ANNO TRICESIMO QUINTO

Georgii III. Regis.

* *

CAP. LXXIX.

An Act for amending an Act, paſſed in the Twenty-firſt Year of the Reign of His preſent Majeſty, intituled, *An Act for building a Bridge over the River* Thames, *at the Town of* Henley-upon-Thames, *in the County of* Oxford, *and making commodious Avenues thereto; for widening ſome Part of the High Street, and the Market Place; for lighting and watching; for regulating the Foot-ways in, and removing Nuiſances, Obſtructions, and Annoyances from, the ſaid Town*, ſo far as the ſame relates to widening ſome Part of the High Street and Market Place; for lighting and watching; for regulating the Footways in, and removing Nuiſances, Obſtructions, and Annoyances from, the ſaid Town. [19th *May* 1795.]

Preamble. Act 21 *Geo.* III, recited.



HEREAS an Act was paſſed in the Twenty-firſt Year of the Reign of His preſent Majeſty, intituled, *An Act for building a Bridge over the River* Thames, *at the Town of* Henley-upon-Thames, *in the County of* Oxford; *and making commodious Avenues thereto; for widening ſome Part of the High Street, and the Market Place; for lighting and watching; for regulating the Footways in, and removing Nuiſances, Obſtructions, and Annoyances from, the ſaid Town:* And whereas by the ſaid Act the Mayor, Aldermen, Bridgemen, and Burgeſſes, of the ſaid Town, were authorized and empowered to take down and remove a certain Building called *The Old Market Houſe*, and certain Buildings called *The Middle Row*, in the ſaid Act particularly ſpecified, conſiſting (amongſt other Premiſes) of a Common Gaol and Guildhall, belonging to the ſaid Mayor, Aldermen, Bridgemen, and Burgeſſes: And whereas ſince the paſſing of the ſaid Act the ſaid Building called *The Old Market Houſe* hath been taken down, but no new one hath yet been built in the Stead thereof; and the ſaid Gaol and Guildhall have alſo been taken down, and were by them intended to be rebuilt on the Scite of the old ones: And whereas it would greatly tend to the Benefit and Advantage of the ſaid Town, as well as to the Improvement and Ornament of the ſame, to have a new Market Houſe, with a Common Gaol and other Offices, erected at the Weſt End of the Market Place in the ſaid Town, in Part on and near the Scite of the old Market Houſe, and to have a Guildhall, Council Chamber, and other Offices, erected over the ſame; but as it may be found expedient to erect ſuch new Market Houſe, Common Gaol, and other Offices, in Part on the Land of Perſons under ſome legal Incapacity to ſell and convey the ſame to the ſaid Mayor, Aldermen, Bridgemen, and Burgeſſes, the ſame cannot be effected without the Aid of Parliament: And whereas by the ſaid recited Act a Penalty of Ten Shillings is to be inflicted and paid to the ſaid Mayor, Aldermen, Bridgemen, and Burgeſſes, for certain Offences in the ſaid Act particularly ſpecified, and which in ſome Inſtances is ſevere and heavy, as no Power is by the ſaid Act given to the Magiſtrates to mitigate the ſame; and the Manner of Recovery and Application of the ſaid Penalty hath been found inconvenient; and the ſaid Act in other Reſpects requires amending: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the Corporation of the ſaid Town of *Henley-upon-Thames*, being and conſiſting of the Mayor, Aldermen, Bridgemen, and Burgeſſes thereof, for the Time being, with the High Steward and Recorder of the ſaid Town for the Time being, and their Succeſſors, who are hereby appointed Commiſſioners, or for the major Part of ſuch of them as ſhall attend at any Meeting to be aſſembled for that Purpoſe, provided ſuch Meeting conſiſt of Fourteen Perſons at the leaſt, to carry this, as well as the ſaid recited Act, into Execution.

Commiſſioners.

For purchaſing Land for the Scite of the

II. And be it further enacted, That if, in the erecting of a new Market Houſe, with a Common Gaol, Guildhall, Council Chamber, and

other Offices, as before mentioned, it ſhall be, by the ſaid Corporation, judged neceſſary or expedient to erect the ſame, or any Part thereof, upon the Scite of the old Market Houſe, and upon Part of the Waſte Land of the ſaid Manor of *Henley*, it ſhall be lawful for the ſaid Corporation to treat, contract, and agree, with the Perſon or Perſons intereſted in the Scite of the ſaid old Market Houſe, and in ſuch Waſte Land, for the Purchaſe of ſo much of the Scite of the ſaid old Market Houſe, and of ſuch Waſte Land as ſhall by them be deemed requiſite for the erecting of the ſaid ſeveral Buildings and Offices; and it ſhall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, and Adminiſtrators, Guardians, Committees, or other Truſtees whatſoever, on Behalf of any Infants, Femes Covert, Lunaticks, Idiots, or Ceſtuique Truſts, and for all and every Perſon and Perſons whomſoever, who are or ſhall be poſſeſſed of or intereſted in the ſaid Scite of the old Market Houſe, and the ſaid Waſte Land, and they are hereby required and enabled to treat with the ſaid Corporation for the Purchaſe thereof, and to convey the ſame to them for the Uſes and Purpoſes aforeſaid, in ſuch and the like Manner, and ſubject to the like Determination of a Jury, in caſe of any Diſpute or Difference touching the Value of the Land ſo to be taken, or the Recompence or Conſideration to be made or paid for the ſame, as in and by the ſaid recited Act is provided and enacted with reſpect to Land and Premiſes to be taken and uſed for the building of the ſaid Bridge, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Powers and Proviſions were repeated and re-enacted in this Act. new Market Houſe, &c.

III. Provided always, and be it further enacted, That it ſhall be lawful for all and every Perſon and Perſons intereſted, or claming to be intereſted in the ſaid Scite of the old Market Houſe, and the ſaid Waſte Land, which may be wanted as aforeſaid for the Purpoſes of this Act, to exchange the ſame for other Lands belonging to the ſaid Corporation in or near the Market Place of the ſaid Town, if it ſhall be found expedient to make ſuch Exchange or Exchanges; and that every ſuch Exchange of Land, made according to the true Intent and Meaning of this Act, ſhall be good, valid, and effectual in the Law, to all Intents and Purpoſes whatſoever: Provided nevertheleſs, that the Land to be given in Exchange by the ſaid Corporation as aforeſaid, if any ſuch Exchange ſhall be made, ſhall for ever remain open, and be deemed a Part of the Market Place or Waſte Land of the ſaid Town, and be uſed as ſuch on all Occaſions. Perſons intereſted in Land required for the Purpoſes of this Act enabled to exchange.

IV. Provided always, That nothing in this Act contained ſhall extend, or be deemed, conſtrued, or taken, to extend, to prejudice ſuch Right as *Strickland Freeman* Eſquire, as Lord of the Manor of *Henley-upon-Thames*, now hath, or the Lord or Lords of the Manor of *Henley-upon-Thames* for the Time being, or their Aſſigns, may have, to the Tolls to ariſe within the ſaid Town, or the Limits of the ſaid Market Houſe, or to any Remedy or Means he hath or may have for the Collecting or Recovery of the ſame, or to their Rights as Lord of the ſaid Manor. Reſervation to the Lord of the Manor for his Rights.

V. Provided always, and be it further enacted, That in caſe it ſhall happen by the erecting of ſuch Market Houſe, Common Gaol, and other Buildings as herein-before mentioned, any Damage or Injury ſhall be done Satisfaction for Damage or Injury done by erecting the Market Houſe, &c.

done or occaſioned to any Perſon or Perſons, or to any Houſes or Buildings adjoining or near to ſuch new Buildings ſo to be erected, Recompence or Satisfaction for ſuch Damage or Injury ſhall be paid to the Owner or Owners, and Occupier or Occupiers, of ſuch Houſes or Buildings; and in caſe any Difference or Diſpute ſhall ariſe between the ſaid Corporation and the Perſon or Perſons ſuſtaining or complaining of ſuch Injury as aforeſaid, touching the Amount of ſuch Recompence or Satisfaction, the ſame ſhall and may, at the Requiſition of the Perſon or Perſons claiming ſuch Recompence or Satisfaction, be enquired into, aſcertained, and determined, by a Jury, in like Manner as by the ſaid recited Act is provided and directed for enquiring into, aſcertaining, and ſettling, the Recompence or Satisfaction to be paid or made to Perſons whoſe Land or Premiſes ſhould be taken or uſed for the Purpoſes of the ſaid Act.

Puniſhing Perſons driving or leaving Carriages on the Footways.

VI. And be it further enacted, That if after the paſſing of this Act either the Owner or Driver, or any other Perſon or Perſons having the Care of any Cart, Waggon, Dray, or other Carriage, ſhall place or drive the ſame on any Part of the Foot Pavement in the ſaid Town, then, and in every ſuch Caſe, the Owner or Owners of every ſuch Cart, Waggon, Dray, or other Carriage, ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Shillings, over and above the Sum of Ten Shillings to be inflicted on the Driver or Perſon driving or placing ſuch Carriage on the Foot Pavement by the ſaid recited Act, and any One of the ſaid Commiſſioners, or any One of their Officers or Perſons authorized by them, without any Peace Officer or other Perſon preſent, ſhall and may, either in the Day or by Night, ſeize and remove, or cauſe to be ſeized and removed, the Cart, Waggon, Dray, or other Carriage, ſo driven or placed upon the Foot Pavement of the ſaid Town, contrary to the true Intent and Meaning of this Act, together with the Horſe or Horſes thereto belonging or affixed, (if any), and to detain and keep the ſame until the Owner or Owners thereof, or his, her, or their known Servant or Servants, ſhall claim the ſame, and pay to the Perſon in whoſe Cuſtody the ſame ſhall be the Sum of Ten Shillings, together with the Charges of ſeizing, removing, and keeping the ſame; and in caſe the ſame ſhall not be claimed, and the ſaid Sum of Ten Shillings, and the Charges, paid within the Space of Six Days next after ſuch Seizure, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, to cauſe the ſame to be appraiſed and ſold, and the Money ariſing therefrom, as far as the Penalty, ſhall be applied to the ſame Uſes and Purpoſes as the Monies ariſing from the Rates or Aſſeſſments are by the ſaid recited Act directed to be applied; and the Overplus, after the Payment of all Coſts, Charges, and Expences attending ſuch Seizure, Removal, Detention, and Sale, ſhall be paid on Demand to the Owner of ſuch Cart, Waggon, Dray, or other Carriage, or Horſes, which ſhall be ſo ſold.

For mitigating Penalties.

VII. And be it further enacted, That it ſhall and may be lawful to and for the Juſtices of the Peace of the ſaid Town of *Henley-upon-Thames* for the Time being, before whom any Conviction ſhall take place for Offences committed againſt this or the ſaid recited Act, to mitigate the Penalty for ſuch Offences to any Sum not leſs than Two Shillings and Sixpence,

Sixpence, as they in their Diſcretion ſhall think proper, and to order any Part of the ſaid Penalty to be paid to the Perſon or Perſons giving Information of ſuch Offence.

VIII. Provided always, and be it further enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the General Quarter Seſſions of the Peace to be held for the County of *Oxford* aforeſaid, within Six Calendar Months after the Cauſe of ſuch Complaint ſhall have ariſen, ſuch Appellant firſt giving Ten Days Notice at the leaſt in Writing of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Treaſurer of the ſaid Commiſſioners or Corporation, as the Caſe may be, and within Four Days after ſuch Notice entering into a Recognizance, before ſome Juſtice of the Peace for the ſaid County of *Oxford*, with Two ſufficient Sureties, conditioned to try ſuch Appeal, and abide the Order of, and pay ſuch Coſts as ſhall be awarded by, the Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice being given as aforeſaid, and the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſe and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt as the ſaid Juſtices ſhall think proper; and the Determination of ſuch Quarter Seſſions ſhall be final, binding, and concluſive, to all Intents and Purpoſes.

Perſons aggrieved may appeal to the Quarter Seſſions;

giving Ten Days Notice.

IX. And be it further enacted, That this Act ſhall be deemed a Publick Act, and be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Publick Act.

FINIS.