ANNO PRIMO

GULIELMI IV. REGIS.

****

Cap. i.

An Act for more effectually repairing and otherwise improving the Road from *Highgate* in the County of *Middlesex*, through *Whetstone*, to *Chipping Barnet* in the County of *Hertford*, and the Road from *Chipping Barnet* to the Thirteen Mile Stone near *Gannick Corner* in the Parish of *South Mims* in the said County of *Middlesex*. [23d *December* 1830.]

WHEREAS an Act was passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for more effectually repairing the Road* 55 G. 3. c. 1. *leading from* Highgate Gatehouse *in the County of* Middlesex *to the Thirteen Mile Stone near* Gannick Corner *in the Parish of* South Mims *in the said County:* And whereas the Trustees for executing the said recited Act have proceeded to put the same into execution, and have for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls thereby granted, which Money still remains due and owing, and cannot be repaid, or the Interest thereof discharged, nor can the said Roads be sufficiently and effectually amended or kept in repair, unless the Powers and Provisions of the said recited Act be continued; and it would be more convenient to the said Trustees, and the said Roads might be better and more effectually repaired, improved, and maintained, if the said recited Act was repealed, and if further, better, and more effectual Powers were granted instead thereof; but the same cannot be effected without the Aid and Authority of Parliament: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and by the Authority of the same, That on the First Day of *January* next after the passing of this Act Recited Act repealed. the said recited Act shall be and the same is hereby declared to be repealed and null and void to all Intents and Purposes whatsoever

(save and except so much of the said Act as authorizes the Collection of the Tolls thereby granted, which Power to collect such Tolls shall be and the same is hereby continued and vested in the Trustees for executing this Act until Twelve of the Clock at Noon on the Eighth Day of *February* next after the passing of this Act).

Purposes of this Act.

II. And be it further enacted, That this Act shall on the said First Day of *January* commence and take effect, and be put into execution for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, amending, widening, raising, altering, and from Time to Time improving and keeping in repair the Road commencing at a certain Boundary Stone of the said Road at or near a House called or known by the Sign of the *Wellington* Inn, at the Northern Extremity of the Town of *Highgate* in the County of *Middlesex*, through *Whetstone*, and terminating at another Boundary Stone of the said Road at or near the Southern Extremity of the Town of *Chipping Barnet* in the County of *Hertford*; also the Road commencing at a certain other Boundary Stone in the Parish of *Hadley*, at the Northern Extremity of the said Town of *Chipping Barnet*, and terminating at the Thirteen Mile Stone near *Gannick Corner* in the Parish of *South Mims* in the said County of *Middlesex*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the respective Counties of *Middlesex* and *Hertford* for the Time being, together with *John Aitken*, *George Bang*, *Thomas Browning*, *David Bevan*, *Joseph Baxendale*, *Frederick Cass*, *John Bonus Child*, *Joseph Darby*, *Alexander Dury*, *Edward Dewes*, *Thomas Dimsdale*, *Thomas Henry Ekin* Clerk, *John Eastlope*, *Richard Franklyn*, *Charles Franks*, *William Fraser*, *Nathaniel Harden*, *Richard Hall*, *William Hammond*, *Richard Hughes*, *Abel Lendon* Clerk, *William Morgan*, *William Osbaldeston*, *Andrew Reid*, *John Shuter*, *Francis Paul Trapaud*, *John Richard Thackeray* Clerk, *Ralph Worsley* Clerk, *Thomas Wyatt*, *William Wilberforce* the younger, *Samuel Wimbush*, and their Successors, being duly qualified to act as Trustees of 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 from Time to Time, at any Meeting to be held for that Purpose, to elect, nominate, and appoint any Number of Persons, duly qualified to act as Trustees of Turnpike Roads in *England* (not exceeding Five in the whole), to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees, to be from Time to Time so elected, nominated, and appointed, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

First Meeting of the Trustees.

V. And be it further enacted, That the said Trustees shall meet at the House known by the Sign of the *Green Man*, in *Whetstone* in the said County of *Middlesex*, or at some other convenient Place in *Whetstone*, on the First *Monday* next after the Commencement of this Act, or as soon after as conveniently may be, and shall and may then and there proceed to put this Act into execution, and shall and may then and at all subsequent Meetings to be held for the Purposes of this Act from Time to Time adjourn to and meet at such

Times respectively, and at such Places respectively immediately adjacent or adjoining to the said Roads, as they shall think proper; 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 Three 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 Roads, to transact general Business, such Meeting to be called by public Notice to be inserted in some One or more Newspaper or Newspapers usually circulated in the Counties of *Middlesex* and *Hertford*, and to be held not sooner than Ten nor exceeding Twenty-one Days from the Time of such Notice being first inserted.

Power to take Tolls.

VI. And be it further enacted, That from and after Twelve of the Clock at Noon on the said Eighth Day of *February* next after the passing of this Act it shall be lawful for the said Trustees, or any Person or Persons being a Lessee or Farmer, Lessees or Farmers, or appointed or continued to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take every Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), at the several and respective Toll Gates and Turnpikes, Toll Houses, Side Gates, Side Bars, or Chains upon or across or on the Side or Sides of the said Roads, or any Part or Parts thereof, the several and respective Tolls or Sums of Money herein-after mentioned; (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, Taxed Cart, Gig, Whiskey, Hearse, Litter, or other such like Carriage, by whatever Name the same now is or may hereafter be called or described, 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, by whatever Name the same now is or may hereafter be called or described, not laden with Hay or Straw, 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, by whatever Name the same now is or may hereafter be called or described, having the Fellies 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 Five-pence:

For every Horse or other Beast drawing any such Waggon, Wain, Dray, Cart, Caravan, or other such like Carriage, by whatever Name the same now is or may hereafter be called or described, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half, 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, by whatever Name the same now is or may hereafter be called or described, if laden with Hay or Straw, having the Fellies of the Wheels thereof of the Breadth of Six Inches or more, any Sum not exceeding

the Sum of Two-pence; and having the Fellies 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 Two-pence Halfpenny; and having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half, any Sum not exceeding the Sum of Three-pence:

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

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

For every Score of Hogs, and so in proportion for any less Number, any Sum not exceeding the Sum of Nine-pence:

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

Fractional Part of a Halfpenny in Tolls.

VII. 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 a Day, and to free all the Gates.

VIII. And be it further enacted, That in case the Toll hereby authorized to be taken shall have been paidin any One Day, such Day to be computed as aforesaid, for passing or repassing with the same Horses, Cattle, Beasts, or Carriages through any of the said Toll Gates, Turnpikes, Toll Houses, Side Gates, Side Bars, or Chains, such Horses, Cattle, Beasts, or Carriages shall, on a Note or Ticket denoting such Payment on that Day being produced, be permitted to pass and repass through the same Toll Gate, Turnpike, Toll House, Side Gate, Side Bar, or Chain, and also through all other the Toll Gates, Turnpikes, Toll Houses, Side Gates, Side Bars, and Chains to be continued or erected by virtue of this Act, Toll-free, on the same Day (except as herein-after mentioned).

StageCoaches to pay every Time of passing.

IX. And be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, or other Carriage, carrying Passengers or Goods for Pay, Hire, or Reward, or any Stage Coach, Diligence, Van, or Caravan, or other Carriage, by whatever Name the same now is or may hereafter be called or described, conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid each Time of passing or repassing through the said Toll Gates, Turnpikes, Toll Houses, Side Gates, Side Bars, or Chains, or any of them: Provided always, that no further or additional Toll shall be payable for or in respect of any Horse or other Beast drawing any Stage Coach, Diligence, Van, Caravan, or other such Carriage, carrying Passengers or Goods for Pay, Hire, or Reward, on account only of the Horses or other Beasts drawing the same having been changed.

Proviso as to changing of Horses.

Post Chaises, &c. to pay on each new Hiring.

X. And be it further enacted, That the Tolls hereby made payable for or in respect of any Horses or Beasts which shall be let out to

Hire, or any Horses or Beasts drawing any Post Chaise or other Carriage which shall be let out to Hire, or any Carriage whatsoever which shall be let out to Hire, shall be payable and paid every Time of passing or repassing through the said Toll Gates, Turnpikes, Toll Houses, Side Gates, Side Bars, and Chains, or any of them, whenever any new or fresh Hiring thereof shall take place.

If reduced Toll has been paid for Hay, &c. additional Toll to be paid for Waggons returning with different Lading.

XI. Provided also, and be it further enacted, That in every Case in which the reduced Toll charged by this Act upon Horses or other Beasts drawing any Waggon, Wain, Dray, Cart, Caravan, or other such like Carriage, by whatever Name the same now is or may hereafter be called or described, laden with Hay or Straw, shall have been paid for or in respect of any Horse or other Beast on passing through any of the said Toll Gates, Turnpikes, Toll Houses, Side Gates, Side Bars, or Chains, and the same Horse or other Beast shall afterwards on the same Day return or repass through the same Toll Gate, Turnpike, Toll House, Side Gate, Side Bar, or Chain, drawing the same or any other Waggon, Wain, Dray, Cart, Caravan, or other such like Carriage, by whatever Name the same now is or may hereafter be called or described, laden with other Goods, Wares, or Merchandize, the Difference between such reduced Toll as aforesaid and the full Toll shall be paid on every such Horse or other Beast so returning or repassing as aforesaid.

Application of the Tolls and other Monies.

XII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Act hereby repealed which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be and the same are hereby vested in the said Trustees, and shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively, with lawful Interest for the same from the Time of advancing or disbursing the same; secondly, in paying the necessary Expences of maintaining and keeping in repair the said Roads, and in paying and keeping down the Interest of all such Sums of Money as are or shall be borrowed and taken up at Interest upon the Credit of the Tolls of the said Roads; thirdly, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the same Roads, and of erecting and providing, altering and repairing, Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Roads, and otherwise in executing the Powers of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money already borrowed or raised under and by virtue of the said recited Act hereby repealed, or to be by them the said Trustees hereafter borrowed or raised under or by virtue of this Act, and all other Debts and Sums of Money now owing, and which may hereafter become due and owing, by or on account of the said Roads: Provided always, that it shall not be lawful for the said Trustees to lay out or expend any Money received by

No Money to be laid out in repair of Streets.

by or vested in them by virtue of this Act in the Repair or Improvement of any of the Streets or Pavements of any of the Towns through or into which the said Roads pass, nor shall any Toll be collected therein by virtue of this Act.

Entrances to Fields, &c. to be made with hard Materials, and proper Culverts.

XIII. And be it further enacted, That in all Places throughout the said Roads hereby directed to be repaired, where there shall be any Entrance from the said Roads to any Field, Garden, Yard, or other Land or Ground, or to any Buildings, from the said Roads, 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 or at the Expence of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Buildings, so that such Roads 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 such Entrance with proper Materials, or to make such Culvert or Drain, or to keep the same respectively in proper Order, for the Space of One Calendar Month after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual or last known 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, 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 Fourteen 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 Hand and Seal or Hands and Seals of any Justice or Justices of the Peace of the County in which such Proprietor or Occupier shall be residing, and which Warrant of Distress such Justice or Justices is or are hereby authorized and empowered to grant on Proof being made before him or them on Oath of such Expence having been incurred, and of such Notice having been given or left as aforesaid; and the Overplus (if any) shall be returned, on Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Public Act.

XIV. 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.

XV. And be it further enacted, That this Act shall commence and take effect on the said First Day of *January* next after the passing thereof, and shall thenceforth continue and be in force and be executed 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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