ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. LXXXIII.

An Act for building a Bridge acroſs the River of *Thames*, from *Richmond*, in the County of *Surrey*, to the oppoſite Shore, in the County of *Middleſex*, and to enable His Majeſty to grant the Inheritance of the Ferry at *Richmond* to certain Perſons therein mentioned.

WHEREAS great Advantages would ariſe to the Inhabitants of the Counties of Middleſex and Surrey, and to the Publick in general, from having a Bridge acroſs the River Thames between Richmond, in the County of Surrey, and the oppoſite Shore, in the ſaid County of Middleſex: 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 Preamble.

Commissioners Names.

That the Right Honourable Sir Fletcher Norton Knight, Speaker of the Honourable the House of Commons, the Members in Parliament for the Counties of Middlesex and Surrey for the Time being, Sir Anthony Abdy, Sir Charles Asgill, Baronets; Saint Allum, William Alder, George Arbuthnot, Elisha Biscoe, John Boddington, James Brookes, Launcelot Brown, Robert Brownell, John Baker, Solomon Brown, Henry Bell, Thomas Butler, the Right Honourable Frederick Cavendish, commonly called Lord Frederick Cavendish, the Right Honourable George Cavendish, commonly called Lord George Cavendish, the Right Honourable John Cavendish, commonly called Lord John Cavendish, the Honourable Charles Sloane Cadogan, Edward Collins, Richard Owen Cambridge, Sir James Cockburn Baronet, George Colman, Grey Cooper, James Crokatt, Richard Croftes, Richard Crop, Alexander Craufurd, Peregrine Cust, William Crank, John Chase, Robert Darell, William Ewer, Welbore Ellis, the Right Honourable Lord Viscount Fitzwilliam in the Kingdom of Ireland, the Honourable Thomas Fitzmaurice, the Honourable John Fitzwilliam, William Gardiner, David Garrick, Daniel Grose, William Gumbrell, Daniel Giles, John Haverfield, Frederick Anthony Hindley, the Honourable Henry Hobart, Henry Holland, Philip Laggatt, James Love, Lenry Lascelles, Daniel Leseur, Henry Leeves, John Mackay, Philip Medows, William Mills, the Lord of the Manor of Petersham for the Time being, the Right Honourable Hugh Percy, commonly called Earl Percy, Samuel Pechell, —— Perin, Thomas Pownall, John Powell, William Price, George Patterson, the Lord of the Manor of Richmond for the Time being, James Rees, Crofton Ross, George Ross, Joshua Rowley, Jonathan Robotham, Thomas Roberts, William Robinson, the Lord of the Manor of Sion for the Time being, the Right Honourable Earl Sefton of the Kingdom of Ireland, James Sayer, William Selwyn, Sir Charles Sheffield Baronet, Richard Sheppard, William Stallard, Philip Stephens, Lewis Shepheard, William Turner, Thomas Tunstall, the Reverend —— Tilson, Gerard Vanneck, the Reverend —— Wakefield, Albany Wallis, Mark Wayland, James Wilkes, Daniel Wray, William Waterman, Samuel Ward, George Walter,

Walter Gregory Way, the Honourable Horatio Walpole, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby constituted Commissioners for building a Bridge across the River Thames, between Richmond aforesaid and the opposite Shore, and for repairing and supporting the same, and for executing the other Powers of this Act, according to the Directions herein-after mentioned.

Qualification of Commissioners.

And be it further enacted, That no Person shall be qualified to act as a Commissioner, unless he, in the Right of himself, or his Wife, shall be seised at Law, or in Equity, of an Estate of Inheritance, or for Term of Life, or shall have an Estate for a Term of Years determinable on One or more Life or Lives, or a certain Term originally created for Twenty-one Years, or more, in Lands or Tenements situate in the said Counties of Surrey and Middlesex, or One of them, of the clear yearly Value of One hundred Pounds, or for a Term of Years in Lands or Tenements in the said Counties, or One of them, of the clear yearly Value of One hundred and Fifty Pounds, above all Rents or Charges payable out of or affecting the same; or unless he shall be Heir-apparent to a Person seised at Law, or in Equity, of an Estate of Inheritance in Lands or Tenements within the said Counties, or One of them, of the clear yearly Value of Five hundred Pounds above all such Rents and Charges; or shall be possessed of a personal Estate of the Value of Two thousand Pounds; and no Person shall be capable of acting as a Commissioner in any Case in which he shall be interested, or in any Manner whilst he shall hold any Office, or in his private Capacity be concerned in any Contract or Agreement relative to the Execution of this Act: And if any Person shall act as a Commissioner, not having the requisite Qualification of Estate, or being otherwise hereby disqualified from acting, he shall, for every Offence, forfeit the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same in any of his Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, shall be allowed; and every Commissioner prosecuted for

Penalty on acting if not qualified.

acting without being qualified by Estate in Manner aforesaid, shall prove that he is so qualified, or otherwise shall pay the said Penalty on Proof of his having acted as a Commissioner.

Place of Commissioners Meeting.

And be it further enacted by the Authority aforesaid, That the said Commissioners shall meet for executing this Act in Manner following; that is to say, The said Commissioners, or any Five or more of them, shall meet for the First Time at the Charity School at Richmond, on the last Saturday in the Month of July, One thousand seven hundred and seventy-three, and shall then, and at every subsequent Meeting, adjourn themselves, from Time to Time, and Place to Place, as the said Commissioners, or any Five or more of them, present at any such Meeting, shall think convenient; and if Five Commissioners shall not attend at the Time and Place appointed for any such Meeting, then the Clerk to the said Commissioners, or any One Commissioner, shall and may adjourn the Meeting of the said Commissioners to the same Place, and to the same Day Three Weeks next after the Day when their Meeting ought to have been held, and shall cause Fourteen Days Notice of such Meeting to be given in the London Gazette; and also the said Commissioners, or any Five of them, shall have Authority, as often as they shall think fit, to call an extraordinary Meeting, at such Time and Place as they by a previous Notice of Fourteen Days at least, to be advertised in the London Gazette, shall appoint; and the said Commissioners shall, at all their Meetings, pay their own Expences: And all their Orders and Proceedings at every Meeting shall be entered in a Book, to be kept for that Purpose by their Clerk, to be appointed in Manner hereinafter mentioned, and shall be signed by the Commissioner who shall be Chairman at the Meeting, or by Two other Commissioners; and such Entries shall be deemed original Orders and Proceedings, and may be read in Evidence in all Courts whatsoever.

Manner of adjourning.

Commissioners to defray their own Expences.

Proceedings to be entered in Books.

New Commissioners to be elected by Ballot.

And be it further enacted by the Authority aforesaid, That as often as any of the Commissioners of this Act shall die, or refuse to act, or become, on any Account, incapable of acting, it shall be lawful for the surviving or

other Commissioners, or any Five or more of them, at any Meeting, whereof a previous Notice of Fourteen Days, with the Cause of Meeting, shall be advertised in the London Gazette, to elect, by Ballot, One or more fit Person or Persons to be a Commissioner or Commissioners in the Place of him or them so dying or refusing to act, or incapable of acting; and the Person or Persons so elected shall have the same Powers as the Commissioners herein named.

Commissioners may cause a Bridge to be built of Stone, across the River *Thames*, from *Richmond* to the opposite Shore.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any Five or more of them, to build, or cause to be built, with Stone, and other good and sufficient Materials, a Bridge across the said River Thames, from Richmond, in the County of Surrey, to the opposite Shore in the County of Middlesex, at the Ferry, or as much lower down the River as the Commissioners can settle with the Consent of such Landholders, Lessees, or Assignees, in the Towns of Richmond and Twickenham, whose Property may be materially affected thereby, in consequence of its becoming necessary to make use of the same for the Purposes of this Act, according to such Design, and in such Manner, as they the said Commissioners, or any Five or more of them, shall appoint; and also, for the Purpose aforesaid, to deepen and widen the said River, and cut the Banks thereof, and to dig up and remove any Shelves, Gravel, Sand, and Mud, Aytes, or other Obstructions in the said River, and (with such Consent as aforesaid, and not otherwise) to make in or over the said River, and the Lands adjoining thereto, any Trenches and Landing-places; and also to make any new Road for facilitating the Access to the said Bridge on the Surrey Side of the said River Thames, from George Street, or any other Street in Richmond, by Embankment of any Part of the said River Thames between such Street and the said Bridge, or near and adjoining thereto, or otherwise; and also to make Contracts, and do all other Acts necessary for building such Bridge, and for maintaining, supporting, and improving the same, when built, and the said new Roads leading thereto,

thereto, from Richmond, they the said Commissioners doing as little Damage as may be, and first making Satisfaction, in Manner herein-after directed, to the Owners and Occupiers of any Houses, Lands, Tenements, or Hereditaments, which shall be pulled down, made use of, or prejudiced, in or by the Execution of any of the aforesaid Powers.

Dimensions of the Bridge.

Provided always, and be it further enacted by the Authority aforesaid, That the main or principal Arch of the said Bridge, so to be built by the said Commissioners, shall be at least Twenty-five Feet high from Low-water Mark, and Sixty Feet wide; and the other Arches in Proportion: And that when the said Bridge shall be built, there shall remain not less than Two hundred and fifty Feet for the Passage of the Water within the Banks of the said River Thames; and also that the Way for Carriages and Horses over the said Bridge shall not be less than Twenty-four Feet in Width between the Parapets, including Footways.

Commissioners to make a Road thro' *Twickenham Park.*

And whereas, in order to have a proper Access to the said Bridge on the Middlesex Side of the Thames, it will be necessary to make a new Road from the said Bridge across a certain Meadow called Twickenham Park, now belonging to her Grace the Dutchess Dowager of Newcastle, to the Lane called Ferry Lane, leading from Twickenham to the present Ferry at Richmond; be it further enacted, That it shall and may be lawful for the said Commissioners, or any Five or more of them, to set out and make such Road across the said Meadow, called Twickenham Park, in such Manner as they, or any Five or more of them, shall think proper, they the said Commissioners first making Satisfaction to the Owner or Owners of the said Meadow, in Manner herein-after directed, in respect to the Owners of other Lands; and the said Road, when made, shall be deemed a common Highway, and shall be repaired by the said Commissioners, as they, or any Five or more of them, shall from Time to Time direct.

Provided

Provided always, and be it further enacted, That the said Road through Twickenham Park shall not, without the Consent of the Proprietor or Proprietors of the said Meadow, called Twickenham Park, for the Time being, be more than Forty Feet wide, and that without such Consent, no Part thereof shall be carried further to the Northward than the Distance of One hundred and fifty Feet from a certain Stile now standing between the said Meadow and the said Ferry Lane; and also, that without such Consent, the Junction of the said Road with Ferry Lane shall not be more than Two hundred and forty Feet from the said River Thames, including the Breadth of the said intended Road; and also that no Houses or Sheds, or any other Buildings whatsoever, shall at any Time be erected or built upon any Part of the said Road through Twickenham Meadow. Dimensions of the Road.

And be it further enacted, That the said Bridge shall not be rated or assessed for or towards the Payment of the Land Tax, or any other publick or parochial Rate or Tax whatsoever; and that the said Bridge shall not be deemed a County Bridge, so as to subject the Counties of Surrey and Middlesex, or either of them, to the Repair or Support thereof. The Bridge to be free from Taxes, and not to be a County Bridge.

And, for preserving the said Bridge from wilful or malicious Damage, and preventing all Interruptions to the Building thereof, be it further enacted, That if any Person or Persons shall wilfully or maliciously pull down, or otherwise destroy, or cause to be pulled down or otherwise destroyed, the said Bridge, or any Part thereof, or shall wilfully, maliciously, and without Authority from the said Commissioners, or any Five or more of them, remove or take away, or cause to be removed or taken away, any Materials or Things belonging thereto, or shall unlawfully, wilfully, and maliciously do, or cause to be done, any Thing, whereby the said Bridge, or the Work or Materials thereof, during the building of the same, or afterwards, may be damaged; every such Offender, being lawfully convicted thereof, shall be adjudged guilty of Felony, and shall be transported to One of His Majesty's Colonies in America for the Space of Seven Years. Damaging the Bridge, &c. deemed Felony.

Damage done by Boats, &c. to be made good by the Owners.

And, for better preventing Damage to the said Bridge and the Works thereof, by Persons navigating Boats, Barges, Lighters, or other Vessels, on the said River Thames, be it further enacted, That the Owner or Owners of every Boat, Barge, Lighter, or other Vessel, shall be responsible to the said Commissioners for the Costs of making good any Damage which shall be done to the said Bridge, or any Part thereof, by his or their Boat, Barge, Lighter, or other Vessel, or by the Boatmen, Bargemen, or other Person or Persons navigating the same, and may be sued accordingly by the said Commissioners in any Court of Record whatsoever.

Bodies Corporate, &c. enabled to convey their Estates to the Commissioners.

And be it further enacted, That it shall be lawful for all Bodies Corporate, and for Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees whatsoever, for and on the Behalf of themselves, their Heirs and Successors, Infants, Issue unborn, Lunaticks, Idiots, Femes-covert, or other Cestuique Trusts, and for all other Persons whomsoever, who are or shall be seised or possessed of, or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments, which the said Commissioners shall deem necessary to be pulled down, or made use of in Execution of the aforesaid Powers, to contract and agree with the said Commissioners for the Sale thereof, or of any Part thereof, or for their Interest therein, and to convey the same unto the said Commissioners, or as they shall appoint; and such Contracts, Agreements, and Sales, shall be valid to all Intents and Purposes; any Law, Statute, or other Matter or Thing whatsoever to the Contrary thereof in any-wise notwithstanding; and all such Persons are hereby indemnified for making the same.

Lands, &c. if not agreed for, to be valued by a Jury of the County.

And be it further enacted, That if any such Bodies Corporate, Trustee or Trustees, or other Person or Persons interested in any such Houses, Buildings, Lands, Tenements, or Hereditaments, upon a Notice of Fourteen Days from the said Commissioners given or left in Writing, at the Dwelling-house of the Chief Officer belonging to any such Body Corporate, or of any such Person or Persons as aforesaid, or at the House of the Tenant

nant in Poſſeſſion, ſhall not agree with the ſaid Commiſſioners for the Sale of any ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, or for their Intereſt therein, or through Diſability, by reaſon of Nonage, Coverture, Entails, or other Impediment, cannot make any effectual Agreement, or by reaſon of Abſence ſhall be prevented from agreeing; then, and in every ſuch Caſe, the ſaid Commiſſioners, or any Five or more of them, ſhall inquire, by the Oaths of a Jury of Twelve indifferent Men, what Damages will be ſuſtained by, and what Recompence ought to be made to, any ſuch Perſon or Perſons intereſted in any ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, and ſhall ſettle the ſame in Manner following; (that is to ſay), The ſaid Commiſſioners, or any Five or more of them, are hereby authoriſed, from Time to Time, to iſſue their Precept to the Sheriff of the County in which the Thing to be valued ſhall lie, thereby requiring him to impanel, ſummon, and return a Number of Perſons, being Inhabitants of the particular County, and qualified to ſerve on Juries, not leſs than Forty-eight, nor more than Seventy-two, at the Time and Place in ſuch Precept mentioned; (at which Time and Place a written Notice of Fourteen Days ſhall be given to the Parties intereſted, in Manner aforeſaid); and out of ſuch of them as ſhall appear, a Jury of Twelve ſhall be drawn by the ſaid Commiſſioners, or any Five or more of them, or their Order, in the ſame Manner as Juries for the Trial of Iſſues joined in his Majeſty's Courts at Weſtminſter are, by an Act, paſſed in the Third Year of his late Majeſty, intituled, An Act for the better regulating of the Juries, directed to be drawn; and the ſaid Commiſſioners, or any Five or more of them, are hereby authoriſed to ſwear ſuch Jury, and, by the Oath of the ſaid Jury, ſhall cauſe to be enquired into, and aſcertained, the Value of any ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments, as the ſaid Commiſſioners ſhall think neceſſary to be pulled down or made uſe of for the Purpoſes aforeſaid; and what Damage will be ſuſtained by, and what Recompence ought to be made to,

the

the Owners and Occupiers for their respective Interests; and for that Purpose are hereby also authorised to summon before the said Jury, and to examine on Oath the necessary Witnesses, and shall, if they, or any Part interested shall judge it necessary, cause the said Jury to view the Place in Question, and shall use all other lawful Means for informing themselves and such Jury; and when such Jury shall have settled the Recompence by their Verdict, the said Commissioners, or any Five or more of them, shall adjudge the Sum of Money, found by the Verdict of such Jury, to be a proper Recompence to be paid to the Parties interested according to such Verdict, and a Transcript of such Inquisition, Verdict, and Judgement, shall be made on Parchment, and be signed by Five or more of the Commissioners present, and forthwith be transmitted to the Clerk of the Peace for the County in which such Proceedings shall be, and shall be by him preserved amongst the County Records; and such Inquisition, Verdict, and Adjudication, shall be final and conclusive against all the Parties interested, whether natural Persons or Bodies Politick, Infants, Femes-covert, Lunaticks, Idiots, or Persons under any other Disability, and their respective Heirs, Executors, Administrators, and Successors; and every such Party interested shall, after Tender and Payment, in Manner herein-after directed, of the Money so found and adjudged for such Party, be divested of all his or her Right to and Interest in the Premises in Question, and the same shall vest in the said Commissioners and their Successors, for the Purposes of this Act; and if any Person or Persons shall be intitled in Remainder or Reversion to any such Premises, or to any future Interest therein, then the Money found and adjudged as a Satisfaction shall be settled under the Direction of the said Commissioners, or any Five or more of them, to the same Uses, unless such Person or Persons shall consent to give up such future Interest.

Jury to view the Place in Question if necessary.

Verdict to be signed by Five Commissioners present, and to be transmitted to the Clerk of the Peace.

Where Persons are intitled in Remainder, the Purchase-money to be settled accordingly.

And be it further enacted, That every Sum so found and adjudged as a Satisfaction, shall, by Order of the said Commissioners, or any Five or more of them, and out of the Money herein-after directed to be raised for the Purposes of this Act, be paid or tendered to the Party

The Sum adjudged as a Satisfaction to be paid, or tendered, in a Month after the Verdict, or the Adjudication to be void.

intitled, their Guardians, Husbands, Committees, or other Trustees, within One Month after such Verdict and Adjudication; and if the same shall not be so paid or tendered, such Verdict and Adjudication shall not be binding on any such Party: But if any such Party shall refuse to accept such Satisfaction, or cannot be found; or if by reason of any Suit or Want of Evidence, or by reason of any other Thing, it shall not appear to the said Commissioners what Person is intitled; or if any Mortgagee of any such Premises shall refuse to take his or her Mortgage Money; in every such Case, the said Commissioners, or any Five or more of them, may order the Sum so found and adjudged as a Satisfaction, or due on any such Mortgage, to be paid into the Bank of England, in the Name of their Treasurer, for the Use of the Parties interested, there to remain till paid to them, according to their respective Interests, by Order of the said Commissioners, or of any Five or more of them.

If the Sum adjudged be refused, &c. to be paid into the Bank of *England*, in the Name of the Treasurer.

And be it further enacted, That all Parties interested in any such Houses, Buildings, Lands, Tenements, and Hereditaments, as aforesaid, shall have their lawful Challenges against any Persons, when they come to be sworn as Jurymen; and the said Commissioners are hereby authorised, at any Time, to impose any reasonable Fine, not exceeding Ten Pounds, for any One Offence, on the Sheriff of either of the aforesaid Counties, or his Bailiffs or Deputies, for any Default in respect of the impanelling, summoning, and returning such Jury, as aforesaid, or any other Part of their Duty under this Act, or upon any Person or Persons who shall be summoned and returned on any such Jury, and shall not appear, or shall refuse to be sworn on such Jury, or being sworn, shall not give his or their Verdict, or shall, in any other Manner, wilfully neglect his Duty as a Juryman; and also upon any Person or Persons who, being summoned to come and give Evidence before any such Jury, shall wilfully neglect to come, or shall refuse to be examined; and the said Commissioners, or any Five or more of them, shall and may, from Time to Time, levy any such Fine by Distress and Sale of the Offender's Goods and Chattels, by Warrant under their Hands and Seals, to

Right of challenging the Jury.

Commissioners may fine Sheriff for Default in impanelling Jury, and Jurymen or Witnesses for not attending.

Fines to be levied by Distress, &c.

the Constable or other Peace Officer of the Parish, Township, or Place, where such Offender shall reside, who is hereby required to execute the same; and every such Fine, when levied, shall be applied by the said Commissioners for the Purposes of this Act, in the same Manner as is herein-after directed concerning the Tolls to be raised under this Act.

Richmond Ferry.

And whereas His Majesty, in Right of His Crown, is seized of the Fee-simple of the Ferry for Carriages, Horses, and Foot Passengers, over the River Thames, between Richmond aforesaid and the opposite Shore: And whereas His late Majesty King George the Second, by His Letters Patent, dated the Twentieth Day of February, in the Twenty-ninth Year of His Reign, did demise the said Ferry, with all its Rights and Privileges, unto William Windham Esquire, for a certain Term of Twenty-one Years, commencing from the Twentieth Day of December, One thousand seven hundred and sixty-five, at the yearly Rent of Three Pounds Thirteen Shillings and Four-pence; and His present Majesty, by His Letters Patent, dated the First Day of September, One thousand seven hundred and sixty-seven, did demise the said Ferry, with its Rights and Privileges, unto the said William Windham, for a certain further Term of Eleven Years and One Half Year, to commence and be computed from the Thirty-first Day of December, One thousand seven hundred and eighty-six, at the like yearly Rent of Three Pounds Thirteen Shillings and Four-pence; and which said Letters Patent, and the Premises thereby granted, have been assigned unto, and are now vested in, Henry Holland, Gentleman, for all the Remainder of the several Terms by the said Letters Patent, respectively demised as aforesaid: And whereas the Profits of the said Ferry will cease in consequence of a Bridge being built over the River Thames as aforesaid, be it therefore enacted, That it shall not be lawful for the said Commissioners to build the said Bridge, or execute any of the Powers aforesaid, until after obtaining a Grant of the Inheritance of the said Ferry from His Majesty, His Heirs or Successors, according to the Power herein-after given for that Purpose; and also unless they do or shall first,

The Bridge not to be built until the Ferry be purchased by the Commissioners.

Ferry, and before they shall begin to build the said Bridge, and on or before the First Day of June, which will be in the Year of our Lord, One thousand seven hundred and seventy-eight, purchase all the Estate, Right, Interest, and Claim, of the said Henry Holland, his Executors, Administrators, or Assigns, of, in, and to the said Ferry, with all its Rights, Privileges, and Appurtenances; and in case the said Commissioners cannot agree with the said Henry Holland, his Executors, Administrators, or Assigns, for the Purchase of the said Ferry, with all its Rights and Privileges as aforesaid; then, and in such case, it shall and may be lawful for the said Parties to ascertain and try the Value thereof in a feigned Issue or Issues, in His Majesty's Court of King's Bench or Common Pleas, to be tried before the Chief Justice, or any other of the Judges of the said Courts, by a Special Jury of the Freeholders of the Counties of Surrey and Middlesex, to be nominated in the usual Manner of naming Special Juries, by the proper Officer of the Court wherein such Issue shall be tried, out of the Sheriffs Books, of the Freeholders in the respective Counties aforesaid, fit to serve on Special Juries, and to be summoned in the usual Manner of summoning Special Juries, by the Sheriff for the Trial of Causes at Nisi Prius, in the said Court of King's Bench and Common Pleas, One Half of which said Jury shall be summoned and returned by the Sheriff, of and out of the County of Surrey, and the other Half of the said Jury, to be named as aforesaid, shall be summoned and returned by the Sheriff of the County of Middlesex; (that is to say), Twenty-four Jurymen shall be named out of each County, whereof the Plaintiff shall strike out Six, and the Defendants other Six, of the Jurymen, so to be named out of each County as aforesaid, and the Residue of the said Jury shall be summoned and impanelled, and return to try the Issue to be joined as aforesaid; and if a sufficient Number of Jurymen so to be summoned, (that is to say), Six of the County of Middlesex, and Six of the County of Surrey, so as to make a full and competent Jury of the Jurymen to be summoned to try the Issues aforesaid, shall not attend to try the same, then such and so many Talesmen shall be taken

In case the Commissioners and Mr. *Holland* cannot agree, the Value to be tried by a Jury of *Surrey* and *Middlesex*.

taken to make a full and complete Jury, as the Judge who shall try the Issues shall think fit to order in that Behalf: And to the End and Purpose of trying the Matters aforesaid, the said Henry Holland shall be Plaintiff, and any Five or more of the said Commissioners, acting under the Authority hereby vested in them, shall be made Defendants, in such Manner as shall be agreed between the said Parties, or as by the said Henry Holland, his Executors, Administrators, or Assigns, or his or their Counsel, shall be advised; and such Issue or Issues shall be settled by the Court in which the same shall be tried, if the Parties shall differ in settling thereof; which Issue or Issues, when so tried, if the same shall be to the Satisfaction of the Court, shall be final and conclusive upon all Parties; and such Sum and Sums of Money as the said Jury shall, upon their Oaths, find ought to be paid to the said Henry Holland, as a Satisfaction for his Right, Title, Interest, and Claim, in and to the said Ferry, shall be indorsed upon the Postea, and shall be paid to the said Henry Holland, with Costs of the Trial to be taxed; and the said Henry Holland, and the said Commissioners, shall each of them have their lawful Challenges, and the Court wherein such Action shall be tried shall give Judgement therein according to Law; which Judgement shall be recorded in the said Court, and shall be finally binding and conclusive upon all Parties: And in case the said Henry Holland, his Executors, Administrators, or Assigns, shall refuse to commence an Action in His Majesty's Court of King's Bench or Common Pleas, within Six Months after Notice shall be given to him or them by any Five of the said Commissioners, by Writing under their Hands, signifying that they shall be willing to join in a feigned Issue, to ascertain the Value of the Right and Interest of the said Henry Holland, his Executors, Administrators, or Assigns, of and in the said Ferry, under and by virtue of the aforesaid Letters Patent, it shall and may be lawful for the said Commissioners, or any Five or more of them, to summon a common Jury to ascertain the Value thereof, in such and the same Manner as is herein-before provided

In case no Action be brought in Six Months after Notice,

the Commissioners may summon a Jury to ascertain the Value.

vided, for purchasing the Estate and Inheritance of the Proprietors of Houses and Lands.

His Majesty enabled to grant the Inheritance of the Ferry.

And be it further enacted, That it shall be lawful for His Majesty, His Heirs or Successors, at any Time hereafter, by Letters Patent under the Great Seal, to grant the Fee-simple and Inheritance of the said Ferry at Richmond, together with the yearly Rent now incident to the Reversion thereof, unto the said Commissioners, and their Successors, at and under such yearly Rent as is now payable to His Majesty, or such other yearly Rent as His Majesty, His Heirs or Successors, shall think fit to reserve, any Statute or Law to the Contrary thereof in any-wise notwithstanding; and the yearly Rent so to be reserved in the said Letters Patent, shall be payable into the Receipt of the Exchequer, and be carried to and made Part of the General or Aggregate Fund, established by an Act of the First Year of the Reign of His late Majesty King George the First, and be applied to the same Uses.

After obtaining a Grant from His Majesty, &c. the Ferry to be under the Direction of the Commissioners.

And be it further enacted, That after obtaining a Grant of the Inheritance from His Majesty, His Heirs or Successors, of the said Ferry, and purchasing the Estate and Term of Years of the said Henry Holland, in Manner aforesaid, the said Ferry shall be carried on under the Direction of the said Commissioners, or any Five or more of them, until the Building of the said Bridge shall be compleated, and there shall be a Passage over the same, and afterwards the said Ferry shall be discontinued, and the Profits made thereof in the mean Time shall be applied in the same Manner as the Tolls herein-after mentioned are directed to be applied.

Commissioners may erect a Toll-house, &c.

And, for defraying the Expence of Building the said Bridge, and of executing the other Trusts of this Act, be it further enacted, That the said Commissioners, or any Five or more of them, shall cause to be erected a Toll-house and Toll-gate, at the Surrey End of the said Bridge, and a Toll-gate at the Middlesex End thereof; and there shall be paid to the Collector or Collectors, who shall be stationed at such Toll-house and Toll-gates by Appointment of the said Commissioners, in Manner

herein-after mentioned, for a Passage over the said Bridge, such Tolls or Sums of Money as the said Commissioners, or any Nine or more them, shall order and direct, not exceeding the Sums or Tolls following; (that is to say),

The Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, Chair, Calash, or other Vehicle, drawn by Six Horses, or other Cattle, the Sum of Two Shillings and Sixpence.

For every Coach, Chariot, Landau, Berlin, Chaise, Chair, Calash, or other Vehicle, drawn by Four Horses, or other Cattle, the Sum of One Shilling and Sixpence, and on Sundays, the Sum of Two Shillings.

For every Coach, Chariot, Landau, Berlin, Chaise, Chair, Calash, or other Vehicle, drawn by less than Four Horses, or other Cattle, and more than One Horse or other Beast, the Sum of One Shilling, and on Sundays, the Sum of One Shilling and Sixpence.

For every Chaise, Chair, or other Vehicle, drawn by One Horse or other Beast, the Sum of Eight-pence, and on Sundays, the Sum of One Shilling.

For every Waggon, Wain, Dray, Car, Cart, or other Carriage, drawn by more than Six Horses or other Cattle, the Sum of Two Shillings.

For every Waggon, Wain, Dray, Car, Cart, or other Carriage, drawn by Four and not more than Six Horses or other Cattle, the Sum of One Shilling and Sixpence; and by Two or Three Horses, or other Cattle, the Sum of One Shilling; and by One Horse or other Beast, the Sum of Eight-pence, (except Higlers and Bakers Carts drawn by One Horse or Beast only.)

For every Higler's or Baker's Cart drawn by One Horse or Beast only, the Sum of Sixpence.

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

For every Foot Passenger whatsoever, One Halfpenny, and if with a Wheel-barrow, or such like Carriage, One-penny.

For

For every Drove of Oxen or Neat Cattle, the Sum of Three Shillings and Four-pence per Score, and after that Rate for any greater or less Number.

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Sixpence per Score, and after that Rate for any greater or less Number.

Which said respective Tolls are hereby vested in the said Commissioners, in the first Place, for defraying the Expence of obtaining and passing this Act, and afterwards for paying the Rent which shall be reserved on the Grant of the Inheritance of the aforesaid Ferry, and for defraying the Expence of building the said Bridge, and executing the other Purposes herein expressed, and shall be accordingly, from Time to Time, applied as the said Commissioners, or any Five or more of them, (subject to the special Provisions herein-after made) shall direct; and it shall not be lawful for any Person to pass over the said Bridge, or through the Toll Gate or Gates thereon, till Payment of the Toll hereby made payable: And if any Person or Persons shall pass the Toll Gate or Gates, or over the said Bridge, without paying the Toll hereby made payable, the Collector or Collectors of the said Commissioners shall and are hereby authorised to levy the Toll hereby made payable, and also Double the Value of the Toll, as a Penalty upon such Person or Persons, by Distress of any Horse or Horses, or other Cattle, or Goods, upon which such Toll is hereby imposed, or of any other Goods and Chattels of the Person or Persons who ought to pay such Toll; and if such Toll and Penalty, with the Charges of the Distress, shall not be paid within Fourteen Days after the Distress, then to sell the Cattle or other Goods distrained, and after deducting such Toll and Penalty, and the Expence of distraining and of keeping the Cattle or Goods distrained, and of selling the same, such Collector or Collectors shall return the Overplus of the Money arising by the Sale to the Person or Persons on whom such Distress shall be made; and every such Penalty, when levied, shall be applicable in the same Manner as the Tolls hereby made payable.

Tolls vested in Commissioners.

The Manner of enforcing the Payment of Tolls.

If the Bridge shall receive Damage, an occasional Ferry may be set up.

And whereas the said Bridge may receive such Damage by Tempests, or otherwise, that the Passage may at Times become dangerous or impracticable; be it therefore further enacted, That in every such Case, the said Commissioners, or any Five or more of them, may and shall, at their Discretion, set up a Ferry across the said River Thames, at any Place or Places, being as near to the said Bridge as the repairing thereof will permit, and such Ferry shall continue till the Passage over the said Bridge shall be rendered safe, and the same Sums of Money shall be payable for a Passage by the said Ferry, as are herein-before directed to be paid as Tolls for Passage over the said Bridge, and shall be levied and applied in the same Manner.

Proviso.

Provided always nevertheless, That no Landing Place, Road, or Passage, from the said Ferry, shall at any Time be made through, in, or upon, the said Meadow called Twickenham Park, or any Part thereof, without the Consent of the Proprietor or Proprietors of the same.

Power to borrow Money upon the Tolls.

And, in order that sufficient Sums of Money may be raised for building the aforesaid Bridge, and effecting the other Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any Eleven or more of them, from Time to Time, to borrow any Sum or Sums of Money, not exceeding together the Sum of Twenty five thousand Pounds, and by any Writing under their Hands and Seals, to assign the Tolls hereby granted, or any Part thereof, to any Person or Persons, as a Security for Repayment of the Sums of Money they shall advance to the said Commissioners, with such Interest for the same, not exceeding Five Pounds for each One hundred Pounds by the Year, as shall be agreed upon between the said Commissioners and the Person or Persons advancing such Money; and all Securities and all Assignments shall be entered by the Clerk to the said Commissioners without Fee or Reward in a Book, to be kept for that Purpose, and shall be deemed personal Estate, and shall be assignable by any Writing or Writings; and such Assignments shall

Securities, &c. to be entered in a Book.

also

also be entered in the same Manner as the original Securities, and after such Entry, shall intitle the Assignee or Assignees, and his or their respective Executors and Administrators to the Benefit thereof; and all Persons who shall be possessed of such Securities shall be Creditors on the aforesaid Tolls in equal Degree, without Regard to the Priority of their Securities, and the Principal and Interest which shall become due on such Securities, shall, from Time to Time, be paid by Order of the said Commissioners, or any Five or more of them, out of the Monies arising from the Tolls hereby made payable, according to the Terms of the Agreements to be contained in such Securities respectively.

All Creditors to be deemed equal in Degree.

Provided always, and be it enacted, That when all the Sums of Money which the said Commissioners are herein before enabled to borrow upon the Credit of the aforesaid Tolls, together with all Interest for the same, shall be paid, the said Commissioners, or any Nine or more of them, shall, from Time to Time, as they shall think convenient, invest so much of the Monies arising from the said Tolls as the Expence of supporting the said Bridge, and the other incidental Expences of executing this Act, will, from Time to Time, permit, in the Purchase of Parliamentary Securities or Governments Funds, in the Names of them the said Commissioners, and in like Manner shall apply the Interest arising from such Securities or Funds; and such Sums to be invested, shall be, from Time to Time, subject to the same Application as the Tolls hereby made payable, whenever the Execution of the Trusts hereby reposed in the said Commissioners shall so require; and if such Sums of Money so to be invested shall at any One Time amount to the Sum of Five thousand Pounds, then the Tolls hereby made payable shall cease, and the said Bridge shall become a free Bridge, and the said Sum of Five thousand Pounds, and the Interest thereof, shall, from thenceforth be a Fund, in the first Place, for paying the yearly Rent which shall be reserved on the Grant of the Inheritance of the aforesaid Ferry at

When Money borrowed and Interest shall be repaid, and 5000 *l.* vested in the Funds for the Support of the Bridge, the Tolls to cease.

Richmond, and subject thereto for the future Support of the said Bridge, and the Approaches thereto, and defraying the other Expences of executing this Act, and shall be liable to Sale and Application by the said Commissioners, in the same Manner as the said Tolls: And if at any Time the said Sum of Five thousand Pounds, to be invested in Manner aforesaid, shall, by Repairs of the said Bridge, or Execution of the other Trusts of this Act, be reduced to the Sum of One thousand Pounds; then, and in every such Case, the said Commissioners, or any Five or more of them, are hereby authorised to revive the aforesaid Tolls, till such Time as the same shall enable the said Commissioners to have a Sum of Five thousand Pounds placed out at Interest, and invested in Manner aforesaid; for the future Purposes of this Act.

If the Fund be reduced to 1000 *l.* the Tolls to be revived.

And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may appoint a Clerk and Treasurer, and One or more Collector or Collectors of Tolls, and such other Officers, and take such Security from them, and also employ such Artificers, Labourers, and other Persons, in the Execution of this Act, as they the said Commissioners shall think necessary; and shall at their Pleasure remove any Officer, and appoint others in the Room of such as shall die, or be removed; and shall, out of the Monies arising by this Act, pay such Salaries and Allowances as they shall think proper to their Officers and all others employed in the Execution thereof.

Commissioners may appoint a Clerk, &c.

And be it further enacted, That the Person or Persons who shall for the Time being be Collector or Collectors of the Tolls to the said Commissioners, shall, monthly or oftener, according to the Direction of the said Commissioners, or any Five or more of them, pay the Monies received for Tolls unto the Treasurer of the said Commissioners, or to such other Person or Persons as they the said Commissioners, or any Five or more of them, shall appoint; and the Treasurer to the said Commissioners shall pay and apply the Monies received from the said

Collectors to account.

said Collector or Collectors, or any other Persons, for the Purposes of this Act, in such Manner as the said Commissioners, or any Five or more of them, shall, from Time to Time, appoint; and also shall enter in a Book or Books, to be provided for that Purpose, an Account of all Monies received by him under this Act, and of all Payments and Disbursements out of the same, expressing the Times of receiving and paying such Monies, the Names of the Persons from whom the same were received, or to whom the same were disbursed, and for what Purposes; and Four Times at least in every Year, namely, at Michaelmas, Christmas, Lady-day, and Midsummer, or oftener, if the said Commissioners, or any Five or more of them, shall require, the Accounts of the said Collector or Collectors and Treasurers shall be fairly drawn out, stated, and signed by them respectively, and be delivered to the Clerk of the said Commissioners, or such other Person or Persons as they, or any Five or more of them, shall appoint; and such Accounts shall be delivered by the said Commissioners into each House of Parliament Once in every Year, within One Month after the Opening of each Session.

Accounts to be delivered yearly to Parliament.

And be it further enacted, That if the said Collector or Collectors, or Treasurer, or any other Officer of the said Commissioners, shall refuse or neglect to render an Account, in Writing, of the Monies received and paid by them, and of the other Things committed to their Charge, when the said Commissioners, or any Five or more of them, shall appoint, or shall refuse to verify such Account on Oath, in case the said Commissioners, or any Five or more of them, shall so require, (which Oath any One Commissioner is hereby authorised to administer), or shall refuse or neglect to pay the Monies in his or their Hands, or to deliver up all the Vouchers relative to such Account, or any Books or other Things in his or their Custody, as an Officer or Officers to the said Commissioners, according to the Direction and Appointment of the said Commissioners, or any Five or more of them; in every such Case, any Two or more Justices of the Peace for the Counties of Middlesex and Surrey, or

Collectors refusing to account, &c. for the Money in their Hands, the same may be levied by Distress and Sale of their Goods.

either of them, on Complaint made to them, by Order of the said Commissioners, or any Five or more of them, shall issue a Summons, under their Hands and Seals, requiring every such Officer to appear before them, at such Time and Place as shall be appointed in such Summons, and such Summons shall be given to such Officer, or left at his usual Place of Abode; and upon such Officer's appearing, or making Default, or if he cannot be found, then such Justices shall hear and determine the Complaint in a summary Way, on the Oath of One or more Witness or Witnesses; and if it shall appear to them that any Monies received under this Act shall be in the Hands of such Officer, such Justices shall, upon Nonpayment thereof, grant a Warrant under their Hands and Seals for levying such Monies by Distress and Sale of such Officer's Goods and Chattels; and if his Goods and Chattels shall not be sufficient to answer the same, and the Charges of the Distress and Sale, or if such Officer shall persist in refusing to give his Account, in Writing, or to deliver up any such Vouchers, Books, or other Things in his Custody, as an Officer to the said Commissioners, then the said Justices shall commit such Officer to the common Gaol of the County of Middlesex or Surrey, there to remain without Bail or Mainprize, until he shall make such Account and Payment as aforesaid, and deliver up the Vouchers, Books, and other Things in his Custody.

For want of sufficient Distress, the Offender to be committed.

And be it further enacted and declared by the Authority aforesaid, That unless the said Commissioners shall begin to build the said intended Bridge on or before the First Day of June, One thousand seven hundred and seventy-eight, and shall proceed in the building thereof, so as to finish and compleat the same, according to the true Intent and Meaning of this Act, on or before the First Day of June, One thousand seven hundred and eighty-three; then, and in either of the Cases aforesaid, the several Powers and Authorities granted by this Act for building the said intended Bridge shall cease, determine, and be absolutely void.

Bridge to be begun before *June* 1, 1778, and finished before *June* 1, 1783.

And

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Provided always, and it is hereby further declared and enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to prejudice or take away any Right of Property or Jurisdiction of the Mayor, or of the Mayor, Commonalty, and Citizens, of the City of London, to, in, and upon the said River of Thames aforesaid, other than and except to remove any Shelves, Gravel, Sand, Mud, Aytes, or other Obstructions, or to embank, deepen, or widen, the said River, as aforesaid, for making Roads or Landing Places, and for facilitating the access to the said Bridge, and to do every other Matter or Thing which shall or may be necessary to be done and effected, for the erecting, maintaining, and supporting the said Bridge. This Act not to prejudice the Right of the Mayor, &c. of the City of *London*.

And be it further enacted, That if any Action or Suit shall be commenced against any Person for any Thing done in pursuance of this Act, without giving a previous Notice, in Writing, of Twenty-one Days to the Clerk or Treasurer of the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; or if any such Action shall be laid in any other Place than the County of Middlesex, or the County of Surrey, in every of the said Cases a Verdict shall be given for the Defendant; and to every Action brought for any Thing done in pursuance of this Act, the Defendant therein may plead the General Issue, and give the Special Matter, in Evidence, at the Trial, and if on such Trial it shall appear that the Thing done was authorised by this Act, a Verdict shall be given for the Defendant; or if the Plaintiff shall be nonsuited, or suffer a Discontinuance, or on Demurrer, Judgement shall be given for the Defendant, every such Defendant shall have Treble Costs. Limitation of Actions. General Issue. Treble Costs.

And be it further enacted, That no Writing whatsoever under the Hands and Seals of the Commissioners of this Act, or signed by them, or under the Hand and Commissioners Writings to be free from Stamp-duty.

Seal of, or signed by any other Person or Persons, relative to the Execution of this Act, shall be chargeable with any Stamp-duty: And this Act shall be a Publick Act, and taken Notice of as such in all Courts, and by all Persons whatsoever.

Publick Act.

FINIS.