

# The Battle for Coxhill Bridge

Doug Welby

Over the years the stretch of road between Kearsney Abbey and Bushy Rough has caused problems with local authorities as to its ownership and who should pay the cost of repairs.

As early as 1853 an argument as to whether it was a 'highway' or not was brought before the Justices Meeting at Wingham. A short while later a note in the River Parish Records stated that the Surveyor of the Highways had been served with a summons after refusing to repair Coxhill Bridge out of the Highway Rate.

During the early part of 1854 Thomas Smith, acting on instructions of the owner, Mrs. Every, had been demanding tolls from everybody using the Alkham Road and had erected a fence or gate to obstruct the highway. In the following March the Surveyor for River, George Gould, successfully removed the obstruction on the authority of the local magistrates. However, Mrs. Levery was not easily discouraged. She made it clear that the road was on private property and now that the lease on Coxhill Farm had been surrendered she, the owner, demanded her original rights. (It appears that the road was diverted shortly after the Brown Mill at Bushy Rough was constructed in c1791 by parties who had no right to do so).

Things took a turn for the worst when on the 9th February 1856, Mr. Gould came across four men digging up the road at Coxhill Bridge. He asked them to desist, but they refused saying that they had the freehold. The Surveyor promptly served notice on Thomas Smith as agent to the proprietor ordering him to fill in the ditch and to remove the fence forthwith.

Temper began to flare when Mr. Smith would not comply with the order and on the 3rd May Mr. John Collard, Highways Surveyor from neighbouring Alkham, was assaulted by Smith whilst investigating the four foot wide ditch, which still prevented the road being used. Collard had been given authority from his River opposite number to fill in the obstruction and had nearly accomplished his mission with the help of two labourers when the assault took place. Thomas Smith tried to prevent them from completing their task and ordered them off, saying that they were trespassing and forcibly tried to remove them.

Then, on the 17th May, it was reported to Mr. Gould that the road was again blocked by a fence with the demand of what he was going to do about it. The brave Mr. Gould reported that he would not remove it with a Magistrate's Order as in his opinion there was some doubt as to the legality of removing it. He added that there was great hardship in the village of River and felt he should not take any risks.

Whilst this barrier was being erected by Thomas Smith, an Alkham farmer named Valentine Gambrill, attempted to climb over the fence. Smith told him that there was no thoroughfare and tried to prevent him from getting over. Gambrill resisted by striking Smith on the back of the head with a heavy walking stick, which stunned Smith and dented his hat. The assailant immediately climbed over the fence telling the stunned agent that if he touched him again he would throw him in the river!

The local paper recorded the proceedings at the local Magistrates Court on the 31st May when Gambrill was fined a shilling

and 14/6d costs for taking the law into his own hands and using more violence than was necessary. Smith afterwards told Gambrill that he would take him to County Court if he did not compensate him for the damage to his hat.

During the court proceedings it was reported that Mrs. Every would guarantee that 'no interruption to the passage would occur whilst the matter of ownership was being looked into' but it can be seen on an 1872 map that the road still went through the farmyard and had not been altered in any way as a result of this violent protest. Therefore, one can assume that either Mrs. Every's ownership was not proven or that all the protagonists got together one evening in the Dublin Man 'O War and settled the problem over a pint or two of real ale.

Note: Research for this story was undertaken by Joe Harman.

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