



ANNO TERTIO

# GULIELMI IV. REGIS.

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## Cap. lxxiii.

An Act for repairing the Road from the Town of *Great Faringdon* in the County of *Berks* to *Burford* in the County of *Oxford*.

[10th June 1833.]

**W**HEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing, widening, turning, and altering the Road from the Market House in the Town of Great Faringdon in the County of Berks to Burford in the County of Oxford*: And whereas another Act was passed in the Thirty-second Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act passed in the Eleventh Year of the Reign of His present Majesty, for repairing, widening, turning, and altering the Road from the Market House in the Town of Great Faringdon in the County of Berks to Burford in the County of Oxford*: And whereas another Act was passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act to continue the Term and alter and enlarge the Powers of Two Acts of the Eleventh and Thirty-second Years of His present Majesty, for repairing the Road from the Market House in the Town of Great Faringdon in the County of Berks to Burford in the County of Oxford*: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded in the Execution thereof, and have from Time to Time for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Road, which Money still remains due

[Local.] and

11 G.3. c. 84.

32 G.3. c. 150.

52 G.3. c. 155.

Recited Acts  
repealed.

and owing, and the same cannot be repaid, nor can the said Road be effectually amended and kept in repair, unless the Terms and Powers of the said Acts are continued: And whereas it is expedient that the said recited Acts should be repealed, and further and more effectual Powers and Provisions granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted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 Twenty-fourth Day of *July* One thousand eight hundred and thirty-three the said recited Acts respectively passed in the Eleventh, Thirty-second, and Fifty-second Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby repealed.

This Act to  
take effect for  
the Purposes  
herein men-  
tioned.

II. And be it further enacted, That this Act shall commence and take effect and shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, repairing, and otherwise improving the present Turnpike Road leading from the Market House in the Town of *Great Faringdon* in the County of *Berks*, through the several Parishes and Townships of *Radcot*, *Clanfield*, *Black Bourton*, *Shilton*, and *Upton* and *Signett*, to *Burford* in the County of *Oxford*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Counties of *Berks* and *Oxford* respectively, together with *John Jordan Ansell*, *Edwin Martin Atkins*, *Martin Atkins*, *Robert Baldwin*, *John Raymond Barker*, *John Barnes*, *Charles Barnes*, *Medley Barnes*, *John Hale Barnett*, the Right Honourable *William Keppel*, Lord Viscount *Barrington*, the Honourable *George William Barrington*, the Honourable *Percy Barrington*, *Jonathan Belcher*, *Charles Belcher*, *Thomas Belcher*, *Thomas Belcher* the younger, *Edward Belcher*, *William Henry Belcher*, *Edward Leigh Bennett* Clerk, *William Bennett*, *William Bennett* the younger, *Daniel Bennett*, *John Bennett*, *Thomas Bennett*, *Edward Berens* Clerk, *John Blandy*, *William Blandy*, *Adam Blandy*, *Adam Blandy* the younger, the Honourable *Jacob Pleydell Bouverie* commonly called Viscount *Folkestone*, the Honourable *Edward Pleydell Bouverie*, the Honourable *Philip Pleydell Bouverie*, *Edward Bouverie* Clerk, *Joseph Bowles*, *John Brooks*, *Thomas Brown*, *John Brown*, *William Brown*, *Thomas Burrow* Clerk, *George Butler*, *George Butler* the younger, *Edward Hunt Butler*, *Edward Hunt Butler* the younger, *Frederick Butler*, *William Chambers* Clerk, *Thomas Cheate*, *Richard Clark*, *James Clark*, *John Francis Cleaver* Clerk, *Joseph George Cook* Clerk, *Henry Collett*, *Edward Francis Colston*, *Thomas Edwards Colston* Clerk, *William Colston* Clerk, *Joseph Coster*, *William Coster*, *William Crowdy*, *James Crowdy*, *Richard Wheeler Crowdy*, *William Morse Crowdy*, *James William Crowdy*, *Arthur Crowdy*, *George Frederick Crowdy*, *William Bateman Dashwood*, *James Dewe*, *Thomas Dewe*, *Benjamin Collier de Horne*, *James Hartley Dunsford* Clerk, *William Dunsford*, *William Dunsford* the younger, *Henry Dunsford*, *James Wicks Dunsford*, *William Evans* Clerk, *John Fairthorne*, *William Falkner*, *James Fereman*, *James Fidel*, *John Fidel*, *George Foxton* Clerk, *Richard Frampton*, *Charles Gaisford* Clerk, *William Gearing*, *Robert Godwin*,  
John

*John Godwin, Edmund Goodenough Clerk, Thomas Goodlake, Thomas Mills Goodlake, Thomas Leinster Goodlake, Edward Wallace Goodlake, Pryce Lockhart Gordon, Charles Greenaway, John Gwynne, James Haines, George James Haines, William Hallett, John Hawkins Clerk, John Hawkins the younger, Richard Hawkins, Croft Hawkins, William Hawkins Hawkins Clerk, Francis Heath, James Heath, Thomas Herbert, William Hervey, William Higgons, John Higgons, John Hippisley, William Henry Hitchcock, John Horrocks, James William Hoskins Clerk, Charles Hoskins, Thomas Dawson Hudson Clerk, John Hughes, George Edward Hughes, Thomas Hughes, Walter Hughes, George Hunter, James Webster Huntley Clerk, Robert Huntley, Alfred Reynolds Huntley, Robert Reynolds Huntley, George Huntley, Frederick Huntley, James Johnson Clerk, George Johnson Clerk, William Johnson, Thomas Jones, James Forbes Jowett Clerk, William Kinch, William Kinch the younger, William Jenner Lane, Thomas Lewes Clerk, Charles Loder, Charles Stephens Loder, William Loder, Charles Maisey, George Mantell, George Mantell the younger, John Isles Mantell, Alexander Mantell, Henry Maskelyne, Walter Matthews, William Mills Clerk, William Yarnton Mills Clerk, Daniel Ellis Mills, George Millward, George Millward the younger, Thomas Minchin, Samuel Minchin, Benjamin Morland, Thomas Thornhill Morland, William Morland the younger, Thomas Myers, Thomas Neate Clerk, Arthur Neate Clerk, William Newman, Edmund Peaple, Joseph Penstone, Richard Perrott, John William Peters Clerk, Nathaniel Poyntz Clerk, Charles Price, James Scarlett Price, Jasper Prince, John Mervin Prower Clerk, Pryse Pryse, Pryse Loveden Pryse, Edward Loveden Pryse, John Pew Pryse, Philip Pusey, Edward Bouverie Pusey Clerk, William Bouverie Pusey, Robert Henry Pytt, John Goldsborough Ravenshaw, George Goldsborough Ravenshaw, Thomas Ravenshaw, Richard Reynolds, Richard Reynolds the younger, Charles Reynolds, Charles Reynolds the younger, Thomas Reynolds Reynolds, Thomas Henry Reynolds, Bryan Reynolds, William Reynolds, Edward Bourne Reynolds, James Reynolds, Michael Reynolds, Richard Rice Clerk, Richard Rice the younger, Clerk, George Richards Clerk, Thomas Rutledge, Peter Sandiford Doctor in Divinity, Thomas Hayward Southby, Robert Symonds Clerk, John Loder Symonds, John Thatcher, James Thorold Clerk, Sir Charles Throckmorton Baronet, Robert George Throckmorton, Robert Charles Courtenay Throckmorton, Nicholas Throckmorton, John Jervis Throckmorton, James Tombs, John Townsend, John Ashfordby Trenchard Doctor in Divinity, John Trenchard Clerk, Walter Trenchard Clerk, Charles Turner the younger, James Turner, Thomas Vilette, John Wayte Vilette Clerk, Frederick Villebois, William Vizard, William Vizard the younger, Arthur John Vizard, Henry Brougham Vizard, William Waller, William Ward, Charles Scudamore Ward, Christopher William Ward, Henry William Ward, Thomas Ward, Francis Warneford, Robert Wetherell Clerk, Frederick Whitaker, James White, William Whitfield, Nathaniel George Woodrooffe Clerk, and their Successors, being duly qualified according to the Provisions and Directions contained in the several Acts for maintaining Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for repairing the said Road, and for carrying 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, at any Meeting

Power to  
appoint  
additional  
Trustees.

Meeting from Time to Time to be held for that Purpose, to elect and appoint any Number of Persons, not exceeding Five in the whole, to be Trustees for executing this Act, in addition to the Trustees herein named and appointed; and such additional Trustees so elected and appointed, being duly qualified as aforesaid, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of Trustees.

V. And be it further enacted, That the Trustees acting in the Execution of this Act shall meet at the Town Hall in *Faringdon* in the said County of *Berks*, or at some other convenient Place upon or near to the said Road, within Twenty-one Days next after the Commencement of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time adjourn to and meet at such Times and at such Places upon or near to the said Road as they shall think proper, for carrying the several Acts for regulating Turnpike Roads in *England* and this Act into execution.

Power to continue and erect Toll Gates.

VI. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to continue all or any of the Gates, Turnpikes, Bars, or Chains now standing in, upon, or across the said Road or on the Sides thereof, and also to erect or cause to be erected any other Turnpike or Turnpikes, Toll Gate or Toll Gates, Bar or Bars, or Chain or Chains in, upon, or across any Part or Parts of the said Road, and also upon the Sides of the said Road, and also to continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Toll Gate, and also shall and may retain or take in and inclose from the Sides of the said Road convenient Garden Spots for the Toll Houses respectively, not exceeding as to such Inclosures hereafter to be made One Eighth Part of a Statute Acre to each Toll House.

Power to take Tolls.

VII. And be it further enacted, That from and after the said Twenty-fourth Day of *July* One thousand eight hundred and thirty-three it shall and may be lawful to and for the said Trustees, or for any Person under their Authority, to demand and take the following Tolls at every Turnpike, Toll Gate, Side Bar, or Chain to be continued, erected, or placed by virtue of this Act in, upon, across, or on the Sides of the said Road; (that is to say,)

Tolls.

For every Horse, Mule, or Ass drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, Hearse, or other such like Carriage, the Sum of Four-pence:

For every Horse, Mule, or Ass drawing any Waggon, Wain, Cart, Dray, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottoms or Soles thereof, the Sum of Two-pence Halfpenny:

For every Horse, Mule, or Ass drawing any Waggon, Wain, Cart, Dray, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and a Half and less than Six Inches at the Bottoms or Soles thereof, the Sum of Three-pence:

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

For

For every empty Coach, Chariot, Chaise, or other Four-wheeled Carriage fixed in any Manner to any Waggon, Wain, Cart, Dray, or other Carriage, the Sum of Eight-pence; and if loaded Double that Sum:

For every empty Chair, Cart, or other Two-wheeled Carriage so fixed, the Sum of Four-pence; and if loaded Double that Sum:

For every Ox or other Neat Cattle drawing any Waggon, Cart, or other Carriage, One Half of the Tolls herein-before directed to be paid for every Horse so drawing:

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 Ten-pence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any less Number:

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

VIII. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any one of such Toll Gates or Turnpikes, or Side Bars or Chains, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free through the same Toll Gate, Turnpike, or Side Gate or Chain, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time during the same Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night.

Tolls to be paid but once a Day.

IX. Provided also, and be it further enacted, That no more than One full Toll shall be demanded and taken for or in respect of the same Horse or Horses or other Beasts or Cattle, or Carriages, in any one Day (to be computed in manner herein-before mentioned), for passing or repassing through all or any of the Toll Gates or Toll Bars erected or to be erected in, upon, or across the said Road.

Limiting the Number of Tolls,

X. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll has been paid, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Gate, the Tolls hereby made payable shall be paid for each Time of passing and repassing through such Turnpike, Toll Gate, or Side Gate, in like Manner as if no Toll had been before paid thereat: Provided nevertheless, that no further or additional Tolls shall be payable in respect of Stage Coaches on account only of the Horses drawing the same having been changed.

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

Post Chaises,  
&c. to pay on  
every new  
Hiring.

XI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or Beasts of Draught let out to Hire and drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing along the said Roads, whenever any new Hiring thereof shall have taken place.

Application  
of Tolls.

XII. And be it further enacted, That out of the Money already received or borrowed by virtue of the said Acts hereby repealed, or out of the first Money which shall or may arise or be received by virtue of this Act, the said Trustees shall, in the first place, pay and discharge all the Costs and Expences incident to and attending the obtaining and passing of this Act; and the Remainder of all such Monies shall from Time to Time be applied in erecting Toll Houses, Gates, Bars, and Weighing Machines on the said Road, and in amending, altering, widening, improving, and keeping in repair the said Road, and otherwise in carrying this Act into execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls collected on or arising from or payable in respect of the said Road, and the Principal Monies which may hereafter be borrowed by virtue of this Act, and the Interest due or to grow due thereon respectively.

No Money  
received  
under this  
Act to be  
expended in  
repairing  
Streets.

XIII. Provided always, and be it further enacted, That no Part of the Money arising or to be received by virtue of this Act shall be laid out in repairing, improving, or maintaining any Street, Highway, or Place in any Part of the Towns of *Faringdon* and *Burford* or either of them, or any Town through which the said Road may pass, nor shall any Toll be collected there, any thing herein contained to the contrary notwithstanding.

A certain  
Provision in  
the Act of  
52 G.3.c.155.  
respecting an  
Alteration in  
Part of the  
Line of Road,  
to remain  
in force.

XIV. And whereas by the said Act passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, *William Hallett* of *Faringdon House* in the said County of *Berks* was authorized to make a new Road from the old Road therein mentioned, at the Top of *Balley Lane* in the Parish of *Faringdon*, to and through Part of *Littleworth Lane*, and branching out from thence Northward, and leading through a Ground of Arable Land called late *Jenners*, a Ground called *Milking Close*, and another Ground called *Upper Portman's Leaze*, and there forming Part of the old Road at a certain Tree standing by the Side thereof in a Spot therein particularly described; and by virtue of the same Act the said *William Hallett* afterwards stopped up a Part of the said old Road beginning from *Balley Lane* aforesaid, and continuing to the above-mentioned Tree, and also stopped up certain Footpaths on the Side of and branching from the said old Road, and in particular a certain Horse Road to *Thrupp* in the said Parish of *Faringdon*, and in lieu of such last-mentioned Horse Road the said *William Hallett* opened a new Horse Road branching from the new Road so made by him as aforesaid at the South-east Corner of a Ground of Pasture called *Upper Portman's Leaze*, and leading through the said Ground, and a Ground of Meadow called *Lower Portman's Leaze*, and opening into *Thrupp Common*, containing in Length Six Furlongs and Fifteen Poles, or thereabouts: And whereas by the said recited Act passed in the Fifty-second Year of the Reign of His said late Majesty, after reciting as lastly herein-

before is recited, and also reciting that the Part of the old Road and the Footpaths and other Rights of Way so stopped up and extinguished by the said *William Hallett* became by virtue of the said first-mentioned Act the Property of the said *William Hallett*, and were held and enjoyed by him with the Land on each Side thereof, respectively, which were his Property; and reciting that *Daniel Bennett* of *Blackheath* in the County of *Kent*, Esquire, was then the Owner and Proprietor of the said Lands through which the said new Carriage Road made by the said *William Hallett* did lead, and *Christopher Boulton* of *Faringdon* aforesaid, Innholder, was then the Owner and Proprietor of the said Lands and Grounds called *Upper Portman's Leaze* and *Lower Portman's Leaze*, through which the said Horse Way opened by the said *William Hallett* did lead; and reciting that the said new Carriage Road made by the said *William Hallett* being hilly, circuitous, and inconvenient, the said Trustees had requested the said *Daniel Bennett* to restore the said old Road, and he had consented to restore the same; and reciting that it had been agreed between the said Trustees and the said *Daniel Bennett* that the new Road made by the said *William Hallett* should, upon the Restoration of the said old Road, be destroyed, except so much thereof as extended from the Top of *Balley Lane* to *Coach Lane*, containing in Length Two Chains or thereabouts (which branched off Southwards from the said new Road), which Part of the said new Road was proposed to be continued as a public Carriage Road, and except that a Part of the said new Road commencing from *Coach Lane* and continuing along *Littleworth Lane* for Fourteen Chains or thereabouts was to be preserved as a Foot Road and Church Way (the same being Part of the ancient Foot Road and Church Road leading to the Village of *Littleworth* from *Faringdon*); and it was proposed by the said Trustees to the said *Christopher Boulton* that the new Horse Way opened by the said *William Hallett* as aforesaid should be discontinued, and that instead thereof a Horse and Foot Way should be opened through and over the said Grounds called *Upper Portman's Leaze* and *Lower Portman's Leaze*, belonging to the said *Christopher Boulton*, branching out of the said old Turnpike Road at or near the Fence dividing the said Ground called *Upper Portman's Leaze*, at the Distance of Four Chains from the Spot where the new Carriage Road made by the said *William Hallett* terminated and joined Part of the old Road at the before-mentioned Tree, and continuing through *Upper Portman's Leaze*, and thence into and over *Lower Portman's Leaze*, alongside the Stream Ditch there, to the Spot where the Horse Road proposed to be discontinued opened into *Thrupp Common*, and containing in Length Five Furlongs and Two Poles, or thereabouts, as the said proposed Horse and Foot Road was then staked out; it was by the said Act of the Fifty-second Year of His said late Majesty King *George* the Third enacted, that it should be lawful for the said Trustees to pay the Expence of putting into repair the old Road so to be restored as aforesaid; and that when the said Trustees should have made the said old Road fit for the Passage and Convenience of Travellers, Carriages, Horses, and other Cattle (to be certified in the Manner in the same Act particularly directed), the said Carriage Road so made by the said *William Hallett* as aforesaid (except that Part of it which lay between *Balley Lane* and *Coach Lane*) should cease to be a Turnpike Road and public Highway, and the same Road (except that Part of it  
lying

lying between *Balley Lane* and *Coach Lane* as aforesaid, which was still to continue a public Carriage Road, and also except that Part of the said Road lying in *Littleworth Lane*, which was to continue to be used as a Foot Road and Church Way to *Littleworth*,) should be wholly discontinued, and it should be lawful for the said *Daniel Bennett*, his Heirs and Assigns, Owners as aforesaid, to stop up the same (except that Part of it lying between *Balley Lane* and *Coach Lane*, and the said Foot Road and Church Way along *Littleworth Lane*); and the said Road so to be stopped up, and also that Part of the said Road which was still to be left open as a Foot Road and Church Way (subject thereto), should from thenceforth be laid into the said Lands and Grounds on each Side thereof, and be for ever held and enjoyed therewith by the said *Daniel Bennett* or such Person or Persons as should for the Time being be entitled to the same Lands and Grounds on each Side thereof; and then and from thenceforth it should be lawful for the said *Christopher Boulton*, his Heirs and Assigns, Owners as aforesaid, to stop up the said Horse and Foot Way branching from the said new Road at the South-east Corner of the said Ground called *Upper Portman's Leaze*; and then also and from thenceforth the said Carriage Road so to be restored as aforesaid should be deemed and taken to be Part of the Turnpike Road leading from *Faringdon* to *Burford*, and should from thenceforth be kept in repair by the said Trustees of the Turnpike Road in the same Manner as they were authorized to repair the same before the Course thereof was altered by the said *William Hallett*; and the said new Horse and Foot Road branching out of the said old Turnpike Road should for ever thereafter be considered and deemed as a public Horse and Foot Road leading to *Thrupp*, and should be left and continue open accordingly; and it was by the said Act provided that nothing therein contained should extend to enable the said Trustees to open or restore the Footways alongside or branching out of the said old Carriage Road stopped up under the Authority of the first-recited Act: And whereas it is expedient that the herein-before recited Provision should be continued; be it therefore further enacted, That, notwithstanding the Repeal of the said recited Acts passed in the Thirty-second and Fifty-second Years of the Reign of His late Majesty King *George* the Third, the Provision herein-before recited, and the Powers thereby given, shall remain and continue in full Force and Effect.

Public Act. XV. 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.

Term of Act. XVI. And be it further enacted, That this Act shall commence and take effect from and after the Twenty-fourth Day of *July* One thousand eight hundred and thirty-three, 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.