



## Black Horse Toll Gate – Sophia Harford Swindon

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**Sophia Harford**, wife of **Francis Harford**, keeper of the “Black Horse” toll gate, on the Wroughton road, was charged by **Mr. J. W. Browne**, of Swindon, solicitor, first, with not having her name over the door as required by Act of Parliament, secondly, with refusing to give her name when it was demanded of her; and thirdly, with having used scurrilous and abusive language. **Mr. Browne** conducted his own case, and **Mr. Ormond** appeared for the defendant.

**Mr. Browne** having been sworn said:-On the afternoon of Good Friday, between 4 and 5 o'clock, I was driving a four wheel from Swindon to Wroughton; I had to pass through the black-horse turnpike gate. A woman, the defendant came to the gate, and I gave her twopence, the amount of toll. She immediately said “this is not twopence.” I replied “indeed it is.” She then said “no, it is not,” and with that she flung the money after me and went off into the house and shut the door after her.

I then stopped the carriage, got out, and went back, and opening the door demanded the woman's name. She said “I shan't tell you.” I again demanded her name, and she again refused to tell me. I then left and drove on to Wroughton. When I got out of the carriage I had the whip in my hand; I had it with me whilst standing at the door; the woman was standing near the fireplace.

When I came out of the house I looked over the door for the name and there I saw “**S**” or “**C. Harford.**” It was an initial letter in place of the Christian name. On my return from Wroughton the woman's husband came out and half shut the gate against me; he said he wanted to say something to me. I said, “Do you demand another toll of me”? He said he did. I then gave him the twopence; he opened the gate, and I passed on. As I was driving off the man sang out, “I'll summon you before the Justices.”

**To Mr. Ormond:** I had been through the gate several times before. I knew what the toll was. The money I gave the man was a penny and two halfpennies. The woman said “this is not enough,” and immediately flung the money at me. She did not hold it out in her hand to show me. Some of the money hit me on the hat, and some in the back. I went into the house for the purpose of knowing who I was to summons.

This being the case for the complainant, **Mr. Browne** explained that the summons for abusive and scurrilous language was a mistake; it should have been for demanding double toll. He would therefore withdraw the third summons.

**Mr. Ormond** then briefly addressed the Bench on behalf of the defendant. He would admit that the name was not over the door as required by Act of Parliament; the Christian name as well as the surname; but with respect to the charge of defendant refusing to give her name, he submitted that refusing to answer the question of "what's your name," was not a refusal to give her Christian name and surname.

There being another case, in which the defendant, **Sophia Harford**, charged the complainant, **Mr. J.W. Browne**, with having assaulted her, the Bench decided upon hearing both cases before giving an opinion on the first one.

**Sophia Harford** was then sworn. She said: I am the wife of **Francis Harford**. Last Good Friday I was keeping the Black-horse toll gate. **Mr. Browne** came through in a four-wheel. I opened the gate for him and held out my hand to receive the toll, and he gave me three halfpennies. I asked him for another halfpenny, saying the toll was two pence. I then held out my hand to him to show him the money; it was one large halfpenny and two small ones.

I said "I beg your pardon, sir, its only three halfpence." He then thrust his finger on to the large half-penny and said it was a penny. He repeated this three times. I then laid the money on the splashboard over the wheel. As I did so I said "It is only three half-pence, sir, and you know it, and if you don't pay the toll we must make you." **Mr. Browne** then drove on for about ten yards, when he jumped out of his gig and ran back to the house. The door not being quite far enough open for him, he kicked it open, and said, "d---- you, I'll let you know who I am; I'll crush you." He had a whip in his right hand; his left hand was shut. He struck at me with his shut hand.-I moved my head on one side and avoided the blow; if I had not he would have hit me.

He told me to open my hand. I did not open it quite quick enough for him and he knocked my knuckles; he said I had the money in my hand. His whip was in his other hand, and he struck me across the face with it. I had a prayer-book in my left hand; he knocked it out of my hand. He stopped in the house five or ten minutes; he was stamping, and swearing and throwing his arms about all the time. He then went out and got into his gig, and as he did so I heard him say something about the name. When he went out he picked up the large halfpenny and threw it at me. I now produce the halfpenny; it is the one Mr. Browne said was a penny.

**to Mr. Brown:** You was stamping, swearing, and spitting in my face-from the way in which was talking it splashed in my face.

**Mr. Browne** said he should ask the complainant no more questions: he should indict her for perjury.

He then called **Mrs. Browne**, but **Mr. Ormond** objected to her evidence being taken. The objection having been held to be good, the Magistrates retired. Upon returning into court the rev. chairman said, the magistrates were unanimous in finding **Sophia Harford** guilty of not having her name over the door and for this offence she would be fined 1s and costs. A majority of magistrates found her guilty of refusing to give her name when it was demanded of her, and for this offence she would have to pay a fine of 5s and costs. A majority of magistrates' was of opinion that the charge of assault against Mr. Browne had been made out, and for this offence he would have to pay a fine of 5s and costs, including £1 1s for complainants solicitor.