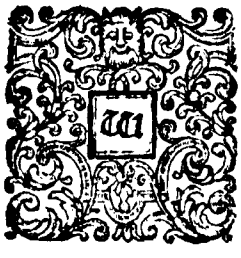
Anno ſeptimo

Georgii III. Regis.

An Act for building a Bridge croſs the River *Thames*, from *Swynford* in the County of *Berks*, to *Eynſham* in the County of *Oxford*.



WHEREAS the Ferry over the River Thames or Iſis, from Swynford, in the Pariſh of Cumner, in the County of Berks, to Eynſham, in the County of Oxford, is very inconvenient and dangerous, and ſometimes impaſſable: And whereas the Right Honourable Willoughby Earl of Abingdon is the Owner and Proprietor of the ſaid Ferry, and hath propoſed, and is willing and deſirous, at his own Expence, to build a Bridge over the ſaid River at or near the ſaid Preamble.

Ferry, whereby many Mischiefs and Inconveniencies will be remedied, and great Advantages accrue to the Publick; 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 to and for the said Earl of Abingdon, his Heirs and Assigns, and he and they is and are hereby authorized and impowered, and shall have full Power and Authority by virtue of this Act, at his and their own proper Costs and Charges, by himself and themselves, his and their Deputies, Agents, Officers, Workmen, Servants, and others, to build a Bridge cross the River Thames or Isis, from Swynford in the County of Berks, to Eynsham, in the County of Oxford, as near as conveniently may be to the present Ferry; and to design, assign, and lay out, how and in what Manner the said intended Bridge shall be erected, built, and completed, leaving sufficient Water-way for Boats, Barges, and other Vessels, commodiously to pass up and down the said River; and from time to time, and at all Times hereafter, to do all other Matters and Things necessary and convenient for erecting and maintaining the said Bridge, and for the Improvement thereof, and for preserving the Navigation of the said River.

Earl of *Abingdon* impowered to build a Bridge over the *Thames* from *Swynford* to *Eynsham*.

And be it further enacted, That for and in Consideration of the great Charges that the said Earl of Abingdon, his Heirs and Assigns, will be obliged to defray in erecting the said Bridge, and repairing and supporting the same, and also the Loss which he and they will sustain by the ceasing of the Tolls of the said Ferry; the said Bridge, when built, shall be and is hereby vested in the said Earl of Abingdon, his Heirs and Assigns for ever: And it shall and may be lawful to and for the said Earl of Abingdon, his Heirs and Assigns, from time to time, and at all Times hereafter, to erect, or cause to be erected, a Gate or Gates,

The Bridge vested in the said Earl.

Gates, Turnpike or Turnpikes, and alſo a Toll-houſe or Toll-houſes, at, near, or upon the ſaid Bridge; and there to aſk, demand, receive, recover, and take, to and for his and their own proper Uſe and Behoof in reſpect of his and their Charges and Loſs as aforeſaid, before any Paſſage over the ſaid Bridge ſhall be permitted, the ſeveral Sums following; that is to ſay,

The Tolls.

For every Coach, Chariot, Berlin, Hearſe, Chaiſe, Chair, Calaſh, Waggon, Wain, Dray, Cart, Carr, or other Carriage whatſoever, with Four Wheels, the Sum of Four Pence; and with leſs than Four Wheels, the Sum of Two Pence.

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

For every Foot Paſſenger whatſoever, the Sum of One Halfpenny.

For every Ox, Bull, Cow, Steer, or Heifer, the Sum of One Halfpenny.

And for every Calf, Swine, Sheep, or Lamb, the Sum of One Farthing.

Which ſaid reſpective Sums of Money ſhall be demanded and taken in the Name of Pontage, or as a Toll or Duty; and the Monies to be received as aforeſaid, and all other Monies to be received by Authority of this Act, are hereby veſted in the ſaid Earl of Abingdon, his Heirs and Aſſigns, and the ſame and every Part thereof ſhall be paid to him or them accordingly; and the ſaid Earl of Abingdon, his Heirs and Aſſigns, is and are hereby authorized by himſelf and themſelves, or by any Perſon or Perſons appointed by him or them, to levy the Toll or Duty hereby made payable upon any Perſon or Perſons who ſhall, after Demand thereof made, neglect or refuſe to pay the ſame as aforeſaid; and he the ſaid Earl of Abingdon, his Heirs and Aſſigns, ſhall and may deny and refuſe to permit any Paſſage over the ſaid Bridge until Payment thereof; and he or they, or any Perſon

Tolls veſted in the Earl of *Abingdon*;

he may levy the ſame by Diſtreſs and Sale.

ſon or Perſons appointed by him or them, are hereby impowered to ſeize, take, and diſtrain, any Horſe, Cattle, or other Thing, upon or in reſpect of which ſuch Tolls or Duties ſhall be payable, or any other of the Goods and Chattles of ſuch Perſon or Perſons who ought to pay the ſame, whereſoever the ſame may be found; and ſhall and may detain ſuch Diſtreſs for any Time not exceeding the Space of Four Days; and then if the Tolls or Duties for which the ſame Diſtreſs ſhall be ſo made, together with the Coſts and Charges attending the diſtraining and keeping the ſame, ſhall not be fully paid and ſatisfied, ſhall and may ſell the ſame, rendering the Overplus (if any be) after Deduction of the Charges of diſtraining, keeping, and ſelling ſuch Goods or Chattles.

Diſtreſs to be ſold after 4 Days.

Exemptions from Tolls.

Provided always, That no Toll ſhall be taken for the Driver of any Coach, Cart, or other Carriage aforeſaid, drawn by Horſes or other Cattle, or for any Perſon or Perſons riding in and bona fide belonging to the ſame; or for any One Perſon riding upon any Horſe, Gelding, Mare, Mule, or Aſs; but in caſe Two or more Perſons ſhall be riding upon one and the ſame Horſe, Gelding, Mare, Mule, or Aſs, then One Perſon only ſo riding (at the Option of the Keeper or Keepers of the ſaid Gate or Gates) ſhall be excuſed from the ſaid Toll or Duty; and all and every other Perſon and Perſons ſo riding, and alſo all and every Perſon and Perſons not bona fide belonging to ſuch Coach, Cart, or other Carriage as aforeſaid, ſhall be liable to pay the ſame Tolls and Duties, as if he, ſhe, or they, were paſſing on Foot.

Tolls to be paid for every Time of paſſing.

Provided alſo, That the ſaid Tolls and Duties ſhall and may be demanded and taken for the Paſſage of Carriages, Cattle, and Perſons, for every Time and as often as they ſhall paſs over the ſaid Bridge.

Tolls may be leſſened.

And be it further enacted, That if the ſaid Earl of Abingdon, his Heirs or Aſſigns, ſhall at any Time

or

or Times hereafter think proper to lower the ſaid Tolls, or any of them, and to take leſs for paſſing over the ſaid Bridge than the Sums herein before-mentioned, it ſhall and may be lawful for him or them ſo to do, and afterwards at his or their Will and Pleaſure again to raiſe the ſaid Tolls, ſo as not to exceed the ſaid reſpective Sums herein before-mentioned as Pontage or Toll for paſſing over the ſaid Bridge; any thing herein before contained to the contrary notwithſtanding.

Perſons puniſh'd for damaging the Bridge, &c.

And for preventing of the wilful or malicious deſtroying or damaging the ſaid Bridge, or any Part thereof, or interrupting the building of the ſame; be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly burn, blow up, pull down, or otherwiſe deſtroy the ſaid Bridge, or any Part thereof, or ſhall unlawfully, wilfully, and maliciouſly, and without Authority from the ſaid Earl of Abingdon, his Heirs or Aſſigns, remove, take away, or deſtroy any Works or Materials thereunto belonging, or in any wiſe direct or procure the ſame to be done, whereby the ſaid Bridge, or the Works or Materials thereof, may be damaged, or the Lives of Paſſengers endangered, every ſuch Offender or Offenders, being lawfully convicted thereof, ſhall be adjudged guilty of Felony, and ſhall ſuffer as a Felon.

And for preventing Treſpaſſes, Damages, and Miſchiefs that may be done and committed by evil-minded or diſorderly Perſons rowing, navigating, or managing any Boats, Barges, or other Veſſels, in or upon the ſaid River Thames or Iſis, and to the End that the Maſters and Owners of ſuch Boats, Barges, or other Veſſels may be more careful therein; be it further enacted, That every Maſter and Maſters, Owner and Owners, of any Boat, Barge, or other Veſſel, ſhall be and is hereby made anſwerable for any Damage or Miſchief that ſhall be wilfully or negligently done by his or their Boat, Barge, or Veſſel, or by any of the Boatmen, Bargemen, or Watermen, or Crew, of or in ſuch

Owners of Barges, &c. anſwerable for Damages done by their Men.

ſuch Boat, Barge, or Veſſel, to the ſaid Bridge, or any Part thereof, or to any of the Works which ſhall be erected by virtue of this Act: And the ſaid Maſter or Maſters, Owner or Owners of every ſuch Boat, Barge, or Veſſel, ſhall and may be by the ſaid Earl, his Heirs or Aſſigns, ſued for every ſuch Treſpaſs or Damage which ſhall be ſo done, in any of his Majeſty's Courts of Record at Weſtminſter, and ſhall be liable to pay ſuch Damages as any Jury ſhall aſſeſs for the ſame.

A Ferry to be provided when the Bridge not paſſable.

And whereas it may happen that the ſaid Bridge may in Times to come receive ſuch Damage, that the Paſſage thereof may for ſome Time become dangerous or impracticable; be it further enacted, That in all ſuch Caſes it ſhall be lawful for the ſaid Earl of Abingdon, his Heirs and Aſſigns, from time to time, as often as Occaſion ſhall require, to provide a proper and convenient Ferry or Ferries croſs the ſaid River Thames or Iſis, at ſuch Place or Places as he or they ſhall judge to be moſt proper and convenient, and as near to the ſaid Bridge as conveniently may be; and there to take for Paſſage over the ſaid River, by ſuch Ferry or Ferries, ſuch Rates or Duties as are hereby directed to be paid for paſſing over the ſaid Bridge.

Ferry not to continue longer than Bridge impaſſable.

Provided always, That ſuch Ferry or Ferries ſhall not continue for any longer Time than the Paſſage over the ſaid Bridge ſhall or may be dangerous or impracticable as aforeſaid.

Penalty on Perſons ferrying over for Hire.

And be it further enacted, That if any Perſon or Perſons, from and after the paſſing of this Act, ſhall for Gain or Reward convey any Perſon or Perſons, or any Carriage or Cattle, over the ſaid River Thames or Iſis, within Two Miles of the ſaid Ferry or intended Bridge (except at ſuch antient and accuſtomed Ferry or Ferries as ſubſiſted at the Time of the paſſing of this Act, if any ſuch there be) every ſuch Perſon ſhall, for every ſuch Offence, forfeit to the ſaid Earl of Abingdon, his Heirs or Aſſigns, the Sum of Forty

Forty Shillings, to be recovered by Action of Debt in any Court of Record at Westminster, wherein no Essoin, Wager of Law, or Protection, or more than One Imparlance shall be allowed.

Bridge to be called *Swynford Bridge*:

And it is hereby further enacted, That the said Bridge, when erected, shall be called by the Name of Swynford Bridge, and shall be so named and intitled in all legal Proceedings whatsoever; and that the same shall be deemed and taken to be comprised in and to be Part of the Parish of Cumner aforesaid; and that the said Bridge, and the Tolls thereof, shall be liable to such and the same Rates and Assessments in respect of the Land Tax, and of all other publick and Parochial Taxes, and to such and the same Duit Rents, Services, and Duties, and to such and the same Composition for Tythes or other Payment to the Vicar of Cumner aforesaid, as the said Ferry, and the Tolls thereof, were subject and liable to at and immediately before the passing of this Act, and to no other or greater Assessment, Tax, Rent, Rate, Duty, or Payment whatsoever.

How to be rated:

Provided always, That the said Bridge shall not be deemed a County Bridge, so as to subject the said Counties of Berks or Oxford, or either of them, to the Repairs or Support of the same.

Not to be deemed a County Bridge.

Limitation of Actions.

And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done or to be done in pursuance of this Act, in every such Case the Action or Suit shall be commenced within Six Months next after the Fact committed, and not afterwards; and shall be laid in the said County of Berks, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at the 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 so to be done, or that such Action or Actions shall be brought after the Time before limited for bringing the same, or shall be laid in any other County or Place, that then the Jury shall find

General Issue.

for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Suit, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

Treble Coſts.

Publick Act.

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.

FINIS.