ANNO PRIMO

GULIELMI IV. REGIS.

***** ***

Cap. xxxvi.

An Act for more effectually repairing and improving the Roads from *Lemsford Mills* in the Parish of *Bishop's Hatfield*, through *Welwyn* and *Stevenage*, to *Hitchin*, and from *Welwyn*, through *Codicot*, to *Hitchin* aforesaid, all in the County of *Hertford*.
[30th *March* 1831.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His Majesty King *George* the First, intituled *An* 12 G. 1. c. 10.
Act for repairing the Roads from Lemsford Mill *in the County of* Hertford *to* Welwyn, *and from thence to* Cory's Mill, *and from* Welwyn, *through* Codicot, *to* Hitchin *in the said County; and for enlarging the Term granted by an Act passed in the Sixth Year of the Reign of His present Majesty, for repairing the Roads from* Stevenage *in the said County to* Biggleswade *in the County of* Bedford: And whereas another Act was passed in the Eleventh Year of the Reign of His Majesty King *George* the Second, intituled *An Act for enlarging the* 11 G. 2. c.10.
Term and Powers granted and given by an Act passed in the Twelfth Year of the Reign of His late Majesty King George, *for repairing the Roads from* Lemsford Mill *in the County of* Hertford *to* Welwyn, *and from thence to* Cory's Mill, *and from* Welwyn (*through* Codicot) *to* Hitchin *in the said County, and also for repairing the Roads from* Cory's Mill *to* Hitchin *aforesaid:* And whereas another Act was passed in

the Third Year of the Reign of His Majesty King *George* the Third,
3 G. 3. c. 26. intituled *An Act to continue and render more effectual Two Acts of Parliament, for repairing the Roads from* Lemsford Mill, *through* Welwyn *and* Stevenage, *and by* Cory's Mill, *to* Hitchin, *and from* Welwyn, *through* Codicot, *to* Hitchin *in the County of* Hertford: And whereas another Act was passed in the Twenty-fourth Year of the Reign of
24 G. 3. c. 25. Sess. 1. His Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of an Act of the Third Year of the Reign of His present Majesty, for repairing the Roads from* Lemsford Mill, *through* Welwyn *and* Stevenage, *and by* Cory's Mill, *to* Hitchin, *and from* Welwyn, *through* Codicot, *to* Hitchin *in the County of* Hertford: And whereas another Act was passed in the Fiftieth Year of the Reign of
50 G. 3. c. 54. His Majesty King *George* the Third, intituled *An Act for continuing and amending Two Acts, passed in the Third and Twenty-fourth Years of His present Majesty, for repairing the Roads from* Lemsford Mill, *through* Welwyn *and* Stevenage, *to* Hitchin, *and from* Welwyn, *through* Codicot, *to* Hitchin *aforesaid, all in the County of* Hertford; And whereas the Trustees for executing the said several recited Acts have made great Progress in repairing and improving the said Roads, and have for that Purpose borrowed several considerable Sums of Money upon the Credit of the Tolls authorized to be taken upon the said Roads, which Sums still remain due, and the same cannot be discharged, nor can the said Roads be effectually repaired, amended, widened, improved, and kept in repair, unless further and other Tolls, Powers, and Provisions are granted and made for those Purposes, for a further Term: And whereas it would be convenient if the said recited Acts were repealed, and further and more effectual Powers and Provisions granted and made instead thereof; but the same 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 assembled, and by the Authority of the same, That upon the Twenty-third Day of *June* next after the passing of this Act the said recited Acts passed in the Twelfth Year of the Reign of His Majesty King *George* the First, the Eleventh Year of the Reign of His Majesty King *George* the Second, and the Third, Twenty-fourth, and Fiftieth Years of the Reign of His Majesty King *George* the Third, shall be and the same are hereby respectively repealed, and instead thereof this Act shall be put into execution for and during the Term hereinafter mentioned, for the Purpose of more effectually repairing, amending, widening, diverting, altering, and from Time to Time improving and keeping in repair, the said Roads from *Lemsford Mills* in the Parish of *Bishop's Hatfield*, through *Welwyn* and *Stevenage*, to *Hitchin*, and from *Welwyn*, through *Codicot*, to *Hitchin* aforesaid, all in the County of *Hertford*; and which Roads pass from, through, or into the several Townships, Parishes, and Hamlets of *Bishop's Hatfield*, *Ayott Saint Peter*, *Ayott Saint Lawrence*, *Digswell*, *Welwyn*, *Datchworth*, *Knebworth*, *Sheephall*, *Stevenage*, *Great Wymondley*, *Little Wymondley*, *Ippollitts*, *Hitchin*, *Letchworth*, and *Codicot*, or some of them, all in the County of *Hertford*.

Recited Acts repealed, and this Act to be put in force instead thereof.

II. And

Former Debts, &c. vested in Trustees.

II. And be it further enacted, That all Arrears of Tolls or Rents, and other Monies due to, and all Property, Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the Trustees under the said recited Acts hereby repealed, or any or either of them, shall, immediately on the Commencement of this Act, be vested in the Trustees for executing this Act, who shall be and they are hereby enabled to sue for and recover the same, and for that Purpose to cause to be commenced and prosecuted all Actions or Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under or by virtue of this Act.

Appointment of Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Hertford*, together with *Henry Alington*, *Levi Ames*, *William Acton* Clerk, *Henry Baker* Clerk, *Lynch Burroughs* Clerk, *William Burroughs*, *William Blake*, *Joseph Staines Banks* Clerk, *John Baron*, *Miles Bland* Doctor in Divinity, *Whiston Bristow*, *William Bowyer*, *William Earle Lytton Bulwer*, *Edward Bunting* Clerk, the Right Honourable and Reverend *Frederick Beauclerk* commonly called Lord *Frederick Beauclerk*, *Smyth Churchill*, *Thomas Cockayne*, *Charles Chauncy* Clerk, *Henry Fines Clinton*, *Charles Chester* Clerk, Sir *Charles Cuyler* Baronet, *Sir Robert Chester* Knight, *John Croft*, *John Henry Peter Chesshyre* Clerk, *John Carbonel*, *William Cox*, *William Curling*, *Edmund Darby*, *Cholmley Dering*, *George Tyrrwhit Drake*, *Robert Dering*, *William Exton*, *Joseph Samuel Faithful* Clerk, *Thomas Fordham Green* Clerk, *John Green*, *Robert Thornton Heysham*, *Samuel Heathcote Unwin Heathcote*, *William Hale*, *Frederick Hawkins* Doctor of Medicine, *William Hopwood* Clerk, *Thomas James Jaumard* Clerk, *Robert Jones*, *Samuel Johnes Knight* Clerk, *James Lucas*, *William Lax* Clerk, *Richard Lucas* Clerk, *William Lucas*, *Joseph Lucas*, *David Longlands* Clerk, the Honourable and Reverend *Henry Leslie*, *Adolphus Meetkerke*, *John Marshall*, *John Mansfield*, *Charles Mac Niven*, *Richard Oakley*, *Wollaston Pym* Clerk, *Joseph Margetts Pierson*, *William Parkins*, *Edward Parkins*, *John Pollard* Clerk, *John Pardoe*, *Samuel Grove Price*, *William Wollaston Pym* Clerk, *William Marshall Procter*, *Price* Clerk, *George Procter*, *Emilius Henry Delmé Radcliffe*, Sir *John Saunders Sebright* Baronet, *Richard Sheppard*, *Francis Carter Searancke*, *Francis Sapte*, *Frederick Sullivan* Clerk, *Claude George Thornton*, *Richard Whittington*, *Thomas Wilshere*, *George Wyman*, *John Watson* Doctor in Divinity, *William Henry Whitbread*, *James Camper Wright* Clerk, *Henry Wiles* Clerk, *William Wilshere*, and *Samuel Charles Whitbread*, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act into execution.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their Meetings to be holden by virtue of this Act, to elect, nominate, and appoint any Number of fit and proper Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees, when so elected

elected and appointed, and being duly qualified, shall be and they are hereby invested with the same Powers for executing this Act as if they had been named and appointed in and by this Act.

Meetings of Trustees.

V. And be it further enacted, That the said Trustees shall meet at some convenient House or Place on or near the said Roads on the Twenty-fourth Day of *June* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall then and there proceed to carry this Act into execution, and shall and may then, and from Time to Time afterwards, adjourn to and meet at such Times, and such Place or Places either upon or near to the said Roads, as the said Trustees, or the major Part of them present at any such Meetings, shall think proper and appoint.

Power to take Tolls.

VI. And be it further enacted, That it shall and may be lawful for the said Trustees, and their Lessees, Collectors, and other Persons duly authorized, subject nevertheless to any Order which shall be made respecting the same at the First Meeting of the said Trustees, to demand and take, at each and every of the Turnpike Gates, Toll Gates, Bars, or Chains which shall be continued or erected upon, across, or on the Sides of the said Roads or any Part thereof, on every Day, before any Horse, Cattle, Beast, or Carriages shall be permitted to pass through the same, the several Tolls following; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Barouche, Chaise, Curricle, Chair, or other such like Carriage, the Sum of Seven-pence Halfpenny:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Sixpence:

For every Horse or other Beast (except an Ass), laden or unladen and not drawing, the Sum of Two-pence:

For every Ass, laden or unladen and not drawing, the Sum of One Penny:

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

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

For every Four-wheeled Coach, Chaise, Waggon, or other such Carriage, not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of Two Shillings and Sixpence:

And for every Two-wheeled Chaise, Cart, or other such Carriage, not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of One Shilling and Sixpence:

Which said respective Tolls or Sums of Money shall be demanded and taken before any Horse or other Beast or Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through any such Turnpike, Toll Gate, Bar, or Chain; and such respective Tolls or Sums of Money shall be and they are hereby vested in

the Trustees for putting this Act in execution, and shall be applied in manner herein-after directed.

Tolls to be paid but once a Day.

VII. And be it further enacted, That if the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any One of the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected upon, across, or on the Sides of the said Roads, or any Part thereof, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket being produced denoting the Payment of such Toll for that Day, (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver *gratis* to the Person paying the same, and whereon shall be named and specified the Gate at which the same shall have been paid, and also the Gate or Gates (if any) freed by the Payment of such Toll,) be permitted to pass Toll-free through the same Toll Gate, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, except as herein-after provided.

Limiting the Number of Tolls.

VIII. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken on the same Day, for or in respect of the same Horse or Horses, or other Beast or Cattle, or Carriage or Carriages, for passing and repassing through all the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected upon or on the Sides of the said Roads, except as next herein-after provided.

Payment of Toll by Stage Coaches, Post Chaises, &c.

IX. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Road, and also for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Road, whenever a new Hiring thereof shall have taken place: Provided nevertheless, that no further or additional Toll shall be payable in respect of Stage Coaches on account only of the Horses drawing the same having been changed.

Steam, &c. Carriages to pay every Time.

X. And be it further enacted, That the Tolls hereby made payable for and in respect of any Carriage propelled or moved by Steam, Gas, or any other like Means, shall be paid every Time of passing and repassing of such Carriage along the said Roads.

Application of Tolls.

XI. And be it further enacted, That all Monies now in the Hands of the said Trustees, or which shall or may be collected or received under the Powers or Authority of this Act, shall be applied, in the first place, in defraying the Costs, Charges, and Expences attending the applying for and obtaining and passing this Act; in the next place, in paying off and discharging all Arrears of Interest in respect of the Money now due and owing on the Credit of the Tolls granted and made payable by the said recited Acts hereby repealed; in the next place, in paying off and discharging the Interest on any Sums of Money which shall hereafter be borrowed or taken up at Interest on

Security of the Tolls hereby granted; and, in the next place, in defraying the Expence of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, Side Gates, Bars, and Chains, and in amending, widening, improving, and keeping in repair the said Roads, and in otherwise putting this Act into execution; and the Residue of the Monies so to be collected and received shall be applied in repaying the Principal Monies for the Time being due and owing on the Credit of the said recited Acts and this Act, and in defraying all other necessary Costs, Charges, and Expences attending the same, in such Manner as the Trustees shall from Time to Time appoint.

No Money to be expended in repairing Streets, &c.

XII. 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 hereby granted, or any of the Monies raised by virtue of the said recited Acts hereby repealed, or to be raised by virtue of this Act, in repairing, lighting, or improving any Street, Highway, or Place in any Town into or through which the said Roads pass, or to collect any Tolls therein.

Public Act.

XIII. 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.

XIV. And be it further enacted, That this Act shall commence and take effect upon the Twenty-fourth Day of *June* next after the passing of this Act, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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