



ANNO QUADRAGESIMO QUINTO

GEORGI II. REGIS.

Cap. 25.

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Fourth and Twenty-fourth Years of His present Majesty, for repairing the Road from *Shillingford* in the County of *Oxford*, through *Wallingford* and *Pangborne*, to *Reading*, in the County of *Berks*; and for building a Bridge over the River *Thames* at or near *Shillingford Ferry*. [11th April 1805.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Road from Shillingford in the County of Oxford, through Wallingford and Pangborne to Reading, in the County of Berks; and for building a Bridge over the River Thames at or near Shillingford Ferry*: And whereas another Act was passed in the Twenty-fourth Year of the Reign of His said Majesty, to enlarge the Term and Powers of the said recited Act: And whereas, in order to amend the said Road, and for the Purpose of purchasing the Ferry at *Shillingford*, and building a Bridge there, the Trustees appointed in or by virtue of the said recited Acts have borrowed several considerable Sums of Money on the Credit of the said Acts, and the Tolls thereby granted, which Sums of Money

4 G. 3.

24 G. 3.

Money due on Credit of the said Acts.

[Loc. & Per.]

G A

are

Acts further continued.

are still due and owing, and cannot be paid off, nor can the said Road and Bridge be effectually amended, improved, and kept in good Repair, unless the Term of the said Acts be further continued, the Powers and Provisions thereof in some Respects amended, altered, and enlarged, and the Tolls by the said Acts granted increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, passed in the Fourth and Twenty-fourth Years of the Reign of His present Majesty, and all the Clauses, Powers, Provisions, Penalties, Forfeitures, Matters, and Things therein respectively contained (except such as relate to Exemptions from Stamp Duties, and also except such Parts thereof as are hereby varied, altered, or repealed) shall be and continue in full Force and Effect, and be executed for and during the Term hereinafter mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, (but subject nevertheless to the Alterations, Additions, and Amendments herein contained, and which shall commence and take Effect upon the passing of this Act, except where otherwise provided); and this Act, and the Term hereby granted and continued, shall be, and are hereby made subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said Acts, or either of them, and of such other Sums of Money as shall hereafter be borrowed on the Credit, and for the Purposes of the said Acts and this Act, or any of them, and the Interest due and to become due for the same respectively.

Declaring where the Road shall terminate in Reading.

II. And, in order to prevent any Doubts or Disputes that may arise respecting the Termination of such Part of the said Road as lies within the Borough of *Reading*; be it therefore enacted, That, from and after the passing of this Act the Termination of the said Road, within the said Borough of *Reading*, shall be deemed and taken to be at a Place called *The Fox Corner*, adjoining to *West Street*, and the Powers and Authorities of the said Trustees shall extend to the said Place called *The Fox Corner*, as fully and effectually to all Intents and Purposes as if the said Termination had been particularly mentioned and described in the said recited Acts, or either of them.

Repealing the Qualification appointed by the Act of 4 G. 3.

III. And whereas it is expedient that the Clause in the said recited Act of the Fourth Year of the Reign of His said Majesty, relating to the Qualification of the Trustees appointed or to be appointed in or by virtue thereof, should be repealed; be it therefore enacted, That the said recited Clause, and every Part thereof, shall, immediately from and after the passing of this Act be and the same is hereby accordingly repealed.

Another Qualification appointed.

IV. And be it further enacted, That, from and after the passing of this Act, no Person (other than the Mayor and Recorder for the Time being of the Boroughs of *Wallingford* and *Reading* respectively) shall be capable of acting as a Trustee in the Execution of the said recited Acts and this Act, or any or either of them, unless he shall in his own Right, or in the Right of his Wife, be in the actual Possession and Enjoyment or Receipt of the Rents and Profits of an Estate in Lands, Tenements, or Hereditaments,

Hereditaments, either in Law or Equity, within the Counties of *Berks* and *Oxford*, or One of them, of the clear yearly Value of Fifty Pounds above all Reprizes; and if any Person, not being so qualified, shall presume to act contrary to the true Intent and Meaning hereof, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall inform or sue for the same, to be recovered in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlanee shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Trustee in the Execution of this and the said recited Acts, some or one of them.

V. And be it further enacted, That, from and after the Twenty-fourth Day of *June* One thousand eight hundred and five, the several Tolls and Duties granted by the said recited Acts shall cease, determine, and be no longer paid or payable, and that instead of the Tolls by the said Acts directed to be taken on that Part of the said Road which leads from *Wallingford* aforesaid to *Reading*, the following Tolls shall and may be demanded and taken at any Gate or Gates, Turnpike or Turnpikes, already erected, or hereafter to be erected, in, upon, or across any Part or Parts of the said Road between *Wallingford* and *Reading* aforesaid, by such Person or Persons as the said Trustees, or any Seven or more of them, shall from Time to Time for that Purpose authorize or appoint, before any Horse or other Cattle, Coach, Waggon, or other Carriage whatsoever, shall be permitted to pass through the same, or any of them; that is to say,

Repealing former Tolls, and granting new ones.

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, Hearse, Litter, Waggon, Wain, Cart, or other Carriage, with Four Wheels, the Sum of Sixpence, and with less than Four Wheels, the Sum of Three-pence; and for every Horse or other Beast drawing the same, the Sum of Three-pence:

Tolls.

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three-pence:

For every Drove of Oxen, Cows, or other neat Cattle, the Sum of One Shilling *per* Score, and so in proportion for any greater or less Number: And,

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

And that instead of the Tolls by the said recited Acts authorized to be taken at the Gate or Gates, Turnpike or Turnpikes, erected or to be erected at, near, or upon the said Bridge, the following Tolls shall and may, from and after the said Twenty-fourth Day of *June* One thousand eight hundred and five, be demanded and taken thereat by such Person or Persons as the said Trustees, or any Seven or more of them, shall from Time to Time for that Purpose authorize and appoint, before any Person or Persons, Horse or other Cattle, Coach, Waggon, or other Carriage whatsoever, shall be permitted to pass through the same, or any of them; that is to say,

Increasing the Tolls at the Bridge.

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, Hearse, Litter, Waggon, Wain, Cart, or other Carriage whatsoever, with Four

Tolls.

Four

Four Wheels, the Sum of Sixpence, and with less than Four Wheels, the Sum of Three-pence; and for every Horse or other Beast drawing the same, the Sum of Three-pence:

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

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

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

And for every Foot Passenger (other than such as shall *bonâ fide* belong to any Carriage, Beast, or Cattle, chargeable with the Tolls by the said recited Acts and this Act made payable at the said Bridge) the Sum of One Halfpenny:

Which said several Tolls herein-before granted, shall be and the same are hereby vested in the said Trustees, and the same and every Part thereof shall and may be demanded, taken, levied, recovered, and applied in the same Manner, and by the same Ways and Means as the present Tolls are by the said Acts, or either of them, directed to be demanded, taken, levied, recovered, or applied.

For settling
Disputes
concerning
Tolls, &c.

VI. And be it further enacted, That if any Dispute shall happen about the Amount of Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof, until the Amount of the Tolls due, and the Charges of seizing, distraining, keeping, and selling such Distress, shall be ascertained by some Justice of the Peace acting for the County or Place where such Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter on Oath of the Parties, or any credible Witness or Witnesses, and determine the Amount of the Tolls due, and assess the Charges of such Seizure, Distress, Keeping, and Sale, and also of the Collector's Attendance for that Purpose upon the said Justice; all which said Sums so determined or assessed shall be paid to the said Collector or other Person, before he shall be obliged to return any Distress, or the overplus Money after the Sale thereof, or of any Part thereof.

Clauses in
Act of
4 G. 3. for
erecting Side
Gates and
varying
Tolls, re-
pealed.

VII. And whereas by certain Clauses contained in the said recited Act of the Fourth Year of the Reign of His present Majesty, the Trustees appointed or to be appointed in or by virtue of that and the said other recited Act, have no Power to erect any Side Gate other than and except between *Wallingford* and *Reading* aforesaid, or to vary the Tolls thereby granted without the Consent of all the Persons who may have advanced any Money on the Credit of the said Tolls: And whereas the said Clauses have been attended with Inconvenience; be it therefore enacted, That the said several Clauses in the said first-mentioned Act contained, for enabling the said Trustees to erect Side Gates and take Tolls thereat, and to vary the Tolls thereby granted, shall be and the same are hereby respectively repealed.

Power for the
Trustees
to erect Side
Gates in any
Part of the
Road.

VIII. And be it further enacted, That it shall and may be lawful to and for the Trustees appointed or to be appointed in or by virtue of the said recited Acts and this Act, any or either of them, or any Seven or more of them, to erect or cause to be erected One or more Gate or Gates

Bar or Bars, and Toll House or Toll Houses, on the Side or Sides of any Part or Parts of the said Road by the said Acts directed to be repaired, and also across any Lane or Way, leading into or out of the same Road; and there to take and levy, or cause to be taken and levied, such Tolls as are by this Act granted and made payable on the said Part of the said Road between *Wallingford* and *Reading* aforesaid, so as the same do not extend to a double Charge in case of passing through any of the other Turnpikes erected or to be erected on the said last-mentioned Part of the said Road.

IX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, to take down and remove any Toll Gate or Turnpike, and Buildings, erected or to be erected upon or on the Side or Sides of the said Road, or at or near the said Bridge, by virtue of the said recited Acts and this Act, or any of them, and to discontinue the same, or to set up the same again upon or on the Side or Sides of any other Part of the said Road, or upon or near any other Part of the said Bridge; but no such Toll Gate, Turnpike, or Buildings, shall at any Time be taken down or removed to any other Place, unless by Order of Nine Trustees at the least, at a Meeting convened for that Purpose, nor unless Notice in Writing, specifying the Purpose of such Meeting, be affixed upon all the Turnpikes then erected by virtue of the said recited Acts and this Act, any or either of them, and also inserted in some Newspaper circulated in the Neighbourhood of the said Road, at least Fourteen Days before such Meeting.

Power to remove Gates.

X. And be it further enacted, That it shall be lawful for the Trustees appointed or to be appointed in or by virtue of the said recited Acts and this Act, any or either of them, or any Nine or more of them, from Time to Time, at any Meeting to be held for that Purpose, whereof Fourteen Days Notice at least shall be given in Writing, to be affixed on all the Turnpikes which shall be then erected upon the said Road and at the said Bridge, expressing the Intention of making such Reduction, and by Advertisement inserted in some publick Newspaper circulated in the County of *Berks*, to reduce all or any of the Tolls hereby granted, and to order and direct such Tolls so reduced to be collected and received for such Time or Times, and in such Manner, Parts, and Proportions, as they shall think fit, so as such Reduction be with the Consent of the Person or Persons entitled to Three-fourth Parts of the Money then due upon the Credit of the said Tolls; and afterwards to raise the same again, or any Part thereof, so as the same do not exceed the respective Tolls hereinbefore granted; and the said Tolls so reduced, and raised again respectively, shall be collected, recovered, and applied, in the same Manner as the Tolls hereinbefore granted are directed to be collected, recovered, and applied.

Trustees may alter and lessen the Tolls.

XI. And be it further enacted, That none of the Tolls hereby granted and made payable shall be demanded or taken at any of the Gates or Turnpikes erected or to be erected by virtue of the said recited Acts and this Act, any or either of them (other than and except at the Gate or Gates at or near the said Bridge) of any Person or Persons passing through the same with any Horses, Carts, Waggon, or other Carriages, by the said recited Acts exempted from the Tolls thereby granted and made payable

Additional Exemption from Tolls.

[Loc. & Per.]

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able, nor of any Person or Persons residing in any of the Parishes, Townships, or Places, in which the said Road doth lie, who shall pass through the said Turnpikes and Side Gates, any or either of them, in going to or returning from his own Parish Church or other Place of religious Worship, on any Day upon which Divine Service is ordered by Authority to be celebrated, although it be not on a *Sunday*; nor of any Clergyman going to or returning from visiting any sick Person, or attending the Funeral of any deceased Person within his own Parish, or upon any other his Ministerial Duty at his own Parish Church; nor for any Horses, Mares, Geldings, or other Cattle, going to or returning from Work in cultivating the Lands or Grounds in any of the said Parishes or Places; nor for any Horses or Carriages, of whatsoever Description, employed in conveying the Mails of Letters or Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying such Mails or Expresses, or in returning back from conveying the same; nor for any Horses, Carts, or Waggons employed in the Conveyance of Vagrants sent by legal Passes; nor for any Horse, Mare, or Gelding, 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 the Place appointed for and on the Days of Exercise; provided always, that such Persons are 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; nor for the Horses of any Officers or Soldiers on their March or upon Duty, or for any Horses, Cattle, or Carriages, employed in carrying any sick, wounded, or disabled Officers or Soldiers; any Thing in the said recited Acts or this Act contained to the contrary notwithstanding.

Manner of recovering Tolls from Foot Passengers.

XII. And the better to secure the Payment of the Tolls by Foot Passengers at the Gate or Gates, Turnpike or Turnpikes, erected or to be erected at, near, or upon the said Bridge; be it further enacted, That if any Person or Persons on Foot, subject to the Payment of the Tolls by this Act granted, 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 same 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 stop and prevent the Passage of the Person or Persons so neglecting or refusing to pay such Toll, and to take him, her, or them, before any One of His Majesty's Justices of the Peace for the County where the Offence shall be committed, who is hereby empowered and required immediately to enquire into the said Offence; and on the Offence being proved to the Satisfaction of such Justice, to impose on the Party offending a Fine not exceeding Forty Shillings, nor less than Twenty Shillings, to be paid (in the Presence of the said Justice) to the Person or Persons collecting the said Tolls; and on Non-payment thereof to commit such Party to the common Gaol or House of Correction of the said County, there to remain for any Time not exceeding Fourteen Days, unless the said Penalty shall be sooner paid and satisfied.

To prevent evading of the Tolls.

XIII. And whereas the Clauses contained in the said recited Act, passed in the Fourth Year of the Reign of His said Majesty, for preventing

ing Evasions of the Tolls thereby granted, are in some Respects inadequate, be it therefore further enacted, That if any Person or Persons shall pass through or over any Land, Ground, Gate, Lane, Passage, private Way, Towing Path, or Mill Bank, with any Horse, Cattle, or Carriage, to the Intent and whereby the Payment of any of the Tolls hereby granted, or any Part thereof, shall be avoided; or if any Person or Persons shall take off, or cause to be taken off, any Horse or other Cattle from any Carriage drawn on the said Road, either before or after having passed through any Toll Gate, or, having passed through any Toll Gate, shall afterwards add or put any Horse or other Beast to any such Carriage, and draw therewith upon any Part of the said Road, so as to increase the Number of Horses or other Beasts drawing the said Carriage, after the same shall have passed through any or either of the said Toll Gates; or shall ford over the said River, either with or without any Horse, Beast, or Carriage, or shall use any Boat to convey himself or herself, or any other Person or Persons over the said River, within Half a Mile of the said Bridge, or shall get up or down the Side or Sides of any Part of the said Bridge, or over any Gate erected or to be erected at, near, or upon the same, or do any other Act in order or with Intent to avoid the Payment of the said Tolls, or any of them, and for which no Penalty is imposed by the said recited Acts or either of them, such Persons, and every of them, and also every Person who shall permit and suffer himself or herself so to be conveyed or ferrried over the said River as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, nor less than Twenty Shillings.

XIV. And be it further enacted, That upon the Death, Incapacity, absconding, misbehaving, or Absence of any Collector or Receiver of the Tolls hereby granted, or any of them, it shall and may be lawful for any five or more of the said Trustees, although not assembled at a Meeting, to discharge such Collector or Receiver, who shall abscond, misbehave, or become incapable, or absent himself as aforesaid, and to nominate and appoint some other proper Person to be a Collector or Receiver of the said Tolls until the next Meeting of the said Trustees, in the Stead of such Collector or Receiver so dying or being discharged, which Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all Respects, as the Person who shall so die or be discharged would have had or been subject to; and that if any Collector or Receiver of the said Tolls, who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die, abscond, absent himself, or be discharged, or any other Person, shall refuse or neglect to deliver up the Possession of any Toll House or Building, the said Trustees shall and may remove him, her, or them respectively therefrom, in such and the same Manner as is herein-after mentioned respecting the Farmer or Renter of the Tolls.

Trustees to
appoint
temporary
Collectors.

XV. And be it further enacted, That if any Person who shall be the Farmer or Renter of the Tolls by this Act authorized to be collected, shall not pay or cause to be paid to the said Trustees, or their Treasurer for the Time being, the Rent which he or they shall have agreed to give for the same, within the Space of Twenty-one Days next after the several and respective Days on which the same shall become due and payable, it shall

Power to
eject Farmers
of their
Tolls.

shall be lawful for the said Trustees, or any Five or more of them (although not assembled at a Meeting) to nominate and appoint some fit Person to collect and receive the Tolls arising at the Toll Gate of which such Person shall be the Farmer or Renter, until the next Meeting of the said Trustees, which Person so to be nominated and appointed shall have the like Powers, and be accountable in the same Manner, in all Respects, as if he had been appointed a Collector at a Meeting held by virtue of this Act; and if any such Farmer or Renter, or other Person, who shall inhabit the same, shall refuse to deliver up the Possession of the House, Buildings, and Appurtenances, which he enjoyed in Right of his being such Farmer or Renter as aforesaid, for the Space of Ten Days next after Notice of such Appointment shall be given to him, or left for him at the said Toll House, then it shall be lawful for any Justice of the Peace for the County, Town, or Place, wherein such Turnpike shall be situate, by Warrant under his Hand and Seal, to order the Constable, or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House and Premises in the Day-time, and to remove the Persons who shall be found therein, together with their Goods, out of such House and Premises, and to put the new-appointed Officer into the Possession thereof; and then and from thenceforth the Contract or Lease by which the said Tolls shall be rented or holden shall become null and void to all Intents and Purposes whatsoever; and the Sum and Sums of Money which shall have been deposited in the Hands of the said Trustees, or the Treasurer, for the better securing the Payment of the said Rent, and all Interest which shall be then due thereon, shall become forfeited to the said Trustees, and be by them applied to the several Purposes of this Act.

Quarterly Meetings appointed to be held alternately at Wallingford and Reading.

XVI. And be it further enacted, That Meetings of the Trustees of the said Road shall be held annually at *Wallingford*, on the First *Monday* in each of the Months of *January* and *July*, and at *Reading* on the First *Monday* in each of the Months of *April* and *October*; any Thing in the said recited Acts contained to the contrary notwithstanding.

For apportioning the Statute Duty.

XVII. And be it further enacted, That so much of the said recited Act of the Fourth Year of the Reign of His present Majesty, as gives the Power of appointing the Number of Days Work to be done and performed by the respective Inhabitants of the several Parishes, Townships, and Places, from, to, and through which the said Road leads, to the Trustees of the said Road, or any Five or more of them, shall be and the same is hereby repealed; and that, from and after the passing of this Act, it shall be lawful for any Two or more Justices of the Peace acting for the County or Place within which the said respective Parishes, Townships, or Places do lie, and they are hereby required and empowered, upon Application made to them by the said Trustees of the said Road, or any Five or more of them, or by their Clerk or Surveyor, by their Order, from Time to Time to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the said respective Parishes, Townships, or Places, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees, or their Treasurer or Treasurers; and in order thereunto it shall be lawful for such Justices,

Justices, from Time to Time, to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, or Place, to bring in before such Justices at some Time and Place to be expressed in such Summons (not being more than Ten Days after the serving of such Summons) true and perfect Lists of the Names of the several Persons who within such Parish, Township, or Place, are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid, which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force or effect for the Repairs of the publick Highways; and out of such Lists the said Justices shall and may allot, appoint, and order, such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and on such Parts of the said Road, as the said Trustees, or any Five or more of them, or their Surveyor or Surveyors, shall from Time to Time order, direct, or appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time and Times as they the said Justices shall direct; and in Default of Payment thereof the same shall and may be recovered, by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Acts authorized or directed to be recovered; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XVIII. And be it further enacted, That if any Person or Persons shall hale or draw, or cause to be haled or drawn, upon any Part of the said Road, any Tree or Piece of Timber, or any Stone (otherwise than upon wheeled Carriages) or shall suffer any Part of any Tree or Piece of Timber, or Stone, which shall be carried upon wheeled Carriages, to drag upon any Part of the said Road to the Prejudice thereof; or if any Person shall ride upon any Footway or Path adjoining to or made on the Side of any Part of the said Road, or shall drive any Horse, Cattle, or Carriage thereon, or shall cause any Damage to any such Footway, or to any Posts or Rails on the Side of any Part of the said Road; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage upon the said Road, and meeting another Coach, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Side of the said Road; or if any Person shall in any Manner prevent any other Person or Persons from passing him on the said Road, or the Coach, Chaise, Waggon, Cart, or other Carriage, under his Care; or if any Person shall make or assist in making any Fire or Fires, commonly called *Bonfires*, or shall set fire

Penalty on drawing Timber or Stone.

Riding upon Footway.

Drivers of Carriages not keeping on the left side of the Road.

Persons preventing others from passing.

Making Bonfires, or letting off Fireworks; leaving Carriages, Timber, &c. on the Road.

to or let off, or throw any Squib, Rocket, Serpent, or Firework whatsoever, on any Part or Parts of the said Road; or if any Person shall leave any Coach, Waggon, Wain, Cart, or other Carriage in, upon, or on the Side of any Part of the said Road, either with or without any Horse or Beast of Draught harnessed or yoked thereto, longer than may be necessary for the loading or unloading thereof, or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever on any Part of the said Road, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance or Inconvenience of Persons travelling thereon, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, nor less than Twenty Shillings.

Gates to Fields to open inwards.

XIX. And be it further enacted, That all Gates to be hereafter made and placed in any Field or Ground adjoining to the said Road, shall be made and hung so as to open inwards towards such Field or Ground, and not outwards towards the said Road; and that it shall be lawful for any Five or more of the Trustees appointed or to be appointed in or by virtue of the said recited Acts and this Act, any or either of them, to cause all such Gates as are now erected, and open outwards towards the said Road, to be altered and made to open inwards, as they the said Trustees shall think proper.

Gatekeepers Witnesses.

XX. 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, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, or any Five or more of them, shall not be thereby rendered or deemed incompetent to give Evidence in any such Dispute, Suit, or Litigation.

Officers may distrain, and be Witnesses.

XXI. And be it further enacted, That where it shall be necessary to distrain for the Recovery of the Tolls authorized to be collected by this Act, such Distress shall and may be made or taken by the Person or Persons appointed to collect the said Tolls, or by any Surveyor of the said Road, or by any other Person or Persons who shall be for that Purpose appointed by them or either of them, or called on to assist; and that in case any Dispute, Litigation, or Suit, shall arise, or be had or prosecuted touching or concerning any such Distress, or the Prosecution thereof, or concerning the Non-payment of the said Tolls, any such Surveyor, Collector, or other Person or Persons shall not by Reason thereof be incompetent to prove the Legality of the Distress, the Non-payment of such Tolls, or to give any other Proof or Evidence concerning the Premises.

For securing transient Offenders.

XXII. And whereas Offences may be committed against this Act by Persons unknown to the Collectors, Surveyors, or other Officers appointed to put this Act in Execution; be it therefore enacted, That it shall be lawful for any of the said Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any unknown Person who shall commit any such Offence, and take him or her before any Justice of the Peace for the County or Place, or near to the Place where the Offence or Offences shall

be committed, and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige such Person so offending to give Security for his or her Appearance at the next Petty Sessions to be holden within and for the County or District in which such Offence shall have been committed, to answer the said Complaint; and the Justices present at such Petty Sessions, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the said Complaint in a summary Way; and upon Conviction of the Offender, either by the Justice before whom he or she shall be first taken, or by the Justices at such Petty Sessions as aforesaid, it shall be lawful for the said Justice or Justices respectively to commit him or her to the Common Gaol or House of Correction of the same County or District, there to remain for any Time not exceeding Twenty-one Days, unless he or she shall sooner pay the Penalty by him or her incurred for such Offence, together with the Costs and Charges attending the Conviction and Commitment; but if upon the hearing of the Matter of the said Complaint, it shall appear to such Justice or Justices that there was no just Cause for the seizing or detaining any such Person, then and in every such Case it shall be lawful for such Justice or Justices, and he and they is and are hereby required (upon the Request of the Person who shall have been so seized or detained) by Writing under his or their Hand or Hands, to order and direct the Person or Persons seizing or detaining to pay to the Person so seized or detained, as a Compensation for his or her unjust Seizure or Detainer, any Sum of Money not exceeding Forty Shillings, as the said Justice or Justices shall in his or their Discretion think proper; and if the Sum so ordered shall not be forthwith paid, the same shall and may be recovered in the same Manner as Penalties and Forfeitures (touching which no particular Provision is made) are by the said recited Act of the Fourth Year of the Reign of His present Majesty directed to be recovered: Provided nevertheless, that nothing herein contained shall prejudice or affect the Right of Action of any Person for any unjust or illegal Seizure or Detainer of his or her Person as aforesaid, in case he or she shall not request the said Justice or Justices to order Compensation for the same in Manner herein-before directed.

XXIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased; taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity as herein mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the said Trustees, 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 Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Heredi-

Application
of Compensation
where
exceeding
200^l

Hereditaments standing settled therewith, to the same or the like Uses, 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 Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement was made.

Application where the Compensation does not exceed 200*l.* nor less than 20*l.*

XXIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid; shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his or her Guardian or Guardians, Committee or Committees, in case of Lunacy or Infancy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner 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 five or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner 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.

Application where the Money is less than 20*l.*

XXV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of this Act, as the said Trustees, or any five or more of them, shall think fit; or in any case of

Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

XXVI. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or any Five or more of them, or shall refuse to execute such Conveyance or Conveyances; or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account. to the Credit of the Parties interested in the said Lands or Hereditaments [*describing them*] subject to the Order, Controul, and Disposition of the said Court, 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 said Court shall seem meet, to order the same to be laid out and invested in the publick Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest, of the Person or Persons making 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, 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, or if Persons cannot be found, Purchase Money to be paid into the Bank.

Subject to Order of the Court of Chancery.

XXVII. 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 Lands or Hereditaments, or of any Estate, Right, or Interest, in any Lands or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands or Hereditaments, according to such Possession, until the contrary shall be shewn 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, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some

Where any Question shall arise touching such Money the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase shall be deemed entitled thereto.

other Person or Persons was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

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

XXVIII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands 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, and to be applied in the Purchase of other Lands, and 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 Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Upon Payment of Purchase Money, Conveyances to be executed.

XXIX. And be it further enacted, That upon Payment of such Sum or Sums of Money so to be agreed on, or adjudged or awarded by the Jury to be paid for the Purchase of the said Lands or Grounds, or any Part thereof, the Person or Persons entitled thereto shall make and execute, or cause to be made and executed proper and effectual Conveyances, Surrenders, Assignments, and Assurances in the Law to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint, of the said Premises, for which such Sum or Sums of Money was or were so awarded or adjudged to be paid, and shall do all Acts, Matters, and Things necessary or requisite to make a good, clear, and perfect Title thereunto; and such Conveyances, Surrenders, Assignments, and Assurances, shall contain such usual and reasonable Covenants as shall on Behalf of the said Trustees be required.

When Bridge impassable, a Ferry to be provided.

XXX. And be it further enacted, That in case the said Bridge shall at any Time become impassable or unsafe for Travellers or Carriages, the said Trustees, or any Seven or more of them, shall and they are hereby required to cause the same to be forthwith rebuilt or repaired; and made safe and commodious for the Passage of Travellers and Carriages; and it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby required, during all such Time as the said Bridge shall be impassable or unsafe as aforesaid, to provide a proper and convenient Ferry for the Passage of Travellers, Cattle, and Carriages, over the said River, as near to the said Bridge as conveniently may be, and it shall be lawful for such Person or Persons as the said Trustees, or any Seven or more of them, shall appoint for that Purpose, to demand, collect, and receive for the Passage of such Travellers, Cattle, and Carriages, in and over the said Ferry, before they shall respectively be permitted to pass, the like Tolls as are hereby authorized to be taken for passing over the said Bridge; any Thing in the said recited Acts or this Act contained to the contrary thereof notwithstanding.

Meetings on Emergencies.

XXXI. And be it further enacted, That if after any Adjournment of the said Trustees, it shall be thought necessary that an earlier Day of Meeting should be appointed than that Day to which such Meeting shall have

have been adjourned, the Clerk to the said Trustees, by an Order in Writing, signed by any Five or more of them, although not assembled at a Meeting, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof, and of the Time and Place which shall be mentioned in the said Order (such Time being not less than Fourteen Days after such Notice) and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at such Meeting shall be as valid as they would have been in case the Trustees had met in pursuance of an Adjournment.

XXXII. Provided always, and be it further enacted, That, from and after the passing of this Act, no Order made by any Seven or more of the Trustees of the said Road at a Meeting, shall be revoked or altered at any subsequent Meeting unless Eleven Trustees at least shall be then present, and Seven or more of them shall concur therein, nor unless Fourteen Days Notice of the Time and Place of holding such subsequent Meeting, and of the Intent and Purpose then and there of considering such former Order, and, if found expedient, of revoking or altering the same, shall be given by the Clerk in some Newspaper circulated in the County of *Berks*, and by affixing the like Notice on all the Turnpikes then erected upon the said Road.

No Order to be revoked without Seven Trustees at a Meeting, of which publick Notice shall be given.

XXXIII. And whereas by a Clause in the said recited Act of the Twenty-fourth Year of the Reign of His said Majesty, it was enacted, That no Appointment of any Clerk, Treasurer, or Surveyor, should take Place or be valid unless previous Notice thereof should be given, and the Consent of the several Persons entitled to Three-fourth Parts of the Money due on the Credit of the said recited Acts, obtained in Manner therein mentioned: And whereas it is expedient that the said Clause should be repealed; be it therefore enacted, That the same Clause, and every Part thereof, shall, from and immediately after the passing of this Act, be and the same is hereby accordingly repealed.

Clause in Act 24 G. 3. respecting the Appointment of Officers, repealed.

XXXIV. Provided nevertheless, and it is hereby further enacted, That, from and after the passing of this Act, no Appointment of any Clerk, Treasurer, Surveyor, or other Officer, under or by virtue of the said recited Acts and this Act, any or either of them, shall take place or be valid unless Notice in Writing, specifying the particular Intention, be given of a Meeting to be held for that Purpose, by affixing the same on all the Turnpikes then erected across the said Road, and also inserted in some Newspaper circulated in the Neighbourhood of the said Road, at least Fourteen Days before any such Meeting.

Clerk, Treasurer, or Surveyor, not to be elected without publick Notice.

XXXV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, if they shall see Cause, to pay and apply such Part, not exceeding One Moiety of any Penalties, Forfeitures, and Fines, by the said recited Acts and this Act, any or either of them, inflicted or authorized to be imposed (other than and except such as by the said Acts, or any of them, are otherwise particularly directed to be applied) to and for the Use of the Informer or Informers, or any Person or Persons taking or seizing, or assisting therein; any Thing in the said recited Acts or this Act contained to the contrary notwithstanding.

Trustees may reward Informers.

XXXVI. And

For Payment
of the Ex-
pences of this
Act.

XXXVI. And be it further enacted, That all Charges and Expences incident to or attending the obtaining and passing of this Act, shall be paid out of any Money already collected and received by virtue of the said recited Acts, or either of them, or out of the first Monies to be collected and received by virtue of the said recited Acts and this Act, in preference to all other Payments whatsoever.

Publick Act.

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

Term and
Continuance
of the Act.

XXXVIII. And be it further enacted, That the said recited Acts (subject to the Alterations, Additions, and Amendments, in this Act contained) and this Act, shall continue and be in force, and be executed for and during the Residue now to come of the Term granted and continued by the said recited Acts, and from the Expiration thereof for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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