ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 111.

An Act for altering and amending an Act of His preſent Majeſty for building a Bridge over the River *Thames* at *Henley-upon-Thames*, in the County of *Oxford*. [18th *June* 1808.]

WHEREAS an Act was paſſed in the Twenty-firſt Year of the Reign of His preſent Majeſty, intituled, *An Act for building a Bridge over the River* Thames *at the Town of* Henley-upon-Thames, *in the County of* Oxford, *and making commodious Avenues thereto, for widening ſome Part of the* High-Street, *and the Market Place, for lighting and watching, for regulating the Footways in, and for removing Nuiſances, Obſtructions, and Annoyances from the ſaid Town:* And whereas by virtue of the ſaid recited Act a ſubſtantial Stone Bridge over the River *Thames* was built at *Henley-upon-Thames*, and called *Henley Bridge*, and compleated ſeveral Years ago, and certain Avenues made thereto, and the ſaid Bridge hath always ſince the building thereof been kept, and now is in good Repair: And whereas the building of the ſaid Bridge hath been attended with great Conveniences not only to the ſaid Town and Neighbourhood, but alſo to all Perſons travelling the great Turnpike Road which leads to and from *London* through the ſaid Town, and which is and for ſeveral Years paſt hath been a great Thoroughfare to the North-weſt Parts of *England* and *South Wales:* And whereas the Commiſſioners appointed in or authorized by the recited Act have borrowed ſeveral conſiderable Sums of Money for the Purpoſes therein mentioned: And whereas Parts of certain public Streets in the ſaid Town of *Henley*, called *Bell Street*, *Hart Street*, and *Duke*

Act 21 Geo. III. ch. 33.

Money borrowed.

Roads leading to the Bridge wanting Repair.

Duke Street, being the principal Roads leading to the ſaid Bridge, are extremely narrow and out of Repair, and at Times ſo much ſo as to render it difficult for Carriages to paſs with Safety, and particularly in dark Nights, as thoſe Streets are not lighted, and the Materials to be procured in the Neighbourhood are not ſufficient in Subſtance to reſiſt the Preſſure of the great Number of Carriages that travel the ſaid Road, ſome of which are very heavily laden: And whereas it would tend not only to the Accommodation and Convenience of Travellers if the ſaid Streets were pitched or otherwiſe ſubſtantially amended, improved, and lighted, and ſome of the Corners of the ſaid Streets rounded, but would be the Means of increaſing the ſaid Tolls by encouraging Travellers to paſs through *Henley* on their Way to and from *London*: And whereas the Commiſſioners of the ſaid Bridge have paid off a conſiderable Part of the Money borrowed for building the ſame, and the Surplus of the Money ariſing from the Tolls after Payment of Intereſt Money for the borrowed Sums remaining due and keeping the ſaid Bridge in Repair, and other incidental Expences, amounts to the Sum of Four hundred Pounds or thereabouts, and which Surplus by being laid out annually as ſaved it is preſumed would be ſufficient to complete the Improvements of the ſaid Streets, without borrowing any further Sum on the Credit of the ſaid Tolls: But as the Commiſſioners conceive that ſuch Improvement, Matters, and Things cannot be done and effected without the Aid and Authority of Parliament: May it therefore pleaſe your Majeſty, That it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the Commiſſioners named and authorized in, and appointed or to be appointed under or by virtue of the ſaid recited Act, to apply all or any Part of the ſaid Surplus of the ſaid Tolls, or of the Balance now remaining in the Hands of their Treaſurer, and by borrowing any Sum of Money not exceeding the Sum of One thouſand Five hundred Pounds on the Credit of the Tolls as after mentioned, in or towards pitching or otherwiſe ſubſtantially amending and improving the Carriage Roads and Ways in the ſaid Streets called *Bell Street*, *Hart Street*, and *Duke Street*, in *Henley-upon-Thames* aforeſaid, leading to the ſaid Bridge, called *Henley Bridge*, with ſuch Materials and in ſuch Manner as the ſaid Commiſſioners ſhall think proper, and in rounding and widening the Corner of the ſaid Street called *Bell Street*, at the South Eaſt Corner thereof next to *Hart Street*, and the Corner of the ſaid Street called *Duke Street* at the North Eaſt Corner thereof next to *Hart Street* aforeſaid, and in or towards providing and fixing up ſuch Number of Lamp Poſts with Lamp Irons, Lamps, and other Materials in ſuch Places in or near the ſaid Streets reſpectively, or upon or near the ſaid Bridge, and for lighting ſuch Lamps in ſuch Manner as the ſaid Commiſſioners ſhall direct, for the Purpoſe of rendering the ſaid Streets leading to the ſaid Bridge more ſafe, commodious, and convenient for Travellers.

Streets to be pitched or otherways amended.

Power to pitch, or amend Streets, and to erect Lamps, &c.

II. And be it further enacted, That for the better and more effectually and ſpeedily enabling the ſaid Commiſſioners to make or cauſe to be made the ſeveral Improvements, and to carry into effect the ſeveral Matters and Things hereinbefore authorized to be done and performed, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized

Power to borrow a Sum not exceeding £.1,500 on Credit of the Tolls.

rized and empowered if they ſhall ſo think fit or find it convenient, at their firſt or any ſubſequent Meeting after the paſſing of this Act, to borrow and take up at Intereſt on the Credit of the Tolls, granted and authorized to be taken by virtue of the ſaid recited Act, or this Act, any Sum or Sums of Money not exceeding the Sum of One thouſand Five hundred Pounds; and they may and are hereby empowered from Time to Time, by any Writing or Writings under their Hands, to mortgage or aſſign all or any of the Tolls granted or authorized to be taken by the ſaid recited Act, or by this Act, for any Sum or Sums of Money, not exceeding in the whole the ſaid Sum of One thouſand Five hundred Pounds, to any Perſon or Perſons, for any Time or Term the ſaid Commiſſioners may think fit, as a Security or Securities for, and redeemable on Payment of the ſeveral Sums of Money that ſhall be ſo borrowed, and the Intereſt thereof, and that the Securities to be made to the ſeveral Perſon or Perſons advancing or lending any ſuch Sum or Sums of Money under the Authority of this Act, may be in the Words or to the Effect of the Form preſcribed by the ſaid recited Act; and that all and every the Rules, Orders, Directions, and Authorities in the ſaid recited Act contained, with reſpect to the Powers and Authorities to the Commiſſioners to borrow Money and give Securities for the ſame, and as the Perſon or Perſons lending or advancing any Sum or Sums of Money for the Purpoſes of the ſaid Act ſhall be conſtrued, deemed, and taken to be applicable to and for the Purpoſes of this Act, and for carrying the ſame into Execution as fully and effectually as if the ſame were hereby re-enacted.

Authority to treat for Purchaſe of Premiſes.

III. And be it further enacted, That if in rounding or widening the before mentioned Corners of the ſaid Streets called *Bell Street* and *Duke Street*, or in any other of the Improvements hereby authorized to be made, the ſaid Commiſſioners ſhall ſo deem it expedient, it ſhall and may be lawful for them, and they ſhall have full Power and Authority to treat, contract, and agree with the ſeveral Owners, Proprietors, Occupiers of, and Perſons intereſted in any Meſſuages or Buildings, or any Part or Parts of the ſame reſpectively, or of or in any Lands, Grounds, or Hereditaments, for the Purchaſe of any ſuch Meſſuages or Buildings, or any Part or Parts of the ſame reſpectively, or of any Lands, Grounds, or Hereditaments, or for the Loſs or Damage ſuch Owners, Proprietors, Occupiers, and Perſons intereſted, or any of them, ſhall or may in anywiſe ſuſtain by reaſon of rounding and widening the ſaid Corners of the ſaid Streets, or making any ſuch Improvements as aforeſaid, and out of the Monies hereinbefore mentioned to pay for ſuch Meſſuages or Buildings, or Part or Parts of the ſame reſpectively, or of any Lands, Grounds, or Hereditaments, and for ſuch Loſs or Damage ſo to be ſuſtained ſuch Sum or Sums of Money as ſhall be agreed upon by and between the ſaid Commiſſioners and ſuch Owners, Proprietors, Occupiers, and Perſons intereſted as aforeſaid, and alſo the Coſts and Charges attending ſuch Agreements and Purchaſes.

Incapacitated Perſons authorized to ſell, &c.

IV. And whereas it may happen that ſome Perſons or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, or others, are or may be ſeiſed or poſſeſſed of Meſſuages, Buildings, Lands, Grounds, or Hereditaments which may by the ſaid Commiſſioners be thought neceſſary or proper to be taken and added to the ſaid Roads, and ſuch Perſons or Bodies Politic, Corporate or Collegiate, Corporations

Corporations Aggregate or Sole, or Feoffees, may be willing to treat or agree for the Sale of ſuch Meſſuages, Buildings, Lands, Grounds, or Hereditaments, but may be incapable of granting or conveying the ſame by reaſon of Infancy or other Diſability; be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, 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 Coverts, or Ceſtuique Truſts, and for all and every Perſon or Perſons whomſoever who are or ſhall be ſeized, poſſeſſed of, or intereſted in any ſuch Meſſuages, Buildings, Lands, Grounds, or Hereditaments, to treat, contract, and agree with the ſaid Commiſſioners for the Purchaſe of ſuch Meſſuages, Buildings, 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 whatſoever, any Law, Statute, Uſage, or any other Matter or Thing to the contrary thereof in anywiſe notwithſtanding; and all Bodies Politic, 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 of or in purſuance of this Act.

On Refuſal to treat, &c. Jury to be impannelled.

V. And be it further enacted, That if any ſuch Owner, Proprietor, Occupier, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees, Truſtees, or other Perſon or Perſons intereſted in any ſuch Meſſuages, Buildings, 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 Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of the Meſſuages, Buildings, Lands, Grounds, or Hereditaments ſo to be taken and appropriated by the ſaid Commiſſioners, ſhall by the Space of Twenty-three Days next after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat or ſhall not agree in the Premiſes, or by Reaſon of Abſence ſhall be prevented from treating, then and in every or any ſuch Caſe the ſaid Commiſſioners ſhall cauſe it to be enquired into and aſcertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of *Oxford*, (which Oath any One or more of the ſaid Commiſſioners is and are hereby empowered and required to adminiſter) what Damage will be ſuſtained by, and what Recompence and Satisfaction ought to be made to ſuch Owners, Proprietors, Occupiers, or other Perſon or Perſons intereſted for or upon account of the taking ſuch Meſſuages, Buildings, Lands, Grounds, or Hereditaments, for the aforeſaid Purpoſes or any of them, and in order thereto the ſaid Commiſſioners are hereby empowered and required from Time to Time, as Occaſion ſhall be or require, to ſummon and call before the ſaid Jury, 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 Premiſes (which Oath any One or more of the ſaid Commiſſioners is and are hereby empowered to adminiſter), and the ſaid Commiſſioners ſhall order and cauſe the ſaid Jury to view the ſaid Places in Queſtion, if there be Occaſion, and uſe all lawful

lawful Ways and Means as well for their own Information, as for the Information of ſuch Jury in the Premiſes as they the ſaid Commiſſioners ſhall think fit; and after the ſaid Jury ſhall have enquired of, aſcertained, and ſettled ſuch Damage and Recompence, they the ſaid Commiſſioners ſhall thereupon order, adjudge, and determine the ſaid Sum or Sums of Money ſo aſſeſſed by the ſaid Jury to be paid to the ſaid Owners, Proprietors, or Occupiers of, or other Perſon intereſted in the ſaid Meſſuages, Buildings, Lands, Grounds, or Hereditaments, according to ſuch Verdict or Inquiſition of the ſaid Jury, which ſaid Verdict or Inquiſition and Judgment, Order or Determination ſo had and made ſhall be final, binding, and concluſive to all Intents and Purpoſes againſt all Perſon 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 Politic, 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 intereſted in ſuch Meſſuages, Buildings, Lands, Grounds, or Hereditaments, ſhall upon Payment or Tender of the Sum or Sums of Money ſo aſſeſſed as aforeſaid, be thereby and 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 for the ſummoning and returning ſuch Jury or Juries, the ſaid Commiſſioners are hereby empowered to iſſue out their Warrant or Warrants to the Sheriff of the County of *Oxford*, thereby commanding and requiring him to impannel, ſummon, and return an indifferent Jury of Twenty-four Perſons to appear before the ſaid Commiſſioners at ſuch Time and Place as in ſuch Warrants ſhall be appointed, and the ſaid Sheriff or his Deputy or Deputies is and are hereby required to impannel, ſummon, and return ſuch Number accordingly, and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Commiſſioners ſhall ſwear, or cauſe to be ſworn Twelve, who ſhall be the Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen attending the ſaid Sheriff or his Deputy or Deputies, ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service to 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 Commiſſioners acting in the Premiſes 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 Premiſes; and on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury, and who ſhall not appear, or appearing ſhall refuſe to be ſworn on the ſaid Jury, or being ſo ſworn, refuſing to give or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein contrary to the true Intent and Meaning of this Act, and on any of the Perſons who being required to give Evidence before the ſaid Jury touching the Premiſes ſhall refuſe or neglect to appear, or appearing ſhall refuſe to be ſworn and give Evidence, and from Time to Time to levy ſuch Fine or Fines in the ſame Manner as any other Forfeiture or Penalty is by the ſaid recited Act directed to be levied, ſo that no ſuch Fine ſhall exceed the Sum of Ten Pounds upon any one Perſon for one Offence; and all ſuch Fines ſhall be applied for ſuch Uſes and in ſuch Manner

Manner as the Tolls granted by the said recited Act or this Act are to be applied.

How Expences of Jury, &c. shall be paid.

VI. And be it further enacted, That in case any Jury shall give and deliver a Verdict or Assessment for more Money as a Recompence for the Right, Interest, or Property of any Person or Persons in any Messuages, Buildings, Lands, or Hereditaments, or for any Loss or Damage to be by them sustained than what shall have been agreed on and offered by the said Commissioners, or their Treasurer, Clerk, Surveyor, or other known Agent, before the summoning and returning of a Jury as aforesaid as a Recompence and Satisfaction for any such Right, Interest, or Loss or Damage as aforesaid, and then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid by the Treasurer to the said Commissioners out of the said Surplus Tolls; but if such Jury shall give and deliver a Verdict or Assessment for no more or less Money than shall have been offered and agreed to be paid by the said Commissioners before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then the full Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the Hearing and determining of such Difference, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; which said Costs and Expences having been ascertained and settled by some Justice of the Peace of the said Town of *Henley-upon-Thames*, not interested in the Matter in question (who is hereby authorized and required to examine the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose), shall and may be deducted out of the Money so assessed and adjudged as so much Money advanced to and for the Use of such Person or Persons; and the Payment and Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a Payment and Tender of the whole Sum or Sums so assessed and adjudged; or otherwise such Costs and Expences, in case the same be not paid upon Demand, after being so ascertained and settled as aforesaid, may be recovered by the Clerk to the said Commissioners, by such Ways and Means as are by the said recited Act provided for Recovery of Penalties and Forfeitures; provided always, that in Case any Person or Persons shall by Reason of Absence be prevented from treating, then the whole of such Costs, Charges, and Expences shall be paid by the said Commissioners out of the Money arising or to arise by virtue of this or the said recited Act.

Punishment of Offenders.

VII. And be it further enacted, That all the Provisions and Enactments in the said recited Act contained for the Punishment of Persons who shall wilfully break, throw down, or otherwise damage any of the Lamps erected by virtue of the said Act, or any of the Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps, shall extend and be construed, deemed, and taken to extend to the Lamps, Lamp Posts, Irons, and other Furniture thereof which shall be provided, set up, or affixed by the said Commissioners by virtue of this Act.

VIII. And

Recital that Tolls are to be paid only once.

VIII. And whereas by a certain Clauſe in the ſaid recited Act, it is enacted and provided, That no Perſon or Perſons ſhall be ſubject or liable to the Payment of any of the Tolls thereby granted more than once in any one Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the ſucceeding Night, paſſing with the ſame Horſe, Cattle, Beaſt, or Carriage, over the ſaid Bridge: And whereas Doubts have ariſen with reſpect to the Conſtruction of the ſaid Clauſe, and it is fit and proper that ſuch Doubts ſhould be removed; be it therefore further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, the ſaid laſt recited Clauſe ſhall be reſcinded, and that inſtead of the Exemptions granted by the ſaid Clauſe, the following Exemptions ſhall be enacted in lieu thereof (*videlicit*); That no Perſon or Perſons ſhall be ſubject or liable to the Payment of any of the Tolls by the ſaid recited Act granted more than once in any one Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night, paſſing with the ſame Horſe or Horſes, Cattle, Beaſt or Beaſts, if not drawing any Carriage, or with the ſame Horſe or Horſes, Cattle, Beaſt or Beaſts and Carriage, if drawing any Carriage over the ſaid Bridge, ſuch Perſon or Perſons producing a Ticket denoting the Payment of ſuch Toll on that Day as directed by the ſaid recited Act, any Thing contained in the ſaid Act to the contrary notwithſtanding.

Alterations from the former Act.

Carriages laden with Corn coming to Henley Market on the Market Day.

IX. And be it further enacted, That from and after the paſſing of this Act, no Waggon, Cart, Wain, or other Carriage laden principally with Corn or Grain paſſing over the ſaid Bridge, and coming into the ſaid Town of *Henley* on the weekly Market Day there, in order for Sale at the ſaid Market, ſhall (notwithſtanding ſome Part of the Lading may conſiſt of Poultry, Butter, Proviſions, Fruit, or other Articles, either for Sale at the ſaid Market or not) be conſidered for the Purpoſes of the ſaid recited Act, and the Tolls thereby granted as laden otherwiſe than with Corn only, any Thing in the ſaid Act contained to the contrary notwithſtanding.

Horſe or Cattle not drawing, and afterwards paſſing the Gate drawing a Carriage.

X. And whereas by the ſaid recited Act, a certain Toll or Duty of One Penny is made payable for every Horſe, Mare, Gelding, Mule, or Aſs, Laden or Unladen, and not drawing any Carriage, paſſing through the Toll Gate at the ſaid Bridge: And whereas Doubts have ariſen whether, when any ſuch Horſe, Mare, Gelding, Mule, or Aſs, not drawing any Carriage ſhall paſs through the ſaid Gate, and pay the ſaid Toll of One Penny, and afterwards paſs through the ſaid Gate, in the courſe of the ſame Day, attached to or drawing a Carriage, any further Toll is liable to be paid for ſuch Horſe: Be it therefore further enacted and declared, That from and after the paſſing of this Act, in caſe the Toll of One Penny by the ſaid recited Act granted, ſhall be demanded and paid for any Horſe, Mare, Gelding, Mule, or Aſs paſſing through the ſaid Toll Gate, erected or to be erected at the ſaid Bridge, and ſhall afterwards return in the courſe of the ſame Day (to be computed from Twelve of the Clock at Night, to Twelve of the Clock in the ſucceeding Night), attached to or drawing any Carriage of any Sort or Deſcription whatſoever, a further Toll or Sum of Two-pence ſhall be paid for and in reſpect of every ſuch Horſe, Mare, Gelding, Mule, or Aſs ſo again paſſing over the ſaid Bridge, or through ſuch Toll Gate, over and above the

Sum

Sum of One Penny, which may have been paid or ought to have been paid, and ſo as to make the Toll or Duty for the Day preciſely the ſame as if ſuch Horſe, Mare, Gelding, Mule, or Aſs, had originally paſſed through ſuch Toll Gate drawing a Carriage.

Carriages faſtened behind other Carriages.

XI. And be it further enacted, That from and after the paſſing of this Act it ſhall be lawful for the ſaid Commiſſioners, or any Perſon or Perſons to be appointed by them for that Purpoſe, to aſk, demand, receive, recover, and take before any Carriage faſtened to or behind any Waggon, Cart, Wain, or other Carriage ſhall be permitted to paſs through the preſent Toll Gate at the ſaid Bridge, or any future Toll Gate or Toll Gates to be erected there, ſuch Tolls or Sums of Money as the ſaid Commiſſioners ſhall order and direct, not exceeding the Tolls or Sums following, (that is to ſay) for every empty Carriage with Four Wheels faſtened to or behind any Waggon, Wain, Drug, Cart, or other Carriage, the Sum of Two-pence, and if loaded double ſuch Tolls; and for every empty Carriage with Two Wheels ſo faſtened, the Sum of One Penny, and if loaded double ſuch Tolls; and that all and every the Power and Powers, Authority and Authorities contained in the ſaid recited Act for Recovery of the Tolls and Duties thereby impoſed, ſhall and may be exerciſed by the ſaid Commiſſioners and others, in ſuch and the ſame Manner and as fully and effectually to all Intents, Conſtructions, and Purpoſes whatſoever for recovering, receiving, and obtaining Payment of the Tolls and Duties hereby granted and made payable as if ſuch Power and Powers, Authority and Authorities had been repeated and inſerted in this Act.

Seven Commiſſioners preſent at a Meeting to carry this and the former Act into Execution.

XII. And it is hereby further enacted and declared, That from and after the paſſing of this Act, that as well all the Powers and Authorities by the ſaid recited Act of the Twenty-firſt Year of His preſent Majeſty, as all the Powers and Authorities by this Act granted to or veſted in the ſaid Commiſſioners, ſhall and may from Time to Time be exerciſed and put in force by the major Part of ſuch of the ſaid Commiſſioners as ſhall be preſent at any Meeting to be held by virtue of the ſaid recited Act, provided there ſhall be Seven Commiſſioners at the leaſt then preſent; and that all the Orders and Proceedings of the major Part of ſuch of the ſaid Commiſſioners as ſhall be preſent at any ſuch Meeting as aforeſaid, ſhall have the ſame Force and Effect as if done or made by the whole of the Commiſſioners then in being.

Perſons aggrieved may appeal to the Seſſions.

XIII. Provided always, and be it further enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, ſuch Perſon may appeal to the General Quarter Seſſions of the Peace, to be held for the ſaid County of *Oxford*, within Six Calendar Months after the Cauſe of ſuch Complaint ſhall have ariſen, ſuch Appellant firſt giving Twenty-one Days Notice at the leaſt in Writing, of his or her Intention to make ſuch Appeal, and of the Matter thereof, to the Clerk or Treaſurer of the ſaid Commiſſioners, and within Four Days after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace for the ſaid Town of *Henley-upon-Thames*, with Two ſufficient Sureties conditioned to try ſuch Appeal, and abide the Order of and pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice being given as aforeſaid, and the entering into ſuch Recognizance, ſhall hear

hear and finally determine the Cauſe and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing; or appealed againſt, as the ſaid Juſtices ſhall think proper, and the Determination of ſuch Quarter Seſſions ſhall be final, binding, and concluſive upon all Parties to all Intents and Purpoſes whatſoever.

Application of Compenſation when amounting to £.200 and upwards.

XIV. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Meſſuages, Lands, Tenements, or other Hereditaments purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Act and this Act for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity as in the ſaid recited Act particularly mentioned, ſuch Money ſhall in caſe the ſame ſhall amount to or exceed the Sum of Two Hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid Act and this Act; to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition, to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Meſſuages, Lands, Tenements, or other Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Meſſuages, Lands, Tenements, or other Hereditaments, or affecting other Meſſuages, Lands, Tenements, or Hereditaments, ſtanding ſettled therewith to the ſame or the like Uſes, Truſts, Intents, or Purpoſes, or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court in the Purchaſe of other Meſſuages, Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Lands, Tenements, or other Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled, or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities, and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments ſo hereby directed to be purchaſed in caſe ſuch Purchaſe or Settlement were made.

If leſs than £.200. and upwards of £. 20.

XV. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability

lity or Incapacity as aforesaid, shall be less than the Sum of Two Hundred Pounds, and shall be equal to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committes, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant-General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed, or otherwise the same shall be paid at the like Option to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such principal Money, and the Dividends arising thereon may be applied in any Manner hereinbefore directed so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

If under £. 20.

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

In case of not making out Titles;

or if Persons cannot be found Purchase-Money to be paid into the Bank.

Subject to the Order of the Court of Chancery.

XVII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Messuages, or Tenements, Lands, or Hereditaments to be purchased by virtue of this Act shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees or any Seven or more of them; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Messuages, or Tenements, Lands, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the said Trustees, or any Seven or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands or Hereditaments, [*describing them*] subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof by Motion or Petition, shall be and is hereby empowered in a summary way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the public Funds, and to order Distribution thereof, or Payment of the Dividends thereof according to the respective Estate or Estates, Title, or Interest of the Person or Persons making

making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England* who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what, and for what Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe touching the Title to the Money to be paid, the Perſons who ſhall be in Poſſeſſion of the Lands ſhall be deemed to be entitled thereunto, unleſs, &c.

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

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

XIX. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of the ſaid recited Act or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes, in purſuance of the ſaid recited Act or this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid Act and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Commiſſioners out of the Monies to be received by virtue of the ſaid Act and this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Public Act.

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

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