



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. lx.

An Act for maintaining the Road from *Enfield Chase* in the County of *Middlesex* to *Lemsford Mill* in the County of *Hertford*. [22d April 1831.]

WHEREAS an Act was passed in the Third Year of the Reign of King George the Second, intituled *An Act for repairing the Road leading from Galley Corner, adjoining to Enfield Chase in the Parish of South Mims in the County of Middlesex, to Lemsford Mill in the County of Hertford*: And whereas another Act was passed in the Seventeenth Year of the Reign of King George the Second, intituled *An Act for continuing and enlarging the Term and Powers granted by an Act passed in the Third Year of the Reign of His present Majesty, for repairing the Road leading from Galley Corner, adjoining to Enfield Chase in the Parish of South Mims in the County of Middlesex, to Lemsford Mill in the County of Hertford*: And whereas another Act was passed in the Tenth Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue Two Acts of the Third and Seventeenth Years of the Reign of King George the Second, for repairing the Road leading from Galley Corner, adjoining to Enfield Chase in the Parish of South Mims in the County of Middlesex, to Lemsford Mill in the County of Hertford*: And whereas another Act was passed in the Eighteenth Year of the Reign of His said late Majesty, intituled *An Act to enlarge the Term and Powers of Three Acts of the Third and Seventeenth Years of the Reign of King George the Second and the Tenth Year of the Reign* 3 G. 2. c. 10.
17 G. 2. c. 14.
10 G. 3. c. 71.
18 G. 3. c. 90.

[Local.] of

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of His present Majesty, for repairing the Road leading from Galley Corner, adjoining to Enfield Chase in the Parish of South Mims in the County of Middlesex, to Lemsford Mill in the County of Hertford: And whereas another Act was passed in the Forty-ninth Year of the
 49 G. 3. c. 34. Reign of His said late Majesty, intituled *An Act to enlarge the Term and Powers of several Acts for repairing the Road leading from Galley Corner, adjoining to Enfield Chase in the Parish of South Mims in the County of Middlesex, to Lemsford Mill in the County of Hertford*: And whereas it is expedient that the Term and Powers of the said Acts should be enlarged, some additional Powers granted, and the Tolls granted by the said Acts increased: And whereas it would facilitate the Execution of the Objects herein-before mentioned if the Acts herein-before recited were repealed, and if other Powers and Provisions were granted and made instead thereof, and were embodied in One Act: And whereas an Act was passed in the Fifth Year of the
 5 G. 4. c. 69. Reign of His late Majesty King George the Fourth, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas the beneficial Purposes herein-before mentioned 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 from and after the Second Monday next after the passing of this Act the said recited Acts of the Third and Seventeenth Years of the Reign of King George the Second, and of the Tenth, Eighteenth, and Forty-ninth Years of the Reign of His late Majesty King George the Third, shall be and the same are hereby declared to be repealed.

Former Acts relating to the Road repealed.

Defining Object and Powers of this Act.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing and maintaining in repair the Road leading from Galley Corner, adjoining or contiguous to a certain Place now or heretofore called or known by the Name of *Enfield Chase*, in the Parish of *South Mimms* in the County of *Middlesex*, to a certain other Place called or known by the Name of *Lemsford Mills*, in the Parish of *Hatfield* in the County of *Hertford*.

Application of Powers of 5 G. 4. c. 69. to this Act.

III. And be it further enacted, That the said recited Act passed in the Fifth Year of the Reign of His said late Majesty King George the Fourth, and all and every the Powers and Provisions therein contained (except so far as they are repealed or altered by this Act), shall be as valid and effectual for carrying this Act into execution as if they had been repeated and re-enacted in the Body of this Act.

Trustees.

IV. And be it further enacted, That all His Majesty's Justices of the Peace acting in and for the Counties of *Middlesex* and *Hertford* respectively, together with the Right Honourable Sir Gore Ouseley Baronet, Sir Culling Eardley Smith Baronet, Sir W. Horne Knight, Sir Davidge Gould Knight, Sir Robert Chester Knight, George Byng, Thomas Daniell, William Heygate, the Honourable Thomas Robert Baron

Baron Dimsdale, Thomas Le Blanc, Thomas Nash Kemble, John Church, Charles John Dimsdale, Jacob Hans Busk, John Currie, William Charles Casamajor, Charles Franks, William Leonard Carpenter, Robert Orme Clerk, Charles Chester Clerk, Francis Joseph Faithfull Clerk, Samuel Davis Clerk, Robert George Baker Clerk, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying into execution this Act.

V. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any of their Meetings to be held in pursuance of this Act, (of which Meetings, and of the Purposes thereof respectively, at least Ten Days previous Notice shall be given in manner by an Act passed in the Third Year of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, directed with respect to Meetings for the Appointment of Trustees on Vacancies,) to elect and appoint any Number of Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected, and being duly qualified as herein-before mentioned, shall have the same Powers and Authorities for executing this Act as if they had been named herein.

Power to
appoint
additional
Trustees.

VI. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *Salisbury Arms Inn* within the Town of *Hatfield*, or at some other convenient Place in the Neighbourhood of the said Road, on the Second *Monday* next after the Commencement of this Act, or as soon after as conveniently may be, between the Hours of Ten and Two, and shall and may then and from Time to Time after adjourn to and meet at such Times and Places within the Town of *Hatfield* aforesaid, or in the Neighbourhood of the said Road, as the said Trustees, or the major Part of them, present at such respective Meetings, shall think proper and appoint.

First Meet-
ing of Trus-
tees.

VII. And be it further enacted, That it shall be lawful for the said Trustees to continue all and every or any of the Toll Gates, Toll Bars, and Toll Houses, and Weighing Machines, now standing and being upon the said Turnpike Road or upon the Sides thereof, and also to erect or build in lieu thereof or in addition thereto, upon the said Road or any Part thereof, or upon the Sides thereof or any Part thereof, when and where and as they shall judge proper, any Toll Gates or Toll Bars, Toll Houses, and Weighing Machines, with Out-houses and Conveniences thereto, and to take in and inclose suitable Garden Spots for such Toll Houses, not exceeding One Eighth Part of a Statute Acre each, as they shall judge proper, and from Time to Time to alter, or to take down and rebuild, or to discontinue and remove the same, or any of them, as they the said Trustees shall think proper.

Power to
continue the
present Toll
Gates or to
erect others.

VIII. And

Tolls.

VIII. And be it further enacted, That the Tolls to be taken by virtue of this Act shall not exceed the Tolls herein-after mentioned and specified; (that is to say,)

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Coach, Stage Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Litter, Break, Chaise, Curricule, Gig, or other such like Carriage, the Sum of Four-pence:

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, the Sum of Three-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches, and not less than Four Inches and a Half, the Sum of Four-pence Halfpenny; and in case the Fellies of the Wheels thereof are of less Breadth than Four Inches and a Half, the Sum of Sixpence:

For every Carriage moved or propelled by Steam or Machinery, or by any other Power than animal Power, the Sum of One Shilling:

For every Horse, Ass, Mule, or other Beast or Cattle, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Score of Oxen, Cows, or Neat Cattle, the Sum of Six-pence, and so in proportion for any less Number:

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Four-pence, and so in proportion for any less Number:

For every Waggon, Wain, Cart, or other such like Carriage, having the Nails of the Tire of the Wheels projecting more than One Quarter of an Inch above such Tire, the Sum of Ten Shillings:

Such last-mentioned Toll to be in lieu of any Penalty to which by virtue of an Act passed in the Fourth Year of the Reign of His said late Majesty King George the Fourth, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage would be subject or liable to by reason or on account of the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above such Tire.

Fractional
Part of a
Halfpenny
in Tolls.

IX. 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.

No Exemption
allowed
in respect of
Carriages
having the
Nails of the
Tire project-
ing more
than One
Quarter of
an Inch.

X. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for or in respect of any Horse, Beast, or Cattle drawing any Waggon, Cart, or other Carriage laden with any Materials for making or repairing any Highway, or for building, rebuilding, or repairing any Bridge, or with any Dung, Soil, Compost, or Manure for improving Lands, or with Ploughs, Harrows, or Implements of Husbandry, or Hay, Straw, Fodder for Cattle, or Corn in the Straw, Potatoes or other agricultural Produce, such Waggon, Cart, or other Carriage having the

the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch from the Surface of such Tire.

XI. Provided also, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle, at any Time during the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, shall, upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages, or drawing Post Chaises or other such like Carriages,) through the same Toll Gate or Toll Bar, and also through such other Toll Gates and Toll Bars (if any) as the Ticket for such Payment shall free : Provided nevertheless, that no Horse, Beast, or Cattle for which Toll shall have been paid at any of the said Toll Gates or Toll Bars, drawing another or different Waggon, Wain, Cart, or other such Carriage, (except Carriages laden with Soil, Dung, or Compost for improving Lands,) shall be permitted to repass through the same Toll Gate or Toll Bar on the same Day without again paying Toll, if in so repassing such Horse, Beast, or Cattle shall go or travel upon the said Road for the Distance of Three Miles or more.

No Toll to be paid on re-passing during the same Day.

XII. Provided always, and be it further enacted, That no more than Two full Tolls (except as herein provided to the contrary) shall be taken for or in respect of the same Horses, Beasts, or Cattle, or Carriages, in any One Day, for passing and repassing once through all the several Toll Gates or Toll Bars upon the said Road.

Limiting the Number of Tolls.

XIII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Hire or Reward, for each Time of passing and for each Time of repassing along the said Road : Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Stage Coaches, &c. to be subject to Toll for every Time of passing ;

XIV. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle let out to Hire, drawing any Post Chaise or other Carriage, for each Time of passing along the said Road, whenever a new Hiring thereof shall take place.

Post Chaises, &c. on every new Hiring.

XV. And for regulating the Weights to be allowed to Carts or other such Carriages which shall be drawn upon the said Road by One Horse, Beast, or Cattle only, be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by One Horse, Beast, or Cattle, shall never exceed the Weights following ; (that is to say,) from the First Day of *May* to the Thirty-first Day

Weight of Single horse Carts limited.

[*Local.*]

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Day

Day of *October* (both Days inclusive), One Ton and Ten Hundred Weight for each such Carriage and the Lading thereof, and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive), One Ton and Seven Hundred Weight for each such Carriage and the Lading thereof.

One-horse
Carts to be
weighed.

XVI. And be it further enacted, That all Carts or other such Carriages passing along the said Road drawn by only One Horse, Beast, or Cattle, shall and may be weighed at any Weighing Machine on the said Road, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts or other Carriages drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts or other Carriages drawn by Two or more Horses shall be applicable to Carts or other such Carriages passing on the said Road drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof.

Application
of the Tolls
and Money
borrowed.

XVII. And be it further enacted, That the Monies already received or to be received by virtue of the said former Acts hereby repealed, and also all Monies which shall be received under this Act, shall be applied by the said Trustees in manner following; (that is to say,) in the first place, in paying and discharging all Costs, Charges, and Expences which shall have been incurred in preparing, applying for, and obtaining this Act, or otherwise incident thereto, with lawful Interest for any Money which may have been advanced by any Person for the Payment thereof, or of any Part thereof, from the Time that the same or any Part thereof shall have been advanced to the Time of the same being repaid by the said Trustees; and in the next place, in paying and discharging any Interest which may from Time to Time become due on the Credit of this Act, and afterwards in defraying the Expence of repairing and maintaining the said Road, and of otherwise executing the several Purposes of this Act; and lastly, in reducing and discharging any Principal Sum or Sums of Money which may be borrowed and secured under or upon the Credit of this Act.

No Part of
the Money
to be laid out
in repairing
Streets.

XVIII. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of the said former Acts hereby repealed, or of this Act, shall be laid out in paving, repairing, or cleansing any Street, Road, or Highway within any City or Town through which the said Road may pass, and which Streets, Roads, and Highways now have or hereafter shall have Houses or other Buildings abutting upon or ranging along both Sides thereof; nor shall it be lawful for the said Trustees to collect any Toll or Tolls therein; any thing herein contained to the contrary notwithstanding.

Commence-
ment and
Duration of
Act.

XIX. And be it further enacted, That this Act shall commence on the Second *Monday* next after the passing hereof, and shall continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

XX. And be it further enacted, That this Act shall be deemed Public Act.
a Public Act, and shall be judicially taken notice of as such by all
Judges, Justices, and others, without being specially pleaded.

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