



ANNO UNDECIMO

# GEORGII IV. REGIS.

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## *Cap. lxxxviii.*

An Act for repairing the Turnpike Road from the Top of *Whitesheet Hill* to the *Wilton Turnpike Road* at or near *Barford* in the County of *Wilts.*  
[29th *May* 1830.]

**W**HEREAS an Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending, widening, and keeping in repair the Road from the Bottom of Whitesheet Hill, through Hurdcot, to the Wilton Turnpike Road at or near Barford in the County of Wilts:* And whereas an Act was passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Bottom of Whitesheet Hill to the Wilton Turnpike Road at or near Barford in the County of Wilts:* And whereas it was by the said recited Act of the Twenty-eighth Year of the Reign of His late Majesty enacted, that in case the Trustees for executing the said Acts should erect a Turnpike or Side Gate across the *Shaftesbury Turnpike Road* at or near the Bottom of *Whitesheet Hill*, then from and after the erecting of such Turnpike or Side Gate so much of the said *Shaftesbury Turnpike Road* as lay between the End of the Road comprised in the said Act and the Top of

[*Local.*]

28 G

*Whitesheet*

*Whitesheet Hill* aforesaid (being about Half a Mile in Length) should be deemed and taken to be Part of the Road to be kept in repair by virtue of the same Act: And whereas such Turnpike or Side Gate has been long ago erected, and is now continued at the Bottom of *Whitesheet Hill* aforesaid; and the said Road from the Bottom to the Top of *Whitesheet Hill* has been since repaired out of the Tolls arising by virtue of the said recited Acts: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded to put the same in execution, and several considerable Sums of Money are due and owing on the Credit of the Tolls by the said Acts authorized to be taken on the Road comprised in the said Acts, which cannot be paid off, nor can the Road comprised in the said Acts be properly amended, widened, improved, and kept in repair, unless the Term and Powers of the said Acts are enlarged: And whereas it would be more convenient to the Trustees, and beneficial to the said Road and to the Public, if the said Acts were repealed, and if further and other Powers were granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's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 from and after the Commencement of this Act the said Acts passed in the Twenty-eighth and Fiftieth Years of the Reign of His late Majesty shall be and the same are hereby declared to be repealed.

Recited Acts repealed.

This Act to take effect for the Purposes herein mentioned.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing, improving, and keeping in repair the Road leading from the Top of *Whitesheet Hill* in the Parish of *Donhead Saint Andrew*, through *Hurdcot*, to the *Wilton* Turnpike Road at or near *Barford Saint Martin*, in the County of *Wilts*.

Appointment of Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Wilts*, together with the Honourable *Henry Benedict Arundell*, *William Wyndham* junior, *Alexander Wyndham*, *George Grove*, *Charles Henry Grove* Clerk, *John Benett* junior, *Alexander Powell* junior, *Charles Wyndham*, *Edward Pole* Doctor in Divinity, *Henry Linton* Doctor in Divinity, *Penruddocke Wyndham* Clerk, *George Thomas Berdmore Monckland*, *Richard Blackmore* Clerk, *Richard Downes* Clerk, *Henry King*, *Thomas King*, *Frederick King*, *Daniel Lambert*, *Henry Lambert*, *William Dansey* Clerk, *Morgan Dove Blandford*, *Morgan Blandford*, *James Hibberd* Clerk, *Robert Bracher Larkam*, *Charles Foot*, *Thomas Fox* Clerk, *Charles Bowles*, *Joseph Walter*, *Goddard Rogers*, *Francis Lear* Clerk, *George Dewdney* Clerk, *William Edward Hony* Clerk, *Simon Webber* Clerk, *Thomas Penruddocke* Clerk, and *John Rebbeck*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads, shall be and they are hereby appointed Trustees for repairing, improving, and maintaining in repair the said Road, and for otherwise putting this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads, (not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to  
appoint  
additional  
Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *Arundel Arms* Inn in the Parish of *Donhead Saint Andrew* aforesaid, or at some other convenient Place in the said Parish or upon or near to the said Road, on the Day of the Commencement of this Act, or as soon after as conveniently may be, and proceed in the Execution of this Act, and shall and may then and from Time to Time after adjourn to and meet at such Times, and at such Place or Places in the said Parish, or upon or near to the Line of the said Road, as they shall think proper.

First Meeting  
of Trustees.

VI. And be it further enacted, That the respective Sums herein-after mentioned shall or may be demanded and taken for Tolls; (that is to say,) Power to  
take Tolls.

For every Horse or Beast drawing any Coach, Stage Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Sociable, Car, Chair, Gig, Whiskey, Caravan, Van, Hearse, Litter, or other such like Carriage, the Sum of Sixpence: Tolls.

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such Carriage, with Wheels of the Breadth of Six Inches or upwards, the Sum of Sixpence:

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

For every Ox or Head of Neat Cattle, the Sum of One Penny:

For every Calf, Sheep, Lamb, or Swine, the Sum of One Half-penny.

VII. And be it further enacted, That between the first Day of *November* and the last Day of *February* in each and every Year it shall be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls mentioned in this Act, to demand and take for each and every Horse or other Beast drawing any Timber Carriage employed in carrying or conveying any Timber or Tree or Trees, a Toll equal to One Half, in addition to the Toll which otherwise might be demanded and taken for such Horse or other Beast: Provided always, that no such additional Toll shall be demanded or taken save and except there shall be Two or more Horses or other Beasts used in drawing any such Carriage. Additional  
Toll on Car-  
riages em-  
ployed in  
conveying  
Timber.

VIII. And

Limiting the Number of Gates at which Payments shall be enforced.

VIII. And be it further enacted, That it shall not be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls mentioned in this Act, to demand and take the respective Sums or Tolls aforesaid at more than One Gate in any One Day, in respect of the same Horses, Beasts, or Cattle passing or repassing at any Time or Times in the same Day through all the Toll Gates, Turnpikes, and Side Gates on the said Road, any thing in any Law or Statute relating to Turnpike Roads contained to the contrary notwithstanding.

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

IX. Provided always, and be it further enacted, That the Tolls payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage conveying any Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing along the said Road.

Post Chaises, &c. to pay on each fresh Hiring.

X. Provided also, and be it further enacted, That the Tolls payable for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Road, whenever any fresh Hiring thereof shall take place.

One-horse Carts to be weighed.

XI. And be it further enacted, That, notwithstanding any Law or Statute to the contrary, all Carts and other Carriages drawn by One Horse or other Beast shall be liable to be weighed at any Weighing Machine or Weighing Machines now erected or which hereafter may be erected upon or for the Benefit of the said Road, in the same Manner as Carts and other Carriages drawn by any greater Number of Horses or other Beasts are now liable to be weighed by Law; and the Owners and Drivers thereof shall be liable to the same Penalties for refusing to suffer such Carts and other Carriages to be weighed, or for obstructing the Wheels being measured or gauged, as the Owners or Drivers of Carts or other Carriages drawn by Two or more Horses are now liable by Law; and every such Cart or other Carriage drawn by One Horse or other Beast, which, together with the Loading thereof, shall weigh more than Thirty-five Hundred Weight in Summer (to be computed from the First Day of *May* to the Thirty-first Day of *October*), or than Thirty Hundred Weight in Winter (to be computed from the First Day of *November* to the Thirtieth Day of *April*), shall pay, and it shall be lawful for the said Trustees (or any Person or Persons empowered by them to receive the Tolls mentioned in this Act) to receive and take, such and the same additional Tolls for Overweight as Carts or other Carriages drawn by Two or more Horses or other Beasts are liable to pay by Law.

Additional Toll for Overweight.

Application of Tolls and Money borrowed.

XII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Acts, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls in this Act mentioned, together

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, 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, in the Payment of all the Costs, Charges, and Expences incurred in or incidental to the applying for, preparing, obtaining, and passing this Act; secondly, in repairing, altering, or erecting Toll Gates and Toll Houses, Fences, Ditches, Stones, and Posts, and in paying Expences of Books, Advertisements, Salaries of Officers, and other such current Expences of the Trustees; thirdly, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the said Road; fourthly, in paying and discharging the Interest to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls heretofore payable on the same Road, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls by virtue 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 Acts, and also the several Principal Sums of Money which may hereafter be borrowed by the Trustees for executing this Act.

XIII. And be it further enacted, That Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Road dry, and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Road, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Road, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk or Avenue to a House,) at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriage-ways or Footways lead into or out of or cross the said Road, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired, and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Road shall be scoured, cleansed, and kept open, repaired, and maintained by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads.

Ditches,  
Drains, &c.,  
by whom to  
be made and  
cleansed.

XIV. 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.

Public Act.

Term of Act.

XV. And be it further enacted, That this Act shall commence upon the Second *Thursday* after the passing thereof, and shall 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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