ANNO SEXTO

GULIELMI IV. REGIS.

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May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Two several herein-before recited Acts of the Twenty-first and Forty-eighth Years of the Reign of His late Majesty King *George* the Third, and all the Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Clauses, Restrictions, Matters, and Things whatsoever therein respectively contained with reference to the said Bridge (so far as the same are not expressly altered or repealed by this Act or otherwise provided for), shall extend and be construed to extend to operate and be in force with respect to this Act, and shall be applied and put in execution as fully and effectually to all Intents and Purposes as if the same were epeated and re-enacted in the Body of this Act, and made Part thereof; and the said recited Acts and this Act shall, as to all Matters and Things whatsoever with reference to the said Bridge (except as aforesaid), be considered as One Act.

Extending to this Act the Powers of the Acts of 21 and 48 G. 3., unless otherwise provided for.

II. And whereas by the said recited Act of the Twenty-first Year of the Reign of His late Majesty King *George* the Third, it is enacted that the Commissioners therein named should meet at the Town Hall in *Henley* on the *Friday* Seven-night after the Day of passing the said Act, and proceed to the Execution thereof with respect to the intended Bridge, and from Time to Time afterwards adjourn themselves to meet at such Place or Places within the said Town or near the said new intended Bridge as they should from Time to Time think most convenient for putting the said Act into execution with respect to the said Bridge, and that all Orders and Determinations of the said Commissioners in execution of the Purposes of the said Act should be made at Meetings held in pursuance of the said Act and not otherwise, and that in case there should not appear at any Meeting a sufficient Number to act and to adjourn, that then and in such Case the Clerk for the Time being should and might from Time to Time adjourn such Meeting to some other Day to be held at the same Place within the Space of Seven Days from such Adjournment, and should cause public Notice in Writing to be fixed upon the Market House in *Henley* and the Toll House upon the said new intended Bridge Three Days before the Day to be appointed for such Meeting: And whereas it is expedient that the said Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

Recital of Provision in the Act of 21 G. 3. c. 33. as to Meetings of Commissioners, and Repeal thereof.

III. And whereas it was by the said recited Act of the Twenty-first Year of King *George* the Third enacted, that when and as often as any Commissioner, except those who were entitled to be Commissioners by virtue of their Office or Station, should die or refuse to act, it should be lawful for the surviving or remaining Commissioners to nominate and appoint another Person residing in the Counties of *Oxford* or *Berks* to be a Commissioner in the Stead of each Commissioner so dying or refusing to act: And whereas it is expedient that the said Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

Recital and Repeal of so much of the Act of 21 G. 3. c. 33. as relates to the Appointment of new Commissioners.

IV. And be it further enacted, That the several Persons who at and up to the Time of passing this Act have acted as Commissioners under the said

Appointment of Commissioners.

said recited Acts or any of them with reference to the said Bridge, and also *Hugh Burford*, *Thomas Raymond Barker*, *Robert Belcher*, *William Henry Bakspear*, *James Brooks*, *James Henry Brooks*, *Thomas Carter*, *William Combes*, *Philip Barrett Cooper*, *Samuel Cooper*, *Walter Bevan Cooper*, *Thomas Crouch*, *George Deane*, *James Dixon*, *William Dobson*, *John Fane*, *William Peere Williams Freeman*, *Edmund Gardiner*, *Henry Jackson*, *George Jeffries*, *Thomas Ward Jeston*, *James King* Clerk, *Charles Keene* Clerk, *Charles Lane*, *Thomas Gore Lloyd*, *Joseph Lawrence*, *Ebenezer Fuller Maitland*, *Nicholas Mercer*, *Nathaniel Micklem*, *Charles Scott Murray*, *Robert Owthwaite*, *Thomas Page*, *William Parker*, *Horace Robert Pechell*, *John Simmons Plumbe*, *John Plumbe*, *William Plumbe*, *George Rawlins*, *Edward Sarney*, Sir *Francis Stapleton* Baronet, *Thomas Stonor*, and *Frederick Towsey*, shall be and they are hereby appointed Commissioners for carrying the said recited Acts and this Act into execution so far as relates to the said Bridge and the Avenues thereto.

Qualification of Commissioners.

V. And be it further enacted, That no Person (save and except the Mayor, Aldermen, Bridgemen, and Burgesses of the Town of *Henley*, and the High Steward and Recorder of the same Town for the Time being,) shall be qualified or capable of becoming and acting as a Bridge Commissioner in the Execution of the said recited Acts or of this Act, unless he shall be in his own Right, or in Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person possessed of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of Two hundred Pounds above Reprizes, and unless he shall, before he shall act as such Commissioner, make and subscribe a Declaration before any Two or more of the said Commissioners appointed, or to be appointed in pursuance of this Act, who are hereby authorized and empowered to administer the same, in the Words or to the Effect following; (that is to say,)

Declaration of Qualification.

'I *A. B.* do solemnly and sincerely declare, That I truly and *bonâ fide* am in my own Right [*or* in the Right of my Wife] in the actual Possession and Enjoyment of [*or* in the Receipt of Rents and Profits issuing out of] Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, [*or* am Heir Apparent of who to the best of my Knowledge is seised of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of Two hundred Pounds above Reprizes,] and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the Fifth and Sixth Year of the Reign of His present Majesty, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition 'of Oaths and Affirmations taken and made in various Departments of the 'State, and to substitute Declarations in lieu thereof, and for the more entire 'Suppression of voluntary and extra-judicial Oaths and Affidavits' and to make other Provisions for the Abolition of unnecessary Oaths.*' 5 & 6 W. 4. c. 62.

Commissioners not to act where interested.

VI. Provided always, and be it further enacted, That no Person appointed or to be appointed a Bridge Commissioner under the said recited Acts or this Act shall be capable of acting as such in the Execution

tion thereof in any Case where he shall be personally interested, except as herein-after provided, nor during the Time he shall be a Lessee or Farmer of the Tolls on the said Bridge or of any Part or Parts thereof; and if any Person appointed or to be chosen or appointed a Bridge Commissioner, except as aforesaid, not being qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Declaration herein-before mentioned, shall nevertheless presume to act as a Bridge Commissioner in the Execution of the said recited Acts or of this Act, every such Person shall for every such Offence and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed; and the Person so sued or prosecuted shall prove that he is qualified and not disqualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person had acted as a Commissioner in the Execution of the said recited Acts or of this Act: Provided nevertheless, that no Act or Proceeding, touching the Execution of the said recited Acts or this Act, which shall be done or performed by any such unqualified or disqualified Person previously to his being convicted of the Offence before mentioned, shall be thereby impeached or rendered nugatory, but all such Proceedings shall be as valid and effectual as if such Person had been duly qualified: Provided always, that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls authorized to be taken under the Powers of the said recited Acts or this Act, or receiving Interest thereout for the same, shall on that Account only be deemed unqualified to act as a Commissioner in the Execution of the said recited Acts or of this Act; and any Commissioners appointed or to be appointed under the said Acts or this Act who are or shall be in the Commission of the Peace may act as such Justices of the Peace in the Execution of the said Acts, notwithstanding their being such Commissioners, except in such Cases only wherein they shall be personally interested otherwise than as a Commissioner, Mortgagee, Assignee, Lender of Money, or Holder of any Security on the Credit of the Tolls granted by the said Acts.

Penalty, 50*l.*

Commissioners not to hold Places of Profit or be concerned in Contracts, &c.

VII. And be it further enacted, That from and after the passing of this Act no Commissioner of the said Bridge shall enjoy any Office or Place of Profit under or in the Execution of the said recited Acts or of this Act, or shall act as Commissioner or have any Share or Interest in, or be in any Manner directly or indirectly concerned in, any Contract or Bargain for making or repairing or in any relating to the said Bridge, or for building or repairing any Toll House or Toll Gate thereon, or for supplying any Materials for the Use thereof; nor shall any such Commissioner let out for Hire any Waggon, Wain, Cart, or other Carriage, or any Horse, Cattle, or Team, for the Use of the said Bridge, nor by himself or by any other Person for or on his Account directly or indirectly receive any Sum or Sums of Money to his Use or Benefit out of the Tolls collected at the said Bridge during the Time he shall be acting as a Commissioner thereof; and if any Person after having been appointed or elected a Commissioner of the said Bridge shall, without having first duly resigned such Office at some Meeting of the said Commissioners,

missioners, hold any such Office or Place, or be concerned in any such Contract or Bargain, or receive any Money out of the Tolls as aforesaid, every Commissioner so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, and shall from and after Conviction of any such Offence be incapable of acting as a Commissioner of the said Bridge; and all Acts, Orders, Matters, or Things from that Time made or done as a Commissioner by the Party so convicted shall be null and void to all Intents and Purposes, and every such Contract and Bargain shall be and the same is hereby declared to be void: Provided always, that all Acts, Orders, Matters, or Things made or done by such Commissioner previously to his being convicted of any such Offence shall be good, valid, and effectual; and also provided that nothing in this Enactment contained shall extend or be deemed or construed to extend to any Commissioner who shall receive any Sum or Sums of Money paid out of the Tolls of the said Bridge, as or by way of Purchase Money, Damages, Rent, Recompence, or Satisfaction agreed upon or awarded to such Commissioner for any Lands, Grounds, Tenements, or Hereditaments purchased or taken for the Purpose or for the Use of the said Bridge, or for a Repository for Materials to be used thereon, or for the Damaged one to any enclosed or private Ground of any such Commissioner in taking Materials therefrom or in carrying or conveying them over the same, or to prevent any such Commissioner from selling or disposing of, for the Use of the said Bridge, any Materials or any Timber grown or growing on the Land or Grounds of any such Commissioner.

Penalty 100*l.*

VIII. And be it further enacted, That when and so often as any of the said Commissioners (save and except the said Mayor, Aldermen, Bridgemen, and Burgesses, High Steward and Recorder, as aforesaid,) continued or appointed, or to be elected and appointed as herein is mentioned, shall die, or by Bankruptcy or Insolvency or otherwise become disqualified to act, or by Writing under their Hands decline or refuse to act in the Execution of the said recited Acts and of this Act, it shall be lawful for the surviving or remaining Commissioners from Time to Time to elect and appoint One other fit Person, qualified as aforesaid, to be a Commissioner in the Room of every Commissioner so dying or becoming disqualified or refusing to act as aforesaid; provided that Notice of the Time and Place of the Meeting of the Commissioners for every such Election be given by the Clerk to such Commissioners, by affixing the same in Writing upon the Toll Gate erected upon the said Bridge, and by inserting such Notice in One or more of the Newspapers circulated in the said County of *Oxford*, Fourteen Days at least before every such Meeting; and every Person who shall be elected and appointed a Commissioner pursuant to the Directions of this Act shall and may act with the surviving and remaining Commissioners in the Execution of the said Act to all Intents and Purposes as if he had been herein named and appointed a Commissioner.

For appointing new Commissioners on Vacancies.

IX. And be it further enacted, That the Commissioners hereby continued or appointed shall hold their First Meeting at *Henley-upon-Thames* aforesaid, or some other convenient Place near the said Bridge, on the Second *Friday* next after the passing of this Act or as soon after as conveniently may be, and shall then and there proceed in the Execution

First Meeting of Commissioners.

of the said recited Acts and of this Act, and shall then and from Time to Time afterwards adjourn themselves to meet at any Place or Places and at such Time or Times as the said Commissioners or the major Part of them present at any Meeting shall appoint; and at all their several Meetings the Commissioners shall pay and defray their own Expences, (except any Sum not exceeding Ten Shillings *per Diem* for the Use of the Room wherein they shall meet,) and no Order or Determination shall be made unless the major Part of the Commissioners present shall concur therein; and all Acts, Orders, and Proceedings relating to the said recited Acts and this Act respecting the said Bridge and the Approaches thereto which are directed to be had, made, done, or exercised by or before the said Commissioners, and all the Powers and Authorities vested in them generally, shall and may be had, made, done, and exercised by the major Part of the Commissioners who shall be present at the respective Meetings to be held by virtue of this Act, so that not less than Seven Commissioners be then present, and all Acts, Orders, or Proceedings had, made, or done by or before such Seven Commissioners shall have the same Force and Effect, and be binding and conclusive on all Persons and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said Commissioners; and at all such Meetings a Chairman shall and may, in the first place, be appointed, who in case of an equal Number of Votes (including the Chairman's Vote) shall have the deciding or casting Vote; and no Order or Determination at any Meeting of the said Commissioners once made, agreed upon, or entered into shall be revoked or altered at any subsequent Meeting unless Notice of the Intention to make such Revocation or Alteration shall have been given by Four or more of the said Commissioners, by Writing under their Hands, to the Clerk for the Time being to the said Commissioners, at a previous Meeting of the said Commissioners, and entered in the Minute Books of the Proceedings of such Meeting, and unless such Notice, signed by any Four or more of the said Commissioners, shall have been affixed on the Toll House or Toll Gate of the said Bridge Twenty-one Days at least before such Meeting, nor unless such Revocation or Alteration shall be agreed to be made by a greater Number of Commissioners than concurred in the making of any such Order or Determination.

Meetings may be held on Emergencies.

X. And be it further enacted, That if at any Time it shall be thought necessary for the better Execution of the said recited Acts and of this Act that the said Commissioners should meet before the Time to which any Meeting may be adjourned, or in case of the Want of a proper Adjournment of any Meeting, or in case a sufficient Number of Commissioners shall not meet on the Day appointed for any such Meetings, by which Means or any of them the Intent of the said Acts or of this Act may be frustrated, it shall be lawful for any Four or more of such Commissioners (or for the Clerk for the Time being to the said Commissioners, by an Order in Writing signed by any Two or more of them) to convene a Meeting of the said Commissioners, and to give Notice thereof by Advertisement in some Newspaper circulated in the said County of *Oxford*, and affixed on the Toll House or Toll Gate then standing upon or near the said Bridge, in which Notice shall be expressed the Time, Place, and Purpose of such Meeting, (such Time not being less than Seven Days after Publication of the said Notice,) and the Commissioners when, met in pursuance

suance of such Notice, shall and may and they are hereby required to proceed and carry the said recited Acts and this Act into execution, in the same and in as ample and full a Manner to all Intents and Purposes as they might or could have done if no such Neglect or Omission had happened: Provided always, that no other Business than what shall be specified in such Notice shall be transacted at any such Meeting.

General Annual Meetings to be held.

XI. And be it further enacted, That the Commissioners of the said Bridge shall and they are hereby required to hold a General Meeting on a Day to be by them, or any Four or more of them appointed, in the Months of *September* or *October*, of which Meeting Twenty-one Days Notice shall be given by inserting the same in some Newspaper or Newspapers usually circulating in the County of *Oxford*, which said Meeting shall be called or known as the "General Annual Meeting of the Commissioners," and at such Meeting the Commissioners assembled shall elect a Chairman for the Purposes thereof, and shall also audit their Accounts and report the State of the said Bridge under their Care and Superintendence.

Former Orders and Determinations of the Commissioners under recited Acts declared valid.

XII. And whereas Meetings of the said Commissioners for the Execution of the said recited Acts have heretofore from Time to Time been held, which were not held by Adjournment in pursuance of the Directions of the said recited Act of the Twenty-first Year of King *George* the Third, at which Meetings Orders and Determinations of the Commissioners have been made in execution of the Purposes and Provisions of the said recited Acts; be it therefore enacted, That all the Acts, Deeds, Proceedings, Orders, and Determinations heretofore made, done, executed, or agreed upon by the said Commissioners at any of their Meetings held in manner herein-before described, shall be as good, valid, and effectual in Law as if the same had been made, done, executed, or agreed upon at Meetings duly assembled or held by Adjournment in pursuance of the Provisions of the said recited Act of the Twenty-first Year of King *George* the Third: Provided always, that nothing in this Act shall extend to confirm any Act of the said Commissioners except so far as the same may have been invalid by reason of such Meetings not having been duly assembled or held by Adjournment under the said recited Act.

Repealing the Direction to verify Accounts on Oath.

XIII. And whereas it was by the said recited Act of the Twenty-first Year of King *George* the Third enacted, that Accounts should be kept by certain Officers and Persons, and that all such Persons so accounting should upon Oath verify their said Accounts, and that if any such Officer or Person should not make and render or should refuse to verify upon Oath any such Account, the Commissioners might proceed against such Officer or Person in manner therein mentioned: And whereas it is expedient that so much of the said recited Act as relates to the verifying of Accounts upon Oath should be repealed, and that a Declaration should be substituted in lieu thereof; be it therefore enacted, That the same shall be and is hereby repealed.

Accounts to be verified by Declaration instead of Oath.

XIV. And be it further enacted, That all such Officers and Persons so accounting as aforesaid shall verify the said Accounts by solemn Declaration pursuant to the herein-before mentioned Act of the Fifth and Sixth Year of the Reign of His present Majesty for the Abolition of Oaths, and if any such

such Officer or Person shall not make or render such Accounts, or shall refuse to make and subscribe a Declaration verifying the same, the said Commissioners may proceed against such Persons in the same Manner as they are under similar Circumstances authorized to do by the said recited Act in case such Persons should not make and render or should refuse to verify such Accounts upon Oath.

So much of 21 G. 3. c. 33. repealed as directs Annuities to be free from Land Tax, and to be assigned without Stamps.

XV. And whereas it is by the said recited Act of the Twenty-first Year of the Reign of King *George* the Third enacted, that none of the Annuities to be granted by virtue of the same Act should be subject or liable to any Tax assessed upon Land by Authority of Parliament, and that Assignments in Writing of such Annuities might be made without any Stamp thereupon; and it is expedient that such Provision should be repealed; be it therefore enacted, That so much of the said last-mentioned Act as directs that none of the said Annuities shall be liable to any Tax assessed upon Land by Authority of Parliament, and as empowers the Purchasers of such Annuities to assign the same by Writing without any Stamp thereupon, shall be and the same is hereby repealed.

Securities not to be assigned except by Instrument in Writing.

XVI. And be it further enacted, That no Mortgage, Grant of Annuity, or other Security made or issued or to be made or issued by the said Commissioners under the Authority of any former Act or of this Act shall be assigned or transferred except by Deed or Instrument in Writing, duly stamped according to the Laws in force, in which Deed or Instrument the Consideration for the Assignment or Transfer shall be duly specified and set forth.

So much of recited Acts as relates to Exemption from Toll repealed.

XVII. And whereas it was by the said recited Act of the Twenty-first Year of the Reign of King *George* the Third enacted, that no Toll should be demanded or taken by virtue of the said Act for the passing of any Cattle drawing any Carriage laden with Materials for repairing any Highway or Road, or to be used in or about the building of the new intended Bridge, or laden with any Dung, Mould, or Compost of any Nature or Kind whatsoever for manuring of Lands or Gardens, or laden with Hay or Corn in the Straw to be laid up in any House or Houses or Yards within the Distance of Two Miles from the said Bridge, or for any Cattle drawing any Coaches or Carriages with Passengers, or for Passengers on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Oxford* and *Berks*, or for any Post Horse or Cart carrying the Mail or Packet, or for the Horses of any Soldiers on their March, or for Carts, Carriages, or Waggons attending them, or for Cattle or Carriages travelling with Vagrants sent by Passes, or for any Cattle going to Pasture in either of the Parishes of *Henley* or *Remenham*; and it is desirable to alter and vary such Exemptions; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Exemptions from Toll.

XVIII. And be it further enacted, That from and after the passing of this Act no Toll shall be demanded or taken by virtue of the said recited Acts or of this Act for any Horses or Carriages attending or going to attend or returning from having attended His Majesty or any of the Royal Family; or of or from any Person or Persons for any Horse or Horses or other Beast or Cattle, or for any Waggon, Wain, Cart, or other

other Carriage employed in carrying or conveying or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing any Turnpike Road or public Highway, or for rebuilding or repairing the present Bridge or any future Bridge built by virtue of the said recited Acts or this Act; or for any Horse, Beast, or other Cattle or Carriage employed in carrying or conveying, having been employed only in carrying or conveying on the same Day, any Dung, Soil, Compost, Mould, or Manure for improving Lands, or any Hay, Straw, Fodder for Cattle, and Corn in the Straw, which has grown or arisen on Land or Ground within Two Miles of the said Bridge, in the Occupation of the Owner of any such Hay, Straw, Fodder, or Corn in the Straw, or any Cloth that may have been used in covering any such Hay, Straw, Fodder, or Corn in the Straw, Potatoes, or other Agricultural Produce, and which has not been bought, sold, or disposed of, nor is going to be sold or disposed of; or for any Horses or other Beast, employed in Husbandry, going to or returning from Plough or Harrow, or for any Horses, Beasts, or other Cattle going to or returning from Pasture or watering in either of the Parishes of *Henley* and *Remenham*, or going to or returning from being shod or farried; or for any Horses or Carriages, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for the Horse or Horses of any Officers or Soldiers on their March or on Duty, or for any Horse or Horses or other Beast, or any Cart, Carriage, or Waggon, employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, the Arms or Baggage of any such Officers or Soldiers, or employed in carrying or conveying, or returning empty from carrying or conveying, any sick, wounded, or disabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, employed in conveying any Ordnance or Barrack or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty from having been so employed; or for any Carriage conveying Volunteer Infantry, or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, or other public Duty, provided that such Person shall be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements according to the Regulation of such Corps at the Time of claiming such Exemptions; or for any Horses or Carriages carrying or conveying any Persons to or from any Election of a Knight or Knights for the Shire to serve in Parliament for the Counties of *Oxford* and *Berks* or either of them.

Tolls payable on Waggons going empty for Road Materials, &c., to be repaid

XIX. And be it further enacted, That for the preventing of Frauds on Toll Collectors by Waggons, Carts, or other Carriages passing empty, or loaded only with Implements necessary for the more convenient Carriage of or for loading or unloading Manure or Materials for the Repair of any

when returning laden.

any Turnpike Road or Highway, through the said Toll Gate, under the Pretence of going for such Manure or Materials, the Owner or Driver of every such empty Waggon, Cart, or Carriage, claiming the same Exemptions or any of them, shall in all Cases pay the Toll in respect of such Waggon, Cart, or Carriage before the same shall be permitted to pass through such Toll Gate, and the Collector of such Toll shall thereupon deliver to such Owner or Driver a Ticket to be marked "Manure Exemption" or "Road Materials," (as the Case may be,) and the Date when delivered, and the Amount of the Toll so paid, all which Sum or Sums so paid shall be repaid to the Owner or Driver of such Waggon, Cart, or other Carriage, upon his or their returning with such Waggon, Cart, or other Carriage so laden as aforesaid, and producing such Ticket; and every Collector of such Toll refusing to give such Ticket on receiving the Toll, or refusing or neglecting to return the same Toll upon the Return of such Waggon, Cart, or other Carriage so laden, and Re-delivery of the "Manure Exemption" or "Road Materials" Ticket, (as the Case may be), shall for every Offence forfeit and pay to the Owner of such Waggon, Cart, or other Carriage a Penalty not exceeding Five Pounds, upon Conviction thereof before One or more Justice or Justices of the Peace for the said Town of *Henley-upon-Thames* or for the said County of *Oxford*, upon the Oath of One or more credible Witness or Witnesses.

Penalty on Toll Collector for Default.

Toll not to be taken on account of Baskets, &c. being in Waggons, &c. laden with Manure, &c.

XX. And be it further enacted, That the Owner or Driver of any Waggon, Cart, or other Carriage laden with Manure for Land, or Materials for any Turnpike Road or Highway, passing through the said Toll Gate, shall not be liable to pay any Toll, nor shall any Toll be demanded for such Carriage so laden, or the Cattle drawing the same, by reason only of any Basket or Baskets, empty Sack or Sacks, Cloth or Cloths, or Spade, Shovel, or Fork, or other necessary Implements for loading such Manure or Materials being in or upon any such Waggon, Cart, or other Carriage, in addition to such Manure or Materials, if the Loading thereof is substantially Manure for Land, or Materials for the Repair of any Turnpike Road, Bridge, or Highway as aforesaid; any thing herein contained to the contrary thereof notwithstanding.

Commissioners to put up a Table of the Tolls.

XXI. And be it further enacted, That the said Commissioners shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at such Toll or Bridge Gate, a Table painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name "*Henley Bridge* Gate," and a List of all the Tolls payable at such Gate.

Regulations respecting Toll Collectors.

XXII. And be it further enacted, That every Toll Collector shall place or cause to be placed on some conspicuous Part of the Front of the said Toll House, and so that the same shall appear to public View, his Christian and Surname, painted in Black Letters on a Board with a White Ground, each of the Letters of such Name to be at least Two Inches in length and of a Breadth in proportion, and such Board shall be and remain at such Toll House during the whole of the Time that the Person whose Name shall be expressed thereon shall be on Duty thereat; and if any Collector of the said Tolls shall not place such Board, and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand and take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of any

of the said recited Acts or of this Act, or of the Orders or Resolutions of the said Commissioners made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall refuse to permit or suffer any Person or Persons to read, or shall in anywise hinder any Person or Persons from reading the Inscriptions on such Board, or shall refuse to tell his Christian Name and Surname to any Person or Persons who shall demand the same on being paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or upon the legal Toll being paid or tendered shall unnecessarily detain, or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through the said Toll Gate, or shall make use of any scurrilous or abusive Language to any of the said Commissioners, or any Traveller or Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Commissioners may appoint temporary Collectors, &c. in certain Cases.

XXIII. And be it further enacted, That upon the Death, Incapacity, Refusal, Neglect, or absconding of any Collector or Receiver of Tolls at the said Toll Gate, any Two or more of the said Commissioners, though not assembled at any Meeting, by Writing under their Hands shall and may nominate and appoint a proper Person in his Place, to continue until the next Meeting of the said Commissioners, in the Stead of such Collector or Receiver as shall so die, become incapable, refuse, neglect, or abscond, which Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all respects, as the Person who shall die, become incapable, refuse, neglect, or abscond would have had or been subject to if living; and if any Collector or Receiver of such Tolls as aforesaid who shall be discharged from his Office by the said Commissioners, or the Wife or Widow, or any of the Children, Family, or Representatives of any Collector or Receiver who shall die, abscond, refuse, or neglect to perform his Duty, or be discharged, or any other Person having the Possession of the present or any Toll House, Garden, or Buildings erected by virtue of the said recited Acts or of this Act, shall neglect or refuse to deliver up such Possession for the Space of Three Days after Demand thereof made and Notice in Writing given for that Purpose by any Two or more of such Commissioners or by their Clerk or Treasurer, then and in any of the said Cases it shall and may be lawful for any Justice of the Peace for the Town of *Henley-upon-Thames* or the said County of *Oxford*, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer for the same Town, with such Assistance as shall be necessary, to enter into such House or Building in the Daytime, and to remove the Person who shall be found therein, together with his or their Goods, out of the same, and to put the said Commissioners or any of their Officers in the Possession thereof.

For settling Disputes about the Amount of Tolls.

XXIV. And be it further enacted, That if any Dispute shall arise concerning the Amount of the Tolls due under or by virtue of the said recited Acts or this Act, or concerning the Charges occasioned by any Distress to be taken by virtue of the same Acts or any of them, it shall be lawful for the Collector or Person distraining to detain such Distresses, or, as the Case may require, the Proceeds of the Sale thereof, until the Amount

Amount of the Tolls due, or, as the Case may require, the Amount of the Charges of seizing, distraining, keeping, or selling such Distress, shall be ascertained by some Justice of the Peace acting within his Jurisdiction, who, upon Application made to him for that Purpose, shall examine the said Matter upon Oath or Affirmation of the Parties or other Witnesses, and determine the Amount of the Tolls due, or, as the Case may be, of the said Charges; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the said Parties to the other of them as he shall think reasonable; and in case of Nonpayment thereof on Demand such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party directed to pay the same, by Warrant under the Hand and Seal of such Justice.

Enabling the Commissioners to take Possession of the Toll House, &c. when let to farm, or held by the Collectors for the Commissioners, in default of Performance of Conditions, &c.

XXV. And be it further enacted, That in case the said Tolls shall have been or shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall have been or shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in arrear by the Space of Seven Days next after any of the Days on which the same ought to be paid pursuant to the Agreement for letting to farm thereof, or in case any such Lease or Agreement shall in any other Manner become void, then and in any of those Cases it shall and may be lawful for any Justice of the Peace for the said Town of *Henley-upon-Thames* or for the said County of *Oxford*, by Warrant under his Hand and Seal, to order a Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of any Toll House or Toll Gate and the Buildings and Appurtenances thereto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat, or other Person or Persons who shall be found therein, together with his, her, or their Goods, out of and from the Possession of the said Toll House or Toll House,s and from the Collection of the said Tolls, and to put the said Commissioners or any of them, or their newly appointed Officer or other Person acting by or under their Authority, into the Possession thereof; and thereupon it shall be lawful for the said Commissioners (if they shall think fit) to vacate and determine the Contract or Agreement (if any) for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall from that Time be utterly void to all Intents and Purposes as if such Demise or Agreement had never been made (save as to the Covenants and Agreements for Payment up to that Time of the Rent or Rents thereby reserved, or other Covenants or Agreements on the Lessee's Part), and it shall be lawful for the said Commissioners in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be collected, as if no former Demise, Contract, or Agreement had been made relative thereto, any Rule of Law or Right to the contrary notwithstanding.

Recovery and Application of Penalties.

XXVI. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by the said recited Acts or this Act, or either of them, (the Manner of levying and recovering whereof is not therein or herein otherwise particularly directed,) may, in case of Nonpayment thereof, be recovered

recovered in a summary Way by the Order or Adjudication of some Two or more Justices of the Peace for the said Town of *Henley-upon-Thames* or for the said County of *Oxford*, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs, if any, of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices, and the Overplus, if any, of the Money so raised or recovered; after discharging such Penalty or Forfeiture and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained; all which Penalties and Forfeitures, not herein directed to be otherwise applied, shall be paid, One Moiety to the Informer, and the Remainder to the said Commissioners, unless such Penalties or Forfeitures shall be incurred by the said Commissioners, in which Case the same shall be paid, One Moiety to the Informer, and the Remainder to the Overseers of the Poor of the Parish, Township, or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Parish, Township, or Place; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justices and they are hereby required to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justices of the Peace for his Appearance before such Justices or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress, such Time being not more than Eight Days from the taking of such Security, and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but in case upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, (in which last-mentioned Case such Justices shall not be required to issue such Warrant of Distress,) then and in either of such Cases such Justices are hereby required, by Warrant under their Hands and Seals, to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be sooner paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall otherwise be discharged by due Course of Law.

Justices may proceed by Summons without Information in Writing.

XXVII. And be it further enacted, That in all Cases in which by the said recited Acts or this Act, or either of them, any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom any Complaint shall be made for any Offence committed against the said recited Acts or this Act or either of them, to summon before him the Party complained against, and on such Summons to hear and determine

the Matter of such Complaint, and on Proof of the Offence to convict the Offender and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and al such Proceedings by Summons, without Information in Writing or in Print, shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

Persons aggrieved may appeal to the next Quarter Sessions.

XXVIII. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Order, Judgment, or Determination made or by any Matter or Thing done by any Justice or Justices of the Peace in pursuance of this Act or the said recited Acts, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be held for the County of *Oxford*, such Appellant first giving or causing to be given to such Justice by whose Act or Acts such Person shall think himself or herself aggrieved Ten Days Notice in Writing of his or her Intention to bring such Appeal and of the Matter thereof within Thirty Days after the Cause of such Complaint shall arise, and within Four Days after such Notice entering into Recognizances before some Justice of the Peace with Two sufficient Sureties conditioned to try such Appeal at and to abide the Order of and pay such Costs as shall be awarded by the Justices at the General or Quarter Sessions, and also to pay the Penalty or Forfeiture in case the Conviction should be affirmed; and every Justice of the Peace having received Notice of such Appeal as aforesaid shall return all Proceedings whatever had before him touching the Matter of such Appeal to the said Justices at their General or Quarter Sessions aforesaid; and the said Justices at such Sessions, upon due Proof of such Notice having been given as aforesaid and of such Recognizances having been entered into in manner before directed, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper, to be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons against whom such Determination shall be given; and the Determination of such General or Quarter Sessions shall be final and conclusive to all Intents and Purposes: Provided always, that in case there shall not be Time to give such Notice, and to enter into such Recognizances as aforesaid before the next General or Quarter Sessions to be holden after such Conviction of the Appellant, then and in every such Case such Appeal may be made to the next following Sessions, and shall be then and there heard and determined: Provided also, that no Appeal shall in any Case be allowed against any Conviction for any Penalty or Forfeiture which shall not exceed the Sum of Forty Shillings.

Notice of Appeal.

Recognizances to be entered into.

Justices to return all Proceedings to the Sessions.

Justices in Sessions to hear and finally determine the Appeal with Costs.

No appeal unless the Fine exceeds 40 Shillings.

Expences of the Act.

XXIX. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act shall be paid and defrayed by the said Commissioners out of any Monies which shall be in their Hands at the Time of the passing of this Act, or out of the first Monies to arise or be received by virtue of this Act, in preference to all other Payments whatsoever.

XXX. And

XXX. 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. Public Act.

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