gutters, Bulks, and Sheds, and other Encroachments and Annoyances, whereby the ſaid Street and Highway is rendered incommodious to the Inhabitants, and to all Perſons paſſing through the ſame: And whereas the Truſtees acting under the ſaid Acts of the Twelfth Year of the Reign of His Majeſty King George the Firſt, and the Fourteenth Year of the Reign of his late Majeſty, have not hitherto taken upon them the Repair of the ſaid Street and Highway, apprehending that the Powers granted by the ſaid Acts did not extend thereto: And whereas the new paving and regulating of the ſaid Street and Highway, and of the Footways thereto adjoining on the South Side thereof, from the Door going into Elphinſtone's Academy to the Weſt End of an Houſe next the Terrace, now in the Occupation of John Crook, and on the North Side thereof, from the Palace Gate to the Weſt End of an Houſe next beyond the Houſe known by the Sign of the

Coach and Horſes, and the removing of all Nuiſances and Obſtructions therein, and the Prevention of the ſame for the future, would be a great Convenience to the Inhabitants of and to all Perſons paſſing through the ſaid Street and Highway; and the lighting and watching of the ſaid Street and Highway, and of the Courts and Alleys thereto adjoining, or communicating therewith, would tend greatly to the Safety of the ſaid Inhabitants, and be of publick Utility: But as the ſaid ſeveral Purpoſes cannot be effected without the Aid of Parliament; be it therefore further enacted, That the ſaid Street and Highway leading from the Palace Gate, to the Houſe known by the Sign of the Coach and Horſes in Kenſington aforeſaid, ſhall be, and the ſame is hereby declared to be Part of the Roads directed to be repaired by virtue of this Act; and the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby required, as ſoon as conveniently may be, to cauſe the Carriage Way of the ſaid Street and Highway, from the Palace Gate to the Houſe known by the Sign of the Coach and Horſes aforeſaid, to be new paved with Stones of a flat Surface, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think proper; and ſhall, from time to time, keep the ſame in good and ſufficient Repair, and cauſe the ſame to be ſwept and cleanſed, and ſhall pay the Expences thereof out of the Tolls to be collected by virtue of this Act, or out of the Money to be borrowed upon the Credit thereof: And the ſaid Truſtees, or any Five or more of them, may, from time to time, for the Purpoſes aforeſaid, cauſe to be dug, carted, and carried out of, or brought into the ſaid Street and Highway, ſuch Gravel, Stones, and other Materials, as they ſhall judge neceſſary; and may likewiſe cauſe the Ground thereof to be raiſed or lowered, the Courſe of the Channels running into, through, or out of the ſame, to be turned or altered, and the Water Pipes, which now lie or hereafter ſhall be laid under Ground, to be taken up and new laid in ſuch Places, Manner, and Form, as the ſaid Truſtees, or any Five or more of them, ſhall think proper, and may cauſe all Incroachments and all ſuch Poſts as they ſhall think inconvenient to be taken up and removed.

The Highway at *Kenſington* to be paved.

And be it further enacted, That if any Perſon ſhall, without Authority from the ſaid Truſtees, or any Five or more of them, or, in caſe of Exigency, from their Surveyor, take up or alter, or cauſe to be taken up or altered, any Part of the Pavement of the ſaid Street and

Pavement of the Highway not to be altered.

and Highway when new paved by the ſaid Truſtees, for any Purpoſe whatſoever; every Perſon ſo offending, ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds, and ſhall alſo pay the Expence of relaying and re-inſtating the ſame, according to the Direction of the ſaid Truſtees, or of any Five or more of them; and the ſaid Forfeiture and Expence ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record, in the Names of any Three or more of the ſaid Truſtees, or in the Name of their Treaſurer or Clerk, to be commenced within Six Calendar Months next after ſuch Offence committed; in which Action or Suit no Protection, Eſſoin, or Wager of Law, nor more than One Imparlance, ſhall be allowed.

Truſtees for paving, lighting, and watching, the Street, &c.

And be it further enacted, That the Truſtees herein before appointed for the Purpoſes aforeſaid, and their Succeſſors, to be appointed in the Manner herein before mentioned, together with John Clarke, James Wheble, John Porter, and Thomas Stokes, being Four of the Inhabitants of the ſaid Street and Highway, and their Succeſſors, to be elected in Manner herein after-mentioned, ſhall be and they are hereby appointed joint Truſtees for putting this Act in Execution, ſo far as the ſame relates to the paving and repairing of the ſaid Foot Ways, and to the lighting and watching of the ſaid Street and Highway, and of the Courts and Alleys adjoining thereto or communicating therewith: And in caſe any of the ſaid Four Inhabitants or their Succeſſors ſhall die, remove out of the ſaid Street and Highway, or the Courts and Alleys adjoining thereto or communicating therewith, or ſhall refuſe to act, the ſurviving or remaining of the ſaid Four Inhabitants ſhall cauſe publick Notice to be given of the Time and Place of Meeting for electing a Truſtee in the Room of ſuch Truſtee ſo deceaſed, removed, or refuſing to act, by affixing the ſame on the Door of the Pariſh Church of Kenſington aforeſaid, at leaſt Ten Days preceding the Day appointed for ſuch Election; and it ſhall be lawful for the Inhabitants of the ſaid Street and Highway, and of the Courts and Alleys adjoining thereto or communicating therewith, ſubject to the Payment of the Rates herein after-mentioned, to meet and to elect from among themſelves ſome Perſon to be a Truſtee in the Room of the Truſtee deceaſed, removed, or refuſing to act; and ſuch Election ſhall be determined by the Majority of the Inhabitants then preſent; and every Perſon ſo

On Death, &c. of Truſtees, others to be choſen.

elected

elected a Trustee shall be, and is hereby impowered to act, in the Execution of the said joint Trust in as full and ample a Manner as the Trustee in whose Room he shall be elected was impowered to act.

Time and Place of Trustees Meeting.

And be it further enacted, That the said joint Trustees, or any Five or more of them, shall meet together at the New Tavern in Kensington aforesaid, upon the Twenty first Day next after the Day of the passing of this Act, and shall proceed to the Execution of this Act, so far as the same relates to the paving and repairing of the said Footways, and to the lighting and watching of the said Street and Highway, and of the Courts and Alleys adjoining thereto, or communicating therewith; and they are hereby impowered to adjourn themselves from time to time, to such Times and Places within the said Parish of Kensington, as they, or any Five or more of them, shall think proper; and if it shall at any Time happen that there shall not meet a sufficient Number of the said joint Trustees to act or to adjourn, then the Clerk to the said joint Trustees shall appoint a Meeting to be held on that Day Fortnight at the Place where such intended Meeting was appointed to have been held; and shall cause Notice thereof to be affixed on the Door of the Parish Church of Kensington, at least Seven Days before such Meeting; and the said joint Trustees at all their Meetings, shall defray their own Charges and Expences.

In Default of a sufficient Number to act,

Clerk to give Notice of another Meeting.

Trustees to defray their own Expences.

Trustees to pave the Foot Way.

And be it further enacted, That the said joint Trustees, or any Five or more of them, shall, as soon as conveniently may be, cause the said Foot Ways on both Sides the said Street and Highway to be new paved with good broad Purbeck Stone, or with other Square Stones, and with a Moor Stone Curb, in such Manner as the said joint Trustees, or any Five or more of them, shall think proper; and shall from time to time keep the same in good and sufficient Repair, and shall pay for the same out of the Rates herein after directed to be made for that Purpose; and the said joint Trustees may, from time to time, cause to be carted and carried out of, or brought into, the said Street and Highway, and the Foot-paths thereof, such Gravel, Stones, and other Materials, as they, or any Five or more of them, shall judge necessary for the new paving and repairing of the said Foot Ways, and may likewise cause the Ground of the said Foot Ways to be raised or lowered, and the Course of the Channel running into, or out of the same, to be turned or altered, and the Water Pipes which now lie, or hereafter

hereafter ſhall be laid under the ſaid Foot Ways, to be taken up, and new laid in ſuch Places, Manner, and Form, as the ſaid joint Truſtees, or any Five or more of them, ſhall think proper; and may cauſe ſuch Poſts as they ſhall think inconvenient to be taken up and removed, and likewiſe all Steps, Bulks, Pales, Rails, Brickwork, Pumps, and other Things encroaching upon the ſaid Foot Ways; and may alſo cauſe all Steps and Doors opening or leading from the ſaid Foot Ways into Vaults or Cellars, to be removed or placed in ſuch Manner as the ſaid joint Truſtees, or any Five or more of them, ſhall think fit and convenient.

For regulating Signs, &c.

And be it further enacted, That the ſaid joint Truſtees, or any Five or more of them, ſhall and may cauſe all Signs, or other Emblems uſed to denote the Trade or Calling of any Perſon or Perſons, together with the Sign Poſts and Sign Irons, and alſo all Pent-houſes, Shew Boards, Spouts, and Gutters, projecting into the ſaid Foot Ways, and all other Encroachments, Projections, and Annoyances whatſoever within the ſaid Foot Ways, to be taken down and removed; and ſhall cauſe all ſuch Signs, and other Emblems as aforeſaid, Shew Boards, and Gutters, or ſuch Parts thereof as they ſhall think fit, to be affixed or placed on the Fronts of the Houſes, Shops, Warehouſes, or Buildings whereunto they reſpectively belong, and not otherwiſe; and ſhall return, or cauſe to be returned, to the reſpective Owners, ſo much of ſuch Signs, or other Emblems, Sign Irons, Sign Poſts, or other Poſts, Shew Boards, Spouts, and Gutters, as ſhall not be affixed or put up, or otherwiſe made uſe of in the Alterations directed by this Act; and that for the future all Signs, Sign Boards, and Gutters, ſhall be placed or affixed on the Front of ſuch Houſes, Shops, Warehouſes, or Buildings, to which they reſpectively belong, and not otherwiſe; and if any Perſon ſhall at any Time or Times hereafter, hang, place, erect, or build any Sign, Sign Iron, Sign Poſt, or other Poſt, Pent-houſe, Shew Board, Spout, Gutter, or other Encroachment, Projection, or Annoyance, or cauſe the ſame to be done; every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds, and the further Sum of Twenty Shillings for every Day ſuch Offence ſhall continue.

New Pavement of the Foot Way not to be taken up or altered.

And be it further enacted, That if any Perſon ſhall, without any Authority from the ſaid joint Truſtees, or any Five or more of them, or, in caſe of Exigency, from their

their Clerk or Surveyor, take up or alter, or cauſe to be taken up or altered, any Part of the Pavement of the ſaid Foot Ways when new paved by the ſaid joint Truſtees, for any Purpoſe whatſoever; every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds, and ſhall alſo pay the Expence of relaying and reinſtating the ſame according to the Directions of the ſaid joint Truſtees, or of any Five or more of them; and the ſaid Forfeiture and Expence ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, in the Names of any Three or more of the ſaid joint Truſtees, or in the Name of their Treaſurer or Clerk, to be commenced within Six Calendar Months next after ſuch Offence committed; in which Action or Suit, no Protection, Eſſoin, or Wager of Law, nor more than One Imparlance, ſhall be allowed.

Foot Way to be cleanſed Daily.

And be it further enacted, That every Occupier of any Houſe or Tenement in the ſaid Street and Highway, and in reſpect to Houſes let to Inmates, every Owner of ſuch Houſe ſhall, Once in every Day, ſcrape, ſweep, and cleanſe, the Foot Way all along their reſpective Houſes or Tenements, or cauſe the ſame to be done; and in Default thereof, ſhall forfeit and pay for each Day the ſame ſhall be neglected to be done, the Sum of Two Shillings.

Truſtees to erect Lamps, and appoint Watchmen.

And be it further enacted, That the ſaid joint Truſtees, or any Five or more of them, may, and they are hereby impowered to cauſe ſuch and ſo many Glaſs Lamps to be erected in the ſaid Street and Highway, and alſo in the Courts and Alleys adjoining thereto, or communicating therewith, and to fix ſo many of ſuch Lamps as they ſhall think proper to any Houſe or other Building, making good the Damage which ſhall be done thereto; and to appoint a competent Number of fit and able-bodied Men to watch and guard the ſaid Street and Highway, and the Courts and Alleys hereby intended to be lighted, and from time to time to contract with any Perſon or Perſons, for lighting, maintaining, and repairing, the ſaid Lamps; and to make ſuch Allowances to ſuch Watchmen for their Attendance, and to give ſuch Orders and Directions concerning the ſame, and the Manner in which the ſaid Watchmen ſhall be armed and ſtationed, and for the due and regular Performance of the ſaid reſpective Services, as they the ſaid joint Truſtees, or any Five or more of them, ſhall judge reaſonable and expedient; and from time to time to remove any of the

Allowances to Watchmen, if Truſtees ſee Cauſe;

said Watchmen, and to appoint others in their Stead: And the Expences of erecting, lighting, and maintaining such Lamps, and the Allowances to be made to such Watchmen, and all other Charges incident to the said respective Services, shall be paid and discharged out of the Rates to be made for those Purposes. how to be paid.

And be it further enacted, That the said Watchmen shall, during the Time of their being stationed in the said Street and Highway, and the Courts and Alleys adjoining thereto, or communicating therewith, use their best Endeavours to prevent Murders, Robberies, and all other Outrages and Misdemeanors; and to that End it shall be lawful for the said Watchmen, or any of them, to apprehend and secure all Malefactors, Rogues, Vagabonds, and all other disorderly Persons who shall be found loitering, wandering, or misbehaving themselves, or committing any Disorders or Offences in or near the said Street and Highway, or the said Courts or Alleys, or whom the said Watchmen shall have Reason to suspect of any evil Designs; and the Person or Persons so apprehended, shall be delivered, as soon as conveniently may be, into the Custody of a Constable or other Peace Officer, who is hereby required to secure such Person or Persons, and, as soon as conveniently may be, to convey him, her, or them, before some Justice or Justices of the Peace for the County of Middlesex, to be examined and dealt with according to Law. Duty and Power of the Watchmen.

And be it further enacted, That the Right and Property to and in all such Lamps as shall be erected or fixed in the said Street and Highway, or in the Courts and Alleys adjoining thereto, or communicating therewith, in pursuance of this Act, and to and in the Posts, Irons, and other Furniture, of such Lamps; and also to and in all Watch-houses, Coats, Implements, and Things, to be provided for the said Watchmen, shall be vested in the said joint Trustees; and they, or any Five or more of them, are hereby impowered to bring Actions in the Names of any Three or more of them, or in the Name of their Treasurer or Clerk; or to prefer, and prosecute with Effect, Bills of Indictment against any Person or Persons who shall steal, injure, or damage the same, or shall disturb them in the Possession thereof, Property of Lamps, &c. vested in Trustees; with Power to bring Actions, &c.

And be it further enacted, That the said joint Trustees, or any Five or more of them, may appoint such Officers, and other Persons, being Inhabitants of the said Parish of Kensington, as they shall think necessary to employ in the Execution of this Act, so far as the same relates to the Trustees may appoint Officers;

paving

paving and repairing of the said Footways, and to the lighting and watching of the said Street and Highway, and of the Courts and Alleys adjoining thereto, or communicating therewith; and any such Officers, or other Persons, from time to time, may remove, and may appoint others, in case of Death or such Removal; and may, out of the Money which shall arise by the Rates herein after directed to be made, make such Allowances to such Officers, and other Persons, for their Services, as to the said joint Trustees, or any Five or more of them, shall seem reasonable: And all and every such Officers and other Persons, shall, from time to time (when thereunto required by the said joint Trustees, or any Five or more of them) make and render to the said joint Trustees, or any Five or more of them, a true, exact, and perfect Account in Writing under their respective Hands, upon Oath to be taken before Two or more of the said joint Trustees (which Oath Two Trustees are hereby impowered to administer) of all Monies which they, and every of them respectively, shall to that Time have received, paid, and disbursed, by reason of their respective Offices, with proper Vouchers for the same; and in case any Money so received shall remain in their or any of their Hands, the same shall be paid to the said joint Trustees, or any Five or more of them, or to their Treasurer or Clerk: And in case any such Officer, or other Person, shall not make and render, or shall refuse to verify upon Oath, any such Account, or to make such Payment as aforesaid; then any One or more Justice or Justices of the Peace for the County of Middlesex shall make Enquiry concerning such Default in a summary Way, as well by Confession of the Party, as by the Testimony of One or more credible Witness or Witnesses upon Oath; and upon Conviction, such Justice or Justices shall commit the Offender to the Common Gaol of the said County, there to remain, without Bail or Mainprize, until he shall make and render a full, true, and perfect Account and Payment as aforesaid, or until he shall have compounded with the said joint Trustees, or any Five or more of them, and shall have paid such Composition to the said joint Trustees, or any Five or more of them, or to their Treasurer or Clerk; which Composition the said joint Trustees, or any Five or more of them, are hereby impowered to make.

Officers to account upon Oath.

Proviso.

Provided always, That no such Officer, or Person, shall remain in such Common Gaol for a longer Space of Time than Twelve Calendar Months after having rendered a true and perfect Account as before required.

And

And be it further enacted, That if any ſuch Officer ſhall refuſe or neglect to deliver up to the ſaid joint Truſtees, or any Five or more of them, within Fourteen Days after being thereunto required, all the Books, Papers, and Writings, in his Cuſtody or Power, relating to the Truſts and Powers hereby granted to the ſaid joint Truſtees; it ſhall be lawful for any Two Juſtices of the Peace for the County of Middleſex, upon Complaint thereof made to them, by Warrant under their Hands and Seals, to commit ſuch Officer ſo making Default to the Common Gaol of the ſaid County, there to remain, without Bail or Mainprize, until he ſhall deliver, or cauſe to be delivered, to the ſaid joint Truſtees, or any Five or more of them, or to their Order, all and every ſuch Books, Papers, and Writings, or until he ſhall give ſuch Satisfaction to the ſaid joint Truſtees, or any Five or more of them, as they ſhall think reaſonable concerning the ſame. Officers to deliver up Papers, &c. to Truſtees.

And be it further enacted, That the ſaid joint Truſtees, or any Five or more of them, ſhall, and they are hereby required to, take ſuch Security from every Treaſurer, Collector, and Clerk, to be by them appointed for the due Execution of their reſpective Offices, as to the ſaid joint Truſtees, or any Five or more of them, ſhall ſeem meet. Treaſurer, &c. to give Security.

And be it further enacted, That the ſaid joint Truſtees, or any Five or more of them, ſhall and may, by Writing under their Hands and Seals, make One or more Rate or Rates Twice in every Year, or oftener, as the ſaid joint Truſtees, or any Five or more of them, ſhall, from time to time, think fit, upon all Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments, within the ſaid Street and Highway, and upon the Houſes, Buildings, Yards, and Lands, thereto adjoining, or lying open to the ſaid Street and Highway, and called or known by the Name of Brown's Buildings, Aldridge's Buildings, New Tavern, and the Premiſſes thereto belonging, which, by the Laws now in being, are liable to be, and ſhall, from time to time, be, rated towards the Relief of the Poor for ſuch Sum and Sums of Money as they the ſaid joint Truſtees, or any Five or more of them, ſhall, from time to time, judge neceſſary; ſo as ſuch Rates do not, in any One Year, exceed in the Whole the Sum of Three Shillings in the Pound of the yearly Rents of ſuch Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments, Power for making a Rate for paving the Foot Way.

ments reſpectively; which Rates ſhall be, from time to time, aſcertained by the Rates at which ſuch reſpective Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments, ſhall, from time to time, be aſſeſſed towards the Land Tax: And the ſaid joint Truſtees, or any Five or more of them, ſhall cauſe the ſeveral and reſpective Sums ſo rated to be collected Quarterly or otherwiſe from the Owners or Occupiers of ſuch Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments; One Moiety of which Rates ſhall be paid by the Landlords or Owners, and the other Moiety thereof ſhall be paid by the Tenants or Occupiers of ſuch Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments; and the ſaid Tenants or Occupiers ſhall and may deduct and retain, out of the Rents payable to the Landlords or Owners of the ſaid Premiſſes, the ſaid Moiety of ſuch Rates; and the Landlords, mediate or immediate, according to their reſpective Intereſts, are hereby required to allow to ſuch Tenants ſuch Deductions and Payments accordingly; and every Tenant paying the Moiety of any ſuch Rate for or upon the Landlord's Account, ſhall be acquitted and diſcharged of and for ſo much Money as the ſame ſhall amount unto, as fully and effectually as if ſuch Money had been actually paid to ſuch Landlord or Landlords, or to the Perſon or Perſons to whom his or her Rent was payable; and the Monies ariſing by ſuch Rates ſhall, from time to time, be applied in paving and repairing the ſaid Foot-ways, and in other the Purpoſes of this Act, ſo far as the ſame relates thereto.

The Pavement before the Churchyard to be rated.

And be it further enacted, That it ſhall be lawful for the ſaid joint Truſtees, or any Five or more of them, to rate the Churchwardens of the ſaid Pariſh of Kenſington, in reſpect of Part of the ſaid Foot-ways lying Southward of the Church, and containing Two hundred and four ſquare Yards, ſo as ſuch Rate do not exceed Four Pence by the Year for every ſquare Yard thereof; and the Churchwardens of the ſaid Pariſh for the time being are hereby required to pay ſuch Rate out of the Rates for maintaining and repairing the ſaid Church, and the ſame ſhall be allowed in their Accounts.

Power to make a Rate for Lamp and Watch.

And be it further enacted, That the ſaid joint Truſtees, or any Five or more of them, ſhall and may alſo, by Writing under their Hands and Seals, make One or more Rate or Rates Twice in every Year, or oftener, as the ſaid joint Truſtees, or any Five or more of them,

ſhall,

ſhall, from time to time, think fit, upon all Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments, in the ſaid Street and Highway, and upon the Houſes, Buildings, Yards, and Lands, thereto adjoining, or lying open to the ſaid Street and Highway, and called or known by the Names of Brown's Buildings, Aldridge's Buildings, New Tavern, and the Premiſſes thereto belonging, which, by the Laws now in being, are liable to be, and ſhall, from time to time, be, rated towards the Relief of the Poor, for ſuch Sum and Sums of Money as the ſaid joint Truſtees, or any Five or more of them, ſhall, from time to time, judge neceſſary; ſo as ſuch Rates do not, in any One Year, exceed in the Whole the Sum of One Shilling and Six Pence in the Pound of the yearly Rents of all ſuch Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments reſpectively; which Rates ſhall be, from time to time, aſcertained by the Rates at which ſuch reſpective Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments, ſhall, from time to time, be aſſeſſed towards the Land Tax; and the ſaid joint Truſtees, or any Five or more of them, ſhall cauſe the ſeveral and reſpective Sums ſo rated to be collected Quarterly or otherwiſe from the Owners or Occupiers of ſuch Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, and Hereditaments; and the ſaid laſt mentioned Rates ſhall, from time to time, be applied to and for the Purpoſes of erecting, lighting, and maintaining, the Lamps herein before directed to be erected, lighted, and maintained, by the ſaid joint Truſtees, and in paying the Watchmen by them employed, and in defraying any other Charges incident to thoſe reſpective Services.

What Rate is to be paid for Houſes, &c. untenanted.

And be it further enacted, That if it ſhall happen that any of the Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, Lands, or Hereditaments aforeſaid, ſhall be untenanted or unoccupied, then, and in every ſuch Caſe, the Landlords thereof reſpectively ſhall be ſubject and liable to pay only One Moiety of the ſaid reſpective Rates, and ſuch Moiety ſhall be paid by the next Tenant or Occupier thereof; and the ſaid Landlords, mediate or immediate, according to their reſpective Intereſts, are hereby required to allow to ſuch Tenants or Occupiers ſuch Payments; and every Tenant or Occupier paying ſuch Moiety of the ſaid reſpective Rates for or upon the Landlord's Account, ſhall be

be acquitted and discharged of and for so much Money as the same shall amount unto, as fully and effectually as if the same had been actually paid to such Landlord, or to the Person or Persons to whom his or her Rent was payable.

Rates vested in Trustees:

And be it further enacted, That the said respective Rates shall be, and the same are hereby vested in the said joint Trustees; and the said joint Trustees, or any Five or more of them, shall thereout, or out of any Money to be borrowed upon the Credit thereof, in the First Place, pay One Sixth Part of the Parliamentary Charges of obtaining and passing this Act; and shall, in the next Place, pay all other reasonable Charges and Expences attending the procuring of this Act, so far as relates to the Provisions therein for paving and repairing the said Foot-ways, and for lighting and watching the said Street and Highway, in the following Proportions; that is to say, Two Third Parts of the said One Sixth Part of the Parliamentary Charges aforesaid, and also Two Third Parts of the said last mentioned Charges and Expences, out of the Rates herein before directed to be made for the Purpose of paving and repairing the said Foot-ways; and the other Third Part of the said Parliamentary and other Charges and Expences out of the Rates herein before directed to be made for the Purposes of lighting and watching the said Street and Highway, and the Courts and Alleys adjoining thereto or communicating therewith; and shall apply the Remainder of the Money so raised by the said respective Rates to and for the several and respective Uses and Purpose, and in the Manner, herein before directed: And the said joint Trustees, or any Five or more of them, shall and may cause the said Rates (after Demand thereof made, and Refusal or Neglect to pay the same) by Warrant or Warrants under their Hands and Seals, directed to such Person or Persons as they, or any Five or more of them, shall appoint, to be levied by Distress of the Goods and Chattles of the Person or Persons so refusing or neglecting to pay, and to detain and keep the same until such Rates, with the reasonable Charges of such distraining and keeping, shall be paid; and it shall be lawful for such Person or Persons so distraining, after the Space of Five Days next after such Distress taken, to sell the Goods so distrained, returning the Overplus (if any be) after such Rate or Rates, and the reasonable Charges of such distraining, keeping, and selling, shall be deducted, to the Owner or Owners upon Demand.

To be levied by Trustees.

And

And whereas ſeveral Houſes in the ſaid Street and Highway, and in the Courts and Alleys thereto adjoining or communicating therewith, are by the Landlords thereof let out to divers Tenants, whereby it may be difficult to rate ſuch Houſes, and to recover ſuch Rates when made; For Remedy thereof, be it further enacted, That the ſaid joint Truſtees, or any Five or more of them, ſhall and may rate the Landlord of every ſuch Houſe as ſhall be let to or occupied by Two or more Tenants; and ſuch Rates reſpectively ſhall be paid by One or more of ſuch Tenants: And in caſe any ſuch Tenant ſhall refuſe or neglect to pay the ſame after Demand thereof made, then ſuch reſpective Rate ſhall be levied and recovered in the Manner preſcribed for levying and recovering the Rates herein before mentioned; and every ſuch Tenant ſhall and may deduct and retain out of the Rent payable to his or her reſpective Landlord, ſuch Sum or Sums of Money as ſhall have been ſo paid by or levied upon ſuch Tenant; and ſuch Landlord is hereby required to allow ſuch Deduction accordingly; and every ſuch Tenant ſhall be acquitted and diſcharged of and for ſuch Sum or Sums of Money as ſhall have been ſo paid or levied, as fully and effectually as if ſuch Money had been actually paid to ſuch Landlord, or to the Perſon or Perſons to whom his or her Rent was payable.

Owners of Houſes let to Two or more Tenants, to pay Aſſeſſments.

And be it further enacted, That in caſe the Money ſo to be rated and collected in any One Year ſhall not be ſufficient to anſwer the reſpective Purpoſes for which the ſame was rated, ſuch Deficiency ſhall be ſupplied out of the next Rate; and in caſe there ſhall remain at the End of any One Year any Surplus of the Money collected and received by virtue of this Act in that Year, ſuch Surplus ſhall be applied in Aid of the ſucceeding Year's Expences; and all ſuch Monies collected by any of the ſaid Rates ſhall be applied for the reſpective Purpoſes for which ſuch Rate ſhall have been made by virtue of this Act, and to or for no other Uſe or Purpoſe whatſoever.

Deficiency of the Rates how to be made good.

And be it further enacted, That in caſe any of the Monies collected or received upon Account of the ſaid reſpective Rates ſhall be loſt by Inſolvency, the ſaid joint Truſtees, or any Five or more of them, ſhall and may make an additional Rate for ſupplying and making good ſuch Deficiencies, and the Charges occaſioned by or on account thereof; which ſaid additional Rates ſhall be collected and levied in like Manner as the ſeveral Rates herein before-mentioned are directed to be collected and levied.

Loſſes how to be made good.

Trustees may borrow Money on the Credit of the Rates.

And forasmuch as the Monies to be raised by the Rates to be collected by virtue of this Act for the paving of the Footways of the said Street and Highway as aforesaid, will not be sufficient for the speedy Execution of the Purposes thereby intended; be it therefore further enacted, That it shall be lawful for the said joint Trustees, or any Seven or more of them, from time to time, upon the Credit of such Rates, to borrow and take up at Interest any such Sum or Sums of Money as they, or any Seven or more of them, shall think needful, not exceeding the Sum of Eight hundred Pounds; and they are hereby authorized and impowered to mortgage or assign over such Rates, or any Part or Parts thereof, to any Person or Persons, for any Term or Number of Years, as a Security or Securities for the several Sums of Money so borrowed, and the Interest thereof as aforesaid: And the Money so borrowed (the Proportion of the Charges and Expences of procuring and passing this Act herein before prescribed being thereout first paid) shall be laid out and applied in and for the paving and repairing of the said Foot Ways, and other the Purposes of this Act, so far as the same relates thereto, and to and for no other Use or Purpose whatsoever.

Assignments to be entered in a Book.

And be it further enacted, That Copies of all and every the Mortgages or Assignments so made by the said joint Trustees, or any Seven or more of them, shall be entered at Length in a Book or Books to be kept for that Purpose by the Clerk to the said joint Trustees:

Assignments may be transferred.

And all and every Person or Persons to whom any such Mortgage or Assignment shall be made, or to whom the same shall be, from time to time, transferred or assigned, shall and may, from time to time, by proper Words of Assignment to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Presence of Two or more credible Witnesses, assign or transfer his, her, or their Right, Title, Interest, or Benefit therein, or any Part thereof, to any Person or Persons; and every such Assignment or Transfer shall be produced and notified to the said Clerk within Three Months after the Date thereof, who shall cause an Entry or Memorial to be made of such Assignment or transfer, containing the Dates, Parties, and Sum of Money therein mentioned to be transferred, in the said Book or Books; for which Entry the said Clerk shall be paid the Sum of

Entries to be made of all Assignments.

Clerk's Fee.

Two Shillings and Six Pence, and no more; and such Book or Books may be perused at all reasonable Times by any Person interested, without Fee or Reward: And after such Entry made, but not before, such Assignment shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and it shall not be in the Power of the Person or Persons who shall have made such Assignment, to make void, release, or discharge the same, or any Money thereby due.

Books of Assessments may be inspected.

And be it further enacted, That it shall be lawful for such Person or Persons as the said joint Trustees, or any Five or more of them, shall appoint, at all convenient Times, to inspect gratis the Books of Assessments of the Land Tax, and also the Books of Assessments for the Relief of the Poor of the Parishes through which the said Street and Highway leads, in order to ascertain the Rates to be made by virtue of this Act, and to take Copies thereof, without paying any thing for the same.

Proceedings to be entered in Books.

And be it further enacted, That full, true, and fair Accounts and Entries of all the Monies which shall be rated, levied, and received, and which shall be laid out and expended, by virtue of this Act, so far as the same relates to paving and repairing the said Foot Ways, and to lighting and watching the said Street and Highway, and the Courts and Alleys thereto adjoining, or communicating therewith, and of all Orders, Acts, Matters, Proceedings, and Things, which shall be made, had, or done, by the said joint Trustees in the Execution of the Powers hereby to them given, shall, from time to time, be duly and regularly entered in Books to be kept for those Purposes; which Books may be perused at all reasonable Times by any Person paying to the said Rates; and such Books shall and may be produced and read in Evidence in all Cases of Appeal, and in any Suits or Actions touching any thing done in pursuance of this Act.

Persons aggrieved by the Rates may appeal.

And be it further enacted, That if any Person or Persons shall find himself, herself, or themselves aggrieved by any of the said Rates, it shall be lawful for such Person or Persons to appeal to the Justices of the Peace at the next General or Quarter Session to be holden for the County of Middlesex, who are hereby impowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of such Appeal; and their Determination thereupon shall be conclusive to all Parties.

And

No Persons rated by this Act to be rated for paving, &c. in *Kensington*.

And be it further enacted, That no Person or Persons who shall be charged towards any of the said Rates, shall thereafter be liable to, or charged with, any other Rates made or to be made for or towards the paving or lighting of the said Street and Highway, or any other Street or Place whatsoever, within the said Parish of Kensington; any Law, Statute, Usage, or Custom, to the contrary notwithstanding.

Trustees not to act where interested.

And be it further enacted, That no Person shall act as a Trustee in the said joint Trust touching any Contract or other Matter wherein he shall be personally concerned in Interest.

Penalty on Persons wilfully,

And be it further enacted, That if any Person shall wilfully break, throw down, or otherwise damage any of the Lamps which shall be erected either by the said Turnpike Trustees, or by the said joint Trustees, or any of the Posts, Irons, or other Furniture thereof, or shall extinguish any of the said Lamps, it shall be lawful for any Justice of the Peace for the County of Middlesex, and he is hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant for apprehending the Party accused; or it shall be lawful for any Person or Persons who shall see such Offence committed to apprehend, as also for any other Person or Persons to assist in apprehending the Offender, and by Authority of this Act, and without any other Warrant, to deliver him or her into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County, to be dealt with as herein after is directed; and the Party accused being brought before any such Justice, or Oath being made before him that such Party cannot be found, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party accused shall be convicted of such Offence, either by his or her own Confession, or upon Information as aforesaid, he or she so convicted shall, for the First Offence respectively, forfeit the Sum of Ten Shillings for each Lamp so broken, thrown down, damaged, or extinguished as aforesaid; and for the Second Offence, the Sum of Fifteen Shillings for every such Lamp; and for the Third and every subsequent Offence, the Sum of Twenty Shillings for every such Lamp; and full Satisfaction shall also be made to the said Turnpike Trustees, or to the said joint Trustees, to whom the Lamp so broken, thrown down, damaged, or extinguished

guiſhed ſhall reſpectively belong, or to their reſpective Treaſurer or Clerk, by ſuch Offender or Offenders, for the Damage ſo by him or her done: And in caſe ſuch Offender ſhall not, upon Conviction, pay the Forfeiture by him or her incurred, and make ſuch Satisfaction as aforeſaid, the Juſtice before whom ſuch Offender ſhall be convicted, is hereby required to commit him or her to the Houſe of Correction for the ſaid County, there to be kept to hard Labour for any Time not exceeding Two Calendar Months; and ſuch Offender ſhall not be diſcharged before the Expiration of the Time for which he or ſhe ſhall be committed, unleſs ſuch Forfeiture and Satisfaction ſhall be ſooner paid and given; and One Moiety of the ſaid reſpective Forfeitures, when recovered, ſhall be paid to the Informer or Informers, and the other Moiety ſhall be applied in caſe the Lamp broken, thrown down, damaged, or extinguiſhed, ſhall be the Property of the ſaid Turnpike Truſtees, to ſuch Uſes as the Tolls granted by this Act are applicable; and in caſe the ſame ſhall be the Property of the ſaid joint Truſtees, then to ſuch Uſes as the Rates hereby granted for the Purpoſes of erecting, lighting, and maintaining Lamps, and making proper Allowances to Watchmen to be employed by the ſaid joint Truſtees, are by this Act directed to be applied: And if any Perſon ſhall negligently or accidentally break, throw down, or otherwiſe damage any of the ſaid Lamps, or any of the Poſts, Irons, or other Furniture thereof, and ſhall not upon Demand make Satisfaction to the ſaid Turnpike Truſtees, or the ſaid joint Truſtees reſpectively, or to their reſpective Treaſurer or Clerk, for the Damage by ſuch Perſon done as aforeſaid, it ſhall be lawful for any Juſtice of the Peace for the ſaid County, and he is hereby required, upon Complaint thereof made by any Two or more of the ſaid Turnpike Truſtees, or of the ſaid joint Truſtees, or their reſpective Treaſurer or Clerk, to ſummon the Party complained of, and upon his or her appearing, or making Default to appear (Oath being made that the Party complained of was ſerved with ſuch Summons, or that the ſame was left at his or her Dwelling-houſe or Place of Abode, if known, or that he or ſhe could not be found) ſuch Juſtice ſhall proceed to examine the Matter of the ſaid Complaint; and upon Proof thereof, either by the Confeſſion of the Party complained of, or by the Oath of One or more credible Witneſs or Witneſſes, ſhall award and order ſuch Satisfaction to be made by the Party complained of,

or accidentally, breaking the Lamps, &c.

for the Damage so by him or her done, as to such Justice shall appear just and reasonable; and shall cause the Sum so awarded (in case the same be not paid forthwith upon the making such Award or Order) to be levied by Distress and Sale of the Goods and Chattles of the Person complained of, rendering to him or her, upon Demand, the Overplus (if any be) after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted.

Penalties and Forfeitures how to be recovered.

And be it further enacted, That all Fines, Penalties, and Forfeitures, by this Act imposed (the Manner of recovering whereof is not otherwise particularly directed) shall be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace for the County of Middlesex, or for the County, Liberty, or Place, where the Offender shall reside or be found; which Warrant such Justice or Justices is and are hereby impowered and required to grant upon the Information of One or more Witness or Witnesses, upon Oath, the Overplus (if any be) after deducting the Charges of such Distress and Sale, to be in all Cases rendered upon Demand to the Party whose Goods and Chattles shall be so distrained and sold; and such Fines, Penalties, and Forfeitures, when recovered, shall be paid to any Five or more of the said Turnpike Trustees, or of the said joint Trustees, or to their respective Treasurer or Clerk, or to any other Person by them respectively appointed to receive the same, and shall be by them respectively applied (if not otherwise directed to be applied) to the same Uses as the Tolls or the Rates by this Act granted are respectively directed to be applied; and in case sufficient Distress cannot be found, it shall be lawful for such Justice or Justices, and he and they is and are hereby required, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender to the Common Gaol of such respective County, Liberty, or Place, for any Time not exceeding Two Calendar Months, unless such Fines, Penalties, or Forfeitures, shall be sooner paid.

Inhabitants may be admitted as Evidence.

And be it further enacted, That upon any Complaint, Information, Indictment, or Action, to be laid, preferred, or brought, against any Person or Persons for any Offence committed against this Act, the Evidence of any of the Inhabitants of any of the Parishes or Places through which the Roads directed to be repaired

by this Act do lead ſhall be taken and admitted; and that in all Complaints, Informations, Indictments, Actions, Cauſes, and Proceedings, concerning the Execution of this Act, ſo far as the ſame relates to the paving and repairing of the ſaid Foot Ways, and to the lighting and watching of the ſaid Street and Highway, and of the Courts and Alleys adjoining thereto, or communicating therewith, any Perſon paying to the Rates, to be made by virtue of this Act, may and ſhall be admitted to give Evidence; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

And be it further enacted, That it ſhall be lawful for the Juſtice or Juſtices before whom any Perſon or Perſons ſhall be convicted of any Offence or Offences againſt this Act, to draw up and record ſuch Conviction, mutatis mutandis, in the Form or to the Effect following; that is to ſay,

Form of Conviction.

County of } BE it remembered, That on this Day of in the Year of the Reign of His preſent Majeſty, *A. B.* is convicted before me [us] of His ſaid Majeſty's Juſtices of the Peace for the ſaid County of [*ſpecifying the Offence, and Time and Place when and where the ſame was committed, as the Caſe ſhall be*] and I [we] the ſaid Juſtice [Juſtices] do adjudge him [her] to forfeit and pay for the ſame the Sum of Given under my Hand and Seal [our Hands and Seals] the Day and Year above written.

Juſtices may adminiſter Oaths.

And be it further enacted, That in all Caſes wherein Juriſdiction is given to any Juſtice or Juſtices of the Peace by this Act, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon for his or their more certain Information in the Matters then depending; and that any Juſtice of the Peace for the County of Middleſex may act as ſuch in the Execution of this Act, notwithſtanding his being a Truſtee, except in Caſes wherein he ſhall be perſonally intereſted: Provided that this Exception ſhall not extend to prevent any ſuch Juſtice, being a Mortgagee of the Tolls or the Rates by this Act granted, from acting by reaſon of ſuch Mortgage Intereſt.

Truſtees who are in the Commiſſion of the Peace may act as Juſtices.

Perſons aggrieved may appeal to the Quarter Seſſions.

And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Thing done in purſuance of this Act, and

and for which no particular Method of Relief hath been already appointed; such Person or Persons may appeal to the Justices of the Peace for the County of Middlesex at their General or Quarter Session to be held in and for the said County within the Space of Four Calendar Months; such Appellant or Appellants first giving, or causing to be given, Ten Days Notice, at the least, in Writing, of his, her, or their Intention to bring such Appeal, and of the Cause thereof, to the Treasurer or Clerk to the said Turnpike Trustees, or to the Treasurer or Clerk to the said joint Trustees, as the Cause or Matter of Appeal shall have relation to their Trust respectively; and, within Two Days next after such Notice given, entering into a Recognizance or Recognizances before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal at such General or Quarter Session, and to abide the Order of, and to pay such Costs as shall be awarded by, the Justices for the said County at such Session; and the said Justices at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance or Recognizances, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and shall award such Costs for the Appellant or Appellants, or Respondent or Respondents, as they the said Justices shall think proper; and the Determination of such Session shall be final, binding, and conclusive, to all Parties interested therein.

Notice of Appeal to be given.

Recognizance to be entered into.

Proceedings not removeable by *Certiorari*.

And be it further enacted, That no Order made, touching or concerning any of the Matters aforesaid, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at Westminster; and that where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed to be unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereunto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any subsequent Irregularity in the Proceedings of the Person or Persons making such Distress; but the Person or Persons aggrieved by such Irregularity shall and

Distress not unlawful for want of Form;

nor the Party distraining deemed a Trespasser *ab initio*.

and may recover full Satisfaction for the special Damage in an Action upon the Case.

Provided always, That where the Plaintiff or Plaintiffs shall recover in any such Action, he, she, or they, shall be paid his, her, or their full Costs of Suit, and have the like Remedies for recovering the same as for the recovering of Costs in any other Case by Law. Proviso.

Provided also, That no Plaintiff shall recover in any Action for any Irregularity as aforesaid, if Tender of good and sufficient Amends shall have been made by or on Behalf of the Defendant or Defendants before such Action brought; nor if such Tender of Amends shall be made at any Time after the Action brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender; but on Proof made of such Tender, on any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgement as in Cases of Nonsuit, with Double Costs; to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law. Plaintiff not to recover, if Tender of Amends has been made.

And be it further enacted, That for the more exemplary Punishment of any atrocious Offence which may be committed against this Act, and for recovering a Compensation adequate to the Damage sustained, the said Trustees for repairing the said Roads, or the said joint Trustees, or any Five or more of them respectively (instead of levying the Penalties by this Act particularly imposed, and proceeding against the Offender or Offenders in the summary Manner herein before provided) may, at their Election, prefer and prosecute with Effect, a Bill or Bills of Indictment against such Offender or Offenders, or may bring an Action or Actions in the Names of any Five or more of them, or in the Name of their Treasurer or Clerk. Trustees may bring Indictments against Offenders.

And be it further enacted, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, Assignment, or other Security for the borrowing of Money, or other Writing whatsoever, under the Hand or Hands, Hand and Seal, or Hands and Seals, of any Trustee or Trustees, or of any Justice or Justices of the Peace, or exhibited before any of them, touching, concerning, or in Execution of any of the Powers or Authorities hereby vested in such Trustee or Trustees, Justice or Justices of the Peace, nor any Assignment or Transfer of any of the Securities aforesaid made by any Person or Persons, nor any Bond or Security taken from any Officer or Officers in pursu- Writings to be without Stamps.

ance of this Act, for the due Execution of their reſpective Offices, ſhall be charged or chargeable with any Stamp-duty.

And whereas by an Act paſſed in the laſt Seſſion of Parliament, intituled, An Act for putting the Road from *Clarges Street* to *Hyde Park Corner*, and from the South End of *Park Lane*, to the North Side of *Hertford Street*, in the Pariſh of *Saint George Hanover Square*, in the County of *Middleſex*, now under the Direction of the Acts for repairing the Roads in the Pariſhes of *Kenſington*, *Chelſea*, *Fulham*, and *Saint George Hanover Square*, in the County of *Middleſex*; under the Management of the Commiſſioners for paving, cleanſing, and lighting the Squares, Streets, Lanes, and other Places in *Weſtminſter*; it is enacted, That ſo much of the herein before recited Acts of the Twelfth Year of the Reign of King George the Firſt, and the Fourteenth Year of the Reign of his late Majeſty King George the Second, as relates to the Repair of the ſaid Roads leading from the End of Clarges Street, to the preſent Turnpike-gate near Hyde Park Corner, and from the South End of Park Lane, to the North Side of Hertford Street, in the ſaid Pariſh of Saint George Hanover Square, ſhall be repealed, and that from thenceforth the ſame ſhall be under the Management and Direction of the ſaid Commiſſioners for paving, cleanſing, and lighting the Squares, Streets, Lanes, and other Places, within the City and Liberty of Weſtminſter; and that in order to enable the ſaid Commiſſioners to pave, cleanſe, light, keep in Repair, and regulate the ſaid Roads, the Truſtees to the ſaid Firſt herein recited Acts, and to any future Act or Acts of Parliament for repairing the ſeveral Roads in the Pariſhes of Kenſington, Chelſea, and Fulham, in the County of Middleſex, or any Five or more of them, ſhall pay yearly, during the Continuance of the ſaid Acts, or any future Act or Acts for repairing the ſame Roads, to the ſaid Commiſſioners, or any Three or more of them, or to ſuch Perſon as ſhall be by them appointed to receive the ſame, the Sum of One thouſand Pounds of lawful Money of Great Britain, free from all Deductions whatſoever, in ſuch Manner, and at ſuch Times, as in the ſaid Act is mentioned; be it therefore further enacted, That this Act, or any thing herein contained, ſhall not extend, or be conſtrued to extend, to invalidate, leſſen, diminiſh, alter, or take away, any of the Rights, Powers, and Authorities, veſted in the ſaid Commiſſioners by virtue of the ſaid Act made in the laſt Seſſion of Parliament; and that the ſaid Truſtees, or any Five or more of them,

Saving of Rights to the Commiſſioners for paving *Weſtminſter*.

ſhall,

ſhall, during the Continuance of this Act, out of the Tolls collected by virtue of this Act, or out of any Money to be borrowed upon the Credit thereof, pay, or cauſe to be paid to the ſaid Commiſſioners, or any Three or more of them, yearly and every Year, the Sum of One thouſand Pounds of lawful Money of Great Britain, free from all Deductions whatſoever, in ſuch Manner, and at ſuch Times, as by the ſaid Act of the laſt Seſſion of Parliament is directed; any thing herein contained to the contrary thereof notwithſtanding.

Limitation of Actions.

And be it further enacted, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for any thing done in purſuance of this Act, or in relation to the Matters herein contained, the ſame ſhall be commenced within Six Months next after the Cauſe of Action or Suit accrued, and not afterwards; and ſhall be brought, laid, and tried, in the County of Middleſex, and not in any other County or Place; and that the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which ſhall be had thereupon, and that the Matter or Thing for which ſuch Action or Suit ſhall be brought, was done in purſuance and by the Authority of this Act: And if ſuch Matter or Thing ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid; then the Jury or Juries ſhall find for the Defendant or Defendants: And if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants; or if the Plaintiff or Plaintiffs in ſuch Action or Suit, ſhall become Non-ſuit, or ſuffer a Diſcontinuance of ſuch Action or Suit, or if, upon any Demurrer or Demurrers in ſuch Action or Suit, Judgement ſhall be given for the Defendant or Defendants; then, and in either of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for the Recovery thereof, as any Defendant or Defendants hath or have for his, her, or their Coſts in any other Caſe by Law.

General Iſſue.

Treble Coſts.

Publick Act.

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

FINIS.