Anno ſeptimo

Georgii III. Regis.

An Act for the more effectual repairing, widening, and rendering commodious the Highways within the Pariſh of *Ealing*, in the County of *Middleſex*; and for lighting the Street in *Old Brentford* within the ſaid Pariſh, from the Turning towards *Kew Bridge*, to a Street called *The Half Acre*.



Whereas the Highways within the Pariſh of Ealing, in the County of Middleſex, are of great Extent, and in a ruinous Condition, and in many Parts thereof ſo narrow, that Two Carriages cannot paſs each other without Difficulty and Danger: And whereas the preſent Methods provided by Law for the repairing of Highways in this Kingdom, having been found inſufficient for the repairing of the Highways within the ſaid Pariſh, the Inhabitants thereof are willing and deſirous that a Rate may be laid on themſelves for that Purpoſe, inſtead of performing the Statute-work now directed by Law: And whereas Part of the great Weſtern Road, extending from the Corner of the Road turning towards Kew Preamble.

Bridge, along the Street in Old Brentford, to the Corner of a Street known by the Name of The Half Acre, is frequented by many Paſſengers, as well by Night as by Day, and it would tend greatly to the Security and Preſervation of the Inhabitants of the ſaid Street, and all Perſons travelling the ſaid Road, if the ſaid Street was properly lighted in the Night-time: But as the Purpoſes aforeſaid cannot be effected without the Aid of Parliament; May it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable Robert Manners, commonly called Lord Robert Manners; Joſeph Gulſton, Charles Gould, Thomas Gurnell, Thomas Edwards, George Auguſtus Eliott, Richard Latham, James Clitherow, Henry Keene, Eſquires; the Reverend John Botham Clerk, James Trimmer, John Clarke, John Millett, David Roberts, John Ayton, Gentlemen; and their Succeſſors, to be elected in Manner herein after mentioned, ſhall be, and they are hereby appointed Truſtees, for repairing, widening, and keeping in Repair, the Highways within the Pariſh of Ealing, in the County of Middleſex, and for enlightening the ſaid Street, and for putting this Act in Execution.

Truſtees Names.

And be it further enacted, That when and as often as any One of the ſaid Truſtees ſhall die, or refuſe to act, and ſhall ſignify his Refuſal in Writing under his Hand to the ſaid Truſtees, or ſhall neglect to act for the Space of Eighteen Calendar Months, or ſhall ceaſe to be chargeable to the Payment of the Rates to be made by virtue of this Act, the ſurviving or remaining Truſtees ſhall cauſe publick Notice to be given in the Pariſh Church of Ealing aforeſaid, on ſome Sunday immediately after Divine Service, of the Time and Place of Meeting for the Election of a new Truſtee, in the Room of ſuch Truſtee dying, refuſing, or neglecting to act, or ceaſing to be chargeable as aforeſaid, at leaſt Ten Days preceding the Time of ſuch Election: And it ſhall and may be lawful for the Inhabitants of the ſaid Pariſh of Ealing, ſubject to the Payment of the ſaid Rates, to attend at ſuch Meeting, and to elect a new Truſtee, qualified as is required by this Act, and being an Inhabitant of the ſaid Pariſh, in the Room of ſuch Truſtee dying, refuſing, or neglecting to act, or ceaſing to be chargeable as aforeſaid; and ſuch Election ſhall be

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

determined by the Majority of the Inhabitants voting at such Election; and every Person so elected a Trustee shall be, and is hereby impowered to act in the Execution of this Act, in as full and ample a Manner, as if such Person had been named in and appointed a Trustee by this Act.

Qualification of Trustees.

And be it further enacted, That no Person so to be elected 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, Freehold or Copyhold Estate, within the said Parish, of the clear yearly Value of Twenty Pounds, or of a Leasehold Estate, within the said Parish, of the clear yearly Value of Thirty Pounds, or unless he shall be charged to the Rates to be made by virtue of this Act, for the yearly Rent of Fifty Pounds or upwards: And if any Person hereby declared incapable to act, shall presume to act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds for each Time of acting, to any Person or Persons 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, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and the Person so prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act.

Penalty on acting if not qualified.

Trustees not to act where interested.

Provided always, That if any Trustee appointed or to be appointed by virtue of this Act, shall accept of any Office under the Trustees (other than that of Treasurer), or shall enter into, or have any Interest in, any Contract to be made for the Purpose of carrying this Act into Execution (except only such as relates to the furnishing of Gravel) such Trustee shall, whilst he shall continue in such Office, or be under such Contract, be disqualified from acting as a Trustee in the Execution of this Act.

Trustees in Commission of the Peace may act as Justices.

And be it further enacted, That any Trustee appointed in or by virtue of this Act, who shall be a Justice of the Peace for the County of Middlesex, may act as a Justice of the Peace in the Execution of the Powers and Authorities hereby given, notwithstanding his being a Trustee, except in such Cases where he is personally interested: Provided always, that this Exception shall not extend to prevent any such Justice of the Peace, who

who ſhall be a Mortgagee of the Rates to be made by virtue of this Act, from acting as a Juſtice of the Peace in reſpect of ſuch Mortgage Intereſt.

Victuallers, &c. not to hold Places 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, or of acting as a Truſtee in the Execution hereof.

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 in the Veſtry Room of the ſaid Pariſh, on the Twenty firſt Day after the Day of the paſſing of this Act, and ſhall proceed to the Execution of this Act; and ſhall then, and at all their ſubſequent Meetings, adjourn themſelves, from time to time, to ſuch Times and Places within the ſaid Pariſh, as the ſaid Truſtees, or any Five or more of them, ſhall think proper, as often as it ſhall be neceſſary for putting this Act in Execution; provided that no Adjournment ſhall be for a longer Space of Time than Three Months: And if it ſhall at any Time happen that there ſhall not meet a ſufficient Number of Truſtees to act or to adjourn, then the Clerk to the Truſtees ſhall appoint the ſaid Truſtees to meet at the Place where ſuch intended Meeting was appointed to have been held, on that Day Fortnight, and ſo, from time to time, as often as the Caſe ſhall ſo happen; and ſhall cauſe Notice to be affixed on the Door of the Church of the ſaid Pariſh Six Days at leaſt before every ſuch Meeting; and the ſaid Truſtees, at all their Meetings, ſhall defray their own Charges and Expences; and Two Truſtees ſhall be ſufficient for the Purpoſe of Adjournment.

Truſtees to defray their own Expences.

Treaſurer, &c. may call a Meeting.

Provided always, and be it further enacted, That in caſe the Treaſurer to the ſaid Truſtees, or any Three of the ſaid Truſtees, ſhall think it neceſſary that a Meeting of the ſaid Truſtees ſhould be held at any Time between the ſaid Times of Adjournment, it ſhall and may be lawful for the ſaid Treaſurer, or any Three of the ſaid Truſtees, to appoint a Meeting of the ſaid Truſtees to be held at ſome Place within the ſaid Pariſh, cauſing Notice of the Time and Place of ſuch Meeting to be affixed on the Door of the Church of the ſaid Pariſh, Five Days at leaſt before every ſuch Meeting; 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 the ſaid Time and Place.

And

And be it further enacted, That the ſaid Truſtees, or any Five 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 ſuch Officers and other Perſons, or any or either of them, from time to time, may remove, and may appoint others, in caſe of Death, or ſuch Removal; any may, out of the Monies which ſhall ariſe by virtue of this Act, make ſuch Allowances to ſuch Officers and other Perſons for their Services, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem reaſonable (except to the Treaſurer to be appointed by virtue of this Act): And all and every ſuch Officers and other Perſons 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, of all Monies which they, and every of them reſpectively, ſhall, to that Time, have received, paid, and diſburſed, by virtue of this Act, or by reaſon of their reſpective Offices; and if any Money ſo received ſhall remain in their or any of their Hands, the ſame ſhall be paid to the ſaid Truſtees, or to their Treaſurer, or to ſuch other Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, 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, any ſuch Account, or to make ſuch Payment as aforeſaid, any One or more Juſtice or Juſtices of the Peace for the County wherein ſuch Officer 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 any 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 or Parties complained of, ſhall commit ſuch Officer or other Perſon, ſo making Default, by Warrant under his or their Hand and Seal, or Hands and Seals, to the common Gaol of the ſaid County, there to remain, without Bail or Mainprize, until he ſhall have made a true and perfect Account and Payment as aforeſaid, or until he ſhall have compounded and agreed with the ſaid Truſtees, or any Five or more of them, and have paid ſuch Compoſition-money; which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby impowered to make.

Truſtees may appoint Officers,

and remove them, and appoint others.

Truſtees to allow Officers Salaries.

Officers to account upon Oath.

Officers refuſing to account,

Juſtices to inquire into the Default,

and commit the Offender,

until Payment or Compoſition made.

Provided

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.

Clerk to deliver up Books, &c. And be it further enacted, That if the Clerk or Clerks, Collector or Collectors, or any other Person employed by the said Trustees, or any Five or more of them, shall refuse or neglect to deliver up, within Fourteen Days after being thereunto required, all the Books, Papers, and Writings, in his or their 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 wherein any 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 or Parties complained of, shall commit such 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 the said County, 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 said Books, Papers, and Writings.

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, Collector or Collectors, to be appointed for the Purposes of this Act, for the due Execution of his and their said Office and Offices, as to the said Trustees, or any Five or more of them, shall seem meet.

Surveyors may make Causeways, &c. And be it further enacted, That it shall and may be lawful to and for the Surveyor or Surveyors appointed by the said Trustees, or any Five or more of them, or any Person or Persons by them or either of them appointed or employed, by Order of the said Trustees, or any Five or more of them, to make, or cause to be made, any Causeway or Causeways in or along the Side or Sides of any Part or Parts of the said Highways; and to build, or cause to be built, any Bridges upon, in, or across, the said Highways, or any Part thereof; and

erect Bridges,

to

to cut, or cauſe to be cut, any Watercourſes in, through, or acroſs, any Lands or Grounds, or to turn the ſame in ſuch Manner as they ſhall think proper, to prevent the ſaid Highways, or any Part or Parts 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 adjoining Grounds of any narrow or ruinous Parts of the ſaid Highways (not being the Site of or Ground whereon any Houſe or Houſes ſtand, or planted Walk, Park, Park, Paddock, 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, narrow, or ruinous Highway is repairing, and till 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 the Perſon or Perſons by them appointed or employed as aforeſaid, and the ſaid Owners or Occupiers, or any or either of them, concerning the ſaid Damages, any Two or more Juſtices of the Peace for the County of Middleſex ſhall and may ſummon and examine Witneſſes upon Oath, and ſettle and determine the Matters of the ſaid Damages; and the Judgement or Order of the Juſtices therein ſhall be final.

and make a temporary Road;

making Satisfaction to the Owners.

Juſtices to determine Differences.

And be it further enacted, That if any Perſon or Perſons, who of Right ought to ſcour or cleanſe any Ditch, Drain, or Watercourſe, which ſhall lead into or out of any Part or Parts of the ſaid Highways, ſhall not, in a proper Manner, cauſe the ſame to be ſcoured and cleanſed, within the Space of Ten Days next after Notice in Writing for that Purpoſe given to him, her, or them reſpectively, or left at his, her, or their reſpective Place or Places of Abode, by the ſaid Surveyor or Surveyors; then the ſaid Surveyor or Surveyors may cauſe ſuch Ditch, Drain, and Watercourſe, to be ſcoured and cleanſed, and pay for the ſcouring and cleanſing the ſame: And if the ſaid Perſon or Perſons ſhall not repay the Money expended by ſuch Surveyor or Surveyors, upon Demand thereof upon him, her, or them reſpectively made, either in Perſon, or by Writing to be left at his, her, or their reſpective Place or Places of Abode; ſuch Money, and every Part thereof, upon Proof of the cleanſing and ſcouring the ſaid Ditch, Drain, or Watercourſe, and of the Money ſo expended, and of Demand thereof made, and Non-payment thereof

Owners neglecting to ſcour their Watercourſes, after Notice,

Surveyors may cleanſe them,

and levy the Charges by Diſtreſs and Sale.

as aforesaid, by the Oath of the said Surveyor or Surveyors, or of One or more Witness or Witnesses, before any Justice of the Peace for the County of Middlesex, shall and may, by a Warrant or Warrants under the Hand and Seal of such Justice, be raised and levied by Distress and Sale of the Goods and Chattles of such Person or Persons; rendering the Overplus (if any be) to the Owner or Owners thereof upon Demand, after all Charges paid.

Surveyors may remove Annoyances in the Road, &c.

And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors to remove all Annoyances on the said Highways, and to cut down or lop any Trees or Bushes growing in the said Highways, or in the Hedges or Banks adjacent thereto, Oak Timber Trees excepted, the Owners or Occupiers neglecting to cut down or lop such Trees or Bushes, or to remove such Annoyances, for the Space of Ten Days after Notice in Writing given for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors, to such Owners or Occupiers, or left at his, her, or their respective Place or Places of Abode, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers; and in case such Owners or Occupiers shall not, upon Demand, pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, then upon Proof of such Annoyances being removed, or of such Trees or Bushes being cut down or lopped, and of the Charges reasonably incurred in performing the same, and of Demand made of such Charges, and of Non-payment thereof as aforesaid, upon the Oath of the said Surveyor or Surveyors, or of One or more Witness or Witnesses, before any One or more Justice or Justices of the Peace for the County of Middlesex, such Charges, and every Part thereof, may, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of such Justice or Justices, be levied by Distress and Sale of the Goods and Chattles of such Owners or Occupiers; rendering the Overplus (if any be) upon Demand, to the Party or Parties whose Goods and Chattles shall be so distrained and sold, after all Charges paid: And if any Person shall throw, cast, set, or lay, or shall cause to be thrown, cast, set, or laid, any Filth, Dung, or other Rubbish, on the said Highways, to the Prejudice or Annoyance of the same; such Person, being thereof convicted upon Oath before One or more Justice or Justices of the Peace for the said County, shall, for every such Offence, over and besides the Charges of removing such Annoyances, forfeit and pay to the

the Owners neglecting to remove the same after Notice;

Charges to be reimbursed to the Surveyors, to be levied by Distress and Sale.

Penalty on a Second Offence.

said

ſaid Truſtees, or to their Treaſurer, Clerk, or Surveyor, the Sum of Twenty Shillings, to be levied and recovered in Manner aforeſaid.

Surveyors may dig Gravel, &c.

And be it further enacted, That the Surveyor or Surveyors appointed by the ſaid Truſtees, or any Five or more of them, or the Perſon or Perſons appointed by ſuch Surveyor or Surveyors, may 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 Waſte, Common, or Brook, in the ſaid Pariſh, to be uſed, diſpoſed of, and applied, in repairing the ſaid Highways, without paying any thing for the ſame; they the ſaid Surveyors, or other Perſons, filling up the Pits and Holes, and levelling the Ground, with all convenient Speed; and, in the mean Time, making and continuing a ſufficient Fence to prevent any Misfortune or Accident happening in the Pits or Holes from which ſuch Materials ſhall be taken.

without paying for the ſame;

levelling the Pits, &c.

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

And be it further enacted, That in caſe the ſaid Truſtees, or any Five or more of them, ſhall at any Time think proper to widen any Part or Parts of the ſaid Highways, for the better Accommodation of Paſſengers; that then the ſaid Truſtees, or any Five 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 in, any Lands, Grounds, or Hereditaments, for the Purchaſe of any ſuch Lands, Grounds, or Hereditaments, or for the Loſs or Damage ſuch Owners, Proprietors, Occupiers, and Perſons intereſted, or any of them, ſhall or may anyways ſuſtain by ſuch widening any Part of ſuch Highways; and out of the Rates 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 Five or more of them, and alſo the Coſts and Charges attending ſuch Agreement and Purchaſe.

Bodies Politick, &c. impowered to treat.

And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees whatſoever, for or on Behalf of any Infants, Femes Covert, or Ceſtuique Truſts, and for all and every Perſon or Perſons whomſoever, who

are

are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any Lands, Grounds, or Hereditaments, to treat, contract, and agree, with the ſaid Truſtees, or any Five or more of them, for the Sale of ſuch Lands, Grounds, or Hereditaments, which may by the ſaid Truſtees, or any Five or more of them, be thought neceſſary or proper to be taken in or added to the ſaid Highways, or for their Intereſt therein, and to ſell and convey the ſame as Occaſion ſhall be or 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, Bodies Politick, Corporate, or Collegiate, Corporations 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 Bodies Politick, Corporate, or Collegiate, Corporations 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 Highway, ſhall, by the Space of Twenty one Days after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſſes, or by reaſon of Abſence ſhall be prevented from treating; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Juſtices of the Peace at a General or Quarter Seſſion to be holden for the ſaid County of Middleſex, or the major Part of ſuch Juſtices preſent at ſuch General or Quarter Seſſion, to enquire into and aſcertain what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to, ſuch Owners, Proprietors, Occupiers, or other Perſon or Perſons intereſted for or upon account of taking ſuch Lands, Grounds, or Hereditaments, into the ſaid Highways; and in order thereto, the ſaid Juſtices are hereby impowered and required, from time to time, as Occaſion ſhall be or require, to ſummon and call before them,

Juſtices to aſſeſs the Damages.

Witneſſes may be ſummoned, and examined upon Oath.

them, and examine upon Oath, all and every Person and Persons whomsoever who shall be thought necessary or proper to be examined as a Witness or Witnesses touching or concerning the Premisses; and they shall also order and cause a View of the said Places in Question to be taken, if there be Occasion, and use all such lawful Ways and Means for their better Information in the Premisses, as they the said Justices shall think fit; and after the said Justices shall have inquired of, ascertained, and settled, such Damage and Recompence, they the said Trustees, or any Five or more of them, shall thereupon cause the Sum or Sums of Money so assessed by the said Justices, to be paid to the said Owners, Proprietors, or Occupiers of, or other Persons interested in, the said Lands, Grounds, or Hereditaments, according to the Determination of the said Justices; which said Determination so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-covert, and Persons under any other Disability whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Person or Persons whomsoever; and all and every such Owners, Proprietors, and Occupiers, and all and every Person and Persons any ways interested in such Lands, Grounds, or Hereditaments, shall, upon Payment or Tender of the Sum or Sums of Money so assessed as aforesaid, be thereby from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, to, or out of the same: And the said Justices, or the major Part of them present at such General or Quarter Session shall have full Power, from time to time, to award such Costs as they shall think proper to be paid by either Party, and to impose any Fine or Fines, not exceeding the Sum of Five Pounds on any of the Persons, who, being summoned to give Evidence before the said Justices touching the Premisses, shall refuse or neglect to appear, or appearing, shall refuse to be sworn and give Evidence; and, from time to time, to cause such Fine or Fines to be levied and recovered by Distress and Sale of the Offenders Goods and Chattles, by Warrant under their Hands and Seals, or the Hands and Seals of any Two or more of them, rendering the Overplus (if any be) upon Demand, to the Party or Parties whose Goods and Chattles shall

Verdict of the Justices to be final.

Justices may impose a Fine on Witnesses,

to be levied by Distress and Sale.

be ſo diſtrained and ſold, the Charges of ſuch Diſtreſs and Sale being firſt deducted; and in caſe ſufficient Diſtreſs cannot be found, it ſhall and may be lawful for the ſaid Juſtices, or any Two or more of them, by Warrant under their Hands and Seals, to commit ſuch Offender to the Common Gaol of the ſaid County, for any Time not exceeding Two Calendar Months, unleſs ſuch Fine ſhall be ſooner paid.

Money allowed for Lands, &c. how to be charged and tendered.

And be it further enacted, That all and every Sum and Sums of Money ſo aſſeſſed as aforeſaid, ſhall be, and the ſame is and are hereby charged upon the Monies which ſhall be raiſed by virtue of this Act, and ſhall be paid thereout accordingly by the ſaid Truſtees, or any Five or more of them, or their Treaſurer, to the Perſons reſpectively intitled thereto, or to their Agents; and that upon Payment thereof, 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 Highways; 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 Highways for ever after.

Lands, &c. purchaſed, to be made Part of the Road, and deemed a publick Highway.

Buildings, &c. not to be damaged.

And be it further enacted, That in widening any Part or Parts of the ſaid Highways, nothing ſhall be done which ſhall or may in any wiſe injure or damage any Houſe or Building, or any Yard, Garden, Orchard, Park, Plantation, or Nurſery of Trees, or Avenue to any Houſe, unleſs the Owner or Proprietor thereof ſhall conſent thereto.

And whereas ſeveral of the Highways to be repaired and widened by virtue of this Act, are, in ſome Parts thereof, too narrow, and, in other Parts thereof, of more than ſufficient Width for the Accommodation of the Publick; and it may be convenient for the Owner or Owners of the Lands to be taken into and made Part of the ſaid Highways, to take into his, her, or their Incloſure or Incloſures, a Part or Parts of the preſent Highways, where the Truſtees, or any Five or more of them, ſhall think the ſame of more than a ſufficient Width as aforeſaid; be it therefore further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to exchange any ſuch Part or Parts of the ſaid Highways as they ſhall think of more than a ſufficient Width for the Accommodation of the Publick, with any Perſon or Perſons who

Highways may be exchanged for Lands.

ſhall

ſhall be poſſeſſed of any Lands or Grounds which the ſaid Truſtees, or any Five or more of them, ſhall think neceſſary to be taken into, and made Part of, the ſaid Highways, for ſuch Land and Ground, or any Part or Parts thereof; and that ſuch Part or Parts of the preſent Highways ſhall be, and the ſame is and are hereby veſted in the ſaid Truſtees; and they, or any Five or more of them, ſhall and may convey the ſame in Exchange as aforeſaid, with the Conſent of the Lord or Owner of the Manor; and ſuch Conveyance or Conveyances to be made of the ſaid Part or Parts of the preſent Highways, being executed by the ſaid Truſtees, or any Five or more of them, and inrolled with the Clerk of the Peace for the County of Middleſex, ſhall be good, valid, and effectual in the Law, to all Intents and Purpoſes whatſoever.

Street in *Old Brentford* to be lighted.

And be it further enacted, That the ſaid Truſtees or any Five or more of them, ſhall have full Power and Authority to cauſe ſuch and ſo many Lamps to be erected or placed along the ſaid Street in Old Brentford, from the Corner of the Road turning towards Kew Bridge, to the Corner of a Street known by the Name of The Half Acre, near the Seventh Mile Stone, as they ſhall think neceſſary, and to fix ſo many of ſuch Lamps as they ſhall think proper to any Houſe or other Building whatſoever, making good the Damages which ſhall be done thereby, and to contract with any Perſon or Perſons for lighting and maintaining the ſame; and they are hereby required to cauſe ſuch Lamps to be lighted from the Firſt Day of October in every Year, to the Firſt Day of March in the ſucceeding Year; and alſo that the ſaid Truſtees, or any Five or more of them, ſhall have Power and Authority, from time to time, to fix and ſet up all ſuch Poſts, Rails, Gates, and Stiles, for the Defence and Preſervation of the Foot Paths within the ſaid Pariſh, as they ſhall think neceſſary; and the Expences of erecting, lighting, and maintaining, all ſuch Lamps, and fixing and ſetting up all ſuch Poſts, Rails, Gates, and Stiles, and repairing and keeping the ſame in good and ſufficient Repair, and all other Charges incident to the ſame, ſhall be paid and defrayed out of the Money to be raiſed by virtue of this Act; any thing herein contained to the contrary notwithſtanding.

Lamps, Poſts, &c. veſted in Truſtees.

And be it further enacted, That the Property of the Lamps, Iron Work, and other Furniture thereto belonging, to be purchaſed and ſet up, and alſo of the Poſts, Rails, Gates, and Stiles, to be fixed and ſet up

up by virtue of this Act, and of all the Materials thereto belonging, and of all other the Posts, Rails, Gates, and Stiles, already fixed and set up for the Preservation and Defence of the Foot-paths within the said Parish, not being private Property, shall be vested in the said Trustees; and they, or any Five or more of them, are hereby impowered to bring or cause to be brought any Action, in their or any of their Name or Names, or in the Name of their Clerk or Treasurer, and to prefer any Bill of Indictment, against any Person who shall injure or disturb them in the Possession of the Property thereof; and also to bring any Action against any Person whomsoever for Non-performance of any Contract or Agreement made between such Person and the said Trustees, or any Five or more of them, for any Work to be done, or Materials to be provided for the Purposes of this Act.

Penalty on wilfully damaging the Lamps, &c.

And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or otherwise damage, any of the said Lamps, or any of the Posts, Irons, or Furniture thereof, or extinguish any of the said Lamps, or shall wilfully break, throw down, or otherwise damage, any of the Posts, Rails, Gates, or Stiles, which shall be so fixed or set up by the said Trustees, or which are already fixed or set up for the Preservation and Defence of the Foot-paths within the said Parish; it shall and may be lawful to and for any Justice of the Peace for the said County of Middlesex, and he is hereby required; upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party or Parties accused; or it shall be lawful to and for any Person or Persons whomsoever, who shall see such Offence committed, to apprehend, as also for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County of Middlesex, to be dealt with as herein after is directed; and the Party or Parties accused being brought before any such Justice, or Oath being made before him that such Party or Parties cannot be found and apprehended, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence: And if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon such

Information as aforeſaid; he, ſhe, or they ſo convicted, ſhall, for each Lamp ſo broken, thrown down, damaged, or extingued as aforeſaid, and for every other of the ſaid Offences, forfeit and pay the Sum of Ten Shillings; and full Satisfaction ſhall alſo be made to the ſaid Truſtees, or any Five or more of them, or to their Surveyor, by ſuch Offender or Offenders, for the Damage ſo by him, her, or them done as aforeſaid: And in caſe ſuch Offender or Offenders ſhall not upon Conviction pay ſuch Forfeitures, by him, her, or them incurred, and make ſuch Satisfaction as aforeſaid; the Juſtice before whom ſuch Offender or Offenders ſhall be convicted, is hereby required to commit him, her, or them, to the Houſe of Correction for the ſaid County, there to be kept to hard Labour for any Time not exceeding Two Calendar Months; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall be committed, unleſs ſuch Forfeiture 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 for the Purpoſes of this Act: 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, or any of the Poſts, Rails, Gates, or Stiles, already fixed or ſet up, or hereafter to be fixed or ſet up, by the ſaid Truſtees, for the Preſervation and Defence of the Foot-paths within the ſaid Pariſh, and ſhall not, upon Demand, make Satisfaction to the ſaid Truſtees, or any Five or more of them, or to their Surveyor, 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 Five or more of the ſaid Truſtees, or by their Surveyor, 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 Confeſſion of the Party complained of, or by the Oath of One or more credible Witneſs or Witneſſes, ſhall award and order ſuch Satisfaction to be made by the Party complained of for the Damage ſo by him or her done, as

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

Inhabitants of *Ealing* not to repair any Part of the Road within the ſaid Pariſh.

And be it further enacted, That from and after the paſſing of this Act, the ſaid Truſtees for putting this Act in Execution, and all other the Inhabitants of and Occupiers of Lands, Tenements, or Hereditaments, in the ſaid Pariſh of Ealing, ſhall be diſcharged from the performing of any Work towards the repairing or widening any Highway lying within the ſaid Pariſh, and directed to be repaired by An Act for enlarging the Term and Powers granted by Two Acts of Parliament, One of the Third and the other of the Tenth Year of the Reign of His late Majeſty King *George* the Firſt, for repairing the Highways from that Part of *Counterſbridge* which lies in the Pariſh of *Kenſington*, in the County of *Middleſex*, leading through the Towns of *Brentford* and *Hounſlow*, to the Powder Mills in the Road to *Staines*, and to *Cranford Bridge*, in the ſaid County, in the Road to *Colnbrooke*, during the Continuance of the ſaid Act, and of any future Act or Acts in the like Behalf; any Law or Statute to the contrary notwithſtanding.

Truſtees impowered to make a Rate;

And, for the raiſing of Money for repairing, widening, and keeping in Repair, the Highways within the ſaid Pariſh, and for buying, and, from time to time, ſetting up, maintaining, repairing, lighting, and cleanſing, the ſaid lamps, and defraying all other the Expences in the Execution of this Act; be it further enacted, That the ſaid Truſtees, or any Five or more of them, may, and they are hereby required, to make and ſettle a general Rate or Rates, yearly and every Year, or oftener, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, occupy, or enjoy, any Meſſuage, Houſe, Malt-houſe, Granary, Stable, Coach-houſe, Shop, Warehouſe, Building or Buildings, Gardens, Grounds, Lands, Tythes, or Hereditaments, within the ſaid Pariſh, in like Manner and Proportion as the Rates for the Relief of the Poor within the ſaid Pariſh are uſually made, or as near thereto as may be, not exceeding in the Whole the Sum of One Shilling in the Pound in any One Year; and all Rates ſo made ſhall be ſigned by the ſaid Truſtees, or any Five or more of them: And after the ſaid Rates are ſo made, the ſaid Truſtees,

not to exceed 1 s. in the Pound.

ſtees, or any Five or more of them, ſhall have full Power, and they are hereby required to cauſe the ſame to be collected quarterly, or oftener, as they ſhall think fit and expedient, of and from the Perſon and Perſons reſpectively on whom the ſame ſhall be rated; and to nominate and appoint ſuch and ſo many Perſons as they ſhall think proper, being Inhabitants of the ſaid Pariſh, to collect the ſame; and the ſaid Rates ſhall be paid by the reſpective Inhabitants and Occupiers for the time being of the reſpective Premiſſes ſo rated, to ſuch Collectors reſpectively: And in caſe any Perſon or Perſons ſhall refuſe or neglect to pay the Monies rated upon him, her, or them reſpectively, and all Arrears thereof, for the Space of Ten Days next after Demand thereof made, either perſonally, or in Writing to be left at the Place of Abode of ſuch Perſon or Perſons; then, and in every ſuch Caſe, it ſhall and may be lawful for the Collector or Collectors of the ſaid Rates to recover the ſame, and all Arrears thereof, by the like Warrant and Authority, and in and by the like Ways, Means, and Methods, as the Overſeers of the Poor, within the ſaid Pariſh, are impowered by Law to recover the Rates made for the Relief of the Poor.

Rates how to be paid.

On Non-payment, how to be levied.

Provided always, That the Impropriate Tythes of the ſaid Pariſh ſhall be rated at the certain annual Rent of Two hundred Pounds a Year, and no more.

Proviſo.

Provided always, That no Perſon or Perſons ſhall be ſubject or liable to the Payment of any Rate to be made by virtue of this Act, who ſhall hold, occupy, or enjoy, any Meſſuage or Tenement, within the ſaid Pariſh, under the yearly Value of Three Pounds, and who ſhall ſubſiſt only by his, her, or their, manual Labour, and ſhall not keep an open Shop for the Sale of Goods, Wares, and Merchandizes.

Exemption from Rates.

Provided alſo, That nothing herein contained ſhall extend to charge or ſubject any Perſon to pay any of the Rates to be made by virtue of this Act, for any Houſe or other Building which ſhall be empty and unoccupied, during the Time ſuch Houſe or Building ſhall be ſo empty and unoccupied; any thing herein contained to the contrary notwithſtanding.

Owners of empty Houſes not liable to Rates.

And be it further enacted, That when any Perſon or Perſons ſhall come into or occupy any Houſe, Building, Land, or other Premiſſes, within the ſaid Pariſh, out of or from which any other Perſon aſſeſſed towards Payment of any Rate made by virtue of this Act ſhall have removed; every Perſon ſo removing from, and every Perſon ſo coming into or occupying, ſuch Premiſſes,

Rates due on Houſes, &c. to be paid by Perſons removing from, and by thoſe who occupy, the Premiſſes, in Proportion.

misses, shall be liable to pay such Rate in Proportion to the Time that each Person occupied the same respectively: And in case any Person shall quit his or her House, Building, Land, or other Premisses, before he or she shall have paid any Rate, or proportional Part thereof, by him or her due and payable, and shall afterwards refuse or neglect to pay the same when demanded; it shall be lawful to and for the Collector or Collectors, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace for the County or Place wherein such Person shall then reside, or be found (which Warrant such Justice or Justices is and are hereby required to grant, upon Proof made before him or them upon Oath) to levy such Rate or proportional Part thereof by Distress and Sale of such Person's Goods and Chattles; rendering the Overplus (if any be) on Demand, to the Person whose Goods and Chattles shall have been so distrained and sold, after all Charges paid.

How Rates of Houses let to Two or more Tenants to be paid.

And whereas several Houses within the said Parish are by the Landlords or Owners thereof let out in Lodgings or Tenements to divers Tenants, whereby it may be difficult to rate such Houses, and to recover such Rates when made; for Remedy thereof, be it enacted, That the said Trustees, or any Five or more of them, shall and may rate the Landlord or Owner of any House which shall be let to, or occupied by, Two or more Tenants; and such Rate shall be paid by One or more of the Occupiers of any Part or Parts of such House, who is and are hereby required to pay such Sum and Sums of Money as shall be so rated upon such Landlord or Owner in pursuance of this Act, and to deduct the same out of his, her, or their Rent; and the Occupier or Occupiers paying such Rate, or any Part thereof, shall be acquitted and discharged of and for so much Money as he, she, or they, shall have so paid, as if the same had been actually paid to the Landlord or Owner to whom his, her, or their Rent shall be due and payable; and every such Landlord or Owner is hereby required to allow such Deduction, upon Receipt of the Residue of his or her Rent: And in case any such Occupier or Occupiers shall refuse or neglect to pay such Rate for the Space of Ten Days after Demand thereof made, the same shall and may be levied upon his, her, or their Goods and Chattles, in the same Manner, as if such Occupier or Occupiers had been respectively rated for such House or Tenement.

And be it further enacted, That in case any House, Building, Land, or other Premisses, within the said Parish,

Pariſh, ſhall be let to, or be in the Poſſeſſion of, any Ambaſſador, Reſident, Agent, or other publick Miniſter of any foreign Prince or State, or other Perſon not liable to pay the Rates by virtue of this Act, the ſaid Truſtees, or any Five or more of them, ſhall and may rate the Landlord or Owner of any ſuch Houſe, Building, Land, or other Premiſſes, during the Time the ſame ſhall be ſo let; which Rate ſhall be paid by ſuch Landlord or Owner: And if any ſuch Landlord or Owner ſhall refuſe or neglect to pay the ſame within Ten Days after Demand made thereof, perſonally, or in Writing under the Hand of the Collector or Collectors to ſuch Landlord or Owner, or left at his or her uſual Place of Abode; it ſhall and may be lawful to and for the ſaid Collector or Collectors by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Landlord or Owner ſhall reſide (which Warrant the ſaid Juſtice or Juſtices is and are hereby required to grant upon due Proof made before him or them upon Oath) to levy the ſame by Diſtreſs and Sale of the Goods and Chattles of ſuch Landlord or Owner; rendering the Overplus (if any be) on Demand, to the Perſon whoſe Goods and Chattles ſhall have been ſo diſtrained and ſold, after all Charges paid; and in caſe ſufficient Diſtreſs cannot be found for Payment of the ſaid Rate and Charges, ſuch Houſe, Building, Land, and other Premiſſes, ſhall be, and the ſame is and are hereby, made a Security for the Payment thereof.

Rates of Houſes let to foreign Ambaſſadors, how to be paid.

And be it further enacted, That if any Perſon or Perſons ſhall be in Arrear for any of the ſaid Rates to any former Collector or Collectors, the ſame ſhall be paid to the ſucceeding Collector or Collectors, or in Neglect or Default thereof, ſuch ſucceeding Collector or Collectors may levy the ſame in ſuch Manner as the former Collector or Collectors might have done: And in caſe the Money collected in any One Year ſhall not be ſufficient to anſwer the 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 collected by virtue of this Act in that Year, ſuch Surplus ſhall be applied in Aid of the ſucceeding Year's Rate or Rates.

Arrears of Rates, how to be recovered.

And be it further enacted, That in caſe any of the Monies collected by virtue of this Act ſhall be loſt by Inſolvency, or otherwiſe, the ſaid Truſtees, or any Five or more of them, ſhall and may make an additional Rate, for ſupplying and making good ſuch Deficiencies,

Loſſes how to be made good.

and the Charges occaſioned by or on account of the ſame; which Rate ſhall be recovered in the ſame Manner as the Rates herein before directed to be made are to be recovered; any thing herein before contained to the contrary notwithſtanding.

Perſons aggrieved may appeal to the Quarter Seſſions.

Provided always, and be it further enacted, That if any Perſon or Perſons ſhall find himſelf, herſelf, or themſelves, aggrieved by any Rate to be made by virtue of this Act; it ſhall and may be lawful to and 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 the ſaid Appeal; and their Determination thereupon ſhall be concluſive to all Parties.

12 *l.* annually to be paid to Truſtees for repairing *Uxbridge* Road.

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, may and they are hereby required, out of the Rates to be made by virtue of this Act, to pay, or cauſe to be paid, to the Truſtees for putting in Execution, An Act for enlarging the Term and Powers granted by Two Acts of Parliament, One of the Firſt and the other of the Twelfth Year of the Reign of His late Majeſty King *George* the Firſt, for repairing the Highways between *Tyburn* and *Uxbridge*, in the County of *Middleſex*; and for amending the Road leading from *Brent Bridge*, over *Hanwell Heath*, through the Pariſhes of *Hanwell*, *New Brentford*, and *Ealing*, to the Great Weſtern Road in the ſaid County, or to their Treaſurer, yearly and every Year during the Continuance of the ſaid Act, or of any future Act or Acts in the like Behalf, the Sum of Twelve Pounds; which Payment is hereby declared to be a full and ſufficient Diſcharge to the Truſtees for putting this Act in Execution, and to all other the Inhabitants of, and Occupiers of Lands, Tenements, or Hereditaments, in the ſaid Pariſh of Ealing, from the performing of any Work towards repairing or widening any Highway within the ſaid Pariſh, directed to be repaired by the laſt recited Act; any Law or Statute to the contrary notwithſtanding.

Application of Forfeitures.

And be it further enacted, That all Fines, Penalties, and Forfeitures, by this Act incurred, when recovered, ſhall be paid to the Truſtees for putting this Act in Execution, or any Five or more of them, or to their Treaſurer; and ſhall be applied (if not otherwiſe directed to be applied by this Act) to and for ſuch Uſes and Purpoſes as the Money ariſing from the Rates herein before-mentioned is directed to be applied.

Juſtices may mitigate Forfeitures.

Provided always, and be it further enacted, That it ſhall and may be lawful to and for the Juſtice or Juſtices of the Peace, before whom any of the Penalties and Forfeitures by this Act impoſed ſhall be recoverable, to mitigate or leſſen any of the Penalties or Forfeitures aforeſaid, as he or they in his or their Diſcretion ſhall think fit, ſo as the ſame be not reduced to leſs than One Half Part thereof.

Inhabitants of *Ealing* diſcharged from Penalties reſpecting Repairs.

And be it further enacted, That from and after the Firſt Meeting of the Truſtees appointed by this Act, no Inhabitant of the ſaid Pariſh of Ealing ſhall be ſubject to any Penalty or Forfeiture for not doing or performing any Act, Matter, or Thing, directed to be done or performed in or by virtue of any Law heretofore made for the repairing of the Highways within the ſaid Pariſh.

Rates may be aſſigned for Money borrowed.

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, from time to time, upon the Credit of the Rates to be made by virtue of this Act, to borrow or take up at Intereſt any Sum or Sums of Money, as they ſhall think needful, not exceeding the Sum of Five Five hundred Pounds, and to mortgage or aſſign the ſaid 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 which ſhall be ſo borrowed, and the Intereſt thereof as aforeſaid; or the ſaid Truſtees, or any Seven or more of them, may raiſe any Sum not exceeding Five hundred Pounds upon the Credit of the ſaid Rates, by way of granting an Annuity or Annuities for the Life or Lives of any Perſon or Perſons who ſhall be willing to advance the ſame, or any Part thereof; provided that no ſuch Annuity ſhall exceed the Rate of Eight Pounds Ten Shillings per Centum per Annum.

Aſſignments to be entered in a Book.

And be it further enacted, That Copies of all and every the Aſſignments or Mortgages and Annuities ſo made and granted by the ſaid 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 Treaſurer or Clerk to the ſaid Truſtees; and all and every Perſon or Perſons to whom any ſuch Aſſignment, Mortgage, or Annuity, ſhall be made or granted by the ſaid Truſtees, or any Five or more of them, 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,

Aſſignments may be tranſferred.

neſſes, aſſign or tranſfer his, her, or their Right, Title, Intereſt, or Benefit therein, or any Part thereof, to any Perſon or Perſons whomſoever; which ſaid Tranſfer or Aſſignment ſhall be produced and notified to the ſaid Treaſurer or Clerk within Three Months after the Date thereof, who ſhall cauſe an Entry or Memorial to be made of ſuch Tranſfer or Aſſignment, containing the Dates, Parties, and Sum of Money, or other Intereſt therein mentioned to be tranſferred, in the ſaid Book or Books, gratis; which Book or Books ſhall and may be ſeen and peruſed at all ſeaſonable Times, by any Perſon or Perſons intereſted, without Fee or Reward; and after ſuch Entry made, and not otherwiſe, ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof and Payment thereon; and ſuch Aſſignee may, in like Manner, aſſign again, and ſo toties quoties; and it ſhall not be in the Power of ſuch Perſon or Perſons who ſhall have made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any Money thereby due, or any Part thereof.

Entries to be made of all Aſſignments.

And be it further enacted, That the ſaid Rates to be made by virtue of this Act, ſhall be chargeable with and for the Payment of all and every ſuch Sum and Sums of Money and Intereſt, and of all and every ſuch Annuity or Annuities, and all Arrears thereof, from time to time; and ſhall upon Default of Payment of any ſuch Intereſt, or any ſuch Annuity, or any Part thereof, within the Space of Forty Days next after any of the Times when the ſame ſhall be made payable, veſt in ſuch Perſon and Perſons to whom the ſame ſhall be due and payable, until the ſame ſhall be fully paid and ſatisfied, together with any Coſts and Charges occaſioned by Non-payment of the ſame; and ſuch Perſon and Perſons, in caſe the ſaid Intereſt and Annuities, or any or either of them, ſhall be in Arrear and unpaid by the Space of Forty Days as aforeſaid, and until full Payment thereof with Intereſt and Charges as aforeſaid, ſhall have the ſame Powers and Authorities for making, collecting, and recovering, the ſaid Rates, as are by this Act granted to the ſaid Truſtees, or any Officer or Officers by them appointed.

Remedy for Arrears of Intereſt and Annuities.

And be it further enacted, That the Charges and Expences of obtaining and paſſing this Act ſhall be paid out of the firſt Monies to be raiſed by the Rates to be collected by virtue of this Act, or the Money to be borrowed upon the Credit thereof.

Charges of paſſing this Act how to be paid.

And

And be it further enacted, That full, true, and fair, Accounts and Entries of all the Monies which ſhall be rated, received, and levied, or ſhall be laid out and expended by virtue of this Act, and of all Orders, Acts, Matters, Proceedings, and Things, which ſhall be done by the ſaid 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 ſeaſonable 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. Proceedings to be entered in Books.

And be it further enacted, That it ſhall and may be lawful for any of the ſaid Truſtees, or other Perſon ſubject to the Payment of the Rates aforeſaid, to give Evidence in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever, relating to or concerning the Execution of this Act. Perſons ſubject to the Rates may give Evidence.

And be it further enacted, That it ſhall be lawful for the Collector or Collectors appointed by the ſaid Truſtees, or any Five or more of them, to execute all Warrants granted by any Juſtice or Juſtices of the Peace in purſuance of this Act, unleſs ſuch Juſtice or Juſtices ſhall appoint ſome other Perſon to execute the ſame. Collectors may execute Warrants.

Provided always, 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 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 any General or Quarter Seſſion of the Peace to be held in and for the ſaid County within the Space of Four Calendar Months, ſuch Appellant firſt giving, or cauſing to be given, Ten Days Notice at leaſt in Writing of his, her, or their Intention to bring ſuch Appeal, and of the Cauſe thereof, to the Clerk or Treaſurer to the ſaid Truſtees; 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 Perſons aggrieved may appeal to the Quarter Seſſions.

determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and 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.

Proceedings not to be quaſhed for want of Form,

nor removable 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 Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage, in an Action upon the Caſe.

Plaintiffs re-recovering, to have Coſts, &c.

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 Caſes by Law.

Plaintiffs not to recover, if Tender of Amends hath been made.

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 the Behalf of, the Party or Parties diſtraining before ſuch Action brought, nor if ſuch Tender of Amends ſhall be made at any Time after the ſaid Action brought, and before the Trial thereof, together with Coſts of Suit to the Time of ſuch laſt mentioned Tender; but on Proof made of ſuch Tender on any Trial to be had in ſuch Action, the Plaintiff or Plaintiffs ſhall ſuffer Judgement as in Caſes of Monſuit, with double Coſts, to be recovered in the ſame Manner as any Defendant or Defendants may recover Coſts in any other Caſe by Law.

Juſtices of the Peace may adminiſter Oaths.

Provided always, and be it further enacted, That in all Caſes where any Evidence is required by this Act to be given upon Oath before any Juſtice or Juſtices of the Peace,

Peace, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter ſuch Oath.

Writings to be without Stamps.

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 and Seal, or Hands and Seals, of, or only ſigned by, any Truſtee or Truſtees for putting this Act in Execution, or by any Juſtice or Juſtices of the Peace, or exhibited before them, or 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, or any of them, nor any Transfer or Aſſignment of any of the Securities aforeſaid made by any Perſon or Perſons, ſhall be charged or chargeable with any Stamp Duty whatſoever.

No Order to be repealed unleſs 5 Truſtees be preſent.

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

In caſe of Equality, Chairman to have the caſting Voice.

Provided always, and be it further enacted, That whenever it ſhall happen, at any Meeting of the ſaid Truſtees for the Execution of this Act, that there ſhall be an Equality of Voices of the Truſtees then preſent, the Chairman, in every ſuch Caſe, ſhall have a caſting Voice.

Limitation of Actions.

And be it further enacted, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, the ſame ſhall be commenced within Six Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid and brought in the County of Middleſex, and not elſewhere: And the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act: And if it ſhall appear to be ſo done, or if it ſhall appear that ſuch Action or Suit was commenced after the Time before limited for bringing the ſame, or brought or laid in any other County or Place than as aforeſaid; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Actions, after the Defendant ſhall have appeared; or if upon Demurrer Judgement ſhall be given for the Defendant

General Iſſue.

or

or Defendants; or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs; the Defendant and Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have in any other Caſe by Law.

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.