ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 137.

An Act for enlarging the Powers of an Act of His present Majesty, for repairing the Roads from *Maidenhead Bridge* to *Reading*, and from the said Bridge to *Henley Bridge* in the County of *Berks*, so far as relates to the *Third District* of the said Roads. [3d *June* 1813.]

WHEREAS an Act was passed in the Forty-sixth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing and improving the Roads leading from* Maidenhead Bridge *to* Reading, *and from the said Bridge to* Henley Bridge, *in the County of* Berks; whereby it was enacted, 'That for the more effectually repairing, widening, altering, and keeping in Repair the said Roads, the same should be considered as divided into Three separate Districts; and that the Road from the Twenty-ninth Mile Stone towards *Henley* to *Henley Bridge*, should be called and deemed and taken to be the *Third District* of the said Roads:' And whereas the Trustees in or by virtue of the said Act appointed for putting the said Act into Execution, so far as it relates to the said Third District of the said Roads, have proceeded in the Execution thereof, and have from Time to Time laid out and expended large Sums of Money in the repairing, widening, altering, and improving, and keeping in 46 G. 3. c. 145.

in Repair the said Roads within the said Third District; and have from Time to Time borrowed and taken up at Interest several Sums of Money upon the Credit of the respective Tolls by the said Act granted and made payable within the same District, in Addition to the several Sums heretofore borrowed and taken up at Interest upon the Credit of the Tolls by former Acts granted and made payable within the said Third District; and have mortgaged and assigned over the respective Tolls to the several Persons advancing Money on the same, for and during the said Term of the recited Act, as a Security for the several Sums of Money so borrowed and the Interest; which said several Sums of Money still remain due and unpaid: And whereas the Tolls granted by the said recited Act have been found insufficient for carrying the Purposes of the said Act into Execution; and the several Sums of Money borrowed, and which still remain due and owing, cannot be paid off; nor can the said Roads be effectually mended, widened, improved, and kept in Repair, unless the said Tolls and Duties are increased, or new and additional Tolls and Duties granted and authorized to be demanded and taken: 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 be lawful for the Trustees of the Third District of Roads mentioned or described in the said recited Act, and for any Person or Persons appointed or to be appointed Collector or Collectors by virtue of the said recited Act or this Act, to demand and take at the Turnpike or Toll Gate now erected, or at any other Turnpike or Toll Gate hereafter to be erected, in, upon, or across any Part or Parts of the said Roads lying and being within the said Third District (over and besides and in Addition to the several Tolls and Duties authorized to be taken or made payable by the said recited Act), of and from the Person or Persons driving, leading, riding, attending, or having the Care or Custody of any Horse, Cattle, Beast, or Carriage, and on every Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), the respective Tolls and Duties following (that is to say),

Additional Tolls granted.

Additional Tolls.

For every Coach, Chariot, Landau, Berlin, Barouche, Chaise, Calash, Curricle, Hearse or Chair, drawn by Six Horses, the Sum of Sixpence; or by Five Horses, the Sum of Five-pence; or by Four Horses, the Sum of Four-pence; or by Three Horses, the Sum or Three-pence; or by Two Horses, the Sum of Two-pence; or by One Horse, the Sum of One Penny:

For every Horse or Beast of Draught drawing any Waggon, Wain, Drug, Cart or other such like Carriage, with Fellies or Rollers of the Breadth or Gauge of Sixteen Inches at the least, or with Axletrees of different Lengths, rolling Sixteen Inches at the least on each Side, the Sum of One Penny:

For every Horse or Beast of Draught drawing any Waggon, Wain, Drug, Cart or other such like Carriage, with Four Wheels, having the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, the Sum of One Halfpenny:

For every Horse or Beast of Draught drawing any Waggon, Wain, Cart or other such like Carriage, having the Fellies of the Wheels thereof of less Breadth or Gauge than Six Inches, the Sum of One Penny:

For

For every empty Carriage with Four Wheels faſtened to or behind any Waggon, Wain, Drug, Cart or other Carriage, the Sum of One Penny; and for every empty Carriage with Two Wheels, ſo faſtened, the Sum of One Halfpenny; and if loaded, Double ſuch Tolls:

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

For every Drove of Oxen or neat Cattle, the Sum of Five-pence *per* Score, and ſo in Proportion for every leſs Number:

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

And the ſaid reſpective Tolls or Duties ſhall (in Addition to the Tolls granted by the ſaid recited Act) be demanded and taken before any Horſe or Horſes, or other Beaſt or Beaſts or Cattle, or any Carriage whatſoever, ſhall be permitted to paſs through any ſuch Turnpike or Toll Gate upon the ſaid Third Diſtrict of Road.

Limiting the Number of Tolls.

II. Provided always, and be it further enacted, That no more than One Toll ſhall be demanded or taken by virtue of this Act, of or from any Perſon or Perſons for or in reſpect of the ſame Horſe or Horſes, Beaſt or Beaſts, or Cattle or Carriages, for paſſing along the Whole of the Third Diſtrict of Road in any One Day, to be computed as aforeſaid.

Double Tolls on Sundays.

III. And be it further enacted, That on every *Sunday* during the Continuance of this Act, there ſhall be demanded and taken at the ſaid Toll Gates in the ſaid Third Diſtrict, by ſuch Perſon or Perſons to be nominated or appointed as aforeſaid, before any Horſe, Cattle, Beaſt or Carriage ſhall be permitted to paſs through the ſame or either of them, Double the reſpective Tolls or Sums of Money herein-before mentioned; which ſaid ſeveral and reſpective Sums of Money ſhall be demanded and taken as and in the Name of a Toll or Tolls.

Exemptions from Toll.

IV. Provided always, and be it further enacted, That no Toll ſhall be demanded or taken at any Toll Gate continued or erected, or which ſhall hereafter be erected by virtue of the ſaid recited Act or this preſent Act, for the paſſing of any Horſe or Horſes or other Beaſt or Cattle, or for any Waggon, Wain, Cart or 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, Chalk, Gravel or other Materials for making or repairing the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Road lies; or with Seed for ſeeding the Ground, or Hay, Turnips, Straw, or Corn in the Straw only, or Fodder, Wool, Peat or Turf, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns, Out-houſes or Yards, or on the Lands of the Owners thereof; or for any Horſe, Beaſt or other Cattle or 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 Ploughs, Harrows or Implements of Huſbandry, or any Mould, Dung, Aſhes, Rags, Compoſt or other Manure of any Nature or Kind whatſoever, or Manure employed in Huſbandry for manuring or improving any Gardens or Lands, or any other Thing employed

employed in the Management of any Gardens or Lands; or for any Horſes or other Beaſts going to or returning from Paſture or Watering Places, or going to be or returning from being ſhoed or farried; or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church, Chapel or other Place of Religious Worſhip on *Sundays*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Perſon who ſhall die, and be buried in any of the Pariſhes in which the ſaid Roads lie; or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; 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 or guarding ſuch Mails or Expreſſes, or in returning back from conveying 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 therefrom, having been employed only in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in 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, which ſhall be 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 from having been ſo employed; or for any Horſe, Mare or Gelding, 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, provided that ſuch Perſon ſhall be dreſſed in the Uniform of his Corps, and ſhall have his Arms, Furniture and Accoutrements, according to the Regulations of ſuch Corps at the Time of claiming the Exemption; or for Horſes, Carts or Waggons, travelling with Vagrants ſent by legal Paſſes, or returning after having been ſo employed; or for any Horſes, Coaches or other Carriage, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Berks*, on the Day or Days of ſuch Election, or the Day before or Day after ſuch Election ſhall begin or be concluded: And if any Perſon ſhall, by any fraudulent or colluſive Means whatſoever, claim or take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay, for every ſuch Offence, any Sum not exceeding Forty Shillings, One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Paſſengers on Election Days for Knights of the Shire.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

V. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart or other Carriage, provided for the Service of His Majeſty's Forces, or 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, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart or other Carriage, while ſo employed, or the Horſe or Horſes or Oxen drawing the ſame, be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart or other Carriage, or of being drawn

drawn by any Number of Horſes or Oxen; but it ſhall be lawful for the Owner or Driver of any ſuch Waggon, Wain, Cart or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the ſaid recited Act or this Act contained to the contrary notwithſtanding.

Regulating the Payment of Tolls at the Marſh Side Gate.

VI. And be it further enacted, That from and after the paſſing of this Act, no Toll ſhall be demanded or taken at the Side Gate or Bar erected under and by virtue of the Power and Authority of the ſaid recited Act, by the Side of the ſaid Road, at the Public Houſe called *The Two Brewers*, in the *Marſh*, in the Pariſh of *Remenham*, in the ſaid County of *Berks*, near *Henley Bridge*, except for Public Stage Coaches, Public Stage Waggons and Carts, Higglers Carts, Droves of Cattle, and Strings of Horſes, travelling from *Henley* or *Remenham* to *Maidenhead*, or from *Maidenhead* to *Henley* or *Remenham*, and for which, from the paſſing of this Act, ſuch and the ſame Tolls ſhall be demanded, collected, taken and received as might be taken and received at the Gate at *Hurley* for the ſame, if ſuch Public Stage Coach, Public Stage Waggon or Cart, Higglers Cart, Droves of Cattle, or String of Horſes, had paſſed through the ſaid laſt-mentioned Gate.

Tolls veſted in Truſtees; Application of Tolls.

VII. And be it further enacted, That the ſeveral Tolls hereby granted, and the Money ſo to be raiſed, ſhall be and is hereby veſted in the Truſtees for the ſaid Third Diſtrict; and ſhall be applied in ſuch Manner and for ſuch Purpoſes as in and by the ſaid recited Act is expreſſed and enacted, of and concerning the Tolls and Duties to be demanded and taken at each and every of the Toll Gates erected or to be erected in, upon, or acroſs any Part or Parts of the ſaid Roads within the ſaid Third Diſtrict.

In Default of Payment of Tolls Collector may diſtrain.

VIII. And be it further enacted, That if any Perſon or Perſons ſubject or liable to the Payment of any of the ſaid Tolls by this Act or the ſaid recited Act granted, ſhall neglect or refuſe to pay the ſame, it ſhall be lawful for the Collector or Collectors, Perſon or Perſons nominated or appointed to collect and receive ſuch Toll or Tolls as aforeſaid, to ſeize and diſtrain any Horſe or Horſes, Beaſt or Beaſts, or other Cattle, for or in reſpect whereof any Toll is hereby impoſed or made payable, or any of the Goods or Chattels of the Perſon or Perſons ſo neglecting; and if ſuch Tolls, and the reaſonable Charges of ſuch ſeizing and diſtraining and conſequent thereupon, ſhall not be paid within the Space of Five Days, the Perſon or Perſons ſo ſeizing and diſtraining ſhall and may ſell and diſpoſe of the Horſe or Horſes, Beaſt or Beaſts, Cattle, Goods or Chattels, ſo ſeized and diſtrained, and apply the Money ariſing therefrom in Satisfaction and Diſcharge of ſuch Toll or Tolls, and all reaſonable Coſts and Expences occaſioned by ſuch ſeizing and diſtraining and conſequent thereupon, and upon ſuch Sale as aforeſaid; returning the Overplus (if any) on Demand, to the Perſon or Perſons whoſe Horſe or Horſes, Beaſt or Beaſts, Cattle, Goods or Chattels ſhall have been ſo ſeized or diſtrained and ſold.

Powers of former Act as to Tolls extended to this Act.

IX. And be it further enacted, That all and every the Powers, Authorities, Methods, Rules, Directions, Exemptions, Penalties, Forfeitures, Remedies, Clauſes, Matters, and Things contained in the ſaid recited Act, of and concerning the Tolls and Duties thereby authorized and directed

directed to be demanded and taken, or in anywiſe relating thereto, ſhall be extended to the Tolls and Duties by this Act authorized and directed to be taken, and ſhall be reſpectively duly obſerved, had, practiſed, uſed, and put in Execution and enforced, with reſpect to the Tolls and Duties by this Act granted, as fully and effectually, to all Intents and Purpoſes, as if the ſame Powers, Authorities, Methods, Rules, Directions, Exemptions, Penalties, Forfeitures, Remedies, Clauſes, Matters, and Things were particularly repeated and re-enacted in the Body of this Act; and all and every the Regulations of the ſaid recited Act ſhall be extended to this Act, and ſhall be applied, conſtrued, deemed, and taken to be applicable and to refer to this Act, in like Manner to all Intents and Purpoſes, as if the ſame had been herein repeated and re-enacted.

Public Act.

X. 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.

Commencement and Continuance of the Act.

XI. And be it further enacted, That this Act and the ſeveral Powers, Authorities, Tolls, Exemptions, Matters, and Things herein contained, ſhall commence and take Effect on the paſſing thereof, and ſhall be in full Force and have Continuance from thenceforth for and during the full Term granted by the ſaid recited Act, and until the Expiration thereof.

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