



ANNO TERTIO

# GULIELMI IV. REGIS.

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## Cap. xcii.

An Act for more effectually repairing the Roads leading from *Swindon* to the Centre of *Christian Malford Bridge*, from *Calne* to *Lyneham Green*, and from the Direction Post in *Long Leaze Lane* near *Lydiard Marsh* to *Cricklade*, in the County of *Wilts*. [10th June 1833.]

**W**HEREAS an Act was passed in the Thirty-first Year of <sup>31G.3.c.121.</sup> the Reign of King *George* the Third, intituled *An Act for amending, widening, and keeping in repair the Roads leading from Swindon to the Centre of Christian Malford Bridge, and from Calne to Lyneham Green, and from the Direction Post in Long Leaze Lane near Lydiard Marsh to Cricklade, in the County of Wilts*: And whereas another Act was passed in the Fifty-second Year of the Reign of King *George* the Third, intituled *An Act for continuing the Term and amending the Powers of an Act made in the Thirty-first Year of His present Majesty, for repairing the Roads leading from Swindon to the Centre of Christian Malford Bridge, and from Calne to Lyneham Green, and from the Direction Post in Long Leaze Lane near Lydiard Marsh to Cricklade, in the County of Wilts*: And whereas it was enacted by the said recited Acts that the same several Roads should be divided into and be considered as Three Districts, and that the said Road from *Swindon* to the Centre of *Christian Malford Bridge* should be and the same was thereby declared to be the First District of Road, and that the said Road from

52G.3.c.83.

[Local.]

22 K

Calne

Recited Acts  
repealed,  
and this Act  
to be put in  
execution.

*Calne* through *Hillmarton* to *Lyneham Green* aforesaid should be and the same was thereby declared to be the Second District of Road, and that the said Road from the said Direction Post in *Long Leaze Lane* near *Lydiard Marsh* to *Cricklade* aforesaid should be and the same was thereby declared to be the Third District of Road intended to be amended and repaired by the said recited Acts: And whereas the Trustees appointed by the said recited Acts have proceeded to put the same in execution, and have borrowed at Interest several considerable Sums of Money, on the Credit of the Tolls authorized to be taken on the said several Districts of Road, and the Money so borrowed cannot be repaid, nor the Interest thereof discharged, nor can the said several Districts of Road be sufficiently amended and kept in repair unless the Term and Powers of the said Acts are altered and enlarged, and the Tolls increased or altered: And whereas it would facilitate the Execution of the Purposes aforesaid if the said former Acts were repealed, and the several Powers and Provisions necessary for the more effectually repairing and maintaining the said several Districts of Road were comprised in One Act: 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 upon the Twenty-seventh Day of *December* One thousand eight hundred and thirty-three the said recited Acts of the Thirty-first and Fifty-second Years of the Reign of King *George* the Third shall be and the same are hereby declared to be repealed, and that this Act shall from thenceforth commence and take effect and be put in execution for and during the Term herein-after mentioned, for the Purpose of amending, altering, turning, widening, improving, and keeping in repair the several Roads; that is to say, the Road leading from *Swindon* to the Centre of *Christian Malford Bridge*, from *Calne* to *Lyneham Green*, and from the Direction Post in *Long Leaze Lane* near *Lydiard Marsh* to *Cricklade*, in the County of *Wilts*.

Roads to be  
divided into  
Districts.

II. And be it further enacted, That the said several Roads shall be divided into and be considered as Three Districts as heretofore; that is to say, the said Road from *Swindon* to the Centre of *Christian Malford Bridge* shall be and the same is hereby declared to be the First District of Road by this Act intended to be repaired and kept in repair; and the said Road from *Calne* through *Hillmarton* to *Lyneham Green* aforesaid shall be and the same is hereby declared to be the Second District of Road by this Act intended to be repaired and kept in repair, and the said Road from the Direction Post in *Long Leaze Lane* near *Lydiard Marsh* to *Crickdale* aforesaid shall be and the same is hereby declared to be the Third District of Road by this Act intended to be repaired and kept in repair.

Appoint-  
ment of  
Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Wilts* for the Time being, together with *Robert Ashe* the elder, Clerk, *Robert Ashe* the younger, Clerk, *Edward Ashe* Clerk, *Nathan Atherton*, *Charles James Fox Axford*, *George Bailey*, *James Bradford*, *Charles Bradford*, *William Bathurst*

*Bathurst Bradford, Richard Garlick Bathe, James Bewley, Benjamin Bodman, William Ruddle Brown, John Brown, William Brown, Thomas Brown, John Washbourn Brown, Thomas Bullock Clerk, Henry Potter Burt, John Jacob Buxton, John James Calley (Salthrop), John James Calley (Groundwell), William Codrington, Oliver Calley Codrington, Thomas Stretton Codrington Clerk, Robert Codrington, Giles Daubeny Clerk, Thomas Dewell, William Farmer, George Ashe Goddard Clerk, Francis Goddard, Francis Goddard the younger, John Grimes, James Grooby Clerk, Michael Hare Clerk, Mark Heale, Richard Hooper, Robert Hughes, Abraham Henley, Robert Henley, John King, Henry King, Jacob Large, John Large, James Large, Abraham Large, Robert Large, Benjamin Large, John Ladd, John Lamb, Jasper Maskelyne, Richard Miles, Samuel Neate, John Pineger, Thomas Poynder, Thomas Plummer, William Plummer, John Mervin Prower Clerk, James Pratt, Bryan Rumboll, William James Sadler, George Sutton, Charles Seymour, John Harding Shepard, Jacob Smith, Edward Stiles, Robert Stiles, Thomas Stretch, Richard Tuckey, Matthew Vivash, John Wayte Vilett Clerk, William Wayte, John Wayte (Surgeon), John Wayte (Currier), Jasper Rumboll Warman, Thomas Wiggins, John Yorke, and their Successors, being duly qualified according to the Laws respecting Trustees of Turnpike Roads in *England*, shall be, and they and their Successors, to be duly elected according to the Laws respecting Trustees of Turnpike Roads in *England*, are hereby appointed Trustees for amending, widening, altering, and otherwise improving the said several Districts of Road, and for otherwise carrying the several Acts for regulating Turnpike Roads in *England* and this Act into execution.*

IV. And be it further enacted, That it shall be lawful for the said Trustees, at their First or other Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons not exceeding Three in the whole, being duly qualified, to be Trustees for the Purposes of this Act, and such Persons, when so elected and appointed, shall have the same Powers and Authorities for executing this Act as if they had been nominated or appointed Trustees in or by this Act.

Power to  
appoint ad-  
ditional  
Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *Goddard Arms Inn*, or at some other convenient Place in *Swindon* aforesaid, on the Third *Thursday* next after the passing of this Act, so far as relates to the said First District of the said Road, and shall meet at the *White Hart Inn* or some other convenient Place in *Calne* aforesaid on the Third *Tuesday* next after the passing of this Act so far as relates to the said Second District of the said Road, and shall meet at the *Angel Inn* in *Purton*, or at some other convenient Place in *Purton*, on the Third *Friday* next after the passing of this Act, so far as relates to the said Third District of the said Road, or as soon after those respective Days as conveniently may be, and proceed to the Execution of this Act, and the said Trustees shall and may from Time to Time adjourn themselves to and meet at such Times and at such Place or Places on or near the said Road as the said Trustees shall think proper, so that every such Meeting shall be held as near to the District of the said Roads to which the

First Meet-  
ings of Trus-  
tees.

Business

Business to be done or transacted at such Meeting shall relate as conveniently as may be : Provided always, that no Business of or relating to more than One of the said Districts shall be transacted at any other than at a General Meeting of the Trustees to be convened and held at some One convenient Place within or near One of the said Districts, and that when it is intended to transact any Business relating to more than One of the said Districts at any such Meeting, Notice thereof shall be affixed on all the Turnpikes within the said several Districts.

Power to  
take Tolls.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or for any Person or Persons appointed or continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take, at each Toll Gate, Toll Bar, Turnpike, Side Bar, and Chain which now is or hereafter shall be standing across or at the Sides of the said several Districts of Road by this Act authorized or directed to be made, amended, widened, diverted, improved, and kept in repair, on every Day, (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock on the next succeeding Night,) the Tolls following; that is to say,

Tolls.

For every Horse, Mule, Ass, or other Beast, drawing any Coach, Stage Coach, Landau, Barouche, Chariot, Chaise, Landaulet, Phaeton, Hearse, Curricule, Chair, Gig, Caravan, Van, or other Carriage of the like Description, by whatsoever other Name called or known, the Sum of Sixpence :

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage having the Fellies of the Wheels thereof of the Breadth of Six Inches or more, the Sum of Five Pence Halfpenny :

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches, the Sum of Sixpence Halfpenny :

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches, the Sum of Eight-pence :

For every empty Carriage with Four Wheels, fastened to or behind any Waggon, Wain, Dung Cart, or other Carriage, the Sum of Sixpence, and for every empty Carriage with Two Wheels, so fastened, the Sum of Three-pence, and if loaded, Double such respective Sums :

For every Coach, Waggon, Vehicle, or other Carriage, of whatever Description, propelled or drawn by Steam, Gas, or any other like Means, or by Machinery, the Sum of Two Shillings :

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

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

And for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of

Ten-pence *per* Score, and so in proportion for any less Number than a Score.

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, or any Carriage whatsoever, shall be permitted to pass through any Turnpike or Bar, and such several and respective Tolls shall be and the same are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner hereinafter directed.

Tolls vested  
in Trustees.

VII. Provided always, 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.

VIII. And be it further enacted, That no Person shall be subject to any of the Tolls by this Act granted more than once in any One Day (to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next succeeding Night) for passing and repassing any Time or Times with the same Horse, Beast, Cattle, or Carriage, through all or any of the Turnpikes now continued or erected, or hereafter to be erected by virtue of this Act, upon or at or near the Sides of the Road between the said Town of *Swindon* and the cross Roads on the East of the said Direction Post in *Long Leaze Lane* aforesaid, nor more than once in any One Day for passing and repassing any Time or Times with the same Horse, Beast, Cattle, or Carriage through all or any of the Turnpikes now continued or erected, or hereafter to be erected as aforesaid, upon or at or near the Sides of the Road between the said cross Roads and the North End of *Lyneham Green* aforesaid, nor more than once in any One Day for passing and repassing any Time or Times with the same Horse, Beast, Cattle, or Carriage through all or any of the Turnpikes now continued or erected, or hereafter to be erected as aforesaid, upon or at or near the Sides of the Road between the West End of a certain House on or near *Lyneham Green* aforesaid, formerly in the Occupation of *Richard Bushell* Blacksmith, and now of *James Bushell*, and *Christian Malford Bridge* aforesaid, nor more than once in any One Day for passing and repassing any Time or Times with the same Horse, Beast, Cattle, or Carriage through all or any of the Turnpikes now continued or erected, or hereafter to be erected as aforesaid, upon or at or near the Sides of the Road between the Upper End of the Town of *Calne* aforesaid, on the North of the Direction Post, to *Bath* and *Lyneham Green* aforesaid, nor more than once in any One Day for passing and repassing any Time or Times with the same Horse, Beast, Cattle, or Carriage through all or any of the Turnpikes now continued or erected, or hereafter to be erected as aforesaid, upon or at or near the Sides of the Road between the said Direction Post in *Long Leaze Lane* and the Town of *Cricklade* aforesaid, nor shall any Person be liable or subject to the Payment of more than One Toll within such several Distances before described, which Toll shall be paid at the first Turnpike such Horse, Beast, Cattle, or Carriage shall pass through, and shall be exempted from paying again at any

Tolls to be  
paid only  
once a Day.

[Local.]

22 L

other

other Turnpike to be erected within the several Distances aforesaid, on his or her producing a Ticket denoting that the Toll hath been paid on that Day, which Tickets the Collectors of the Tolls are hereby required to give *gratis* on Receipt of the Toll.

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

IX. Provided always, and be it further enacted, That the Tolls authorized to be collected by virtue of this Act shall be payable and paid for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and for every Carriage drawn or propelled by Steam or Machinery, every Time of passing or repassing along the said Districts of Roads: Provided always, that no further or additional Toll shall be payable in respect of any Horses drawing any Stage Coach, Stage Waggon, Diligence, Van, Caravan, Cart, or other Stage Carriage, on account only of the Horses drawing the same having been changed between any Gates freeing each other by Tickets.

Post Chaises  
to pay each  
Time of  
passing on a  
fresh Hiring.

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

Tolls to be  
payable for  
Cattle, &c.  
passing 100  
Yards on  
the Road.

XI. And be it further enacted, That the Tolls hereby granted shall be due and payable for all Cattle and Carriages which shall pass the Distance of One hundred Yards upon any of the said Districts of Road, notwithstanding the same shall not have so passed previous to their passing through any Turnpike or Toll Gate erected or to be erected upon or on the Side of the said Districts of Road, or any of them, in the same Manner as if such Cattle or Carriage had travelled One hundred Yards thereon previous to passing through any Turnpike or Toll Gate erected thereon or on the Side thereof.

Accounts to  
be kept for  
each Dis-  
trict.

Application  
of Tolls and  
Money bor-  
rowed.

XII. And be it further enacted, That a separate Account shall be kept of the Tolls to be collected within each of the said several Districts, and of the Monies which have been or hereafter shall be borrowed on the Credit of the same respectively; and that as well all the Monies which before the Commencement of this Act shall have been raised or produced within the said several Districts by virtue of the said former Acts hereby repealed, and which shall remain undisposed of, and also all the Monies which shall be raised and produced within the said several Districts under or by virtue of this Act, shall be applied, in the first place, in Payment of all the Charges and Expences which shall have been incurred in applying for and obtaining this Act, in the Proportions following; that is to say, Three Fifth Parts of such Charges and Expences shall be paid out of the Tolls arising within the said First District of Road, One other Fifth Part thereof shall be paid out of the Tolls arising within the said Second District of Road, and the remaining Fifth Part thereof shall be paid out of the Tolls arising within the said Third District of Road; and after Payment thereof, the Tolls arising within each of the said Districts shall be applied in paying and discharging the Interest now in arrear and accruing and becoming

becoming due upon the several Mortgages, Bonds, and Securities which have been already made and granted upon the Tolls within the said respective Districts; and, in the next place, in defraying the Expences of making, erecting, and keeping in repair Toll Gates, Weighing Machines, Toll Houses, and other Buildings upon the said respective Districts of Road, and of widening, repairing, maintaining, and otherwise improving the said respective Districts, and in putting this Act into execution in all other respects; and lastly, in reducing, paying off, and discharging the Principal Sums for the Time being due and to become due within the said respective Districts on the Security of the Tolls and Duties granted by this Act, and to or for no other Use or Purpose whatsoever.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or Watercourses, and of such Depth and Breadth as they shall consider expedient, for the Purposes of keeping the said Roads dry, and of conveying the Water from the same, as well on the Side or Sides of the said Road, as also where necessary into or through any Lands or Grounds adjoining or lying near the said Road, (not being a Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House,) and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be requisite or necessary, at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, any Law or Statute to the contrary thereof notwithstanding; and all Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats to be made in pursuance of this Act, when so 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 Lands or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats to be made in pursuance of this Act as cross or pass through, in, or under the said Road shall be repaired and maintained by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads in *England*.

Ditches,  
Drains,  
Bridges, &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.

Public Act.

XV. And be it further enacted, That this Act shall commence and take effect upon the Twenty-seventh Day of *December* One thousand eight hundred and thirty-three, and shall 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.

Commence-  
ment and  
Continuance  
of this Act.