

THE BIBURY TURNPIKE TRUST 1753-1803

The route from Cirencester to Burford has always been important and the preamble to the first turnpike act stated that it was part of the great road from diverse parts of the West of England, including the counties of Devon, Somerset and Gloucester and the cities of Bristol and Bath, to the city of Oxford and the towns of Buckingham, Northampton and Banbury. Rudder also said that a stagecoach plied between Bath and Oxford. This act, dated 21 May 1753, was for repairing and widening the road from the Hand and Post, Upton Field in the parish of Burford, Oxfordshire, to Dancy's Fancy in the parish of Preston, Gloucestershire, a distance of 21.8 kilometres (13½ miles).

The first act covered all aspects of a turnpike trust including trustees, officers, tolls, loans, toll-houses, milestones, road repairs, statute duty and penalties. This act of thirty-one pages, though a pocket version was published for local use, would have expired in the Parliament ending in 1775 but an act in 1774 gave five years extension to turnpike acts, so on 21 March 1780 it was renewed for twenty-one years. Towards the end of the fifty years being considered, in May 1801, the act was renewed yet again.

Compared with the trusts' salaries and wages the act and renewals proved very expensive, the original act costing £262 with the charge for the first renewal being £240 and the second £337. However, on this latter occasion the solicitor concerned, John Coxwell, said that he was necessarily detained thirty-nine days in London owing to a change in administration delaying proceedings. This was the time when George III was anxious for Henry Addington, the Speaker, to form a government instead of Pitt but this stay in the capital cost the trust approximately £120 extra.

In addition to the local acts there were general ones relating to the turnpike roads and in 1767 the clerk was ordered to give abstracts to Thomas Tempany, the collector, so that he could 'collect the proper tolls made payable thereby'.

At the start the Trust had no income but there were many items for which money was required, for example the financing of the first act which included a clause limiting the sum borrowed to £2000 with the annual interest not to exceed £4 10s 0d. Other money was required for the repair of the road and the building of a toll-house and gates. Thus two mortgages of £600 and £400 had to be arranged and the annual interest on these loans took a large slice out of the trust's income every year. For instance, thirty years later it was minuted that Thomas Bush was paid £45, a year's interest on £900, though the income from the auctioning of the tolls that year was only £114.

The original 1753 act listed no fewer than one hundred and fifty trustees starting with Viscounts Tracy and Gage and including three baronets and twenty clergymen: for comparison the Gloucester Northgate Act only mentioned forty-six trustees. The meetings held to run the trust attracted an average of between 8 and 9 trustees over the first ten years and all those present signed the minutes. The mortality rate was high and the election of new trustees was mentioned in many minutes when the newly elected had to swear that they were receiving at least forty pounds in rents, or that their own estate was valued at over £1,100. A penalty of £50 was to be imposed if they acted when not qualified.

The trustees of many turnpikes, such as the Newent and the Gloucester and Hereford, held their meetings in many different inns but with the Bibury Trust every meeting took place in the Swan Hotel at Bibury, or as the minutes record it - 'at the dwelling house of William Skute called the Swan Inn'. Bibury and Arlington together in the middle of the period had a population of 562 and was therefore by far the largest centre along the road. The earliest advertisement, in February 1756, stated that the next meeting would be held at eleven of the clock in the forenoon, at which meeting the said trustees would proceed to nominate, elect and appoint fit and proper persons to be trustees in the room and place of such as are dead.

At one meeting, in 1766, at which six were present, three were clergymen and in fact the clergy were responsible for much of the running of the trust. Many of the other trustees were noted as 'gentlemen' and thus it was unusual when, in 1770 William Wilkin, an edge tool maker of Cirencester, was elected.

From the Minutes Book it was found that two hundred and five meetings were held during the fifty years so the average number of meetings a year was four. In the 1770s the number of meetings annually was unusually five but by the 1790s it had been reduced to three. Only sixteen had to be adjourned due to the quorum of five not being reached which compared very favourably with the nearby Cirencester-Lechlade Trust where during two periods there were thirteen and fifteen consecutive adjournments. The Northgate Trust also required a quorum of five but the larger Chepstow Trust needed nine.

Elected by the Trustees, the three officers of the trust were the clerk, treasurer and surveyor. Throughout the whole fifty years the clerk was paid a guinea a meeting, though the Chepstow Trust, admittedly larger, gave theirs ten pounds a year. The surveyor was paid 10s 6d a week, compared with 9s at Chepstow, and the treasurership appeared to be an honorary post as no payments were recorded in the accounts. Chepstow paid theirs fifteen pounds a year. These three often remained in office for long periods; a clerk with a very ostentatious signature, Maurice Vincent, served the trust twenty years and the Rev. Charles Coxwell, descendant of a well-known Cirencester family, was treasurer for twelve years. Finally, the William Durhams, father and son, were

surveyors for the entire period except the first three years when William Durham senior was surveyor of Barnsley, Arlington, Bibury and Aldsworth, also for 10s. 6d. a week.

Occasional mistakes occur in the dating of the minutes but one mistake in May 1756 must have caused considerable friction when the clerk minuted that the Rev. Charles Page was nominated, elected and appointed treasurer in the room of the Rev. Dr. Seybourne, the trust's first treasurer, who was incapable of attending meeting because of his ill health. Another meeting was held the following month, an unusual occurrence, when it was resolved that the order which appointed Mr. Page treasurer arose from a mistake. It was resolved that the Rev. Seybourne was to continue as treasurer, which he did until he died in 1759.

There was also trouble in August 1760 when it was ordered that Mrs. Rogers, the widow of Mr. James Rogers who was clerk from the beginning, was to pay the treasurer £27. This money, which the clerk had received from the collector of tolls before he died, was to be paid on or before the 18 November, or, in default, the treasurer was to order an attorney to sue Mrs. Rogers for its recovery. Five years later the clerk was disqualified from office at the meeting after he had been appointed, because he had moved away from the area.

Also on the payroll between 1753 and 1768, before the auctions of tolls started, was the collector of tolls who was paid 6s. a week, better than those in the Chepstow trust who received 5s. and a toll keeper of the Nailsworth trust with 4s. In addition in 1755 a toll collector was appointed for the Ablington check gate.

One would have expected the Bibury turnpike (A433) to have started at its western boundary where the Foss Wau (A429) forked northwards, just east of the 1-mile stone from Cirencester. However, the Inclosure Commissioner's working map of 1770 for Preston parish clearly shows the name Dancy's Fancy marked east of the 2-mile stone where Akeman Street turnpike eight. Thus the last two miles into Cirencester were part of the Akeman Street turnpike from Ready Token, a staging post from Gloucester to London, and this road formed part of the Cirencester-St. John's Bridge, Lechlade Trust. This trust, formed in 1717, amalgamated with other trusts in 1825 to form the Cirencester United Roads, and the 2-mile stone still has a plate inscribed 'Cirencester District'. Later the first part of Akeman Street east of Dancy's Fancy fell into disuse and the draft 2" O.S. map shows approximately 225m (250 yards) of disconnected road. Today occasional hedges and banks show the former route of the Roman road.

From Dancy's Fancy the old Burford road to the Head and Post, on the Cheltenham-Oxford road, was remade and small improvements to the alignment carried out where necessary. The eastern part was left to the last and in 1756 the surveyor was ordered to lay the remainder of the road in Upton Field where the stones had already been dug. Twelve years later the trustees were worried concerning the state of

the side roads to Little Barrington and Westwell. Towards the end of the period, in 1790, the road through Bibury was diverted along the waterside from the churchyard gate to the Swan Inn, at a cost of £50. A subscription was opened and six people contributed £44 3s. Od, the remainder being paid out of the tolls.

In 1769 the trust took over the repairs of a minor road, coming under the jurisdiction of the St. John's Bridge Trust, from the Stone Bridge in Amprey Crucis parish to the Bibury turnpike, but this was the cause of friction between the two trusts. The annual sum to be paid by the St. John's Bridge Trust was £2 10s. Od. but by 1772 the money had never been paid and the Bibury Trust were also asking for the sum to be increased, due to damage caused to the road. In the following year it was therefore decided that the amount be increased by 10s.

The Act allowed the trustees to contact people for the purchase or rent of land, so that re-alignments of the road could be made, and if there was no agreement on the value then this would be settled by a jury. The accounts list small sums paid annually for the rent of land, for instance 5s agreed in 1784. Likewise the trust must pay for stone for repairs when dug from private land but the sum agreed, $\frac{1}{2}$ d or 1d a load, did not seem very generous and the Newent Trust used to pay 1d or 2d. The actual pits caused problems and in 1789 it was reported that several pits between Bibury and Aldsworth were dangerous to travellers, so the surveyor was ordered to slope or fence them. Again in 1792 10s was paid to a mason for repairing walls damaged by pits being sunk too near them.

Naturally the minutes and accounts were mainly concerned with repairs to the road and the consequent bills. At practically every meeting the surveyor was 'empowered to employ labour' to repair a certain section of the road; for example in 1764 he was allowed two labourers to fill up quick sands and hollows, and in 1775 100 yards over Windrush Downs was reported to be most 'founderious' in winter. This cost £17 12s 5d to repair. Also the actual width of the road must have been minimal as in 1765 the road was ordered to be widened for the waggons with broad wheels.

Under statute duty each parish surveyor was responsible for providing lists of inhabitants and teams liable for between one and four days repair work on the turnpike road. There were penalties if this was not done and in 1757 seven inhabitants of Barnsley were fined 10s each for refusing to do their statute duty. There was also trouble in 1761 with the part of the road in Oxfordshire and the treasurer and clerk had to 'wait upon' Justice in that County to obtain a warrant in order to call out the Statute Duty. By paying an annual composition sum, however, the act allowed parishes to opt out of providing statute labour; in 1776 the parishoners of Preston, who did a days statute work with one team and three labourers repairing the road between Dancy's Fancy and the Gap, were told that if they paid £1 11s 6d every year they would be discharged from duty. Those parishes who agreed to this did not always pay promptly and in 1779 the Trust surveyor had to summon the parish surveyor, who had not paid, to bring their money to the next meeting.

Bridges caused trouble even though the turnpike only went over the river Coln and Leach and two small streams, and most of the road lies on the Cotswold plateau at least 125 metres (406 feet) above sea level. In 1768, for instance, the surveyor of Arlington was told to erect proper rails on both sides of the bridge over the mill-stream for the security of travellers, otherwise 'the said bridge will be indicted' ! But it was the proposed bridge at Winterwell Bottom, for which Samuel Herbert was paid 2s 6d in 1791 for an estimate, that produced the most reports in the minutes. Here the turnpike used to flood due, it was recorded in 1798, to Richard Selfe having dammed up the water to flood his meadows, and therefore the trustees said a bridge was not necessary if the obstruction was removed. In a letter to the treasurer, Mr. Selfe said that he would remove the obstruction at the first sign of a rise in the water, but in 1791 there was a meeting reminder note written by the treasurer 'to ask Mr. Selfe whether I did not put into his hands the estimate for the bridge at Winterwell'. Another note considered that it would probably be worth while for Mr. Selfe to build the bridge at his own expense rather than be deprived of the benefit of flooding his meadows. In the same year the surveyor was asked to 'turn an arch' at Hamer Bridge and, if it encroached on William Hales land, to pay him a yearly sum, but normally the trustees tried to avoid paying for costly bridges. For a new bridge at Letchbrook, an estimate, excluding carriage, was £38 in 1811, later however than the period being considered.

The removal of annoyances, nuisances and obstructions was allowed by the act and in 1791 several landowners whose hedges and fences shaded and encroached on the road were given notice to immediately cut and prune them, the surveyor to report the names of those who did not conform to the next meeting. Another nuisance occurred in 1770 when John Bridle of Arlington was burning pigs and causing a nuisance to travellers. Also the inhabitants of Barnsley were warned not to make bonfires or let off any squib or firework within 80 feet (24 metres) of the centre of the turnpike, with a penalty of £5, a large sum at that time.

In the original act the tolls were laid down and briefly were as follows:-

(1) Every animal drawing any carriage	3d
(2) Every animal not drawing	1d
(3) Every drove of large animals	10d per score
(4) Every drove of small animals	5d per score

However, in the 1801 session these tolls were doubled with the exception of (1) which was increased to 5d and a new clause added when waggons and carts with wheels less than 6 inches (150 mm) wide were charged 7½d. If the tolls were not paid the trustees were empowered to impound goods or chattels which could be sold after four days.

Exempt from the beginning were carts carrying stone for building or repairing the road, likewise loads of manure, and election days were also free for those concerned with the

voting. Also exempt was straw for flooring, agricultural implements going for repair, animals being taken to water or pasture, horses for shoeing, animals carrying grist to and from mills, horses and waggons used in the passing of vagrants travelling with lawful passes, posthorses carrying mail and finally animals and carts moving soldiers and their baggage. Tolls and exemptions varied from trust to trust; for instance under the Northgate Trust, mail and soldiers were not exempt until 1806.

Tolls were to be paid once a day, from midnight to midnight but in 1755 it was agreed that waggons going to Cirencester and returning empty before noon the following day, need not pay toll again. In the original act the people of Bibury and Arlington were allowed to pay only half the toll for their carriages and cattle and the 1780 session added Ablington. This led to a dispute regarding tolls for waggons and in 1758 these were ordered to pay full tolls but the treasurer privately thought that the village should pay all tolls in full and a Mr. Stevens was asked to find out the position in Cirencester. Another reduction was made for regular movements of sheep and a composition toll of 5s was paid for three months.

During the first fifteen years the tolls were collected by a paid collector, Richard Westmacott, and during that period the average amount obtained yearly was £81. Set against that figure the average expenditure during the last eight years of that period was £76. Then in December 1768 the system was altered and the tolls were put up for auction for a period of a year, a quarter of the sum being collected every three months, with the highest bidder providing sureties for the trustees. At £98 John Cherrington of Cirencester, an iron-monger, was the highest bidder at the first auction which can be compared with the £93 collected during 1768. An advertisement in the Gloucester Journal in November 1774 stated that the auction was to be held at the Swan, Bibury, between two and five in the afternoon on the 20 December. From 1768 until 1776 the auction bids rose to £154, William Holtham, a labourer formerly of Winsom being successful for four of the years, but for 1776 he was allowed £5 for his loss due to the deep snow. There was no bidder for the following year, 1777, when the toll-house was removed to a more remote place, and a contract had to be arranged on the best possible terms. In 1780/81 the auction figures dropped to £106/£100 as the stage coaches ceased to travel regularly.

Over the following seventeen years, 1782 to 1798, the figure averaged out at £124 with seven different collectors involved. The Rev. William Somerville, Rector of Bibury from 1757-1790, was successful from 1783 to 1785 but Charles Slatter, a cordwainer who originally came from Bladon in Oxfordshire, was collector for no less than seven years. During the last five years being considered the average increased considerably to £168 and Charles Slatter was only defeated once at the yearly auctions. In the last year under consideration, 1803, he also paid £45 for the rent of a new toll-house just established at Upton Field. An observation on the collection of money occurred in 1778 when the

treasurer was ordered to buy a new pair of money scales and weights for the use of the gate-keeper.

In common with all other trusts evasion of paying tolls was always a problem and the act stated that a penalty of 20s was payable by persons permitting or going through private passage, in other words travelling round the back of the toll house. In 1769 John Cherrington was ordered to attend the next meeting to make his complaints against such person or persons going over private ground to evade the Arlington gate. There was also a complaint in 1783 that the gate-keeper received 2s 3d without actually being at the gate.

The act permitted the trustees to erect turnpikes and toll houses along the road and also across any lane leading to the road, except within five miles of Cirencester, so at the first meeting in June 1753 it was agreed that gates or chains be put up at Upper End, Arlington and at Ablington. An estate map of 1769 shows the Arlington gate up the hill leading south west from Bibury bridge and in November 1753 it was minuted that John Simms was to be paid £21. 1s 0d for erecting the turnpike house and gate, very similar to the £20 allowed at this time by the Chepstow trust. The road to Ablington goes north-west from Bibury bridge but it was not until May 1755 that it was ordered that this check gate be erected.

In June 1774 the trustees decided to move the toll house from Upper End to a crossroad called Taylor's Cross along the Barnsley road, a movement of 0.8 kilometres ($\frac{1}{2}$ mile) to reduce avoidance of tolls. However, there was no action on this minute and in December the treasurer was asked to arrange the erection of a temporary house at Taylors Cross 'in the most frugal manner he conveniently can'. The following meeting in March 1775 the treasurer produced a plan for a proper house but this was not approved as it was thought too expensive. The trustees themselves were now to produce plans but there must have been a considerable delay because it was not until August 1777 that it was ordered that £34 15s 3d be paid for erecting the house and also that a new gate be put up in place of the old decayed one. For comparison the Chepstow trust now allowed £30 for a toll house.

John Simms detailed accounts for the house survive, although the house itself does not, and the total cost of the carpentry and joinery amounted to £12 15s 7d, one of the more expensive items was an oak door and frame for 18s. Another bill, this time from mason Dun, included $2\frac{1}{2}$ days work in June taking down the old turnpike house for 4s 2d. In this connection T. Tibbald, in his estimate of £23 5s 0d for erecting the new house, stated that the timber of the old house was not worth more than £2 and the stone was not worth the carriage. This estimate was particularly interesting as it included a plan showing the house and gate he had quoted in relation to the crossroads and the sizes of rooms were also indicated. The main room with fireplace, door and adjacent window was dimensioned 10 feet by 10 feet (3m x 3m) and off it were two small rooms, one 6 feet by 4 feet (1.8m x 1.2m) with window and the other 3 feet by 4 feet (0.9m x 1.2m).

Other documents in the treasurer's papers included further plans and elevations for a single storey house estimated at £33 and a two storey house at £43 10s Od.

In February 1777 it was agreed to erect a check gate, or set up a chain across the road from Arlington Down to Ablington, near the river, as tollgate evasion was taking place, and in August J. Hinks, carpenter, was paid £6 0s 11½d for erecting a wooden house at this place.

It was not until towards the end of the fifty years, in 1801, that the Trustees started to consider erecting another toll house and the treasurers' notes state that Messrs. Musgrave and Beach were asked to find the best position but that Mr. Beach strongly objected to having it south of Aldsworth, where the surveyor wanted it, as this would intercept the teams going to Coln and his mills. Two years later it was agreed that it would be sited in the northern position near Upton Field, shown on the 2 inch draft O.S. map of 1811-16 as 0.8 kilometre (½ mile) south west of the junction with the Crickley Hill to Campsfield Trust (via Northleach, Burford and Witney) of 1750/1. The account of Thomas Tempany, mason for this house amounted to £18 18s Od and the new gate by Thomas Simms cost £5 2s Od. The draft 2 inch map also shows a toll-house at the junction with the main road (A40) but this belonged to the Crickley Hill Trust.

Throughout the minutes constant references were made to repairs to the gate including sums of 3s 6d, 8s, 6s 6d, 3s 8d, 12s 4d, 12s 4d, 12s 1d, 1s and 2s 6d and alterations, improvements and repairs to the toll house including white-washing for 7s in 1757, painting in 1778 for £1 18s 6d and painting the door and gate the same year for 12s 6d. In 1781 the collector complained that the window in the north east part of the house was too small to command views of both gates and 3s 6d was paid to a mason for enlarging it with 4s 6d to the glazier. A pool was ordered to be dug for 50s in 1787 to provide a water supply and two years later a wood shed was ordered at a cost of £13 14s 1d, but, as this seems expensive, the sum may have included house repairs. Later again, this time in 1795, wooden shutters were requested and finally a new floor was ordered to be laid in 1801. In addition, the check turnpike had to have a new door costing 4s in 1799 and the gate itself had to be renewed for £1 2s Od.

One section of the act stated that the road was to be measured and milestones erected; another paragraph added that the penalty for breaking or defacing a stone was forty shillings. In May 1756, three years after the first meeting, it was resolved that the road was to be measured, staked out and milestones were to be erected with proper inscriptions, mentioning distances from Burford and Cirencester. In the following month it was agreed that Joseph Brindle was to be paid nine shillings for measuring and staking out the road and then in March 1757 he was paid 7s 6d each for seven milestones which were erected and set up upon the road. There were eventually thirteen stones between Dancy's Fancy and Hand and Post, but in 1756 it was recorded that the eastern end of the road across Upton Field had still to be laid and this may at least partly account for the discrepancy in numbers.

Nearly thirty years later, in 1785, the surveyor reported that the milestones were much defaced and wanted new lettering and it was ordered that they were to be re-lettered. However the work does not appear to have been carried out as in April 1788 there was another order to face the stones and paint in legible characters and figures. In November Thomas Brindle was paid £1 11s 6d for this work. At the same meeting the clerk was ordered to give notice that if any person defaced any of the milestones or direction posts, they would be prosecuted; also that any person giving information leading to a prosecution would be rewarded by the treasurer. Parents were asked to caution their children not to be guilty of this offence. Anyone convicted of this offence could be fined a sum not exceeding £5 and this incidentally exceeds the 40s mentioned in the original act. Today a typical surviving milestone is 850 mm (34 inches) high with the top 50 mm (2 ins.) rounded to throw off rainwater; the width tapering from 450 mm (18 ins) at ground level to 375 mm (15 ins), and the depth also tapering from 200 mm (8 ins) to 125 mm (5 ins). Although the stones survive unfortunately none have been found with any evidence of lettering.

Associated with milestones were hill markers. In December 1770 the surveyor was asked to survey and measure in furlongs and perches five hills along the road i.e. Leachbrook Hill, Quarry Hill near Barnsley, White Hill, the hill at Bibury and finally Vens Blow Hill, so that posts could be erected where additional horses were allowed. Broad-wheeled waggons, i.e. those with wheels 225 mm (9 ins) girth or over, were to be allowed ten horses and narrow-wheeled, those under 225 mm could have five.

In March 1771, the trustees sent this order for allowances to the Quarter Sessions but unfortunately it was not passed as it was said that the boundaries of the hills were insufficiently described. So in June a revised statement was submitted and at the Trinity Sessions meeting at the Boothall, Gloucester, on Tuesday in the week after the feast of Thomas a Becket, it was proved upon the oath of two credible witnesses to the satisfaction of the court and the allowances were confirmed. As a result, in September, it was ordered that stones should be erected at the boundaries of the hills mentioned. Here it is interesting to note that at the top of Quarry Hill there was a stone pillar, 700 mm (28 ins) high and approximately 250 mm (10 ins) square at the base, which was in the correct position to have been one of these markers. Unfortunately it was knocked over in February 1977.

With one exception the trustees and officers appear to have managed the trust reasonably efficiently and, considering the limited income, the road, gates, toll-houses and milestones were kept in good condition, if one can rely on the lack of recorded complaints. The exception was the faulty positioning of two of the three toll-houses, as the first at Bibury was soon found to be an error and likewise the one established at a late stage in Upton Field would have been preferable at or near Aldsworth. Minutes and notes indicate that a considerable amount of traffic must have been avoiding the tollhouses and

check gates at Bibury, Arlington and Ablington and it is strange that it took fifty years to erect a gate along the eastern part of the turnpike, albeit even then in the wrong position.

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