

The
TURNPIKE ROADS
of Leicestershire and Rutland
Arthur Cossons

KAIROS PRESS

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Leicester

2003

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Front Cover: The Granby Toll House, London Road, Leicester, painted by A J Thornton.
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Foreword



Arthur Cossons (1893-1963) was a Nottinghamshire headmaster with a lifelong interest in local history and, in particular, the development of the system of turnpike roads in England. He was a natural teacher whose profound knowledge and understanding helped innumerable generations of children – and adults too – to gain an understanding and appreciation of their surroundings. He had a deep respect for all that was being achieved in Leicester and Leicestershire in the years after the second world war, especially in the fields of education and museums. Literally thousands of Nottingham children were brought to Leicester, to see what were some of the most outstanding museums in the country outside London, to learn about the Romans at the Jewry Wall, or local history in the Newarke Houses.

It is no accident therefore that his son should start his museum career as a Student Assistant in Leicester City Museums nor that his daughter has spent most of hers in the county record office. We both benefited from going with him on trips into Leicestershire, by bus from Beeston, to explore the history and archaeology of the county, or with the Historical Association excursions that our father led, to places like Kirby Muxloe or Grace Dieu priory.

Arthur Cossons' first publication on roads, *Turnpike Roads of Nottinghamshire*, appeared in 1934, with a second edition in 1995. By the 1950s he had published *Norfolk*, *Northamptonshire*, *Warwickshire* and *Wiltshire* and completed the manuscript of *Leicestershire and Rutland*. This is his text, together with most of the original maps which he drew himself and with which all his works were graced. The text shows some signs of maturation over the half century or so since it was written but rather than edit it or carry out some modest updating it has been published in substantially its original form, as the first comprehensive work on the roads of the two counties. It is, as far as we know, the only outstanding unpublished work that our father wrote. We hope it makes a worthwhile contribution to the understanding of this little known aspect of history and enables readers and researchers to make some sense of the historical geography of the roads of Leicestershire and Rutland.

Neil Cossons
Hilda Stoddart.
January 2003

*Hilda and Neil Cossons in
1950, at the Scaddow
Tollhouse on the A514,
part of the Moira and
Gresley turnpike.*



LEICESTERSHIRE AND RUTLAND TURNPIKE ROADS

By Arthur Cossons

Introduction

The system of maintaining roads by means of money collected at toll bars from the users was an answer to a problem created by the partial breakdown of an earlier method of administration, which itself was an effort to solve a similar problem. It is therefore necessary to trace in outline the previous conditions in order fully to understand the turnpike system.

During the Middle Ages, the onus of highway repair rested on the manors. The manorial tenantry repaired the roads as they trimmed the hedges and scoured the watercourses. In default they were amerced in the lord's court. Long-distance traffic was mostly horse-borne and, apart from their use in carting the produce of the harvests, wheeled vehicles were comparatively little used – hardly at all in winter except when the land was frostbound. Legally a road was a way. If the way were passable the law was satisfied.

The manorial method of administration, however, fell to pieces as the bondsmen secured their freedom. A rent-paying tenant, recently freed from agricultural service on the lord's land and from fulfilling the various other manorial obligations, was hardly likely to take kindly to a continuance of compulsion by the court leet as to highway repair. At the end of the Middle Ages, the widespread redistribution of land ownership caused by the dissolution of the monastic houses hastened the collapse of local government by the manorial lords and added its quota of difficulty. Soon

afterwards, the expansion of trade, due partly to the redistribution of wealth and partly to the efforts of the explorers, began to have its effect on the volume of traffic and its nature.

In places where the court leet had ceased to function, the responsibility for highway maintenance had come to rest on the parish. In the reign of Mary Tudor this was statutorily confirmed by the celebrated Act for the Mending of Highways.¹ This instituted what came to be known as statute labour, the compulsory service on the roads of the teams and carts of the parishioners who had them and the personal labour of those who had not, under the superintendence of an unpaid, annually chosen surveyor of highways or waywarden. The annual work on the roads took place on four days a year, after harvest, a period which was extended to six days by an amending act of a few years later.²

The success or failure of these acts depended almost entirely on the conditions within the restricted area of each parish. Outside influence was small and operated chiefly through the general supervisory powers of the local justices. A public-spirited waywarden might be succeeded by one actuated by self interest; a parish with a small area and a good labour supply might have its boundaries coterminous with a sparsely populated parish with many miles of highways within its limits.

Classified according to the way in which internal and external conditions interacted, parishes fell into three main groups. The roads of one parish might all be

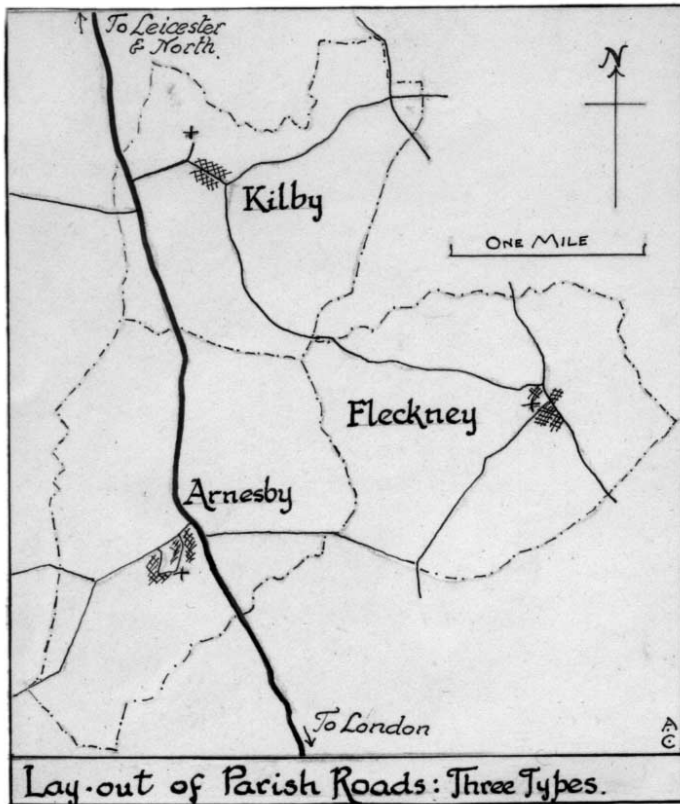


Fig. 1: Roads through Fleckney, Kilby and Arnesby.

regularly used by the inhabitants and hardly at all by strangers. In another, a road of local importance, necessary for the day to day business of the parishioners, might also form a part of a great trunk route and be worn and torn by the passing through of travellers whose statute labour was due elsewhere. Yet again, a main road might pass across the corner of a parish or along its boundary, might be cut to pieces by travellers with no interest in the village at all, be of no value to the parishioners themselves, and yet be reparable by them.

In the first of these types, all the roads would get a fair share of the statute labour. It is true that one year's surveyor might pay most attention to those highways that led between his fields and his farmyard but, as all the farmers would take their turn in office, all the roads would get attention, taking one year with another. In the second type, the inhabitants would always be fighting a losing battle, trying their utmost to secure a good highway for their own use and seeing their work set at naught by "foreigners" as soon as it was finished, if not before. It cannot be wondered at that in the third type the parishioners neglected the main road entirely unless a passing magistrate chose to present the parish at the next sessions. A sketch map of three Leicestershire parishes (figure 1) is included to illustrate this point. The roads of Fleckney are seen to be of more or less equal importance, more to the inhabitants and less to the outside traveller. One of the roads radiating from the centre of Arnesby can be seen to be of similar use to the locality as the rest but, being a part of one of the main roads from London to the north, also of importance to the non-parishioner. The same road passes along one side of Kilby and is easily seen to be of far more use to the long distance traveller than to the persons responsible for its repair.

But there was yet another condition that had a great deal of influence on the success or failure of statute labour – the geological structure of the land over which the highways passed. Porous sandstone and limestone meant easy road maintenance. Where a clay subsoil coincided with a road pattern such as those of the second and third types, maintenance was hopeless. Ruts might be raked flat and stones dumped on the surface but the first vehicle after the first rainstorm would bring the mud squelching up between the stone to spread itself over them. Before long, the stones would be sunk in a sea of mud.

Highway rates were introduced during the Commonwealth when the justices were allowed to pass assessments up to a shilling in the pound.³ The parish (some townships and chapelries had separate highway jurisdiction) was still the unit of administration. The Cromwellian legislation was of course annulled at the Restoration, but the principle of rating for road repairs was reintroduced soon afterwards but only up to a limit of sixpence in the pound.⁴ Many parochial waywardens availed themselves of this opportunity to pay for labour additional to that provided by statute duty, but it did not go very far. Practically the only other sources of income that the surveyor had were the produce of fines for the breaking of various highway laws, money paid in lieu of doing statute labour, and (this was very similar to the last) fines for non-performance. Occasionally a record is found of another way of raising money. A parish would be presented or indicted at the Sessions for non-repair and fined a substantial sum, sufficient to cover the cost of the necessary work. The ratepayers would have to pay the fine in the ration of their assessments and, being a fine and not a rate, it could exceed the statutory sixpenny limit. Once collected, the money would be handed over to the parish surveyor and, the work done, a justice's certificate would ensure a clean sheet at the next sessions. The usual procedure when a parish was indicted was for the case to be respited from sessions to sessions until the work was done and a justice's certificate granted. The parish would then be fined a nominal sum and the case cleared.

Forerunners of the Turnpike System

In the Middle Ages there had been cases of tolls being granted by royal letters patent for the upkeep of bridges (pontage), town streets and short stretches of highway (pavage). They were usually for short periods

and, although they were sometimes renewed, the procedure can only be considered as temporary.

Records of these pontage and pavage grants and of the occasional institution of enquiries into the management of the tolls are to be found in the *Calendars of Letters Patent* in the Public Record Office. One local case of pontage must suffice as an illustration. On 12 February 1316, Edward II granted three years' pontage to Robert de Eccleshale and Robert, son of Ivo de Keggeworth, in aid of the bridge of "Keggeworth".⁵ Later in the same year he made a fresh grant for the same bridge to the same Robert son of Ivo, this time associated with Hugh de Fisshlake and Geoffrey de Byngham, for five years.⁶ Long before its term was run another grant was for four years, this time to Gervase son of Gervase de Clifton, Stephen le Haut of Keggeworth and Walter de Brampcote.⁷ Three months later the king issued a commission to audit the accounts of the holders of the grant of all money received "as well the gifts of divers men in their testaments as the proceeds of the pontage".⁸ A further audit was instituted in 1321.⁹

The Birth of the Turnpike System

For the real beginning of the turnpike system we must come down to much later times. Towards the middle of the seventeenth century, attempts were made by the gentry of Bedfordshire to obtain powers to levy tolls on the local sections of the Great North Road and Watling Street.¹⁰ They failed but similar attempts in neighbouring counties produced the first Turnpike Act, in 1663, which gave the justices of Hertfordshire, Huntingdonshire and Cambridgeshire power to erect gates and charge tolls on traffic passing along the Great North Road in those counties.¹¹ This Act expired as far as it related to Huntingdonshire and Cambridgeshire, but was renewed for Hertfordshire twice before its precedent was followed in 1695-6.

Thereafter there was a steady stream of bills before Parliament respecting various isolated stretches of highway. When the Stuart period closed with the death of Queen Anne, acts had been passed for over two dozen lengths of road. Most of the earlier ones had been renewed; a few had expired.

Meanwhile in the session 1706-7, a departure from the original type had been made. Two acts passed in that session appointed as road authorities, not the local justices, but bodies of local gentlemen interested in the particular roads as trustees or commissioners.¹² The initiative was local. Local people subscribed funds for the legal costs of petitions to Parliament and, on their bills being passed, they became the “foundation members” of the trusts.

In 1721-2 the turnpike system reached Leicestershire’s southern border, but before considering its development in the county and in Rutland, it may be well to quote a few descriptions of the roads as they were prior to turnpiking and in the early years of the system.¹³

Descriptions of the Roads

Writing at about the time of the first Leicestershire turnpike act, Daniel Defoe says,

... the soil of all the midland part of England, even from sea to sea, is of a deep stiff clay, or marly king, and it carries a breadth of near 50 miles at least, in some places much more; nor is it possible to go from London to any part of Britain, north, without crossing this clayey dirty part.¹⁴

After describing the Great Northern Post Road from London to York “with its famous Arrington Lanes” and “Tuxford in the Clays”, he goes on,

Suppose you take the other northern road, namely, by St. Albans, Dunstable, Hockley,

Newport Pagnel, Northampton, Leicester and Nottingham, or Derby: On this road, after you are pass’d Dunstable, which, as in the other way, is about 30 miles, you enter the deep clays, which are so surprisingly soft, that it is perfectly frightful to travellers, and it has been the wonder of foreigners, how, considering the great number of carriages which are continually passing with heavy loads, those ways have been made practicable; indeed the great number of horses every year kill’d by the excess of labour in these heavy ways, has been such a charge to the country, that new building of causeways, as the Romans did of old, seems to me to be much easier expense: From Hockley to Northampton, thence to the very bank of Trent these terrible clays continue; at Nottingham you are pass’d them, and the forest of Sherwood yields a hard and pleasant road for 20 miles together.¹⁵

In a later passage, after describing the improvements made by turnpiking some of the roads in the southern half of England, he writes,

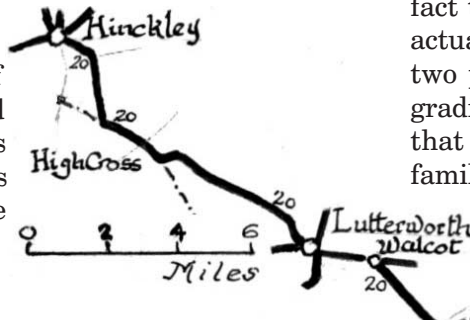
There are indeed some very deep roads in many places of England, and that south by Trent too, where no such provision is yet made for repair of the roads, as particularly in and through the vale of Aylesbury, ... also beyond Northampton to Harborough and Leicester; also in Lincolnshire, ... the road from Stamford to Grantham, Newark, and Tuxford in the clays, all which remain very deep, and in some seasons dangerous.¹⁶

From the petitions to Parliament and the preambles of the early turnpike acts can be collected a variety of expressive descriptive words and phrases. Roads were “deep and foundrous”, “ruinous and bad”,

Castle Street, Hinckley, to Town's End, Lutterworth; Town's End, Walcot, to the 80th milestone, Welford Field
(later the B578 and a short section of the A5)

| | | |
|--------|---|--------------------------|
| 1761-2 | Act of 1st Auth. | 2 Geo.III, c.54 |
| 1783-4 | Cont. Act | 24 Geo.III, Sess. 1 c.28 |
| 1805 | Cont. Act | 45 Geo.III, c.xxxvi |
| | Walcot to Welford Field branch omitted. | |
| 1823 | Re-enact. | 4 Geo.IV, c.1x |
| 1876 | Ann. Cont. Act | 39-40 Vic., c.39 |
| | (To expire: 1 Nov. 1876) | |

The early history of this road as a turnpike is bound up with that of the Watling Street road (No. 22) and commences nearly thirty years before the passing of the authorising Act. (See notes to No. 22).

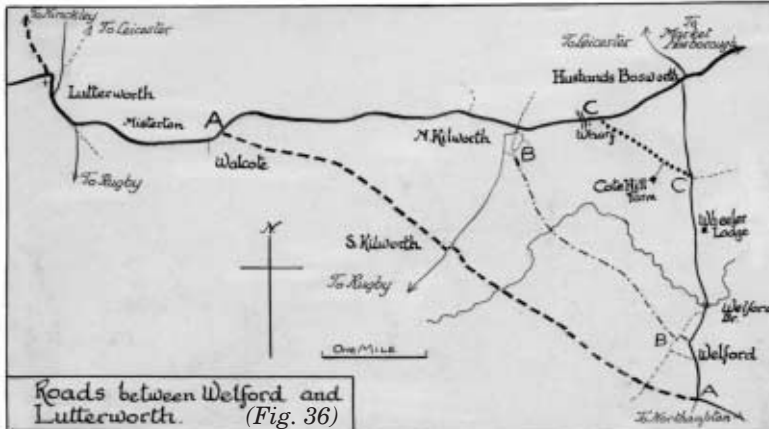


The section of the road between Lutterworth and Walcot was under trust controlling the road from Market Harborough to Coventry (No. 13)

It is doubtful if the Walcot to Welford Field section of this road were ever effectively controlled by the trust, and its omission from the Act of 1823 was evidently a recognition of already existing conditions. The neglect of this section seems strange in view of the fact that it is about two miles shorter than the route actually used at the time and later between the same two points. It was probably due to it having steeper gradients, though the possibility must not be ruled out that it was due to personal influence of the Braye family. The most used route at the end of the eighteenth century seems to have been that in use today, i.e. from Walcot, through North Kilworth to the Canal Wharf, thence past Cote Hill Farm to the Welford to Leicester road

(ACCA in fig. 36) A slightly longer route than the turnpike branch (AA) was that now represented by

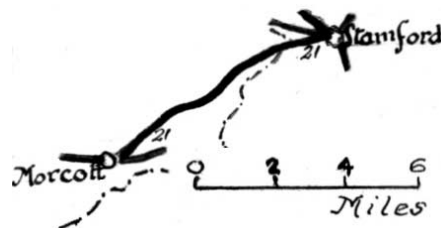
field tracks direct from Welford to North Kilworth (BB) This seems to have been in use as a through road at one time and appears on Laird's map of 1808 as the main road. The present route (CC) was used by the London to Holyhead mails before Telford's improvements caused the transfer to the Coventry and Birmingham road, after which the old Holyhead road was used by the mails between London and Woodside Ferry, Birkenhead.



21

St. James Deeping Stone Bridge to Peter's Gate, Stamford, and the south end of Morcott

| | | |
|--------|---|-----------------------|
| 1761-2 | Act of 1st Auth. | 2 Geo.III, c.73 |
| 1786 | Cont. Act | 26 Geo.III, c.159 |
| 1806 | Cont. Act | 46 Geo.III, c.xcix |
| 1829 | Re-enact. | 10 Geo.IV, c.lxxxviii |
| 1870 | Ann. Cont. Act (Sched. out of debt) | 33-4 Vic., c.73 |
| 1872 | Ann. Cont. Act (To expire: 1 Nov. 1872) | 35-6 Vic., c.85 |



22

'The London to Holyhead Road'

Watling Street, from the Three Pots Inn, Burbage, to Fazeley Bridge
(except for the short stretch already turnpiked as part of the Hinckley to
Nuneaton road, No. 12); **Fieldon Bridge to Bow Bridge, Over Whitacre, via**
Atherstone; Whitacre Furnace to Nuneaton Common; Mancetter Lane
End to Nuneaton Common; Nuneaton Common to Abbey End,
Nuneaton; Church Street, Nuneaton, to Wolvey Heath; Coventry to
Whitacre

(includes what later became the A5)

| | | | | | |
|--|---|---------------------|---------------|--|-----------------|
| 1761-2 | Act of 1st Auth. | 2 Geo.III, c.80 | 1830-1 | Re-enact. (Section) | 1 Wm.IV, c.xiv |
| 1780-1 | Cont. Act With extension to Blyth Bridge, Whitacre. | 21 Geo.III, c.85 | 1863, 17 Feb. | Prov. Order. Trust united with No. 19 B Debt £1,809, interest reduced to 4 per cent from 1 Jan. 1863. | |
| 1810 | Cont. Act | 50 Geo.III, c.cxxxv | 1863 | ATTA Act (Confirmation of above Prov. Order) | 26-7 Vic., c.98 |
| 22A. As above, except Coventry to Whitacre, and with extensions: Three Pots Inn to the Hinckley to Lutterworth road (No. 20); Wolvey Heath to the Five Lane Ends, Wolvey Heath. | | | 1868-9 | Ann. Cont. Act (Ansley and Whitacre section: To expire: 1 Nov. 1875). | 32-3 Vic., c.90 |