



ANNO QUINQUAGESIMO NONO

GEORGI II. REGIS.

Cap. cxxvi.

An Act to rebuild *Windsor Bridge*, in the Borough of *New Windsor*, in the County of *Berks*; and to improve the Avenues thereto. [6th July 1819.]

WHEREAS the Mayor, Bailiffs, and Burgesses of the Borough of *New Windsor*, in the County of *Berks*, are lawfully seised of a Timber Bridge over the River *Thames* called *Windsor Bridge*, situate and being in the Borough of *New Windsor* aforesaid, and of the Ways thereon, leading from *New Windsor* aforesaid to *Eton*, in the County of *Bucks*: And whereas by an Act made in the Ninth Year of His late Majesty King *George* the Second, intituled *An Act for enabling the Mayor, Bailiffs, and Burgesses of the Borough of New Windsor, in the County of Berks, to repair and maintain their great Bridge over the River of Thames, and the Way thereon leading from the said Borough of New Windsor to Eton, in the County of Bucks*, the said Mayor, Bailiffs, and Burgesses are authorized to collect, demand, and take, and do receive Tolls for certain Cattle and Carriages passing over and for Barges passing under the said Bridge; but such Tolls are very unequally and partially laid and not duly proportioned: And whereas the said Timber Bridge is narrow and incommodious, and so greatly decayed that in the Judgment of able and experienced Workmen it ought to be taken down and a new Bridge built: And whereas the said Mayor, Bailiffs, and Burgesses are desirous, for the Accommodation of the Public, to build a new Bridge over the said River near the said present Bridge, but by an Estimate made of the Expence thereof it appears that the Tolls they now receive for passing over and under the present Bridge will fall very short of defraying the Expence of erecting a safe and commodious Bridge, and therefore it is expedient and necessary to make some other Provisions for the same,

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Mayor, &c., of
New Windsor
empowered
to build a
Bridge.

which cannot be effected without the Aid and Authority of Parliament: In order, therefore, to enable the said Mayor, Bailiffs, and Burgesses to build a proper and convenient Bridge, and to defray the Expence thereof, and of keeping the same in repair for ever, May it 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 when and as soon as the said Bridge shall be taken down or rendered impassable the said recited Act shall be and the same is hereby repealed, and it shall and may be lawful to and for the said Mayor, Bailiffs, and Burgesses of the Borough of *New Windsor* aforesaid for the Time being, or the major Part of them, and they are hereby authorized, empowered, required, and directed, as soon as possibly may be, by themselves, their Deputies, Agents, Workmen, Servants, and others, to build a new Bridge, with Stone, Brick, Timber, Iron, and other substantial Materials, cross the said River *Thames*, upon the Site or at a proper Distance from the present Bridge called *Windsor Bridge*, and to design, assign, and lay out in what Manner and Form the said new Bridge shall be erected, built, and completed, and to dig and make proper Foundations in the said River, and on the Lands and Grounds lying and being on each Side thereof, for the Piers and Abutments of the said new intended Bridge, and to cut and level the Banks of the said River, in such Manner as may be necessary and proper for building the said Bridge, and to cut, remove, and take away all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or other Impediment which may in anywise tend to hinder the erecting or completing the said Bridge, and execute all other Things requisite and necessary, useful or convenient, for erecting and building, maintaining and supporting the said Bridge, and making proper Avenues thereto, and the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall from Time to Time have full Power and Authority to land on either Side of the said River within Two hundred Yards of the Site of the said Bridge, being Waste Land, all Materials and other Things to be used in and about the same, and there to work such Materials and Things according as they the said Mayor, Bailiffs, and Burgesses, or the Persons to be by them appointed, shall think necessary or proper for building the said new intended Bridge, and to widen or enlarge any Roads leading to the said Bridge on each Side of the said River, so as to make the same fit for Carriages; and for the several Purposes aforesaid it shall be lawful for the said Mayor, Bailiffs, and Burgesses for the Time being, or the major Part of them, and they are hereby authorized and empowered, upon giving Six Calendar Months previous Notice in Writing to the Lessees respectively, to cause the Dwelling House, Toll House, and Premises at the South End of the said Bridge, now occupied by *Anne Hyde* Widow and *Christopher Huddleston*, to be pulled down, and the Materials thereof applied for the Use and Benefit of the said Mayor, Bailiffs, and Burgesses, they the said Mayor, Bailiffs, and Burgesses, and the Persons to be by them employed or appointed as aforesaid, doing as little Damage as may be, and making such Satisfaction as is herein-after mentioned to the respective Owners and Occupiers of such Houses, Lands, and Grounds as shall be altered, damaged, spoiled, taken, or made use of by means or for the Purposes of this Act.

II. And

II. And to the Intent the Navigation of the said River *Thames* may not in anywise be prejudiced or obstructed, and that the Road over the said Bridge may be made convenient, safe, and commodious, be it further enacted, That the said new intended Bridge shall be of the Width of Twenty-six Feet, and Three Feet Six Inches higher than the present at least, and shall consist of such Number of Arches as the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall think proper and requisite; and that the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall cause proper and convenient Carriage and Footways to be made over the said Bridge, which shall be properly guarded on each Side by a Stone Fence, and that the said Bridge shall be faced on each Side with strong and sufficient Iron Railing, and that no House or Building shall be set up, erected, or built upon the said Bridge, except a Toll House or Toll Houses, in case the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall judge it requisite and necessary for the Purposes of this Act: Provided always, that the Top of the Piers at the Springing of the Centre Arch shall be only Two Feet below the Soffite or Ceiling of the present navigable Opening, nor less than Three Feet Six Inches of additional clear Height above the Water, throughout the Space of Twenty Feet at the least in the Middle of the Centre Arch of the new intended Bridge, than there now is of clear Height for Barges to pass under the present Bridge; the said Centre Arch also being not less than Fifty-five Feet in Width, nor the Space between the Abutments less than One hundred and fifty-seven Feet: Provided also, that there shall be no Obstruction to the Navigation, by centering or otherwise, during the building the said new intended Bridge.

How the
Bridge shall
be built.

III. And whereas it will be necessary during the Time the said Bridge shall be building, and at such other Time or Times thereafter when the same shall require Reparation and be impassable, that a Ferry be maintained for conveying Passengers, Horses, Cattle, Coaches, and other Carriages cross the River *Thames*; be it further enacted, That the said Mayor, Bailiffs, and Burgesses, or the major Part of them, and no other Person or Persons whomsoever, shall have Power, and they are hereby required as often as there shall be Occasion, to erect a safe, proper, and convenient Ferry for such Conveyance as aforesaid, cross the said River *Thames*, at such Place or Places as they shall judge to be most proper and convenient, and as near to the said Bridge as Circumstances will admit; and that the same Tolls for such Horses, Cattle, Coaches, and other Carriages shall be paid and taken, as well in going as returning, for every Passage over the said River by means of such Ferry, as are herein-after directed to be paid and taken for passing over the said new intended Bridge, and also a reasonable Toll for every Foot Passenger, not exceeding One Halfpenny for each Time of passing, over and above the before-mentioned Tolls; which Tolls for passing over the said River by such Ferry shall be collected and levied by the said Mayor, Bailiffs, and Burgesses, or some Person or Persons by them duly authorized, with such Power of Distress, and with such Provision for giving and producing Tickets (if demanded), as are herein-after mentioned and directed with regard to the Tolls and Duties to be paid for passing over the said Bridge; and all the Monies arising by the Profits of the said Ferry shall be paid to the said Mayor, Bailiffs, and Burgesses, or such Person or Persons as they

A Ferry to
be provided
during the
building of
the Bridge,
and at all
Times when
impassable.

Regular Tolls
to be paid for
Passage over
the Bridge.

they shall employ to work and manage the same, and shall be disposed of and applied to the same Uses, Intents, and Purposes as the Tolls and Duties afore mentioned are applicable.

Ferry to be used no longer than the Passage over the Bridge shall be impracticable, and no other Ferries to be set up within Half a Mile of the Bridge.

IV. Provided always, That such Ferry or Ferries shall not continue for any longer Time than the Passage over the said Bridge shall be dangerous or impracticable as aforesaid, and that no Ferry or Ferries than as aforesaid shall at any Time hereafter be set up or used by any Person or Persons whomsoever within the Distance of Half a Mile from the present Bridge, or new intended Bridge; and if any Person or Persons (except the said Mayor, Bailiffs, and Burgesses, or other Persons acting under their Authority), shall use any Boat, Barge, or other Vessel in ferrying or conveying any Person or Persons, Goods, Wares, Merchandize, or other Things, for Hire, across the said River, within the Distance aforesaid, not being the actual and *bonâ fide* Owner or Owners of such Boat, Barge, or other Vessel, or any Part of his, her, or their Family or Families, the Person or Persons employing or using the same shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Mayor, &c. to appoint Officers;

and remove them and appoint others.

Officers, &c. to render Accounts, when required.

Penalty in case of Neglect or Refusal.

V. And be it further enacted, That the said Mayor, Bailiffs, and Burgesses, or the major Part of them, by any Writing under their Common Seal, shall and may elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls herein-after directed to be taken, and also a Surveyor or Surveyors, and from Time to Time, as they shall see Occasion, remove such Officers, and appoint new ones in case of such Removals or Death; and out of the Money arising by virtue of this Act shall and may make such Allowances to the said respective Officers and other Persons employed by them in pursuance of this Act, for their Care and Pains, as to the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall seem reasonable; and they are hereby also required to take good and sufficient Security from every such Treasurer, Receiver, or Collector for the faithful Execution of his Office; and such Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, and every of them, shall from Time to Time, when thereunto required at any Meeting of the said Mayor, Bailiffs, and Burgesses, or the major Part of them, or at any other Time, to be by them for that Purpose ordered and appointed, deliver in a true, exact, and perfect Account in Writing under their respective Hands of all Monies which he or they respectively shall to such Time have received and disbursed by virtue of this Act, on account of his or their Office or respective Offices, and also the Vouchers for the Payments made by them respectively; and such respective Officers and Persons shall and are hereby respectively required to pay all such Monies as upon the Balance of such Account or Accounts shall appear to be in their Hands to such Person or Persons as the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall appoint to receive the same; and if any of the said Officers or Persons shall refuse or neglect to render and give such Accounts as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance remaining in their Hands when thereunto required in manner aforesaid, or if any such Officers or Persons shall refuse or neglect to deliver up to the said Mayor, Bailiffs, and Burgesses, or the major Part of them, or to such Person or Persons as they shall

appoint,

appoint, within Four Days after being thereunto required by the said Mayor, Bailiffs, and Burgesses, or the major Part of them, all Books, Accounts, Papers, and Writings in their respective Custody or Power, anywise relating to the Execution of this Act, or to the said new intended Bridge, and Complaint shall be made of any such Neglect or Refusal to any One or more Justice or Justices of the Peace for the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing, shall be or reside, by any One or more of the said Mayor, Bailiffs, and Burgesses, or by any Person or Persons on their Behalf, such Justice or Justices may and is and are hereby authorized and required to cause such Officer or Officers, Person or Persons, to be brought before him or them, and upon his, her, or their appearing, or not appearing, (except on some reasonable Excuse, and having been first duly summoned,) to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts (if produced) in such Manner as the said Mayor, Bailiffs, and Burgesses, or the major Part of them, might have done; and if, upon the Settlement of such Account or Accounts, or upon the Confession of the Officer or Officers, Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any credible Witness or Witnesses, it shall appear to such Justice or Justices that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justice or Justices may and he or they is and are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if Goods or Chattels shall not be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice or Justices at the Time and Place by him or them appointed for that Purpose (except as aforesaid), or appearing shall refuse or neglect to give and deliver to the said Justice or Justices an Account or Accounts of the Receipts and Payments as aforesaid, or to produce and deliver to the said Justice or Justices the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power relating to the Execution of this Act, or to the said new intended Bridge, in anywise, then and in either of the said Cases aforesaid the said Justice or Justices may and is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to commit such Officer or Officers, Person or Persons, to the Common Gaol of the respective County or Place, there to remain without Bail or Mainprize until he, she, or they shall have delivered in and settled, his, her, or their Accounts, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his, her, or their respective Hands, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he, she, or they shall have compounded with the said Mayor, Bailiffs, and Burgesses, or the major Part of them, for the same, and paid the Composition Money to the said Mayor, Bailiffs, and Burgesses, or to such Person or Persons as they shall appoint to receive the same, or until he, she, or they shall deliver up such Books,

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Accounts,

Accounts, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof, to the said Mayor, Bailiffs, and Burgesses: Provided always, that no Person shall be committed for want of sufficient Distress for any longer Space of Time than Six Calendar Months:

Power to
erect Turn-
pikes and
Toll Gates.

VI. And in consideration of the great Expence that will attend the building the said Bridge, and the repairing and supporting the same, and the making the Ways and Passages, and the keeping the same in good Repair, and of the Loss which the said Mayor, Bailiffs, and Burgesses will sustain by the purchasing and pulling down of Houses, and the ceasing of the several Tolls which at present they are entitled to take and receive by virtue of the before-recited Act; be it further enacted, That the said new intended Bridge while in building and when built shall be the Property of and is hereby vested in the said Mayor, Bailiffs, and Burgesses for the Time being for ever; and that it shall and may be lawful to and for the said Mayor, Bailiffs, and Burgesses, or the major Part of them, to erect and set up, or cause to be erected and set up, One or more Toll Gate or Toll Gates in, upon, and across the said Bridge; and also may erect and set up a Toll House and proper necessary Buildings and Conveniences near to each such Gate; and that the respective Tolls following shall be demanded and taken by such Person or Persons as the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall from Time to Time appoint, at One only of the said Gates, of the Person or Persons passing with or attending any Horse or Horses, Beast or Beasts, Cattle, or Carriage or Carriages, before the same shall be permitted to pass through such Gate or Turnpike; (that is to say,)

Tolls to be
taken.

For every Horse, or other Beast of Draught, drawing any Coach, Chariot, Landau, Barouche, Chaise, Calash, Phaeton, Vis-à-Vis, Diligence, Litter, or Caravan, or other such Carriage, the Sum of Sixpence:

For every Horse or other Beast of Draught, drawing any Chaise, Chair, Gig, Taxed Cart, or other Carriage of the like Nature, generally used for the Conveyance of any Person or Persons, the Sum of Sixpence:

For every Horse or other Beast of Draught, drawing any Waggon, Cart, Car, Wain, Dray, Truck, Sledge, or other Carriage of the like Nature, the Sum of Three-pence:

For every Drove of Oxen or other Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Swine, Sheep or Lambs, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number:

For every Horse, Mule, or Ass, laden or unladen and not drawing, the Sum of Two-pence.

Which said respective Sums of Money shall be demanded and taken as a Toll or Pontage; and the Monies so to be collected and received by the Authority of this Act are hereby vested in the said Mayor, Bailiffs, and Burgesses for the Time being, and the same and every Part thereof shall be paid to them accordingly, and shall be applied to and for the several Uses, Intents, and Purposes, and in such Manner as is by this Act directed; and if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same or any Part thereof, it shall be lawful for the Person or Persons

appointed to collect the said Tolls, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, (and which Assistance all Persons are hereby required to give if called upon,) to seize and distrain any Horse or Horses, or other Beasts or Cattle, together with their Bridles, Saddles, Gears, Harness, or Accoutrements, (except the Bridles or Reins apart from any Horse or Beast,) or their Loading, or any Carriage with its Loading, or any other Goods and Chattels of the Person or Persons chargeable with the said Tolls, or any of them, wheresoever the same shall be found; and if such Tolls or any Part or Parts thereof, and the reasonable Charges of such Seizure and Distress, and of obtaining and keeping the same, shall not be paid within Four Days next after such Seizure and Distress made, the Person or Persons so seizing or distraining shall and may sell or cause to be sold the Horse or Horses, Carriages, Goods, Chattels, or Things so seized and distrained, or any Part thereof, returning the Overplus (if any be), and what shall remain unsold, upon Demand, to the Owner or Owners thereof, after such Tolls, and the reasonable Costs and Charges for distraining, keeping, and selling the same, shall be deducted and paid; and if any Person shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit any Sum not exceeding Twenty Shillings, whereof one Moiety shall be paid to the Informer, and the other Moiety to the Treasurer to the said Mayor, Bailiffs, and Burgesses, for the Purposes of this Act.

VII. Provided always, and be it further enacted, That no Person or Persons shall be subject or liable to the Payment of the Tolls hereinbefore 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, for passing, with the same Horse, Beast, or Carriage, over the said new intended Bridge, such Person or Persons producing a Ticket denoting such Toll hath been paid on that Day, all which Tickets the Collector or Collectors of the said Tolls are hereby required to give *gratis* on Receipt of such Tolls.

Tolls to be paid but once a Day.

VIII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls, or any of them, or to the Execution of any of the Powers of this Act, the Person or Persons appointed to collect the said Tolls; or any other Person or Persons acting by or under the Authority of the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation.

Collectors of Tolls not incompetent Witnesses.

IX. And be it further enacted, That if the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall at any Time or Times hereafter think proper to lower the said Tolls, or any of them, or any Part or Parts thereof, and to take less for passing over the said intended Bridge than the Sums hereinbefore mentioned and authorized to be taken, it shall be lawful for them from Time to Time so to do with the Consent of the Persons entitled to Five Sixth Parts of the Money which shall be then due and owing on the said Tolls, and afterwards, at any Time or Times, at their Wills and Pleasure, to raise the said Tolls, so as not to exceed the said respective Sums hereinbefore mentioned

Mayor, &c. may lower the Tolls.

mentioned and authorized to be taken for passing over the said intended Bridge.

Mayor, &c.
may lease
the Tolls.

X. And be it further enacted, That it shall be lawful for the said Mayor, Bailiffs, and Burgesses, or the major Part of them, from Time to Time, by any Deed or Instrument in Writing under their Common Seal, to lease the Tolls herein-before granted, or any Part or Parts thereof, unto any Person or Persons, for any Term or Number of Years not exceeding Three Years at any one Time, for the best Rent that can be got for the same, payable at such Times and under such Covenants as they the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall direct or appoint; and the Money arising thereby shall be applied in such Manner as the Tolls herein-before granted are directed to be applied.

For prevent-
ing Toll Col-
lectors from
taking any
undue Tolls.

XI. And be it further enacted, That all and every Toll Collector appointed to collect the Tolls by this Act granted shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the Trustees 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 claim such Exemption, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket denoting the Payment of the said Toll, 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 any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Trustee, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, to be recovered and applied as herein-after mentioned.

For settling
Disputes
concerning
the Tolls.

XII. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls, or the Charges of making, keeping, or selling any Distress, it shall and may be lawful for the Collector or the Person so distraining to retain such Distress, or the Money arising from the Sale thereof, (as the Case may happen,) until the Amount of the Tolls due, and the Charges of the Distress and Sale, and of keeping the Distress, be ascertained by some Justice of the Peace for the County or Place wherein

wherein such Dispute shall happen to arise, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses (which Oath such Justice is hereby authorized to administer), and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Nonpayment thereof forthwith, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), upon Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

XIII. Provided always, and it is hereby enacted and declared, That no Toll shall be demanded or taken for any of the Horses, Coaches, or other Carriages belonging to His Majesty or any of the Royal Family, or any of the Horses of His Majesty's Guards, or Cattle or Carriages attending His Majesty or any of the Royal Family, or Horses, Coaches, or Carriages used by His Majesty's Master of the Horse, or the Equerry in waiting on His Majesty, in virtue of their respective Offices when actually on Duty; or for any Cattle or Carriages laden only with Stone, Bricks, Iron, Gravel, or other Materials, to be used for repairing the said intended Bridge; or for any Horses or Carriages, of whatever Description, employed in conveying or guarding the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or in returning back from conveying or guarding the same; or for the Horses of Soldiers on their March or upon Duty, or for Cattle or Carriages attending them, or laden only with their Arms or Baggage, 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, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or in carrying any sick, wounded, or disabled Officers or Soldiers, or in returning from carrying or conveying the same; or employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; nor shall any Toll be taken or demanded for any Horse furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from any Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption as aforesaid; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted from the Whole or any Part of the several Tolls authorized to be taken, not being entitled to the same, such Person for every such Offence shall forfeit and pay any Sum not exceeding Forty Shillings.

XIV. And be it further enacted, That the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall have full Power and are hereby authorized and directed to contract and agree with any Person or Persons whomsoever to erect and build the said new intended Bridge, and to repair, maintain, support, and improve the same when built, in such Manner as the said Mayor, Bailiffs, and Burgesses, or the major Part of

Mayor, &c.
may contract
for building
the Bridge.

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them,

them, shall judge proper ; and also that they, or the major Part of them, shall and are hereby authorized and empowered to treat, contract, and agree for the Purchase of any Messuages, Lands, Grounds, Tenements, or Hereditaments, which they shall think fit and necessary to be removed or employed, or made use of for the erecting and building the said Bridge, or for the repairing, amending, and improving the same from Time to Time, and also for making and opening proper Ways, Approaches, Roads, and Passages on each Side of any Part of the said Bridge, or near, contiguous, or adjoining to either End thereof, leading to and from the same, with the Owners and Occupiers of such Messuages, Lands, Grounds, Tenements, and Hereditaments, and with other Persons interested in the same ; and also to settle, fix, adjust, and agree with such Owners and Occupiers, and Persons interested therein, or any of them, what Recompence, Compensation, or Satisfaction ought reasonably to be made to such Owners or Occupiers, for any Losses, Damages, or Expences which they respectively shall or may sustain or be put unto for or by reason or on account of the building of the said Bridge, or the making and laying out the said Ways, Approaches, Roads, and Passages, or the Execution of any of the Powers given by this Act.

Mayor, &c.
empowered
to purchase
Ground and
Buildings,
&c.

XV. And be it further enacted, That it shall be lawful for the said Mayor, Bailiffs, and Burgesses, or the major Part of them, and they are hereby authorized and empowered, when they shall deem it necessary, to treat and agree for the Purchase of any Houses, Buildings, Erections, Ground, Tenements, and Hereditaments whatsoever, which may be required for carrying this Act into execution, and of any subsisting Leases, Terms, Estates, and Interests therein, which the said Mayor, Bailiffs, and Burgesses, or the major Part of them, may deem necessary or expedient to be purchased for the Purposes of this Act, and which are mentioned and contained in the Schedule hereunto annexed.

Limiting
Time for
purchasing
Houses, &c.

XVI. And be it further enacted, That the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall and they are hereby required, within the Space of Two Years from the passing of this Act, to cause Notices in Writing under their Hands, or the Hands of the Mayor and any One of the said Burgesses for the Time being, to be given to the Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in any of the Houses, Buildings, Erections, Ground, Tenements, and Hereditaments which shall be wanted or required for the Purposes of this Act, of their Intention to purchase the same, and all subsisting Leases, Terms, Estates, and Interests therein ; and the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall and they are hereby required, at the Expiration of the Time so allowed for giving such Notice, to purchase or cause to be valued all and every such Houses, Buildings, Erections, Ground, Tenements, and Hereditaments mentioned or described in such Notices respectively, and pay the Consideration Money or Monies awarded for the same respectively, in manner directed by this Act.

Tenants at
Will to de-
liver Posses-

XVII. And be it further enacted, That every Tenant at Will, or Lessee for a Year or from Year to Year, shall deliver up the Possession of such Premises to the said Mayor, Bailiffs, and Burgesses, or to such Person or
Persons

Persons as they shall appoint to take possession of the same, upon having Three Calendar Months Notice to quit such Possession from the said Mayor or Bailiffs and Burgesses, or from the Person or Persons so authorized by them to take such Possession; and such Person or Persons in Possession shall, at the End of the said Three Calendar Months, whether such Notice be given with reference to the Time or Times of such Tenants holding or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Mayor, Bailiffs, and Burgesses, or to such Person or Persons authorized by them to take possession thereof, such Authority being signified under the Hands of the said Mayor, Bailiffs, and Burgesses, they the said Mayor, Bailiffs, and Burgesses making such Satisfaction and Compensation to every such Tenant or Lessee, or other Person or Persons in Possession as aforesaid, in case he, she, or they shall be required to quit before the Expiration of his, her, or their current Year in the Premises, as the said Mayor, Bailiffs, and Burgesses shall deem just and reasonable; and if any Dispute shall arise touching the Amount of such Satisfaction or Compensation, then and in such Case the same shall be settled and ascertained by a Jury in such and the like Manner as the Satisfaction and Compensation to be made for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, hereinbefore directed to be settled and ascertained, in case of any Difference or Dispute about the same; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, all reasonable Satisfaction being first made or tendered, it shall be lawful for the said Mayor, Bailiffs, and Burgesses to issue their Precept or Precepts to the Sheriff of the County in which the Premises shall be situate to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

tion at Three
Months
Notice.

XVIII. And whereas it may happen that some Person or Persons, Bodies Politic or Corporate, Femes Covert, Guardians, Committees, Trustees, or others who are seised or possessed of or entitled to any Messuages, Lands, Ground, Tenements, or Hereditaments which may be necessary and requisite to be purchased and made use for the Purposes of this Act, may be willing to treat and agree for the Sale or Disposition of such Messuages, Lands, Ground, Tenements, and Hereditaments, but are under a Disability of making an effectual Grant or Conveyance of the same for the Purposes aforesaid; be it therefore further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of Idiots and Lunatics, and all other Trustees whomsoever, for and on behalf of any Infants, Femes Covert, or Cestuique Trusts, Idiots, Lunatics, or other Persons under any Disability of acting for themselves, and for all and every other Person or Persons who are or shall be seised, possessed of, or interested in any Messuages, Lands, Tenements, or Hereditaments mentioned in the Schedule hereunto annexed, to treat and agree with the said

Corporations,
&c. empower-
ed to treat.

said Mayor, Bailiffs, and Burgesses, or the major Part of them, for the absolute Sale thereof or any Part thereof, or for their Interest therein, or by way of annual Rent for the same, and to convey the same to the said Mayor, Bailiffs, and Burgesses, for the Purposes of rebuilding or altering all or any Part of the said Bridge, and erecting the Toll Houses, Toll Gates, Works, and Conveniences thereto, and of making the Avenues and Approaches to the said Bridge; and all Contracts, Agreements, Sales, and Conveyances which shall be so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, any Law, Usage, or other Matter or Thing to the contrary thereof in anywise notwithstanding; and all such Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, Feoffees in Trust, Executors, Administrators, Guardians, Committees, Husbands, and Trustees, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and other Persons, are and shall be indemnified for what they shall do by virtue and in pursuance of this Act.

In case of Persons refusing to treat, or not agreeing, a Jury to settle the Recompence.

XIX. And be it further enacted, That if any Owner, Proprietor, Occupier of or other Person or Persons whatsoever interested in any Messuages, Lands, Tenements, or Hereditaments, which the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall judge necessary or proper to be purchased, taken, or used for any of the Purposes of this Act, or which shall be injured or damaged by the said Mayor, Bailiffs, and Burgesses, or any Person or Persons acting under or by their Authority, in carrying this Act into execution, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or otherwise shall be prevented from treating with the said Mayor, Bailiffs, and Burgesses, or the major Part of them, or with the Person or Persons authorized by them, for the Sale and Disposal of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in the Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Mayor, Bailiffs, and Burgesses, or the major Part of them, or of the Person or Persons authorized by them, then and in every such Case the Sheriff of the said County of *Berks*, or his Under Sheriff, shall, upon Warrant of the said Mayor, Bailiffs, and Burgesses, or the major Part of them, and they are hereby required and authorized to cause it to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County in which the Premises in question shall be situate, (which Oaths the said Sheriff or Under Sheriff are hereby empowered and required to administer,) what Damage will be sustained by and what Recompence and Satisfaction shall be made to such Owner, Proprietor, Occupier, or other Person or Persons interested, for the Value of such Houses, Buildings, Ground, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and shall assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Houses, Buildings, Ground, Tenements, or Hereditaments, and of such respective Estates and Interests therein, and also for Goodwill, Improvements, or any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, either as Owner, Leaseholder for Term of Years, or Tenant from Year to Year, provided such Goodwill

will shall be estimated by what in the Opinion of such Jury the same would have been worth in case the Improvements intended by this Act had not been in contemplation, and also for or on account of the taking of such Houses, Buildings, Ground, Tenements, or Hereditaments for the Purposes or under and by virtue of the Authority of this Act; and in order thereto the said Sheriff or Under Sheriff is and are hereby empowered and required, from Time to Time, as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath the said Sheriff or Under Sheriff is and are hereby empowered and required to administer); and such Sheriff or Under Sheriff shall order and cause the said Jury to view the Place in question, and use all other lawful Ways and Means, as well for their own as for the said Jury's Information in the Premises, as the said Sheriff or Under Sheriff shall think fit; and after the said Jury shall have inquired of, ascertained, and settled such Damages, Recompence, and Satisfaction, the said Sheriff or Under Sheriff shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid by the said Mayor, Bailiffs, and Burgesses, to the Owners, Proprietors, or Occupiers of the said Houses, Buildings, Ground, Tenements, or Hereditaments, or other Persons interested therein, according to the Verdict or Inquisition of the said Jury; which said Verdict, or Inquisition and Judgment, Order or Determination, so had or made, shall be final, binding, and conclusive, to all Intents and Purposes whatsoever, against all Parties and Persons claiming in Possession, Reversion, Remainder, or otherwise; and all and every such Owners, Proprietors, Occupiers, and Persons anyways interested in such Houses, Buildings, Ground, Tenements, or Hereditaments shall thereby be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, or Property of, in, to, or out of the same; and upon Payment or legal Tender of the Sum or Sums of Money, Recompence, or Satisfaction which shall be awarded or assessed to the respective Persons entitled thereto, or their Agents, or (in case of Refusal to accept such Money) upon paying the same into the Bank of *England*, in manner by this Act directed, it shall be lawful for the said Mayor, Bailiffs, and Burgesses, or the major Part of them, to cause the Premises in respect whereof such Money shall be assessed to be pulled down, made, used, and employed, and such Acts to be done thereto as if the Purchase thereof had been agreed upon and completed, and the Purchase or Consideration Money had been received by the Person or Persons entitled thereto; and for summoning and returning any such Jury the said Mayor, Bailiffs, and Burgesses, or the major Part of them, are hereby empowered to issue out their Warrant or Warrants, under their Common Seal, to the said Sheriff or Under Sheriff of the County in which the Premises in question shall be situate, thereby requiring him to impanel, summon, and return an indifferent Jury of Twenty-four Persons to appear before the said Sheriff or Under Sheriff at such Time and Place as in such Warrant shall be appointed; and such Sheriff or Under Sheriff is and are hereby required thereupon to impanel, summon, and return such Twenty-four Persons accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear according to or upon such Summons, the said Sheriff or Under Sheriff shall swear

[*Local.*]37 *r*

or

or cause to be sworn Twelve Persons, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriff or Under Sheriff shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured or summoned to attend that Service, to the Number of Twelve.

Jury may be challenged.

Jury to be fined for Neglect of Duty.

XX. Provided always, That all Persons concerned shall have their lawful Challenges against any of the Jurymen to be summoned in pursuance of this Act, in such and the like Manner as any Party in any Action depending in any of His Majesty's Courts of Record at *Westminster* is or shall be by Law entitled to; and the said Sheriff or Under Sheriff is and are hereby empowered to impose any reasonable Fine or Fines on any of the Persons who shall be summoned and returned to serve on such Jury and shall not appear, without some reasonable Excuse, or after having appeared shall refuse to be sworn on the said Jury, or having been sworn shall refuse to give or shall not give his or their Verdict on the Matter in question, or shall in any other Manner wilfully neglect his or their Duty therein, and on any of the Persons who, being summoned or required to give Evidence before the said Jury touching the Premises, shall neglect or refuse to appear, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, or shall not allege a sufficient Excuse to the said Sheriff, or appearing shall refuse to be sworn or be examined or give Evidence touching the same; but no such Fine shall exceed Five Pounds upon any One Person for One Offence.

By whom Expences of the Jury to be paid.

XXI. And be it further enacted, That in case any such Jury shall give in or deliver a Verdict or Assessment for more Money than shall by or on the Behalf of the said Mayor, Bailiffs, and Burgesses have been agreed to be given or offered before the summoning and returning such Jury as a Recompence or Satisfaction for any such Houses, Buildings, Ground, Tenements, or Hereditaments to be purchased as aforesaid, or for any such Goodwill, Improvements, Injury, or Damage as aforesaid, then and in every such Case the Costs and Charges of summoning and returning the Jury and Witnesses shall be borne and paid by the said Mayor, Bailiffs, and Burgesses, out of the Money arising by virtue of this Act; but if any Jury shall give in and deliver a Verdict or Assessment for no more or for less Money than shall, by or on behalf of the said Mayor, Bailiffs, and Burgesses, have been agreed to be given or offered, before the summoning and returning such Jury, as a Recompence or Satisfaction for any such Houses, Buildings, Ground, Tenements, or Hereditaments so to be purchased as aforesaid, or for any such Goodwill, Improvements, Right, Interest, or Property, or Damage as aforesaid, then and in every such Case the Costs and Charges of summoning and returning the said Jury and Witnesses shall be borne and paid by the Person or Persons with whom the said Mayor, Bailiffs, and Burgesses shall have any Controversy or Dispute, which said Costs and Expences shall be ascertained and settled by the said Sheriff or Under Sheriff, (who is and are hereby authorized and required to examine and settle the same,) and 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 or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment and Tender of the whole Sum

Sum or Sums so assessed and adjudged ; or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so ascertained and settled as aforesaid, may be recovered by the said Mayor, Bailiffs, and Burgesses by such Ways and Means as are herein provided for the Recovery of Penalties and Forfeitures incurred by this Act : Provided always, that in all Cases where any Person or Persons shall by reason of Absence have been prevented from treating with the said Mayor, Bailiffs, and Burgesses, such Costs and Expences shall be borne and paid by the said Mayor, Bailiffs, and Burgesses, in manner aforesaid.

Mayor, &c. to pay Expences, where Persons from Absence are prevented from treating.

XXII. Provided always, and be it further enacted, That all Sums of Money, or other Consideration, Recompence, or Satisfaction to be paid or made pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England*, as in this Act is mentioned, before the said Mayor, Bailiffs, and Burgesses, or any Person or Persons authorized by them, shall proceed to take possession of or pull down any House or Houses, or other Erections or Buildings comprized in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

Money to be paid before any Use is made of the Premises.

XXIII. And be it further enacted, That all and every Person and Persons, Body and Bodies Politic, Corporate, and Collegiate, in possession of any Houses, Buildings, Ground, Tenements, and Hereditaments, or any Part thereof, which shall be purchased, and the Consideration Money paid or tendered as aforesaid, in order to be made use of by virtue of and for the Purposes of this Act, shall, upon receiving Three Calendar Months Notice in Writing from the said Mayor, Bailiffs, and Burgesses, or their Agent duly authorized, at the End of the said Three Calendar Months, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Mayor, Bailiffs, and Burgesses, or to the Person or Persons authorized by them to take possession thereof ; and that in case any such Person or Persons, Bodies Politic, Corporate, or Collegiate, shall refuse to give up such Possession as aforesaid, that it shall and may be lawful for the said Mayor, Bailiffs, and Burgesses to issue their Precept or Precepts to the Sheriff of the County in which the said Houses, Buildings, Ground, Tenements, or Hereditaments shall be situate, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same ; and the said Sheriff is hereby required to take and deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing of such Precept or Precepts on the Person or Persons so refusing to give up such Possession as aforesaid, by Distress and Sale of his, her, or their Goods and Chattels.

Possession to be delivered up within Three Months after Purchases are completed.

XXIV. And be it further enacted, That if any Money shall be agreed or assessed to be paid for the Purchase of any such Houses, Buildings, Ground, Tenements, or Hereditaments, or any Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity,

Application of Compensation if amounting to 200*l.*

or

or not legally entitled absolutely to dispose of the Premises by the Sale of which such Monies shall be produced, as authorized by this Act, 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 there *ex parte* the said Mayor, Bailiffs, and Burgesses; 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 Houses, Buildings, Ground, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Ground, Tenements, or Hereditaments, or affecting other Houses, Buildings, Ground, 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 Houses, Buildings, Ground, 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 Houses, Buildings, Ground, Tenements, or 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 or Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court 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 meantime, 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 said Houses, Buildings, Ground, Tenements, and Hereditaments so hereby directed to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application
of Compensation if less
than 200*l.*
and exceeding 20*l.*

XXV. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Houses, Buildings, Ground, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to 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 Houses, Buildings, Ground, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the
High

High Court of Chancery, and placed to his Account as aforesaid, in order to be applied in manner herein-before 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 Mayor, Bailiffs, and Burgesses, or the major Part of them, such Nomination and Approbation to be signified in Writing under the Hands of the nominating Party and the Common Seal of the approving Party, in order that such Principal Money, and the Dividends arising therefrom, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XXVI. Provided also, and be it further enacted, That where such Money so agreed or assessed 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 Houses, Buildings, Ground, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall think fit, or in case of Infancy, Idiotcy, 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.

Application-
of Compen-
sation if less
than 20l.

XXVII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be ordered to be paid as aforesaid 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 Mayor, Bailiffs, and Burgesses, or the major Part of them, or in case such Person or Persons cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Ground, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the said Mayor, Bailiffs, and Burgesses, or the major Part of them, to order the said Sum or Sums of Money so assessed as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Houses, Buildings, Ground, Tenements, 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 Estates, Title, or Interest of the Person or Persons 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 whose Use the same is or are received) to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of not
making out
Titles, &c.

Subject to the
Order of the
Court of
Chancery,
&c.

Respecting
disputed
Titles.

XXVIII. 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 Act, for the Purchase of any Houses, Buildings, Ground, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Houses, Buildings, Ground, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of such Houses, Buildings, Ground, 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 Houses, Buildings, Ground, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends and 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, until 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 Houses, Buildings, Ground, 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 Mayor,
&c.

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

Resale of
Houses, &c.
not wanted.

XXX. And be it further enacted, That it shall and may be lawful to and for the said Mayor, Bailiffs, and Burgesses, or the major Part of them, and they are hereby authorized and empowered, to sell and dispose of, or cause to be sold and disposed of, for the best Price and Prices that can be reasonably had or obtained for the same, all or any Part or Parts of the Houses, Buildings, Erections, Ground, and Hereditaments so to be purchased as aforesaid as may not be necessary to be used and applied or convertible for the Purposes of this Act, to such Person or Persons as shall be willing to purchase the same; and to apply the Money to arise by such Sale or Sales for or towards the Charges and Expences of erecting and building the said new intended Bridge, and for no other Purpose whatsoever: Provided always, that the said Mayor, Bailiffs, and Burgesses, before they shall sell and dispose of such Lands, Tenements, or Hereditaments, or any Estate or Interest therein, shall first offer to resell the same to
any

Mode of such
Resale.

any Person or Persons from whom they shall have purchased the same, for such Estate or Interest as such Person or Persons had therein; and in case the said Mayor, Bailiffs, and Burgesses, and such Person or Persons, shall differ and not agree as to the Price or Prices thereof, and such Person or Persons shall nevertheless signify his, her, or their Desire to purchase the same, by a Notice in Writing to be given or left with the Clerk of the said Mayor, Bailiffs, and Burgesses, within Ten Days after such Offer, at a Price to be adjusted and settled by a Jury to be summoned as in case of Purchases made by the said Mayor, Bailiffs, and Burgesses, as herein mentioned, *mutatis mutandis*, which Notice shall be deemed an actual Contract for the Purchase of the said Premises, as against the Party or Parties giving the same at the Price which shall be adjusted and settled by such Jury, and in case such Person or Persons shall not agree to repurchase such aforesaid Interest therein, or shall not give such Notice of his, her, or their Intention of purchasing the same within Ten Days after such Offer of Sale, then and in every such Case, an Affidavit being made and sworn before a Master or a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the City or County where such Lands, Tenements, or Hereditaments shall be situated, by some competent Person or Persons, stating that such Offer was made by or on the Behalf of the said Mayor, Bailiffs, and Burgesses, and was not then and thereupon agreed to by the Person or Persons to whom the same was so made, and that such Notice as aforesaid was given, shall in all Courts be sufficient Evidence and Proof that such Offer was made and was not agreed to by the Person or Persons to whom it was made (as the Case may be), and that such Notice as aforesaid was not given; and that all Money which shall arise by any Sale or Sales, or Demise or Demises, which may be made by the said Mayor, Bailiffs, and Burgesses, of such Premises, Estates, and Interests as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers, Lessee or Lessees thereof, shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

XXXI. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said new intended Bridge, and to and for such Persons as he or they shall respectively appoint, to search for, dig, get, gather, and take away any Stones, Gravel, Sand, or other Materials for making or repairing the said Bridge, or the Avenues or Approaches thereto, out of or from any Common or Waste Ground, River or Brook, within the Borough of *New Windsor* aforesaid, or any adjoining Parish, Hamlet, or Place, without paying any thing for the same, the said Surveyor or Surveyors, or other Person or Persons acting by his or their Appointment, filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where such Materials shall be taken, or railing or fencing off such Pits or Quarries so that the same may not be dangerous to Passengers or Cattle; and also that such Surveyor or other Persons as aforesaid may, by Order of the said Mayor, Bailiffs, and Burgesses, or the major Part of them, and a Copy thereof given to such Surveyor or Surveyors, attested and signed by the Clerk to the said Mayor, Bailiffs, and Burgesses, search for, cut, dig, get, gather, and take away any such Materials as aforesaid, in, from, and out of the private Lands, Fields, or Grounds of any Person or Persons in any Parish or Place in which the said new Bridge is to be situated (where the same may be

For getting
Materials to
repair Bridge
and Ap-
proaches.

had

had or found) such Lands, Fields, or Grounds not being a Garden, Orchard, Yard, Park, Paddock, Walk, or Avenue to a House, or any Piece of Ground planted and set apart as a Nursery for Trees, making or tendering such Satisfaction, as well for the Stone, Gravel, and other Materials to be dug, gotten, gathered, and carried away, as for the Damage done thereby to the Owners and Occupiers of such Grounds where and from whence the same shall be cut, dug, gotten, gathered, and carried away, or over which the same or any other Materials for making and repairing the said Bridge, Avenues, or Approaches thereto shall be carried, according to their respective Rights and Interests in such Grounds, as the said Mayor, Bailiffs, and Burgesses; or the major Part of them, shall judge reasonable; and in case of any Difference between the said Mayor, Bailiffs, and Burgesses, Surveyor or Surveyors, or other Person or Persons employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning such Damages, it shall be lawful for any Two or more Justices of the Peace for the County of *Berks* aforesaid, on Fourteen Days Notice thereof in Writing being given by either Party to the other, or left at their respective Places of Abode, to hear, settle, and determine the Matters of such Payment and Damages; and the Judgment or Order of the said Justices shall be final and conclusive to all Parties.

Notice to be given to Occupiers of inclosed Land before Materials taken.

XXXII. Provided nevertheless, and be it enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons acting under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for repairing such Bridge, Avenue, or Approaches, or any of them, out of or from any inclosed Lands or Grounds, until Notice in Writing, signed by the Surveyor, shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before any Two or more Justices of the Peace for the County where such Premises shall lie, to show Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier or his Agent shall attend, pursuant to such Notice, but shall not show sufficient Cause to the contrary, then and in such Case such Justices shall and may authorize such Surveyor or other Person or Persons to dig, get, gather, and carry away such Materials at such Time or Times as to the said Justices shall seem proper; and if such Occupier shall neglect or refuse to appear, by himself or his Agent, pursuant to such Notice, the said Justices shall and may make such Order therein as they respectively shall think fit, as fully and effectually, to all Intents and Purposes, as if such Occupier or his Agent had attended.

Penalty on obstructing Workmen, &c.

XXXIII. And be it further enacted, That if any Person or Persons shall at any Time obstruct, hinder, or molest the said Mayor, Bailiffs, and Burgesses, or any Surveyor or other Officer, Workman, or Person whomsoever, employed by virtue of this Act, in the Performance or Execution of their or his Duty, every such Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings.

Penalty on taking away Materials got by Surveyors.

XXXIV. And be it further enacted, That if any Person or Persons whomsoever shall remove or take away any Stones or Gravel, or any Materials laid upon the said Bridge, or upon the Avenues or Approaches thereto,
or

or upon any Part thereof, for the making or repairing thereof, without the Order of the said Mayor, Bailiffs, and Burgesses, or the major Part of them, or of their Surveyor or Surveyors for that Purpose; or if any Person or Persons whomsoever shall take any Stones or Gravel or Materials which shall have been dug or gathered by, or by the Order of the said Mayor, Bailiffs, and Burgesses, or the major Part of them, or their Surveyor or Surveyors, in any Lands, Fields, Wastes, or Grounds, River or Brook, for the Purpose of making or amending the said Bridge, Avenues, and Approaches, or any Part or Parts thereof; or shall get or take away any Stones, Gravel, or Materials out of any Pit or Quarry which shall have been made for the Purpose of getting such Materials for making or amending the said Bridge, Avenues, and Approaches, or any Part or Parts thereof, before the said Surveyor or Surveyors, or his or their Workmen, shall have discontinued working therein for the Space of Six Weeks, (except the Owner and Occupier of any private Grounds, and Persons authorized by such Owner or Occupier to get Materials therein for his or her own private Use only, and not for Sale,) any Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings: Provided always, that no Materials as aforesaid shall be had or taken out of the River *Thames* without the Consent of Three Local Commissioners for the Improvement of the Rivers *Thames* and *Isis* in the Second District first had and obtained for that Purpose, by Writing under their Hands.

XXXV. And for the more speedily raising such Money as may be necessary for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Mayor, Bailiffs, and Burgesses, or the major Part of them, and they are hereby empowered, from Time to Time, to borrow and take up at Interest such Sum or Sums of Money as they shall think necessary, not exceeding the Sum of Sixteen thousand Pounds in the whole, and by Writing under their Common Seal to assign over or mortgage the Tolls hereby granted, or any Part thereof, and the Toll Gates, Turnpikes, and Toll House or Toll Houses erected or to be erected by virtue of this Act, (the Charges of such Assignments and Mortgages to be paid out of the said Tolls,) as a Security for the Repayment of such Sum or Sums of Money, with Interest for the same, to the Person or Persons who shall advance and lend such Money, his, her, or their Executors, Administrators, and Assigns, such Interest to be paid and payable by equal Half-yearly Payments at the Dwelling House of the Chamberlain or Treasurer of the said Mayor, Bailiffs, and Burgesses for the Time being; all which Assignments or Mortgages shall be in the Words or to the Effect following; (that is to say,)

‘ **BY** virtue of an Act made in the Fifty-ninth Year of the Reign of King *George* the Third, intituled [*here set forth the Title of this Act*], we, the Mayor, Bailiffs, and Burgesses of the Borough of *New Windsor* aforesaid, in consideration of the Sum of _____
 ‘ to the Treasurer _____ in hand paid by *A. B.*, do
 ‘ hereby, with our mutual Assent, Consent, free Will and Agreement,
 ‘ testified by our Common Seal being hereto affixed, grant, bargain,
 ‘ sell, and demise unto the said *A. B.* _____ Executors, Admi-
 ‘ nistrators, and Assigns, such Proportion of the Tolls arising by virtue of
 ‘ the said Act, as also the Toll Gates, Turnpikes, and Toll Houses for
 ‘ collecting the same, as the said Sum of _____ doth or
 ‘ [Local.] _____ 38 *A* _____ shall

Workmen,
&c.Mayor, &c.
may borrow
Money for
the Purposes
of the Act.Form of the
Mortgage.

‘ shall bear to the whole Sum charged and advanced, or to be
 ‘ charged and advanced on the Credit of the said Act, to be had and
 ‘ holden from the Day of the Date hereof until the said Sum of
 ‘ with Interest for the same after the
 ‘ Rate of *per Centum per Annum*, shall be repaid and
 ‘ satisfied. Given under the Common Seal of the Borough of *New*
 ‘ *Windsor* aforesaid, this Day of
 ‘ in the Year of our Lord .’

And Copies of all such Assignments or Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Mayor, Bailiffs, and Burgesses; and such Book or Books shall and may at all seasonable Times be perused or inspected by all Persons interested, without Fee or Reward; and all Mortgages or Assignments which shall be made in the Manner and Form aforesaid shall be good, valid, and effectual to all Intents and Purposes whatsoever; and all Persons to whom any such Mortgages or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby respectively secured, may from Time to Time assign and transfer the same Security or Securities, and all Benefit and Advantage thereof, and all their Right, Title, and Interest in and to the Principal and Interest Money thereby respectively secured, or any Part thereof, to any Person or Persons whomsoever, by Writing under their Hands and Seals, in the Words or to the Effect following; (that is to say,)

Form of
Transfer.

‘ I *A. B.*, being entitled to the Sum of secured to
 ‘ Executors, Administrators, and Assigns,
 ‘ by virtue of a Mortgage or Assignment, bearing Date the
 ‘ under the Common Seal of the Mayor,
 ‘ Bailiffs, and Burgesses of the Borough of *New Windsor* in the County
 ‘ of *Berks*, acting in the Execution of an Act made in the Fifty-ninth
 ‘ Year of King *George* the Third, intituled [*here set forth the Title of this*
 ‘ *Act*], upon the Credit of the said Act, do hereby transfer all my Right
 ‘ and Title in and to the same, and all the Principal and Interest Money
 ‘ now due and owing thereon, unto *C. D.* Executors, Admini-
 ‘ strators, and Assigns. Dated this Day of ,
 ‘ in the Year of our Lord .’

And every such Transfer shall be produced and notified to the Clerk to the said Mayor, Bailiffs, and Burgesses within Three Calendar Months next after the Date thereof; and such Clerk shall cause an Entry or Memorial to be made thereof, containing the Names of the Parties, and Sum of Money therein mentioned to be transferred, in the said Book or Books to be kept for entering the said original Mortgages or Assignments to be made by virtue of this Act, and for which Entry the Clerk who shall enter the same shall be paid Five Shillings and no more; and after such Entry made every such Transfer shall entitle the Person to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee or Assignees may in like Manner assign or transfer again, and so *toties quoties*; and after such Entry or Memorial made thereof as aforesaid it shall not be in the Power of any Persons making such Transfer to make void, release, or discharge the same, or the Monies thereby due, or any Part thereof; and all Persons to whom such Mortgages, Assignments, or Transfers shall be made as aforesaid shall be, in proportion to the Sums therein respectively mentioned, Creditors on such Tolls,

Tolls, Toll Gates, Turnpikes, and Toll Houses, in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing any such Monies, or of the Dates of such Mortgages or Assignments.

XXXVI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Mayor, Bailiffs, and Burgesses to raise any Part of the said Sum of Sixteen thousand Pounds by granting Bonds under their Common Seal to the Person or Persons who shall advance or lend the same, and such Bonds shall and may be assigned and transferred in such and the like Manner as the Mortgages or Assignments of the Tolls herein-before mentioned.

Money may be raised on Bonds.

XXXVII. And be it further enacted, That out of the first Money arising or to arise by the Tolls which shall be collected by virtue of this Act, or out of the first Money which shall be borrowed on the Credit thereof, the said Mayor, Bailiffs, and Burgesses, or the major Part of them, shall, in the first place, pay and defray the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, and repay all and every Sum and Sums of Money which shall be advanced by any Person or Persons whomsoever, together with lawful Interest for the same, and also all Costs, Charges, and Expences in making the Surveys, Plans, and Estimates for rebuilding the said Bridge; and after Payment thereof all the Money which shall arise or come to the Hands, Custody, or Power of the said Mayor, Bailiffs, and Burgesses, or their Chamberlain or Treasurer, by virtue or for the Purposes of this Act, shall from Time to Time be applied in erecting the said Turnpikes and Toll Houses, and in building the said new intended Bridge, and keeping the said Bridge in repair, and opening and making proper and convenient Avenues and Approaches to the said Bridge, and in defraying all other necessary Charges and Expences attending the Execution of this Act, and in paying the Interest of the Principal Money so to be borrowed, and in otherwise carrying this Act into execution, and to or for no other Use, Intent, or Purpose whatsoever.

Application of the Tolls, and the Money to be borrowed.

XXXVIII. And be it further enacted, That some Time between the First Day of *August* and the First Day of *September* in every Year, during the Continuance of this Act, the said Mayor, Bailiffs, and Burgesses shall cause a fair and just Account to be made out of all Monies received and paid by them, or by their Order or Direction, by virtue or in pursuance of this Act, and how and to or from whom and for what Purpose the same shall have been received, paid, or expended, and Copies of every such Account shall be signed by the said Mayor, Bailiffs, and Burgesses, or any Five or more of them, and one of such Copies shall be filed annually with the Clerk of the Peace at the *Michaelmas* General Quarter Sessions of the Peace to be held in and for the said County of *Berks*, and another of such Copies with the Clerk of the Peace at the same General Quarter Sessions of the Peace to be held in and for the said County of *Bucks*, to the end that all Persons at all seasonable Times may have Liberty to peruse and inspect the same, and to take Copies and Extracts therefrom at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies or Extracts.

An Account to be stated by Mayor, Bailiffs, and Burgesses annually, and filed with the Clerk of the Peace.

XXXIX. Pro-

Application
of Tolls.

XXXIX. Provided always, and be it further enacted, That the said Mayor, Bailiffs, and Burgesses shall and they are hereby directed and required, after paying and discharging the Expences of collecting and receiving the said Tolls, the Repairs of the said Bridge, Toll Gate, and Toll House, and the Interest of the Debt incurred, to apply from Time to Time the Remainder of the said Tolls in discharge of the Money to be borrowed in pursuance of this Act.

If Bridge is
not com-
pleted within
Five Years,
Act to cease.

XL. Provided always, and be it further enacted, That in case the said Bridge shall not be completed within Five Years from the First Day of *March* One thousand eight hundred and twenty, all the Powers and Authorities hereby given shall then cease and determine, save and except only as to so much of the said Bridge as shall have been completed within such Period.

Not to pre-
judice or
abridge the
Rights and
Advantages
of the Owner
of the Water
Mills or En-
gine for con-
veying Water
to the Bo-
rough of
New Wind-
sor.

XLI. Provided always, and be it further enacted, That nothing in this Act shall prejudice, lessen, or abridge the Rights, Privileges, Benefits, and Advantages now possessed or enjoyed by *William Henry Cutler* of *Eton* aforesaid, Plumber, as Lessee of the said Mayor, Bailiffs, and Burgesses, or otherwise, for conveying Water by a certain Water Mill or Engine situate and being in the Parish of *Eton* aforesaid to the Borough of *New Windsor* aforesaid, but that the said *William Henry Cutler*, his Executors, Administrators, and Assigns, shall continue to hold, possess, and enjoy all such Rights, Privileges, Benefits, and Advantages, as well in, over, and upon the present Bridge, as in, over, or upon the said new intended Bridge, or any Part or Parts thereof which shall or may be erected or built by virtue of this Act, as the said *William Henry Cutler* now holds, possesses, or enjoys in, upon, or over the present Bridge, or could or might have held or enjoyed in, over, or upon the same in case this Act had not passed, any thing herein contained to the contrary notwithstanding.

Owner of
Water-
works to
repair and
make good
the Damage
done to the
Bridge by
repairing
Pipes, &c.

XLII. Provided also, and be it further enacted, That if any Part or Parts of the said new intended Bridge shall be taken up, injured, or damaged by any Agent, Servant, or Person employed by or under the Direction of the said *William Henry Cutler*, or any other Owner or Owners of the said Water Mill or Engine, or shall be otherwise damaged by reason of the bursting or breaking of any Pipe or Pipes belonging thereto, the same shall with all convenient Speed be repaired, amended, and made good by and at the Costs and Charges of the said *William Henry Cutler*, or the Owner or Owners of the said Water Mill or Engine for the Time being.

Penalty on
Persons in-
juring the
Bridge.

XLIII. And be it further enacted, That if any Person or Persons shall wilfully and maliciously blow up, pull down, or destroy the said Bridge, or any Part thereof, or any Toll House or Toll Gate to be erected or set up upon or near the said Bridge, or any of the Works, Buildings, or Erections made in pursuance of this Act, or cause or procure or direct or incite the same to be done, every Person so offending, on being convicted thereof, shall be deemed guilty of Felony; and the Court before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be transported beyond the Seas for the Term of Seven Years, or may in mitigation of such Punishment

ment pronounce such Sentence as the Law directs in Cases of Petty Larceny.

XLIV. And be it further enacted, That if any Person or Persons shall break, throw down, injure, destroy, obliterate, or deface any Table of Tolls or Post or Lamp erected on the said Bridge, or any of the Avenues or Approaches thereto, or any of the Letters, Figures, or Marks painted or inscribed thereon, or if any Person or Persons, having the Care of any Barge, Boat, Lighter, or other Vessel which shall be navigated in or upon the said River *Thames*, shall lash, tie, or make fast any Cord, Chain, Rope, or Cable to any Part of the said new intended Bridge, for the Purpose of mooring or staying any Barge, Boat, Lighter, or other Vessel, or wilfully, carelessly, or negligently cause, permit, or suffer any Damage or Injury to be done to the said Bridge by any such Barge, Boat, Lighter, or other Vessel, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

To prevent
damaging the
Table of
Tolls, or the
Bridge by
Boats, &c.

XLV. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collectors, Surveyors, or other Officers employed under this Act; be it therefore enacted, That it shall and may be lawful to and for the said Collectors, Surveyors, or other Officers respectively to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and forthwith to convey him, her, or them before any Justice or Justices of the Peace for the County or Place where any such Offence or Offences shall be committed, to be dealt with according to Law, without any other Warrant or Authority than this Act for so doing.

Power to de-
tain unknown
Persons
guilty of
Offences.

XLVI. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise directed) shall be levied and recovered, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the County, City, or Place where the Offence shall be committed, or the Offender or Offenders shall be or reside (which Warrant such Justice is hereby empowered to grant upon the Confession of the Party or Parties, or upon the Evidence of any credible Witness upon Oath); and the Overplus, if any, of the Money arising by such Distress and Sale, shall be returned, upon Demand, to the Owner of such Goods and Chattels, after deducting the Costs and Charges of making, keeping, and selling the Distress; and such Penalties and Forfeitures, when recovered (if not herein-before directed to be otherwise applied), shall be paid to the Chamberlain or Treasurer of the said Mayor, Bailiffs, and Burgesses, to be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties or Forfeitures shall not be paid forthwith, it shall be lawful for such Justice and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, City, or Place where such Offence shall be committed, or where the Offender shall be or reside, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner fully paid and satisfied.

Recovery and
Application
of Penalties.

or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity that shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

LI. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceeding made touching or concerning the Conviction of any Offender or Offenders against this Act shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings not to be quashed for Want of Form, nor removeable by Certiorari.

LII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Fourteen Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff recover in such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney or Attornies, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover without Notice, nor after Tender of Amends.

LIII. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall arise, and not elsewhere; and if any such Action or Suit shall be brought before Fourteen Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or her Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Limitation of Actions.

LIV. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice the Rights, or tend or be construed to defeat

Saving the Rights of the Corporation

of New
Windsor.

defeat or abridge the Mayor, Bailiffs, and Burgesses of the Borough of *New Windsor* aforesaid of the Powers granted to them by their Charters, but that the said Corporation shall continue to hold and enjoy such Rights, Privileges, Benefits, and Advantages as are granted to them in and by their said Charters, or to which they are entitled by Prescription or otherwise, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as they did before the passing of this Act, or could or might have done in case this Act had not been made; any thing in this Act contained to the contrary notwithstanding.

Bridge not to
be deemed
a County
Bridge.

LV. Provided always, and be it further enacted, That the said Bridge shall not be deemed or taken to be a County Bridge, and that the Inhabitants of the Counties of *Berks* or *Bucks* shall not be subject or liable to the repairing, rebuilding, or supporting the same.

Public Act.

LVI. 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.

Commence-
ment and
Continuance
of Act.

LVII. And be it further enacted, That this Act shall commence upon the First Day of *March* One thousand eight hundred and twenty, and shall from thenceforth continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which this Act refers.

All those Eight Messuages or Dwelling Houses, with the Yards and Appurtenances, Part situate in New Windsor and the Remainder in Eton aforesaid, belonging to James Carter, and now in the several Occupations of William Peltham, Thomas Kelly, John Brothers, Thomas Tallet, Joseph Burnham, John Kempster, John Cutler, and Matthew Cutt.

All those Four Messuages or Dwelling Houses, with the Yards and Appurtenances, situate in Eton aforesaid, belonging to Joseph Sawyer, and now in the several Tenures or Occupations of John Gould, Nicholas Coxen Tompkins, Christopher Dodwell, and William Pike.

A Messuage or Dwelling House, with the Yard and Appurtenances, situate in Eton aforesaid, belonging to Ellen Child, and now in the Occupation of the said Ellen Child.

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