



ANNO UNDECIMO

# GEORGIIV. REGIS.

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## *Cap. xxxvii.*

An Act for more effectually repairing the Road from *Wootton Bassett* in the County of *Wilts* to the Two Mile Stone in the Turnpike Road leading from *Swindon* to *Marlborough* in the said County.  
[3d *May* 1830.]

**W**HEREAS an Act was passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and maintaining the Road from Wootton Bassett in the County of Wilts to the Two Mile Stone in the Turnpike Road from Swindon to Marlborough in the said County* : 49 G. 3. c. 90.  
And whereas several large Sums of Money have been borrowed on the Credit of the Tolls by the said recited Act granted or authorized to be collected upon the said Road, which Money still remains due and owing and cannot be paid off, nor can the said Road be effectually amended, widened, altered, improved, and kept in repair unless the Term granted by the said Act be further continued; and it is expedient that the said Act should be repealed, and more effectual Powers and Provisions granted for repairing, maintaining, and otherwise improving the said Roads; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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  
[Local.] 8 I Advice

Recited Act  
repealed.

Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

This Act to  
commence  
for the Pur-  
poses herein  
mentioned.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and be put in execution for repairing, maintaining, widening, diverting, improving, and keeping in repair the said Road leading from the Top of a certain Street situate in the Centre of the Town of *Wootton Bassett* in the County of *Wilts*, commonly called or known by the Name of *Wood Street*, leading from and through the Town of *Wootton Bassett* aforesaid, and from, through, and over the several Parishes or Places of *Wootton Bassett*, *Cliffe Pypard*, *Broad Town*, *Broad Hinton*, *Winterbourn Bassett*, *Preshute*, *Rockley*, and *Ogbourn Saint Andrew*, at or to the Two Mile Stone in *Rockley* aforesaid, in the Parish of *Ogbourn Saint Andrew* aforesaid, or to the Place where the said Two Mile Stone formerly stood on the Turnpike Road leading from *Swindon* to *Marlborough* in the said County of *Wilts*.

Trustees  
appointed.

III. And be it further enacted, That all His Majesty's Justices of the Peace, acting for the said County of *Wilts* for the Time being, together with *John Brown* of *Marlborough*, *William Ruddle Brown*, *James Bradford*, *Thomas Brown* of *Burderop*, *Stephen Brown*, *Algernon Brown* of *Broad Hinton*, *William Brown* of *Ufcott*, *George Basset Clerk*, *Ralph Broome*, *Richard Pinniger Broome*, *Hopewell Hayward Budd*, *Cornelius Bradford*, *Francis Buckerfield Clerk*, *George Pocock Buxton Clerk*, *John Calley the younger*, *William Codrington*, *Oliver Calley Codrington*, *Thomas Codrington Clerk*, *Robert Codrington*, *Thomas Cowderoy*, *William Cripps*, *John Crook*, *Richard Canning*, *Robert Dixon*, *Francis Goddard*, *Richard Goddard*, *Horatio Nelson Goddard*, *George Goddard*, *John Gosling*, *John Gardner*, *John Goodman*, *William Gilbert*, *Thomas Gilbert*, *Henry Gilbert*, *Benjamin Franklin*, *William Halcomb*, *Thomas Halcomb*, *Richard Hawkins*, *John Hawkins*, *Bartholomew Horsell*, the Right Honourable *Charles John Howard* commonly called *Lord Andover*, *Richard Heighway Clerk*, *Richard Hooper*, *Anthony Holborow*, *John Hayward*, *Thomas Henley*, *Robert Hughes*, *Jonathan Ind*, *James Kibblewhite*, *Joseph Large*, *Abbot Large*, *Thomas Large*, *Peter Harvey Lovell*, *Jasper Maskelyne*, *Thomas Meyler Clerk*, *Thomas Merriman*, *Thomas Baverstock Merriman*, *William Clarke Merriman*, *Robert Millington*, *George May*, *John Nicholas*, *David Owen Clerk*, *John Pinnigar*, *Richard Parsons*, *James Pike*, *William Priddy*, *Robert Smith* of *Broad Town*, *Jacob Smith*, *Henry John Smith*, *William Smith*, *Sir John Smyth Baronet*, *Anthony Mervyn Storey*, *Thomas Hyde Villiers*, *Charles Pelham Villiers*, *Edward Villiers*, *William Warman*, *Thomas Weston Wadley*, *Richard Griffiths Welford*, *Henry Pyke Welford*, *Thomas Rawdon Ward*, *John Ward Clerk*, *Williams Clerk*, *John Woodman*, *Thomas Wiggins*, *John Yorke*, and *Matthew Viveash*, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees, at their First Meeting to be held under or by virtue of this Act, to elect, nominate, and appoint any Number of fit Persons (not exceeding Three in the whole) to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been nominated and appointed in and by this Act.

Power to  
appoint  
additional  
Trustees.

V. And be it further enacted, That the said Trustees shall meet at the *Bell Inn* in *Broad Hinton* aforesaid, or at some other convenient House or Place on or near the said Road, on the Second *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, and shall then and there proceed to put this Act in execution.

First Meeting  
of the Trus-  
tees.

VI. And be it further enacted, That the respective Tolls or Duties following shall be demanded and taken before any Horse, Beast, or other Cattle, or any Carriage, shall be permitted to pass through any Turnpike Gate or Bar erected or to be erected upon or across the said Road, or at the Sides thereof, or across any Lane or Way leading into the said Road; (that is to say,)

Power to  
take Tolls.

For every Horse, Mule, Ass, or other Beast or Cattle drawing any Tolls.

Coach, Berlin, Landau, Machine, Hearse, Chariot, Britska, Chaise, Calash, Caravan, Chaise Marine, Litter, Bed Carriage, Curricule, Chair, Gig, Sledge, or other Carriage, the Sum of Sixpence:

For every Horse, Mule, Ass, or other Beast or Cattle drawing any Waggon, Wain, Dray, Sledge, or other such like Carriage, the Sum of Sixpence:

For every Horse, Mule, or Ass, or other Beast or Cattle, laden or unladen, and not drawing, the Sum of Two-pence:

For every Drove of Oxen, Cows, or other Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number:

And for every Drove of Calves, Sheep, Lambs, Hogs, or Pigs, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number:

VII. And be it further enacted, That in every Case where there shall be a fractional Part of a Halfpenny in the Amount of the Tolls hereby granted, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Fractional  
Part of a  
Halfpenny  
in Tolls.

Which said several and respective Tolls hereby granted shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle shall be permitted to pass through any such Turnpike or Bar; and such several and respective Tolls shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Tolls vested  
in Trustees.

VIII. And be it further enacted, That in case Toll shall have been paid for or in respect of any Horse, Beast, or Cattle for passing through

Tolls to be  
paid only  
once a Day.

through any of the Turnpikes, Toll Gates, Toll Bars, or Side Gates now continued or erected, or hereafter to be erected by virtue of this Act, no Toll shall be demanded or taken for or in respect of such Horse, Beast, Cattle, or Carriage for returning, passing, or repassing through the same Turnpike, Toll Gate, Toll Bar, or Side Gate the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night; but that every Person, on producing a Note or Ticket denoting the Payment of Toll, shall (excepting in the Cases herein-after mentioned,) be permitted to pass through such Turnpike, Toll Gate, Toll Bar, or Side Gate with the same Horse, Beast, Cattle, or Carriage, Toll-free.

No more than Two Tolls in the whole District.

IX. And be it further enacted, That no more than Two full Tolls shall be demanded or taken for passing on the same Day, except in the Case herein-after mentioned, through all the Turnpikes, Toll Gates, or Toll Bars now erected or hereafter to be erected on the said Road.

Tolls may be reduced.

X. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, if they shall think fit, at any Meeting to be holden by them, to order and direct that One Half only of the Tolls by this Act granted shall be demanded and taken at any of the Toll Gates, Toll Bars, and Side Gates then erected upon the said Road for any Horses, Cattle, Sheep, Pigs, and other Beasts, whether drawing or not, Carriages, Waggon, Sledges, and other Things in respect of which Tolls are hereby required and authorized to be demanded and taken, if such Horses, Cattle, Sheep, Pigs, and other Beasts, Carriages, Waggon, Sledges, and other Things as aforesaid, shall have before paid on the same Day a full Toll at any other of the Toll Gates, Toll Bars, or Side Gates hereby authorized to be continued or erected upon the said Road, provided the Person or Persons conducting or being with the same shall produce a Ticket or Note denoting Payment of such full Toll as aforesaid.

Stage Coaches, &c. travelling for Hire to pay each Time of passing.

XI. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or Beast drawing any Stage Coach, Caravan, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, for each Time of passing or repassing along the said Road; provided nevertheless, that no further or additional Toll shall be payable in respect of Stage Coaches, Caravans, Stage Waggon, or other Stage Carriages on account only of the Horses drawing the same having been changed.

Post Chaises to pay on every fresh Hiring.

XII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or Beast let out to Hire, and drawing any Post Chaise or other Carriage, for each Time of passing or repassing along the said Road, whenever any fresh Hiring thereof shall take place.

Tolls not to be laid out in repairing the Streets.

XIII. Provided always, and be it further enacted, That none of the Tolls authorized by this Act to be taken upon the said Road, nor any of the Monies raised by virtue of the said recited Act, or to be raised

raised by virtue of this Act, shall be paid, laid out, or expended in the Repair or Improvement of any Street, Highway, or Place within the Town of *Wootton Bassett*, or any other Town through which the said Road shall pass, nor shall any Tolls be collected therein by virtue of this Act.

XIV. And be it further enacted, That no Exemption from Toll for Overweight in respect of any Horse or Beast drawing any Waggon, Cart, or Carriages laden with Manure, shall be claimed or allowed unless the Tires of the Wheels of such Waggon, Cart, or Carriages shall actually press the Breadth of Six Inches upon a flat Surface. Limitation of Exemptions.

XV. And be it further enacted, That all the Monies which have been raised and produced by virtue of the said recited Act, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, and in preference to all other Payments whatsoever, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act and otherwise relating thereto respectively, with lawful Interest on any Sum or Sums of Money which shall be advanced for that Purpose; secondly, in paying and discharging all Bills and other Sums of Money ordered or directed to be paid by the said Trustees for carrying the said recited Act into execution and the Trusts of this Act; thirdly, (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones, or Posts and Fences, and for Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act,) in paying and discharging the Interest now due or hereafter to accrue and become due upon or by virtue of Mortgages or Securities which have been already made and granted of the Tolls or Duties heretofore payable on the said Road, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to become payable on the said Road; fourthly, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the said Road, and of erecting and providing, altering and repairing Turnpikes, Toll Gates, Toll Bars, Weighing Engines, and Toll Houses, with suitable Outbuildings, upon, across, or by the Sides of the said Road, or upon or across any Lanes or Ways leading into the same, and otherwise in executing the Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured in pursuance of and for the Purposes of the said recited Act, and also the several Principal Sums of Money which may hereafter be borrowed and secured by virtue of this Act, and which may hereafter become due and owing by or on account of the said Road. Application of Tolls and Money borrowed.

[*Local.*]

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XVI. And

Public Act.

XVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commence-  
ment and  
Continuance  
of Act.

XVII. And be it further enacted, That this Act shall commence upon the passing thereof, and shall from thenceforth continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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