

THE WHITCHURCH BRIDGE ACT 1792

The following is the text of the Whitchurch Bridge Act 1792 as amended by the Whitchurch Bridge Act 1988.

- N.B.1. Sub-clause numbers, the Table of Contents and clause headings have been inserted for ease of reference. They do not appear in the original save that the Table of Contents and clause headings are based on the printed marginal notes in the original.
- N.B.2. This typescript was prepared from an indistinct copy of the 1792 Act. A line of dots has been substituted for words that could not be read.
- N.B.3. Modern spellings have been used in cases where the old spellings hinder comprehension, but otherwise the old spellings and punctuation have been retained. In case of doubt, reference should be made to the original.

As issued by Wilmer to Stuart



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An Act for building a Bridge, at or near the Ferry
over the River Thames, from Whitchurch,
in the county of Oxford, to the opposite Shore,
in the Parish of Pangbourn, in the county of Berkshire

1. Preamble

Whereas the building of a Bridge, at or near the Ferry over the River Thames, from Whitchurch in the County of Oxford, to the opposite Shore, in the Parish of Pangbourn in the county of Berkshire, will be of great utility and advantage to the public: and Whereas the Reverend Lichfield, of the Parish of Goring, in the said county of Oxford, and Hannah his wife, are seised of the said Ferry, in trust for Hannah Duncce, the wife of Joseph Duncce, of Reading in the said county, with remainder to the said Hannah Lichfield, expectant on the decease of the said Hannah Duncce: and Whereas the several persons hereinafter named are willing and desirous, at their own costs, to build a Bridge over the said River, at or near the said Ferry, and to keep the same in repair, and the said Hannah Duncce and the said Reverend John Lichfield, and Hannah his wife, are consenting to give up their respective rights in the said Ferry, in consideration of such recompense to be made in respect thereof as is hereinafter mentioned; but the purposes aforesaid cannot be effected without the aid of Parliament: may 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 Lord's spiritual and temporal, and Commons, in the present Parliament assembled, and by the authority of the same, that, from and after the passing of this Act James Peter Auriol Esq., the Reverend John Symonds Breedon, Samuel Gardiner Esq., the Reverend

Coventry Lichfield Doctor in Divinity, the Reverend John Lichfield, Robert Micklem Esq., Richard Southby Esq., Jonathan Tanner, William Vanderstegen Esq., and William Vanderstegen Esq. Junior, and their respective Successors, Executors, Administrators, and Assigns, are and shall be united into a Company for building a Bridge at or near the said Ferry, over the River Thames, from Whitchurch, in the said county of Oxford, to the opposite Shore, in the Parish of Pangbourn, in the said county of Berkshire, of such construction as hereinafter is mentioned, and for repairing the same, and for executing the several other powers vested in them by this Act, and shall for those purposes be and are hereby declared to be one body politic and corporate, by the name of The Company of Proprietors of Whitchurch Bridge, and by that name shall have perpetual succession, and a Common Seal, and shall and may sue and be sued in all Courts and places within the Realm, and shall and may do all other matters and things whatsoever in as full and ample manner and form, to all intents and purposes, as any other body or bodies corporate within this Realm can or may^{As} such lawfully do; and but in every suit to be commenced against the said Proprietors, the process being served upon their Treasurer or Clerk shall be deemed sufficient service upon the said Proprietors.

2. The Bridge to be built, and how, and in what manner

- (1) And it be further enacted, that it shall be lawful for the said Company of Proprietors, and they are hereby required, by themselves, their Agents, Officers, Workmen, Servants or Assistants, at their own proper costs and charges, to build a good and substantial bridge with abutments made of stone, brick, or other materials, at or near the said Ferry over the River Thames from Whitchurch, in
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the said county of Oxford, to the opposite Shore, in the Parish of Pangbourn, in the said county of Berkshire, and to make roads and avenues on each side of the said River to and from such bridge, for the passage of travellers, cattle and vehicles, and that such roads and avenues to the said Bridge, not exceeding the distance of 500 yards therefrom, shall to all intents and purposes be considered as part and parcel of the said Bridge;

- (2) and that there shall not be more than 24 arches or openings between the abutments of the said Bridge, one arch or opening whereof shall be 24 feet wide at least, and the sofete or crown of the said arch shall not be less than eight feet and a half high above high water mark;
- (3) and all the said arches collectively (exclusive of the piers and abutments) shall not be less than 200 feet wide; and that the way for passengers, vehicles, and cattle, over the said Bridge shall be 12 feet in width at least between the rails or ballustrades;
- (4) and the said Company of Proprietors are hereby also authorised and required to make the said roads and avenues to the said Bridge, and also one or more toll house or toll houses on or near the said Bridge, with proper conveniences, and to support, maintain, and keep the said Bridge, toll houses and conveniences and roads and avenues to the said Bridge, forever in good and sufficient repair;
- (5) and the said Company of Proprietors are hereby also authorised to remove any shelves or other obstructions in the said River within 200 yards of the said Bridge, and to take away all beds of gravel, sand, mud, or other impediment within the like distance from the said Bridge, and to dig and cut the banks of the said River, within the same distance on each side, in such manner as they shall judge necessary and proper for erecting and building the said Bridge, and for the preservation thereof, and from time to time to do or cause to be done all other things necessary and proper for erecting,

building, making, repairing, supporting and maintaining the said Bridge, toll houses, conveniences and roads or avenues hereby authorised to be erected and made.

3. Materials for the Bridge, etc. may be brought or worked upon any wasteland near the Bridge without satisfaction, etc.

- (1) And it be further enacted, that it shall be lawful for the said Company of Proprietors from time to time, and at all times, from and after the second day of July 1792, at their will and pleasure, to bring, place, lay, work, and use any timber, stone, brick, lime or other materials for building and erecting, or for repairing or re-building the said Bridge, or for executing any other of the purposes of this Act, in, upon, through, and over any common or waste land within 200 yards of the said Bridge without making any recompense for so doing, and also in, upon, through, and over any private lands or grounds within 200 yards of the said Bridge, doing as little damage as may be, and making satisfaction for such damage to the owners and occupiers of such lands or grounds;
- (2) and that in case of dispute about content of damage and satisfaction, the same shall be settled by any two or more Justices of the Peace for the county wherein the said damage shall be done;
- (3) and such Justices are hereby authorised and empowered to hear, settle, and finally determine the same accordingly.

4. Sections 4 to 14 inclusive - repealed by the 1988 Act

15. Proprietors may raise £2,400 among themselves by Shares

- (1) And it be further enacted, that it shall be lawful for the said Company of Proprietors, and their Successors, to raise and contribute

among themselves, and in such proportions as to them shall seem meet and convenient, any sum of money, for building the said Bridge, and other the purposes of it, not exceeding the sum of £2,400;

- (2) and that the same be divided into 24 shares, at price not exceeding one hundred pounds a share;
- (3) and that no person subscribing to, or becoming a Proprietor in the said undertaking, do become a Proprietor of less than 1 share or more than 8 shares of the whole number of shares to be sold or subscribed for, either in his or her own name, or in the name or names of any person or persons in trust for him or her (except the same come to him or her by Will, or as an Executor or Administrator, or in right of a wife, or by some other Act in Law), upon pain of forfeiting to the said Company of Proprietors all such shares, exceeding one-third of the whole number of shares as aforesaid, and the money to be raised shall be applied, in the first place, in paying the costs and expenses of applying for, obtaining, and passing this Act, and all necessary expenses relating thereto, and the residue of such money shall be applied for and towards the building of the said Bridge, and the completing of the same, and other the works aforesaid, and the payment of the said purchase money of the said right of Ferry, and for and towards the other purposes of this Act.

16. The shares vested in the Proprietors

- (1) And it be further enacted, that the said shares into which the said subscription money shall be divided, shall be, and the same are hereby vested in the several persons before named as Proprietors, and their several and respective Executors, Administrators, and Assigns, proportionately to the sum they and each of them shall severally subscribe and pay thereunto, and shall be deemed personal estate;

- (2) and all and every person and persons, his, her and their several and respective Executors, Administrators, and Assigns, who have or have already subscribed, or who shall severally subscribe and pay in the sum of one hundred pounds, or such sum as shall be demanded in part thereof, towards building the said Bridge, and completing the same, and other the works and purposes aforesaid, shall be entitled to receive, after the said Bridge shall be completed, the entire and net distribution of one part or share, proportionate to the sum so subscribed, of and in the profits and advantages that shall and may arise and accrue by virtue of the sum or sums of money to be raised, recovered, or received, by virtue of this Act, and so in proportion for any greater number of shares, not exceeding one third of the whole number of shares as aforesaid;
- (3) and every person having such property of one part or share in the said undertaking, and so in proportion as aforesaid, shall bear and pay a proportionable sum of money towards carrying on the said undertaking, in the manner hereby enacted, directed, and appointed;
- (4) and every person possessed of one share in the said undertaking shall have one vote, and every person possessed of two shares shall have two votes, of three shares shall have three votes, of four shares shall have four votes, and no more, in every public meeting to be held as hereinafter appointed, for carrying on the said undertaking;
- (5) which vote or votes may be given by any proprietor or proprietors, either in person, or by his, her, or their proxy or proxies appointed by writing or writings under his, her, or their hand and seal or hands and seals, in case it shall be agreed on at any one of the half-yearly meetings of the said proprietors to be held by virtue of this Act, that proxies shall be admitted to be used, and an Order shall be entered in the books of the said Company to that effect;

- (6) and such vote by proxy shall be as effectual, to all intents and purposes, as if the principal or principals had voted in person;
- (7) and whatever question, election of Officers, or other matter or other thing shall be proposed, discussed, or considered in any public meeting to be held in pursuance of this Act, the same shall be finally determined by the majority of votes and proxies then present, and the Chairman at every such meeting, in case of a division of equal numbers, shall have the casting vote, although he shall have voted before;
- (8) provided that no person shall give or deliver more proxies than for one-third of the whole number of votes, and that no person shall vote as proxy unless he be a Proprietor.

17. Power to raise £4,000 or more if the £2,400 shall be insufficient

- (1) Provided always, and be it further enacted, that in case the sum of £2,400 herein before authorised to be raised shall be found insufficient for building and completing the said Bridge, and other the works and purposes hereby authorised to be done, then and in such case, and not otherwise, it shall be lawful for the said Company of Proprietors, their successors, Executors, Administrators, and Assigns, to raise and contribute amongst themselves, in manner and form aforesaid, and in such shares and proportion as to them shall seem meet, or by the admission of new subscribers, any further or other sum of money for completing and perfecting the said Bridge, and other the works and purposes aforesaid, not exceeding the sum of £4,000;
- (2) and every subscriber towards raising such further or other sums shall have the like vote, by himself or herself, or his or her proxy, and shall also be liable to such forfeitures, and stand interested

in the profits of the said Bridge, and other the works aforesaid, proportionately to the sum that he, she or they shall subscribe thereunto, as generally and extensively, to all intents and purposes, as if such further or other sum hereby allowed to be subscribed for and raised had been part of the sum originally subscribed, and anything herein contained to the contrary thereof in anywise notwithstanding.

18. New subscribers to become members of the body politic

And it be further enacted, that all and every person and persons who shall be admitted by the said Company of Proprietors, or the major part of them, as new subscribers for the said sum of four thousand pounds, or any part thereof, shall thereupon succeed as a constituent member or constituent members of the body politic incorporated by this Act, and as a Proprietor or Proprietors of the said Company, in the same manner, to all intents, constructions, and purposes, as if he, she, or they had been appointed by this Act a Proprietor or Proprietors of the said Company.

19. Repealed by 1988 Act

20. Business to be done at the first General Meeting

- (1) And be it further enacted, that at the first General Meeting of the said Company of Proprietors herein before directed to be held, the Proprietors there assembled, or three or more of such Proprietors, shall choose not less than three persons for the time being Proprietors of the said undertaking, which persons so chosen

shall be a Committee to manage, direct, and carry on the building of the said Bridge, and the affairs and business of the said Proprietors for the year then next following, or until another Committee shall be appointed, and to do all matters and things whatsoever relating thereto, and particularly such matters and things as are by this Act directed to be done by such Committees, and as shall, from time to time, be ordered by such general or special meetings as aforesaid;

- (2) and shall also appoint a Treasurer and a Clerk upon such terms as to salary and otherwise as may be thought fit.

21. Subsequent Committees, how to be chosen

- (1) And be it further enacted, that the said Committee of Proprietors shall be afterwards annually chosen at a General Meeting of Proprietors, and shall meet constantly, every month (or oftener if the said Committee shall find it necessary), at a day, hour, and place to be appointed, until the said Bridge shall be completed, and as often afterwards, at such place to be by them appointed, after ten days notice given thereof by the Clerk of the said Company, as occasion shall require;
- (2) and in order to defray the expense of the meetings of the said Committee, it shall be lawful for the said Committee, and they are hereby allowed to expend or retain to themselves such sums of money, out of the capital of the said Company of Proprietors, for their expenses in attending such meetings, as at some previous General Meeting of the said Company of Proprietors shall be settled and allowed.

22. Committees making reports of proceedings to the general assemblies,
and to obey their orders.

Provided also, that such committee shall, from time to time, make reports of their proceedings to, and be subject to the examination and control of the said General Meetings of the said Company of Proprietors, and shall pay due obedience to all such orders and directions in and about the premises as shall from time to time be made by the said Company of Proprietors at any General Meeting, such orders and directions not being contrary to any expressed directions or prohibitions in this Act.

23. Committee to make calls of money from the Proprietors, when
necessary

- (1) And be it further enacted, that the said Committee of Proprietors shall have power, from time to time, to make such call or calls for money from the proprietors of the said undertaking, to defray the expenses of, or to carry on the same, as they, from time to time, shall find necessary for the purposes aforesaid, so that the first call by virtue of this Act shall not exceed the sum of five pounds for every hundred pounds to be subscribed, and every succeeding call not to exceed the sum of twenty pounds per centum for every such subscription, and so as no calls be made at less than the distance of ten days from each other;
- (2) which money so called for shall be paid into the hands of the Treasurer to the said Company of Proprietors for the time being, to be paid and applied in such manner as the said Committee shall, from time to time, appoint and direct, for the building, making, and completing the said Bridge, and other the works and purposes aforesaid;

- (3) and such Committee shall, until the next General Meeting to be holden in manner as aforesaid, have full power and authority to direct and manage all and every affairs of the said Company of Proprietors, as well in buying materials for building the said Bridge, as in appointing one or more collector or collectors of the tolls, and in employing, ordering, and directing the works and workmen, and in placing and displacing such collector or collectors, and all under-officers, clerks, servants and agents, and in making all contracts and bargains concerning the said undertaking, so that no such purchase, bargain, or other matter, be done and transacted without the concurrence of the major part of the said Committee at any time assembled;
- (4) and every owner or owners of one or more share or shares in the said undertaking shall pay his, her, or their share or shares and proportion or proportions of the moneys to be called for as aforesaid, at such time and place as shall be appointed by the said Committee, of which ten days notice (except the first call of five pounds per centum, which shall be at twenty-one days notice) shall be given, by publishing the same in some newspaper circulating in the counties of Oxford and Berkshire;
- (5) and the Clerk of the said Company of Proprietors shall also give notice, by letters directed to each Subscriber or Proprietor, at his, her, or their usual place of abode, of such call, and of the name and place of abode of the Treasurer to whom such payments are to be made;
- (6) and if any person or persons shall refuse or neglect to pay his, her, or their rateable or proportionable part or share of the said money to be called for by the first call to be made by virtue of this Act, at the time and place to be appointed as aforesaid, it shall be lawful for the said Company of Proprietors to sue for and recover the same;

- (7) and if any person or persons shall refuse or neglect to pay his, her, or their rateable or proportionable part or share of the said money to be called for after the first call as aforesaid, at the time and place so appointed, he, she, or they so neglecting or refusing shall forfeit the sum of twenty shillings for every One hundred pounds of his, her, or their respective share and shares, parts or interests, in the said undertaking;
- (8) and in case any such person or persons shall neglect to pay his, her, or their rateable or proportionable part or share of the said money to be called for as aforesaid, for the space of three calendar months after the time appointed for payment thereof as aforesaid, then he, she, or they so neglecting shall forfeit his, her, and their respective share and shares, parts, and interests in the said undertaking, and all the profit and benefit thereof, all which forfeitures shall go to the rest of the said Company of Proprietors, in trust for and for benefit of themselves, in proportion to their respective interests, or another person shall and may be admitted in the place instead of such person forfeiting as aforesaid, at the election of the Proprietors, all which said powers, forfeitures, and provisions shall extend to the persons who may become proprietors of new or further shares in the said undertaking, under and by virtue of the powers herein contained for raising an additional sum not exceeding Four thousand pounds.

24. Limiting time for taking advantage of forfeitures

Provided always, that no advantage shall be taken of any forfeiture of any share or shares in the said undertaking, unless the same shall be declared to be forfeited at some General Meeting of the said Company of Proprietors, which shall be held within 6 calendar months next after such forfeiture shall be incurred, and every such

forfeiture shall be an indemnity to and for every Proprietor so forfeiting against all actions, suits, and prosecutions whatsoever to be commenced or prosecuted for breach of any contract or other agreement between such Proprietor or Proprietors so forfeiting, and the rest of the Proprietors with regard to carrying on the said undertaking.

25. Company to have power to remove Committee, Men and Officers

And be it further enacted, that the said Company of Proprietors shall always have power and authority at any General Meeting to remove or displace any person or persons chosen to be of the Committee as aforesaid, or any collector or collectors, or other officer or officers, and to appoint some other person or persons in the room of the person or persons so removed or displaced, and to revoke, alter, amend, or change any of the rules and directions by this Act prescribed and laid down in regard to their proceedings amongst themselves, as to the major part of them shall seem meet, (the method of calling special or general meetings, and voting and appointing Committees, only excepted), and shall have power to make such bye-laws for the good and orderly management of the said Bridge and of the tolls to be taken in respect of the same. Any person offending against any such bye-laws shall be guilty of an offence and shall be liable to a fine not exceeding five pounds.

26. Directing how calls on shares undisposed of, belonging to persons dying, shall be made

- (1) And be it further enacted, that if any owner or owners of any share or shares in the said undertaking shall die before calls shall be made for the full sum to be advanced on each share which he,

she or they shall have been possessed of or entitled to (without having made provision by will or otherwise, how such share or shares shall be disposed of, and the money paid in upon calls for the future), then and in such cases the Executors or Administrators of any such owner or owners so dying, and the Trustee or Trustees, Guardian or Guardians of any infant or other person or persons whomsoever, entitled to the estates and effects of such owner or owners deceased, shall be indemnified against all and every such infant or infants, or other person or persons whomsoever, for paying any sum of money when called for as aforesaid to complete any such subscription;

- (2) and if such owner deceased shall not have left assets sufficient, or in case the Executors or Administrators, Trustees, or Guardians, shall refuse or neglect to answer such calls and payments, the said Company of Proprietors shall be and are hereby empowered, authorised, and required to admit any other person or persons to be a Proprietor or Proprietors of the share and shares of such owner or owners deceased, on condition that he, she, or they so admitted do and shall, on or before such admission, pay to the Executors or Administrators of such deceased owner or owners, or to the Trustee or Trustees, Guardian or Guardians of any infant, or other person or persons entitled to his, her, or their effects, the full sum and sums of money which shall have been by such owner or owners, in his, her, or their lifetime, by the virtue of any call or calls, or otherwise, advanced upon such share or shares;
- (3) and in default of such calls being answered and made good in manner aforesaid, it shall be lawful for the said Company of Proprietors to sell and dispose of the share or shares of such deceased owner or owners, and pay and apply the money arising by such sale (after deducting the reasonable charges occasioned thereby), to and for the benefit of the representatives of such deceased owner or owners.

27. Proprietors may sell or dispose of their shares

- (1) And be it further enacted, that it shall be lawful for the said several Proprietors to sell or dispose of any share or shares he, she, or they shall and may be entitled to in the said undertaking, subject to the rules and conditions herein mentioned, and any purchaser or purchasers shall, for his, her or their security, as well as that of such Proprietor or Proprietors, have a duplicate or duplicates of the Deed or Conveyance made unto him, her, or them, and executed by both parties, one part whereof so executed shall be delivered to the said Company of Proprietors, or their Clerk for the time being, to be filed and kept for the use of the said Company, and an entry thereof shall be made in a book or books to be kept by the said Clerk for that purpose, for which no more than two shillings and six pence shall be paid;
- (2) and until such duplicate of such deed shall be so delivered unto the said Company of Proprietors or their Clerk, and filed and entered as above directed, such purchaser or purchasers shall have no part or share of the profits of said undertaking paid unto him, her or them, nor any vote as a Proprietor or Proprietors.

28. Proprietors not to sell their shares until calls are paid up

- (1) And be it further enacted, that after any call of such moneys shall be made by authority of this Act, no person or persons shall sell or transfer any share in the said undertaking, until the moneys called for upon their respective share or shares so to be sold shall be paid under the penalty of forfeiting his, her, or their respective share or shares of the said undertaking to the said Company of Proprietors, in trust for the benefit of all the other Proprietors,

unless the purchaser or purchasers shall, at the time of such transfer, pay the money called for, upon such share so transferred, to the Treasurer of the said Company of Proprietors;

- (2) such forfeiture nevertheless to be notified and declared at a General Meeting in manner before directed with respect to other forfeitures of shares.

29. Form of Transfer

And be it further enacted, that the Conveyance or Transfer of the said shares shall be in the following form, or to the like effect; to wit:

I A.B. of
in consideration of the sum of £ do hereby bargain,
sell, and transfer to C.D. his [her or their] Executors,
Administrators, and Assigns share [or shares, as the
case shall require] of the undertaking for building a Bridge,
at or near the Ferry over the River Thames, from Whitchurch
in the county of Oxford, to the opposite Shore in the Parish
of Pangbourn in the county of Berkshire, to hold unto the
said his [her or their] Executors,
Administrators, and Assigns, subject to the same rules and
orders, and on the same conditions that I now hold the same;
and I the said C.D. do accept the said share
[or shares] of the said undertaking, subject to the same rules,
orders, and conditions. Witness our hands and seals, the
day of

30. No business to be done at Committees, unless three Proprietors shall be present

- (1) And be it further enacted, that no resolutions shall be taken, or business done at any meetings of the said Committee, unless all the members of such Committee be present, nor shall the Treasurer or Treasurers issue out any sum or sums of money for the use of the said Committee, without an order signed by the said Committee;
- (2) and all such orders for the payment of money shall be entered in the Company's books, and the Treasurer or Treasurers shall be allowed all his or their expenses in the execution of his or their office, and shall give such security for properly accounting for and paying all such moneys as shall come into his or their hands, as the said Company of Proprietors shall judge necessary;
- (3) and the Clerk shall be entrusted with money, from time to time, by an order in writing, signed by the said Committee, upon the Treasurer or Treasurers, to enable him to pay petty expenses, and such small sums as shall be found necessary, and he or they shall account for the same to the Committee, who shall regularly examine and sign the said Accounts as often as they shall see fit, and the said Treasurer's Accounts shall be examined and compared with the books of the said Committee, and shall be made up, and the balance settled and signed by the said Committee, every half year.

31. Bridge vested in the Company

- (1) And be it further enacted, that the said Bridge and the said toll houses and conveniences to be erected thereon or near thereto, and also the said ascents or approaches to the said Bridge, and all materials which shall be from time to time gotten or provided

for erecting, building, making, maintaining, and repairing the same, shall at all times be vested in the said Company of Proprietors and their successors;

(2) and when and so soon as the said Bridge, and ascents and approaches thereto, shall be erected and built, and made fit and proper for the passage of travellers, cattle, and vehicles, it shall be lawful for the said Company of Proprietors and their successors, from time to time and at all times then after, to ask, demand, receive, recover, and take, to and for their own proper use and behoof, for pontage, as or in the name of a toll or duty, before any passage over the said intended Bridge shall be permitted, the several sums following; (that is to say),

for every person on foot, one halfpenny:

for every horse, mare, gelding, or mule, laden or unladen,
and not drawing, two pence:

for every ass, laden or unladen, drawing or not drawing, one
penny halfpenny:

for every bull, ox, cow, steer, heifer, or calf, two pence:

for every sheep or lamb, one halfpenny:

for every boar, sow, or pig, one halfpenny:

for every horse, mare, gelding, mule, or other beast, except
asses, drawing any vehicle, two pence:

for every vehicle with two or more wheels, two pence for
each and every wheel.

32. No toll for horses drawing barges etc. into Whitchurch Pound Lock

Provided always and be it further enacted, that no toll shall be at any time demanded or taken for the passage of horses going to draw, or returning from drawing, barges or other vessels into Whitchurch Pound Lock only, nor for the person or persons necessarily attending and driving such horses.

33. The tolls vested in the Company, with powers of distress etc.

- (1) And be it further enacted, that the said tolls shall be and the same are vested in the said Company of Proprietors and their successors;
- (2) and if any person shall, after demand made thereof by any collector or collectors to be appointed as aforesaid, refuse to pay the same, it shall be lawful for such collector or collectors, by himself or themselves, or taking such assistance as he or they shall think necessary, to stop and prevent the passage of the person or persons so refusing, or of the horse, beast, cattle, or vehicle, for or in respect of which such tolls ought to be paid, until full payment thereof, or to seize or distrain any horse or horses, or other cattle, together with their bridles, saddles, geavs, harness, or accoutrements, or their loading, or any vehicle with its loading, upon which such toll is by this Act imposed;
- (3) and if such tolls, and the reasonable charges of such seizure and distress, shall not be paid within the space of four days after such seizure and distress made, the person or persons so seizing and distraining shall and may sell the horse or horses, cattle, carriages, goods, chattels, or things so seized and distrained, or any part thereof, returning the over plus (if any be) and what shall remain unsold, upon demand, to the owner thereof, after such tolls, and the reasonable charges occasioned by such seizure, distress, and sale, shall be deducted.

34. Tolls may be reduced and raised again

- (1) And be it further enacted, that it shall be lawful for the said Company of Proprietors, from time to time, at any General Meeting to be held in pursuance of this Act, to lessen or reduce all or any

of the tolls hereby granted for such time as they shall think proper, and to raise again the tolls so lessened or reduced, or any part thereof, so that the same do never exceed the tolls herein before granted;

- (2) and the tolls so lessened or reduced, or raised again, shall be collected and recovered in the same manner as the tolls hereby granted are authorised or directed to be collected and recovered.

35. Penalty on evading tolls etc.

- (1) And be it further enacted, that if any person shall take off, or cause to be taken off, any horse or other beast from any vehicle, at or near to the said Bridge, with intent to evade, and shall thereby evade, or endeavour to evade, the payment of any part of the said tolls, or shall forge, counterfeit, or alter or deliver to, or receive from any other person or persons, any note or ticket, with intent to avoid the payment of any part of the said tolls, every person so offending shall for every such offence forfeit any sum not exceeding Five pounds;
- (2) and it shall be lawful for such collector or collectors to stop and prevent the passage of every such person until such person shall have paid the said penalty;
- (3) and if any person shall forcibly pass over the said Bridge, without having paid the said tolls, or shall assault, interrupt, or obstruct any person employed in the collection of the said tolls, every person offending in any of such cases shall, for every such offence, forfeit the sum of Five pounds.

36. Repealed by the 1988 Act

37. For altering the construction of the Lock to prevent evasion of the tolls

- (1) And be it further enacted, that the Owner or Proprietor, Owners or Proprietors of the present Lock, in the said Parish of Whitchurch, shall, and he and they is and are hereby required to alter the construction of the said Lock, so as to prevent as effectually as may be persons passing over the same, whereby the tolls by this Act granted might be evaded;
- (2) and that in case of persons nevertheless passing across the said River, within the Parishes aforesaid, by means of the Lock there, every such person shall be deemed and taken to have been guilty of an evasion of the tolls by this Act granted, and shall be subject and liable to the penalty by this Act inflicted on persons evading the tolls hereby granted.

38. The rights of the Ferry to be vested in the Company of Proprietors

And be it further enacted, that all the rights, privileges, and advantages of the said Hannah Dunce, and the said John Lichfield and Hannah his wife, and their heirs, in respect of the said Ferry, shall from and after the building and completing of the said Bridge aforesaid, be vested in the said Company of Proprietors, and their successors, and shall and may be exercised by them as fully and effectually, to all intents and purposes, as the same could or might have been exercised by the owner of the said Ferry.

39. Damage done to the Bridge by Bargemen to be paid for by the Owners

And be it further enacted, that if the person or persons having the care of any barge, boat, or other vessel, which shall be navigated

in or upon the said River Thames, shall wilfully, carelessly, or negligently cause, permit, or suffer any damage or injury to be done to the said Bridge by any such barge, boat or other vessel, then and in every such case the owner or owners of every such barge, boat, or other vessel, shall be answerable and liable to make satisfaction to the said Company of Proprietors for such damage or injury, and such satisfaction shall and may be recovered from the Owner or Owners of such barge, boat, or other vessel, in the like manner as if such damage or injury had been occasioned by or through his or their own negligence or carelessness.

40. Penalty on passing a line over the Bridge

And be it further enacted, that if the person or persons having the care of any barge, boat, or other vessel, which shall be navigated in or upon the said River, shall pass a line over the said Bridge, to the annoyance of passengers and cattle going over the same, every such person shall, for every such offence, forfeit and pay the sum of Twenty shillings, to be paid to the informer.

41. Repealed by the 1988 Act

42. Bridge to be deemed extra parochial, and the centre the boundary between the counties

- (1) And be it further enacted, that the said Bridge, or the tolls thereof, shall not be rated or assessed for or towards any public or parish rate, tax, or duty whatsoever, but the same Bridge, with its appurtenances, shall be deemed extraparochial to all intents and purposes;

- (2) and the said Bridge shall not be adjudged or taken to be a county Bridge, or to subject the counties of Oxford and Berkshire, or either of them, to the repairing, amending, or supporting of the same, any law or statute to the contrary hereof notwithstanding.

43. When Bridge impassable, a Ferry to be provided

- (1) And be it further enacted, that in case the said Bridge shall at any time become impassable or unsafe for travellers or vehicles, the said Company of Proprietors, or their successors, shall and are hereby required to cause the same to be forthwith rebuilt or repaired, and made safe and commodious for the passage of travellers, cattle, and vehicles;
- (2) and in the meantime, until the said Bridge shall be so rebuilt or repaired, and made safe and commodious, it shall be lawful for the said Company of Proprietors and their successors, and they are hereby required, during all such time as the said Bridge shall be impassable or unsafe as aforesaid, to provide a convenient means of transport for pedestrians and cyclists.

44. For obliging the subscribers to pay their subscriptions

And be it further enacted, that the several persons who have subscribed or shall subscribe money towards defraying the expenses of obtaining and passing this Act, or carrying the purposes thereof into execution, shall and are hereby required to pay the respective sums so subscribed, within such time or times, and in such parts and proportions as the said Company of Proprietors, or their successors, or the said Committee, shall order and direct.

45. Proceedings to be entered in books

And be it further enacted, that all the orders and proceedings of the said Company of Proprietors, or their Committee, at any of their meetings, shall be entered in a book to be kept for that purpose, and shall be signed by the said Company of Proprietors, or Committees present at such meetings, or the major part of them, unless otherwise directed by this Act, and that such entries to be made and subscribed shall be admitted to be read in evidence in any Court whatsoever, and all notices to be given in pursuance of this Act, the mode of which is not otherwise directed, shall be affixed upon the toll house or toll houses to be erected by virtue of this Act.

46. Informations and convictions to be before one Justice

And be it further enacted, that all offences created by this Act, may be prosecuted summarily.

47 to 49 inclusive - repealed by the 1988 Act

50. Appeal

- (1) Provided always, and be it further enacted, that if any person shall think himself or herself aggrieved by anything done in pursuance of this Act, unless where it is hereby otherwise directed, such person may appeal to the Justices at any general or quarter session of the Peace which shall be holden for the county wherein the cause of appeal shall arise, or conviction on any penalty happen, within four calendar months next after the same shall have arisen, giving

or causing to be given fourteen days notice in writing of his or her intention to bring such appeal, and of the cause or matter thereof, to the Clerk to the said Company of Proprietors, and within seven days after such notice, entering into recognizance before some Justice of the Peace for such county, with two sufficient Sureties, conditioned to try such appeal, and abide the order of and to pay such costs as shall be awarded by the Justices at such session;

- (2) and the Justices at the said session, upon due proof of such notice being given aforesaid, and of the entering into such recognizance, shall hear and finally determine the matter of every such appeal in a summary way, and award such costs to the party appealing or appealed against as the said Justices shall think proper;
- (3) and such determination shall be binding and conclusive to all intents and purposes.

51. Repealed by the 1988 Act

52. Limitation of actions

And be it further enacted, that if any action or suit shall be commenced or prosecuted against any person or persons for any matter or thing to be done in pursuance of this Act, every such action or suit shall be commenced within six calendar months next after the cause of action shall have arisen.

53. Repealed by the 1988 Act

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