



ANNO DECIMO

GEORGII IV. REGIS.

Cap. xlv.

An Act for raising Money to defray the Expences
of rebuilding *Marlow Bridge*. [14th May 1829.]

WHEREAS the present Bridge across the River *Thames*,
between the Parish of *Great Marlow* in the County of
Buckingham and the Parish of *Bisham* in the County of
Berks, is in a very decayed and dangerous State: And whereas Four
Fifth Parts of the said Bridge are situate in the County of *Buckingham*,
and the other One Fifth Part thereof is situate in the said County of
Berks: And whereas an Information against the Inhabitants of the
said County of *Buckingham*, for not keeping Part of the said Bridge
in repair, was lately tried in His Majesty's Court of King's Bench at
Westminster, and they were thereupon found liable to repair the Part
thereof which is situate in the said County: And whereas the Inhabi-
tants of the County of *Berks* have admitted their Liability to maintain
the said One Fifth Part of the said Bridge which is situate in the said
County of *Berks*: And whereas if a new Bridge were erected across
the said River in lieu of the present Bridge, at a short Distance to
the Westward thereof, it would afford the Means of shortening the
Turnpike Road leading through *Marlow* and *Bisham* aforesaid, and
be in other respects more convenient to the Public: And whereas
His Majesty's Justices of the Peace acting in and for the said Counties
respectively, assembled at their respective Quarter Sessions, have
resolved and agreed that it is impracticable or inexpedient to repair
the said present Bridge, and that a new Bridge shall be erected as
aforesaid, and that the same shall from Time to Time be repaired and

[*Local.*]

13 B

maintained

maintained at the Costs and Charges of the said Two Counties respectively, in the same Proportions as aforesaid; (*videlicet*,) Four Fifth Parts thereof by the said County of *Buckingham*, and One Fifth Part thereof by the said County of *Berks*: And whereas the Expences of keeping in repair the said present Bridge, and also the former Bridge heretofore standing in or near to the Site of such present Bridge, have for Two Centuries last past been paid out of the Rents and Profits of certain Lands and Hereditaments situate in *Great Marlow* aforesaid, which are described in the First Schedule to this Act, and are now received and applied by Sir *William Clayton* of *Harleyford House* in the said Parish of *Great Marlow*, Baronet, *Thomas Wethered* of *Great Marlow* aforesaid, Brewer, and *Thomas Rolls* of the same Place, Coal Merchant, the present Bridgewardens: And whereas it cannot be discovered by whom or to whom the Rents and Profits of the said Hereditaments, except certain small Rents, were given, devised, or assured for the Purpose of being appropriated to the Repairs of the said Bridge, or in what Manner the said Office of Bridgewarden was created, but Vacancies in the said Office have been from Time to Time supplied by the Appointment of the Inhabitants of the Town and Parish of *Great Marlow* aforesaid in Vestry assembled; and it is not known in whom the legal Estate in the said Hereditaments is or may be vested; nevertheless the Rents, Issues, and Profits of the said Hereditaments have been during such Period as aforesaid constantly from Time to Time received by the Bridgewardens for the Time being, and applied by them for and towards the Repairs of the Bridge called *Marlow Bridge*: And whereas the said Rents and Profits are insufficient for the Purpose of repairing the said Bridge, or of erecting a new Bridge in lieu thereof; and the Expences of completing a new Bridge, and of making proper Approaches thereto, will considerably exceed in Amount the Value of the said Lands and Hereditaments; and the said Bridgewardens are desirous of relinquishing their Trust, and are willing that the said Hereditaments should be sold, and that the Money produced by the Sale thereof should be applied towards and in part Payment of such Expences, in manner herein-after mentioned: And whereas the Payment of the Residue of such Expences out of the County Rates of the said Counties of *Buckingham* and *Berks* respectively, in the Proportions herein-before set forth, will, if levied and raised within the current Year of such Expenditure, be a heavy Burthen on the present Occupiers of Lands and Tenements, and other Contributors to the County Rates of the said Counties respectively, and it is therefore expedient that the Justices of the Peace in and for the said Counties respectively, present at any General Quarter Session for the said Counties respectively, should be empowered to raise the same in manner herein-after mentioned: 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 from and immediately after the passing of this Act all the said Lands, Rents, and Hereditaments situate, lying, and being and arising in the said Parish of *Great Marlow*, and more particularly mentioned and described in the said First Schedule to this Act annexed, with their

Estates in
1st Schedule
vested in the
Clerk of the
Peace for the
Time being of
the County

and every of their Rights, Members, and Appurtenances, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits thereof, shall be and the same are hereby absolutely vested in the Clerk of the Peace of the said County of *Buckingham* for the Time being, and his Successors, (who shall be and are hereby made a Body Corporate for the Purposes of this Act,) freed and absolutely discharged of and from all Estates, Uses, Trusts, Powers, Provisoos, Charges, and Incumbrances whatsoever, save and except any Lease or Leases or Agreement for any Lease or Leases which has or have been granted or entered into for the same Premises or any Part thereof; but nevertheless in Trust that the said Clerk of the Peace for the Time being do and shall, as soon as conveniently may be after the passing of this Act, make Sale and dispose of the said Lands, Rents, and other Hereditaments hereby vested in him as aforesaid, either together or in Parcels, and either by public Auction or private Contract, unto any Person or Persons who shall be willing to become the Purchaser or Purchasers thereof, for the most Money that can be reasonably had or gotten for the same; and upon this further Trust, that upon Payment to him of the Purchase Money for which the same Hereditaments or any Part or Parts thereof shall be so sold, the said Clerk of the Peace shall and he is hereby authorized and required to convey and assure the said Hereditaments, and the absolute Inheritance thereof in Fee Simple, unto and to the Use of the Purchaser or Purchasers thereof, his, her, or their Heirs and Assigns, or as he, she, or they shall direct or appoint, freed and discharged as herein-before mentioned; and from and after the passing of this Act the said Bridgewardens shall for ever stand and be exonerated and discharged from the Trusts and Duties of their said Office, and from all Liabilities incurred in the Execution thereof.

of Bucks,
upon Trust
to sell.

II. And be it further enacted, That the Receipt or Receipts of the Clerk of the Peace of the said County of *Buckingham* for the Time being for any Purchase Monies, or the Rents or Profits of the said Hereditaments which now are or which shall become due previous to the Sale thereof respectively, or other Sum or Sums of Money payable unto them or him by virtue of this Act, shall be a sufficient and effectual Discharge or sufficient and effectual Discharges for the Money in such Receipt or Receipts expressed or acknowledged to be received; and the Purchaser or Purchasers or other Person or Persons to whom the same respectively shall be given shall not afterwards be answerable or accountable for the Misapplication or Nonapplication, or be in anywise obliged or concerned to see to the Application, of the Money in such Receipt or Receipts expressed or acknowledged to be received.

Receipts of
the Clerk of
the Peace to
be effectual
Discharges.

III. And be it further enacted, That all Conveyances to be made by the Clerk of the Peace for the said County of *Buckingham*, under or by virtue or in pursuance of the several Powers and Authorities to him hereby given, may be made according to the following Form; *videlicet*:

Form of Con-
veyance.

‘ I *A. B.*, the Clerk of the Peace for the County of *Buckingham*, in
‘ consideration of the Sum of _____ of lawful Money
‘ of *Great Britain* to me paid by *C. D.* of _____ do
‘ hereby,

‘ hereby, by virtue of the Powers contained in an Act passed in the
 ‘ Tenth Year of the Reign of His Majesty King *George* the Fourth,
 ‘ intituled *An Act* [*here set forth the Title of this Act*], grant and
 ‘ release to the said *C. D.* all [*describing the Premises to be conveyed*],
 ‘ and all my Right, Title, and Interest in and to the same and every
 ‘ Part thereof, to hold to the said *C. D.*, his Heirs and Assigns, to the
 ‘ Use of the said *C. D.*, his Heirs and Assigns, for ever [*or to such*
 ‘ *Uses as the Purchaser may desire*]. In witness whereof I the said
 ‘ *A. B.*, the Clerk of the Peace for the said County of *Buckingham*,
 ‘ have hereunto set my Hand and Seal, this Day of

Application
of the Pur-
chase Money
and Rents.

IV. And be it further enacted, That the Monies to arise by such Sale or Sales of the said Lands, Rents, and Hereditaments, and to be received in respect of the Rents and Profits thereof until the same shall respectively be sold, shall be applied in the first place in Payment of all Demands upon the said Bridgewards in respect of their said Office, and of the Costs and Expences of such Sale or Sales so incurred in or about the same; and in the next place, in the Payment of the Costs and Expences of obtaining and passing this Act, together with legal Interest for the same, and also of the Meetings, Surveys, Plans, and Estimates, and all other Costs and Expences of or in anywise incident or relating to this Act, or the Preparations of Contracts for building the said new Bridge; and the Residue of such Monies shall be applied in or towards Payment of the Expences of erecting or completing the said new Bridge and making the Approaches thereto, in such Manner as the Justices of the Peace in and for the Counties of *Buckingham* and *Berks* respectively present at their respective General or Quarter Sessions, or any Adjournment thereof, or as to Four Fifth Parts thereof as such Justices for the said County of *Buckingham*, and as to the other One Fifth Part thereof as such Justices for the said County of *Berks*, shall direct.

Materials of
the present
Bridge to be
sold, and the
Produce ap-
plied towards
the Expences
of the new
Bridge.

V. And be it further enacted, That when and so soon as such new Bridge shall be passable by Horses, Cattle, and Carriages, it shall be lawful for the said Justices of the Peace in Quarter Sessions assembled of the respective Counties of *Buckingham* and *Berks*, and they are hereby respectively empowered, to pull down and remove, or cause to be pulled down and removed, the Parts which are in their respective Counties as aforesaid of the said present Bridge called *Marlow Bridge*, and the Works belonging thereto, and to sell or cause to be sold the Materials of the said Bridge and Works, either before or after the same shall be pulled down and removed as aforesaid, and also so much and such Parts of the Approaches to the said Bridge as shall in the Opinion of the said Justices be useless and unnecessary; and the Monies to be produced by the Sale thereof (after deducting the Expences of pulling down and removing the said Bridge and Works, and of such Sale and Sales,) shall be applied and disposed of towards Payment of the Expences of erecting a new Bridge in manner aforesaid: Provided always, that the said Justices for the County of *Buckingham* shall and they are hereby required to leave a free open Way of Twenty Feet at the least in Width to the said River on the North Side thereof.

Proviso as
to Way on
North Side.

VI. Pro-

VI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to enable the Magistrates of the County of *Buckingham* to shut up, alter, or affect any of the Approaches at the North End of the present Bridge.

Not to shut up Approaches at North End of Bridge.

VII. And be it further enacted, That, in order to defray their respective Proportions of the Residue of the Expences aforesaid, it shall be lawful for the Justices of the Peace in and for the said Counties respectively, at their General or Quarter Sessions, to assess and tax a special County Rate or Rates on all Places liable to contribute to the County Rate of the same, and which said special County Rate shall be collected, levied, and received in like Manner, and by such Ways and Means, and under such Penalties, as any ordinary County Rate may by Law be collected, levied, and recovered.

Justices of each County to make Rates for defraying the Residue of the Expences.

VIII. And be it further enacted, That it shall be lawful for the said Justices of the Peace assembled in their respective Quarter Sessions as aforesaid from Time to Time to borrow and take up on Mortgage of the County Rates of the said Counties respectively any Sum or Sums of Money, at legal or lower Interest, as to them, or to the major Part of them (such major Part not being less than Five), shall seem necessary and expedient for the Purposes aforesaid, and to secure all and every such Sum and Sums of Money so borrowed upon the Credit of the Rates to be raised upon such County respectively by Instruments in the Form contained in the Second Schedule hereunto annexed, or to that or the like Effect; and the said Justices so assembled as aforesaid are hereby authorized to treat and agree with any Person or Persons for the Loan of any such Sum or Sums of Money, and by their Order to confirm and establish every such Agreement as aforesaid; and every such Agreement so established by such Order, and signed by the Chairman and Two or more Justices present at the Time of making such Order, shall be and the same is hereby declared to be effectual for securing to the Person or Persons so advancing any Sum or Sums of Money, his, her, or their Executors, Administrators, and Assigns, all and every such Sum and Sums of Money, with Interest for the same on such Terms as in and by such Agreement respectively shall be for that Purpose stipulated; and the said Securities shall be numbered in Order of Succession in which they shall be granted, and Copies or Extracts of all such Agreements or Securities shall be kept with the Clerk of the Peace or other proper Officer having the Custody of the Records of the Quarter Sessions of such County respectively; and all and every Person and Persons to whom any such Security or Securities shall be made, or who shall be entitled to the Money thereby secured, is and are hereby empowered (by indorsing his, her, or their Name or Names on the Back of such Security or Securities,) to transfer and assign the same, and his, her, or their Rights to the Principal Money and Interest thereby secured, unto any Person or Persons; and every such Assignee may in like Manner transfer the same again, and so *toties quoties*; and the Person or Persons to whom such Security or Securities or any such Assignment thereof shall be made, and his, her, or their respective Executors, Administrators, and Assigns, shall be Creditors upon the said Rates

Justices may borrow Money on Mortgage of the Rates.

in an equal Degree one with another, and shall not have any Preference with respect to the Priority of any Monies so advanced.

County Rates to be charged with Interest, and with a Sum to be applied in discharge of the Principal.

Accounts to be kept by the Clerk of the Peace.

IX. And be it further enacted, That the said Justices are hereby authorized and required, not only to charge the Rates to be raised upon such Counties respectively with the Interest of the Money so borrowed on such Securities, but also with the Payment of a further Sum, equal at least with the Sum so charged for the Interest of such Securities, which said Sum shall be paid and applied, under the Direction of the said Justices, in discharge of the Interest and of so many of the Principal Sums on the said Securities as such Money will extend to discharge in each Year, until the whole of the Money for which such Securities shall be made, and the Interest thereof, shall be fully paid and discharged; and the said Justices are required, at the *Epiphany* General Quarter Sessions of the Peace for the said Counties respectively in every Year, to make Orders for Assessments in due Time, so as to provide for the regular Payment thereof; and an exact and regular Account of all the Receipts and Payments under the Authority of this Act shall be kept in a Book or Books separate and apart from all other Accounts by the Clerk of the Peace for each of the said Counties, in such Manner that it may easily be seen what Interest is growing, and what Principal Money has been discharged, and what remains due; and the said Book or Books shall be delivered into Court at the *Easter* General Quarter Session to be held for each such County respectively in every Year; and the said Justices are hereby respectively required at every such Session carefully to inspect all such Accounts, and to make Orders for carrying the several Purposes of this Act into execution, in such Manner as to them shall seem meet; and the said Justices shall at such *Easter* General Quarter Session of the Peace to be holden for such Counties respectively (of which Fourteen Days public Notice shall be given as aforesaid), in open Court, cause all the said several Securities to be drawn by Lot, and numbered for Payment according to the Event of such drawing; and the Securities so drawn and numbered shall be regularly discharged in Succession according to the Priority of such drawn Number.

Justices to make Provision for repaying the Money borrowed.

X. Provided always, and be it further enacted, That the said Justices of the Peace in their respective Quarter Sessions shall and they are hereby required to make Provisions by means of the Rates (which they are hereby authorized to make), and by their Orders and Directions (which they are hereby authorized to give), in such Manner that the whole Money to be borrowed under the Authority of this Act shall be fully paid and discharged within a Time to be limited, not exceeding Fourteen Years from the Time of borrowing the same.

Bridge to be maintained by the Counties of Bucks and Berks.

XI. And be it further enacted, That the said new Bridge and every Part thereof shall for ever after be repaired and maintained at the Costs and Charges of the said Two Counties respectively in the Proportions of Four Fifth Parts thereof by the said County of *Buckingham* and One Fifth Part thereof by the said County of *Berks*.

XII. Pro-

XII. Provided always, and be it further enacted, That no Action or Suit shall be brought or prosecuted against any Person or Persons for any thing done in pursuance of this Act, after Four Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then after Four Calendar Months after the doing or committing such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the County or Place where the Matter in dispute shall arise, and not elsewhere; and the Defendant or Defendants in every such Action and Suit shall and may, at his, her, and their Election, plead specially or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to be so done, or 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 shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury or Juries shall find for the Defendant or Defendants.

Limitation of
Actions

XIII. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act unless Notice in Writing shall have been given to the Defendant or Defendants, or left at his, her, or their last or usual Place or Places of Abode, 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 or Plaintiffs recover if Tender of good and sufficient Amends shall have been made to him, her, or them, or his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought, nor if such Tender of Amends shall be made at any Time after such Action brought and before the Trial thereof, with Costs of Suit to the Time of such last-mentioned Tender; but on Proof of such Tender on any Trial to be had in such Action, the Plaintiff or Plaintiffs shall be nonsuited and shall pay full Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; or in case no Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court wherein any such Action shall depend, 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 had, 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 No-
tice, or after
Tender of
Amends.

XIV. 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.

Public Act.

The FIRST SCHEDULE referred to in this Act.

	£	s.	d.
A Piece of Arable Land called Bridge Acre, situate near Munt's Wood in the Parish of Great Marlow, containing Two Roods and Thirty-two Perches, or thereabouts, now in the Occupation of William Ayres, Tenant at Will, at the annual Rent of - - - - -	1	10	0
An Orchard, situate near Gun Lane within the Borough of Great Marlow, containing One Acre One Rood and Six Perches, now in the Occupation of William Hoare, Tenant at Will, at the annual Rent of - - - - -	10	0	0
A Wheeler's Shop, situate in Chapel Street in the Borough of Great Marlow, in the Occupation of Joseph Green, Tenant at Will, at the annual Rent of - - - - -	3	0	0
A Blacksmith's Shop, situate in Chapel Street in the Borough of Great Marlow, in the Occupation of Thomas Meakes, Tenant at Will, at the annual Rent of - - - - -	3	10	0
Two several small Pieces of Arable Land, situate in Marefield in the Parish of Great Marlow, videlicet; Gravel Pit Acre, One Rood and Twenty Perches, and another Piece containing One Rood and Sixteen Perches, now in the Occupation of James East and Richard East, as Tenants at Will, at the annual Rent of - - - - -	1	0	0
A Piece of Land, situate in the Borough of Great Marlow, containing about Twenty-three Poles, whereon a Messuage in the Occupation of John Hammerton formerly stood, and on which a small Part of the Market House now stands, situate at the Top of the High Street near the Market Place, containing at the South-east End thereof Twenty-three Feet Three Inches in Width, at the West End thereof Twenty-nine Feet Six Inches, and in Length One hundred and ninety-two Feet; held on Lease by Owen Williams, Esquire, for the Term of Ninety-nine Years from Michaelmas Day 1801 - - - - -	4	0	0
A Piece of Meadow Land called Holly Bush Acre, containing One Acre and Fourteen Perches, and a Piece of Meadow Land called Well Close, containing, together with the Garden herein-after mentioned, One Acre Two Roods and Twenty-six Perches, adjoining to West Street in the Borough of Great Marlow; a Close of Arable Land called Forty Green Close, containing One Acre Two Roods and Nine Perches; and a Piece of Arable Land, situate in Marefield in the Parish of Great Marlow, containing One Rood and Sixteen Perches; held on Lease for Twenty-one Years from Michaelmas 1827 by Thomas Wethered, Esquire, subject to a Proviso for determining the said Term in the Event of Sale by the Bridgewardens, their Successors or Assigns, at the annual Rent of - - - - -	18	0	0
Carried forward - - - £	41	0	0

	£	s.	d.
Brought forward - - - -	41	0	0
A small Piece of Garden Ground, heretofore Part of Well Close aforesaid, in the Occupation of Mrs. Hammond or her Under-tenants, at the yearly Rent of - - - -	2	2	0
Two Pieces of Arable Land, containing together Two Acres or thereabouts, situate in the Common Field of Great Marlow, in the Occupation of Jeremiah Goldswain, Tenant at Will, at the annual Rent of - - - -	3	0	0
A Rent-charge granted by the late Thomas Williams, Esquire, for ever, and issuing out of and chargeable upon a Piece of Ground whereon Two Messuages formerly stood, in the Occupation of Charles Mayor and Richard Poole, and on a Piece of Land whereon formerly stood a Cottage, in the Occupation of Thomas Allum, all situate near the Market Place in Great Marlow, amounting to the annual Sum of - - - -	2	10	0
A Rent-charge granted under the Will of Thomas Drew, chargeable upon certain Messuages situate within the Borough of Great Marlow, devised by him to John Norbury, and now the Property of Owen Williams, Esquire, amounting to the annual Sum of - - - -	4	0	0
An annual Rent-charge, payable by Owen Williams, Esquire, in respect of Rogers Close in the Parish of Great Marlow -	0	0	2
A small Slip of Ground lying near the Bridge of Great Marlow, containing about Five Yards, in the Occupation of Mr. Rolls, Tenant at Will, at the annual Rent of - - - -	0	5	0
	£	52	17 2

The SECOND SCHEDULE referred to by this Act.

Form of Mortgage and Charge upon the County Rates for securing the Money borrowed.

WE of His Majesty's Justices
of the Peace of the County, et cetera of holden at
the Day of
and Two other of His Majesty's
Justices of the Peace acting for the said County, et cetera, and assembled in the
said Court, in pursuance of the Powers to us given by an Act passed in the Tenth
Year of the Reign of His Majesty King George the Fourth, intituled *An Act*
do hereby, in open Court, mortgage
and charge all the Rates to be raised within the said County of
under the Description of County Rates, with the Payment of the Sum of
which of
hath proposed and agreed to lend, and hath now actually advanced and paid,
towards defraying the Expences of building Marlow Bridge; and we do hereby
confirm and establish the same unto the said , his
Executors, Administrators, and Assigns, for securing the Repayment of the said
Sum of and Interest for the same after the Rate of
per Centum per Annum, and do order the Treasurer for such
County, et cetera, or other Person to pay the Interest of the said
Sum of half-yearly, as the same shall become due,
until the Principal shall be discharged pursuant to the Directions of the said
Act.

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