

ANNO SECUNDO

GULIELMI IV. REGIS.

Cap. xvii.

An Act for making and maintaining a Road from *New Windsor* in the County of *Berks* to the Village of *Twyford* in the Parish of *Hurst* in the said County and County of *Wilts*.

[24th *March* 1832.]

WHEREAS the making and maintaining a Road commencing at or near a certain Street called *Sheet Street*, in the Parish and Borough of *New Windsor* in the County of *Berks*, and terminating at the Village of *Twyford* in the Parish of *Hurst* in the Counties of *Berks* and *Wilts*, will be the Means of opening a more direct and easy Communication between *New Windsor* aforesaid and the Borough of *Reading*, being the County Town of the said County of *Berks*, as well as a Connection with several Towns and Villages which at present possess no Facility for Communication, and would be of great Advantage and Convenience, not only to the Owners and Occupiers of the adjoining Lands and Grounds through which the same is intended to pass, but the same will also be of great public Utility: And whereas the beneficial Purposes herein-before mentioned 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 Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

Purposes of this Act.

assembled, and by the Authority of the same, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of making and maintaining a Road commencing at or near a certain Street called *Sheet Street*, in the Parish and Borough of *New Windsor* in the County of *Berks*, and terminating at the Village of *Twyford* in the Parish of *Hurst* in the Counties of *Berks* and *Wilts*, and for otherwise putting the Powers and Provisions of this Act into execution.

Trustees.

II. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said respective Counties of *Berks* and *Wilts*, together with *Banham*, *James Hinton Baverstock*, *James Bedborough*, *William Berridge*, *William Blaine*, *Michael Bruce*, the Reverend *Thomas Carter*, Sir *John Chapman*, *Thomas Dean*, *John Ellis*, *William Fergusson* Doctor of Medicine, *John Forbes*, *Edmund Foster*, the Reverend *Isaac Gosset*, *William Harcourt*, *Robert Harvey*, *John Hercey*, *Thomas Jenner*, *William Legh*, the Reverend *Walter Levett*, *Charles Fyshe Palmer*, *Robert Palmer*, *John Ramsbottom*, *John Ramsbottom* the younger, *William Felix Riley*, the Reverend *William Henry Roberts*, *Richard Sharman*, *Daniel Smith*, *J A Stanford* Doctor of Medicine, *Robert Tebbott*, *Thomas James Thomson*, *Arthur Vansittart*, *Francis Wightwick*, *Edward Williams*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying this Act into execution.

Power to appoint additional Trustees.

III. 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 in *England*, not exceeding Five in the whole in addition to the Number of Trustees herein named and appointed, to be additional Trustees for the Purposes of this Act; and such Persons so elected and appointed, and being duly qualified, 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 specifically named.

Meetings of Trustees.

IV. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *Castle* Inn, or at some other convenient Place in *New Windsor* aforesaid, on the Second *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten and Twelve of the Clock in the Forenoon, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and Places in the Neighbourhood of the said Road as the said Trustees, or the major Part of them, present at such respective Meetings, shall think proper and appoint; and if at any of the said Meetings the Trustees present shall not adjourn such Meeting to another Day, it shall be lawful for any Five of the said Trustees, although not assembled at a Meeting, or their Clerk by their Order, to call a Meeting of the said Trustees at the Place aforesaid, or at some other convenient Place immediately adjacent or adjoining to the said Road, to transact

general Business, such Meeting to be called by public Notice to be inserted in some One or more Newspaper or Newspapers printed and circulated in the said Counties of *Berks* and *Wilts*, and to be held not sooner than Six nor exceeding Fourteen Days from the Time of such Notice being first inserted.

Power to make Road.

V. And be it further enacted, That it shall be lawful for the said Trustees to make and maintain the Road herein-before described of such Width as they shall think proper, not exceeding Sixty Feet wide, together with such Footpaths, Causeways, Bridges, Mounds, Culverts, Fences, Ditches, Drains, and other Works as they shall think expedient, and for the Purposes aforesaid to pull down or take and use any Buildings, Lands, Tenements, or Hereditaments, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same and for the Damage they may sustain by the Execution of the Powers of this Act; and it shall be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon any Lands, Tenements, or Hereditaments upon, in, over, or through which such Road, Footpaths, Causeways, Bridges, Mounds, Culverts, Fences, Ditches, Drains, and other Works are intended to pass or be made, and also upon, in, over, or through any adjoining Lands, and to stake out the same in such a Manner as the said Trustees shall think proper, without being deemed Trespassers, and without being subject to any Penalty or Punishment for entering or continuing upon any such Lands, Tenements, or Hereditaments for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used for the Purposes aforesaid, such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Plan and Book of Reference deposited with the Clerk of the Peace to remain there and be open to Inspection.

VI. And whereas Maps or Plans describing the said intended Road, and the Lands, Tenements, and Hereditaments upon, in, over, or through which the same is intended to be carried, together with a Book of Reference thereto, containing the Names of the Owners and Occupiers of such Lands, Tenements, and Hereditaments, have been deposited at the Offices of the Clerks of the Peace for the said Counties of *Berks* and *Wilts*; be it therefore further enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerks of the Peace, to the end that all Persons may, at all seasonable Times, have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom, paying to such Clerks 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 the said Maps or Plans and Books of Reference, or either of them, or any Copy thereof respectively, or of any Part thereof respectively, certified by either of the said Clerks of the Peace for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law; and the said Trustees, in making the said Road, shall not deviate more than One hundred Yards from the Line described in the said Maps or Plans, without the Consent in Writing of the Owners and Occupiers upon, in, over, or through whose Lands, Tenements, or Hereditaments such Deviation shall be made.

Trustees not to deviate from Plan.

VII. Pro-

Houses, &c. not to be injured, except such as are mentioned in the Schedule.

VII. Provided always, and be it further enacted, That the Powers and Authorities by this Act given for making the said Road shall not authorize the said Trustees to pull down or take or use any Dwelling House or other Building, or take or use any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, Plantation, planted Walk, or Avenue to a House, or any inclosed Grounds planted or 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 (except such as are mentioned in the Schedule to this Act annexed).

Unintentional Errors in Book of Reference or Act not to prevent Execution of Act.

VIII. Provided also, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road upon, in, over, or through any Lands, Tenements, and Hereditaments upon, in, over, or through which such Road is delineated on the said Map or Plan, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof respectively, or the Names of the Owners or of the Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in the said Book of Reference or in the said Schedule hereto annexed, in case it shall appear to any Two or more Justices of the Peace for the said Counties of *Berks* or *Wilts*, as the Case may be, (in case of Dispute about the same,) and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for the County or Place within which such Premises shall be situated.

Limiting Period for purchasing Property.

IX. And be it further enacted, That if the said Trustees shall not, within the Space of Three Years next after the passing of this Act, agree for or cause to be valued and paid for the Lands, Tenements, and Hereditaments required for the Purposes of this Act, or so much thereof respectively as they shall deem necessary or proper, then and from thenceforth the Powers by this Act granted for purchasing, taking, and using the same shall cease and be utterly void, any thing in this Act contained to the contrary notwithstanding.

Power to take Tolls.

X. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons being a Lessee or Farmer, Lessees or Farmers, or appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the several Tolls or Sums of Money following; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Barouche, Berlin, Phaeton, Chaise, Chaise Marine, Calash, Curricle, Car, Cabriolet, Chair, Gig, Whiskey, Hearse, Litter, or other such like Carriage, any Sum not exceeding the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Dray, Cart, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or more, any Sum not exceeding the Sum of Four-pence:

For every Horse or other Beast drawing any such Waggon, Wain, Dray, Cart, Caravan, or other such like Carriage, having the Fellies of

of the Wheels thereof of the Breadth of Four Inches and a Half or more, but of less Breadth than Six Inches, any Sum not exceeding the Sum of Sixpence:

For every Horse or other Beast drawing any such Waggon, Wain, Dray, Cart, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half, any Sum not exceeding the Sum of Eight-pence:

For every Four-wheeled Carriage, not drawn by any Horse or Beast of Draught, but propelled or moved by Machinery, the Sum of One Shilling:

For every Two-wheeled Carriage, not drawn by any Horse or Beast of Draught, but propelled or moved by Machinery, the Sum of Sixpence:

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

For every Score of Oxen or Neat Cattle, and so in proportion for any less Number, any Sum not exceeding the Sum of Ten-pence:

And for every Score of Calves, Hogs, Sheep, or Lambs, and so in proportion for any less Number, any Sum not exceeding the Sum of Five-pence.

Fractional Part of a Halfpenny in Tolls.

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

Tolls to be paid but once for passing and repassing.

XII. And be it further enacted, That when the Toll shall have been paid for or in respect of any Horse, Beast, or Cattle passing through any of the Turnpikes or Toll Gates to be erected on the said Road or the Sides thereof, the same Horse, Beast, or Cattle shall, (except in the Cases herein-after mentioned,) on a Ticket being produced denoting such Payment, be permitted to pass and repass Toll-free through the same Toll Gate or Turnpike, and also through such other Gate and Gates (if any) as the Ticket for such Payment shall free, at any Time or Times during 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).

Limiting the Number of Tolls to be taken upon the whole Line of Road.

XIII. Provided always, and be it further enacted, That no more than Two full Tolls shall be demanded or taken in the same Day, to be computed as aforesaid, (except as herein-after mentioned,) for or in respect of the passing or repassing of the same Horse or Horses, Beasts, Cattle, and Carriages, upon the whole Line of Road comprised in this Act.

Horses drawing Stage Coaches to pay every Time of passing;

XIV. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or for any other Stage or Carriage conveying Passengers or Goods for Pay or Reward, for each Time of passing and for each Time of repassing along the said Road: Provided nevertheless, that no further or additional Toll shall be payable in respect of the Horses drawing any Stage Coach, Diligence, Van, Caravan, or

Stage Waggon, on account only of the Horses drawing the same having been changed.

Post Chaises on every new Hiring.

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

Application of Money received under the Act.

XVI. And be it further enacted, That the Monies which shall be received under this Act shall be applied by the said Trustees in manner following; (that is to say,) in the first place, in paying and discharging all Costs, Charges, and Expences which shall have been incurred in preparing, applying for, and obtaining this Act, or otherwise incident thereto, with lawful Interest for any Money which may have been advanced for the Payment thereof or of any Part thereof, from the Time that the same or any Part thereof shall have been advanced to the Time of the same being repaid by the said Trustees; and in the next place, in defraying the Expence of making and maintaining the Road by this Act authorized to be made and maintained, and of executing the several Purposes of this Act; and afterwards in paying and discharging any Interest which may from Time to Time become due on the Credit of this Act; and lastly, in reducing and discharging any Principal Sum or Sums of Money which may be borrowed or secured under or upon the Credit of this Act.

No Money to be laid out in Repair of Streets, except in making the intended new Line.

XVII. And be it further enacted, That it shall not be lawful for the said Trustees to lay out or expend any Money received by or vested in them by virtue of this Act in the Repair or Improvement of any of the Streets, Highways, or Pavements within the Parish and Borough of *New Windsor* aforesaid, save and except in making and completing the said new Line of Road within the said Parish and Borough, nor shall any Toll be collected within such Part of the said Parish and Borough.

Entrance to Fields to be made with hard Materials.

XVIII. And be it further enacted, That in all Places throughout the said Road hereby directed to be made, where any Entrance shall be from the said Road to any Field, Garden, Yard, or other Land or Ground, or to any Buildings from the said Road or any Part thereof, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made by and at the Expence of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Buildings, so that such Road may not be injured by Carriages or Horses passing to or from the same by such Entrance; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to keep the same respectively in proper Order for the Space of Fourteen Days after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual or last Place of Residence, by the Surveyor to the said Trustees, or other Person appointed by them, requiring such Proprietor or Occupier so to make or repair the same, then it shall be lawful for the said Trustees or their Surveyor, or any other Person acting by or under their Authority,

rity, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make such Culvert or Drain, or to repair the same respectively (as the Case may be); and the Expences thereof shall be reimbursed and paid to the said Trustees by such Proprietor or Occupier (as the Case may be); and in case of Nonpayment of such Expences within Ten Days after the same shall have been demanded by or on behalf of the said Trustees, then such Expences shall and may be recovered, together with the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Proprietor or Occupier, by Warrant under the Hands and Seals of any Two Justices of the Peace of the said Counties of *Berks* and *Wilts*, as the Case may be; and which Warrant of Distress any such Justices are hereby authorized and empowered to grant, on Proof made before them, on Oath, of such Expence having been incurred, and of such Notice having been given as aforesaid; and the Overplus (if any) shall be returned, on Demand, to the Person or Persons whose Goods and Chattels shall have been distrained and sold.

Duration of Act.

XIX. And be it further enacted, That this Act shall commence on the passing thereof, and shall continue in full Force for the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Public Act.

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

The

The SCHEDULE to which the aforegoing Act refers.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Occupiers.
		New Windsor.	
11	Cottage and Carpenter's Yard -	The Master, Fellows, and Scholars of St. John's College, Cambridge - -	Robert Tebbott.
12	Garden - -	Ditto - - -	Ditto.
13	House and Garden	Frederick Keppel -	William Merrick.
14	Yard and Garden -	Rev. Thomas Carter -	William Cockle.
15	Garden - -	Ditto - -	William Wright.
16	Ditto - -	Ditto - -	Ephraim Hand.
17	House and Garden	Ditto - -	Robt. Morgan.
18	Garden - -	Ditto - -	Richard Clode.
19	Ditto - -	Ditto - -	Thomas Day.
20	Ditto - -	Ditto - -	Francis Willis.
21	House and Garden	Ditto - -	Richard Rolfe.
22	Orchard - -	Devisees of Wm. Voules	In hand.
		Clewer.	
37	Garden - -	John Ellis - -	Widow Bunnin.
		White Waltham and Shottesbrooke.	
61	Orchard - -	Peter Browne - -	John Plumridge.

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