



ANNO PRIMO & SECUNDO

# GULIELMI IV. REGIS.

\*\*\*\*\*

## *Cap. xli.*

An Act for more effectually repairing and improving certain Roads leading to and from the Town of *Cirencester* in the County of *Gloucester*, and *Wootton Bassett* in the County of *Wilts*.

[2d August 1831.]

**W**HEREAS an Act was passed in the Fiftieth Year of the Reign of His late Majesty King George the Third, for making and maintaining a Turnpike Road from *Cirencester* in the County of *Gloucester* to *Wootton Bassett* in the County of *Wilts*, and a Branch of Road from the *Malmesbury* and *Cirencester* Turnpike Road, near *Crudwell* Church, to communicate with the Turnpike Road leading from *Cricklade* to *Malmesbury* at or near *Minty* Common: And whereas the Trustees for executing the said Act have proceeded to put the same in execution, and in doing so they found it necessary and expedient to divide the said Turnpike Road and Branch from the same into Two Districts, (that is to say,) the Road from the *Cirencester* and *Cricklade* Road, through *Ashton Keynes*, to *Wootton Bassett*, into one District, called the *Ashton Keynes* and *Wootton Bassett* District, and the said Branch Road into another District, called the *Crudwell* and *Minty* District; and the said Turnpike Road and Branch Road have so continued divided into Districts; and the said Trustees have borrowed considerable Sums of Money on the Credit of the Tolls by the said Act authorized to be taken

[*Local.*]

7 P

on



Recited Act  
repealed;

on the said Road and Branch of Road, (that is to say,) as to so much of the said Money as had been expended in making the said Road called the *Ashton Keynes* District, the same was borrowed upon the Credit of the Tolls arising from the said *Ashton Keynes* and *Wootton Bassett* District, and as to so much of the said Money as had been expended in making the said Road called the *Crudwell* and *Minty* District, that was borrowed upon the Credit of the Tolls arising from the said *Crudwell* and *Minty* District: And whereas it is expedient that the said Act should be repealed, and further, better, and more effectual Powers made and granted for repairing, maintaining, and otherwise improving the said Road and Branch of Road, and for extending the said Road from the present Termination thereof at the *Malmesbury* Road, at a Place called *Banners Ash*, into the Town of *Wootton Bassett*: 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 Third *Tuesday* next after the passing of this Act the said recited Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby declared to be repealed.

and this Act  
to take effect  
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 and during the Term herein-after mentioned, as well for the Purpose of more effectually widening, maintaining, and keeping in repair the said Road from a Place called *Watermoor*, near *Cirencester* in the County of *Gloucester*, to and through the Parish of *Ashton Keynes* and *Leigh* in the County of *Wilts*, to the Turnpike Road leading from *Cricklade* to *Malmesbury* aforesaid, (which said Turnpike Road so to be made, maintained, and kept in repair shall be called the *Ashton Keynes* District); and also for making, maintaining, and extending the aforesaid Piece of Road from the said Turnpike Road leading from *Cricklade* to *Malmesbury* aforesaid, to or near *Banners Ash* aforesaid, and from thence into the Town of *Wootton Bassett* (which said Turnpike Road to *Banners Ash* aforesaid, and from thence into the Town of *Wootton Bassett* aforesaid, shall be called the *Wootton Bassett* District); and also for making, maintaining, and keeping in repair the said Turnpike Road branching from the *Cirencester* and *Malmesbury* Turnpike Road near *Crudwell* Church, to the said Turnpike Road from *Cricklade* to *Malmesbury* at or near a Place heretofore called *Minty Common*, and the said last-mentioned Branch of Road shall be called the *Crudwell* and *Minty* District.

Trustees  
appointed.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the said Counties of *Gloucester* and *Wilts* respectively, together with *Thomas Brown* of *Minty*, *Thomas Byrch*, *William Chapperlin*, *John Glead*, *Charles Large*, *Charles Lawrence*, *William Maskelyne*, *William Gregson Pitt*, *Charles Pitt Clerk*, *George Hicks Pitt*, *Timothy Stevens*, *Edmund Wood*, *William Maskelyne*, *Maurice Maskelyne*, *George White*, *Thomas White*, *James White*, *Thomas Keene*, *John Cole*, *Nevil Cuss* the younger, *William Poulton*, *Mervin Prower Clerk*, *Richard Bathe*, *Joseph Randolph Mullings*,  
Richard



*Richard Mullings, Robert Peacy, James Wyld Clerk, William Poulton, William Wells,* and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be the Trustees for putting this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees at any of their Meetings to elect and appoint any additional Number of Persons, not exceeding Five, being duly qualified, to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall have the same Powers and Authorities as if they had been appointed Trustees by this Act.

Power to  
appoint  
additional  
Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall, on the Third *Tuesday* next after the passing of this Act, or as soon after as may be, meet at some convenient House or Place in *Ashton Keynes*, or elsewhere near any Part of the said Road, and proceed in the Execution of this Act, and then and from Time to Time adjourn to and meet at such Times and Places near any Part of the said Road as they shall think proper.

First Meeting  
of Trustees.

VI. And be it further enacted, That the several Toll Gates, Side Bars, and Toll Houses now standing and being in or upon or across the said Road and Branch of Road respectively, or on the Sides thereof, shall be continued until removed by Order of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be erected and set up or built upon, in, or across the said Road and Branch of Road, or on the Sides thereof respectively, any other Toll Gates, Bars, or Chains, or any Weighing Machines, and also any Toll Houses, with Conveniences suitable thereto, and also from Time to Time to order and cause to be taken down and removed or altered or discontinued the same Toll Gates, Bars or Chains, Toll Houses and Weighing Machines, Toll Houses and Conveniences, or any or either of them, as they the said Trustees shall think proper.

Power to  
continue or  
erect Toll  
Gates, Toll  
Houses, &c.

VII. And be it further enacted, That it shall be lawful for the said Trustees to demand and take, or cause to be demanded and taken, the several Tolls herein-after mentioned at each and every the respective Toll Gates, Bars, and Side Gates which shall be continued or erected by virtue of this Act, once on every Day only, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

Power to  
take Tolls.

For every Horse or other Beast drawing in any Carriage, the Sum of Sixpence :

Tolls.

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

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

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

For every Four-wheeled Carriage in any Manner fixed to any Waggon, Wain, Cart, or other Carriage drawing, the Sum of One Shilling :

And



And for every Two-wheeled Carriage having any Person therein, or being laden, in any Manner fixed to any Waggon, Wain, Cart, or other Carriage drawing, the Sum of One Shilling; and unladen or empty, the Sum of Sixpence:

And which said 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 directed.

Limiting the Number of Tolls on the whole Line of Road.

VIII. Provided also, and be it further enacted, That nothing herein contained shall extend to or be construed to extend to empower the said Trustees, or any Collector or Collectors, Lessee or Lessees, to demand or take the respective Sums, or Tolls aforesaid at any greater Number of Gates than Two for or in respect of the same Horses, Beasts, or Cattle passing and repassing through all the Turnpikes, Toll Gates, or Side Gates along the whole Line of the said Road called the *Ashton Keynes* District, nor more than Two on the said *Wootton Bassett* District, nor more than One on the said *Crudwell* and *Minty* District of Road, respectively, in any One Day (to be computed as aforesaid).

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

IX. Provided also, and be it further enacted, That the Tollshereby made payable shall be paid in respect of Horses or other Beasts drawing any Stage Coach, Van, Caravan, Waggon, or other Stage Carriage or Cart conveying Passengers or Goods for Pay, Hire, or Reward, every Time of passing or repassing through any of the said Gates: Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Van, Caravan, Waggon, or other Stage Carriage or Cart, on account only of the Horses drawing the same having been changed.

Post Chaises on every new Hiring.

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

Application of the Tolls and Money borrowed.

XI. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Act, and which shall remain undisposed of, and all the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of the same, shall be applied, in the first place, in Payment of all the Expences which shall have been incurred in applying for, obtaining, and passing this Act; and in the next place, in defraying the Expences of making, erecting, and keeping in repair the Toll Gates, Weighing Engines, Toll Houses, and other Buildings, and of widening, repairing, preserving, and otherwise improving the said Road and Branch of Road included in this Act, and of the necessary Works upon the same, and all other incidental Expences whatsoever; and the Residue thereof shall and is hereby directed to be applied in discharge of the Arrear of Interest now due on the several Principal Sums of Money owing on the Security of the said Tolls: Provided always, that no more Money shall be expended by the said Trustees in or towards the Repair of the Road comprising



comprising the First or *Ashton Keynes* District of the said Road than shall be collected thereon, and that no more Money shall be expended on the Second or *Wootton Bassett* District of the said Road than shall be collected thereon, and that no more Money shall be expended in or towards the Repair of the said Branch of Road comprising the Third or *Crudwell* and *Minty* District of the said Road than shall be collected thereon.

XII. And to the Intent that each of the said Three Districts shall bear and be charged with its own Burthen for making, maintaining, and keeping in repair its own respective District of Roads, and all other Expences relating thereto, in order to secure the due Application of the respective Tolls hereby granted to the several Purposes and in the Order aforesaid, be it further enacted, That all the said Tolls shall be paid by the Collectors or Lessees thereof into the Hands of the Treasurer or Treasurers for the Time being appointed by the said Trustees, who shall keep or cause to be kept separate and distinct Accounts of their Income from or in respect of each of the said several Districts of Road; and the Income of the said Trustees for or in respect of each of the said Districts shall be exclusively applied in defraying the Expence of repairing and improving the same Districts respectively, and not for the general Purposes of this Act.

Separate  
Accounts to  
be kept.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to make the said new Piece of Road herein-before described, of such Width or Dimensions as they shall think proper, not exceeding Sixty Feet, together with such Footpaths, Causeways, Embankments, and Fences as they shall think necessary or expedient, and for such Purpose it shall be lawful for the said Trustees and all Persons acting under their Authority, and they are hereby authorized and empowered, to enter upon and to take and use and lay open the Lands, Tenements, and Hereditaments mentioned or described, or intended so to be, in the Map or Plan and Book of Reference herein-after mentioned, any Law or Statute to the contrary notwithstanding, first making or rendering Satisfaction to the Owners of and Persons interested in any private Lands or Tenements for the same or for any Loss or Damage they may sustain thereby.

Power to  
make the  
new Road  
or Diver-  
sion.

XIV. And whereas a Map or Plan describing the Line of the said new Piece of Road, and the Lands, Hereditaments, and Premises through or over which the same is or are intended to be made or carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, hath been deposited in the Office of the Clerk of the Peace of the County of *Wilts*; be it therefore enacted, That the said Trustees in making the said new Piece of Road shall not deviate more than One hundred Yards from the Lines described on the said Map or Plan, without the Consent in Writing of the Person or Persons, Party or Parties, or Body or Bodies Politic, Corporate, or Collegiate, through whose Lands, Hereditaments, and Premises such Deviation shall be made; and the said Map or Plan and Book of Reference

Trustees not  
to deviate  
from Plan  
deposited  
with the  
Clerk of the  
Peace.

[*Local.*]

7 Q

shall



Plan to be  
open to  
Inspection.

shall remain in the Custody of the Clerk of the Peace of the said County of *Wilts*, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and any Copy or Copies thereof certified by such Clerk of the Peace for the Time being, or his Deputy, to be a true Copy or true Copies thereof, shall be and is and are hereby declared to be good Evidence, and shall be admitted as such by all Judges, Justices, and others, in all Courts of Law and elsewhere.

Lands  
marked in  
the Plan  
may be used,  
notwith-  
standing  
Errors in the  
Book of  
Reference.

XV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Piece of Road into, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or may be Owner or Owners of Lands or Premises over which the same is or are set out and described, or intended so to be, on the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Wilts*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees not  
to pull down  
Houses, &c.  
without  
Consent.

XVI. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said new Piece of Road shall not extend or be construed to extend to authorize the said Trustees to take or pull down any Dwelling House or other Buildings, or to take in or make use of any Curtilage, Garden, Yard, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Grounds planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owners or Proprietors thereof or other Persons interested therein first had and obtained.

Money not  
to be laid  
out in repair  
of Streets.

XVII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls authorized by this Act to be taken upon the said Roads, nor any of the Monies raised by virtue of the said recited Act, or to be raised by virtue of this Act, in or towards the repairing or improving of any Street, Highway, or Place within the Town of *Wootton Bassett* or *Cirencester*.

Public Act.

XVIII. 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.

Term of Act.

XIX. And be it further enacted, That this Act shall commence and take effect on the Third *Tuesday* next after the passing of this Act, and shall continue and be in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament.

The

The SCHEDULE to which the foregoing Act refers.

---

Proprietors.	Occupiers.	Description of Property.	Parish.	County.
Lord Clarendon	{ Executors of John Warman deceased }	Land	Wootton Bassett	Wilts.
Do. -	John Priday -	Do.	Do. -	Do.
Do. -	Jasper Maskelyne -	Do.	Do. -	Do.
Thomas Newth	Himself - -	Do.	Do. -	Do.
John Garlick -	Do. - -	Do.	Do. -	Do.
Lord Clarendon	William Norris -	Do.	Do. -	Do.

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1831.

