



ANNO TERTIO

# GULIELMI IV. REGIS.

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*Cap. xlii.*

An Act for more effectually repairing the several Roads leading from the Towns of *Hertford* and *Ware* and other Places in the County of *Hertford*.  
[6th May 1833.]

**W**HEREAS an Act was passed in the Eleventh Year of the Reign of His Majesty King George the First, intituled *An Act for repairing the Roads therein mentioned, from the Parish of Enfield in the County of Middlesex to the Town of Hertford, and to the great Bridge in Ware in the County of Hertford:* 11 G.1. c.11.  
And whereas another Act was passed in the Sixth Year of the Reign of His Majesty King George the Second, intituled *An Act for making more effectual an Act passed in the Eleventh Year of the Reign of His late Majesty King George the First, for repairing the Roads therein mentioned, from the Parish of Enfield in the County of Middlesex to the Town of Hertford, and to the great Bridge in Ware in the County of Hertford, and for amending the Road from the said great Bridge to the South End of the great Bridge at Wade's Mill, and from the great Road at Cheshunt to the West End of Small Lea Bridge in the said County of Hertford:* 6 G. 2. c. 15.  
And whereas another Act was passed in the Twenty-sixth Year of the Reign of His Majesty King George the Second, intituled *An Act for continuing and giving further Powers to the Trustees for putting in execution Two Acts of Parliament for repairing the Roads from the Parish of Enfield in the County of Middlesex to the Town of Hertford, and other Roads in the* 26 G.2. c.56.  
[Local.] 11 B said



12 G.3. c.84. *said Acts mentioned*: And whereas another Act was passed in the Twelfth Year of the Reign of His Majesty King George the Third, intituled *An Act to continue an Act and render more effectual several Acts for repairing the Roads from the Parish of Enfield in the County of Middlesex to the Town of Hertford, and other Roads in the said Acts mentioned; and also for repairing the Road from the End of the Town of Hertford to Amwell End near Ware in the said County of Hertford*: And whereas another Act was passed in the Thirty-ninth Year of the Reign of His Majesty King George the Third, intituled *An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers of several Acts passed in the Eleventh Year of the Reign of King George the First, the Sixth and Twenty-sixth Years of His late Majesty, and in the Twelfth Year of the Reign of His present Majesty, for repairing the Roads from the Parish of Enfield in the County of Middlesex to the Town of Hertford, and from the End of the Town of Hertford to Amwell End near Ware in the County of Hertford, and other Roads in the said Acts mentioned*: And whereas another Act was passed in the Fifty-third Year of the Reign of His Majesty King George the Third, intituled *An Act for continuing and amending Five Acts passed for repairing several Roads leading from the Towns of Hertford and Ware, and other Places, in the County of Hertford*: And whereas the Trustees appointed by the said Acts have proceeded to put the same in execution, and divers Sums of Money have been borrowed and are now due and owing on the Credit of the Tolls by the said Acts granted, which Sums cannot be repaid, nor the said Roads be effectually improved and kept in repair, unless the Term of the said Acts is extended, and their several Powers and Provisions altered, varied, or enlarged, and the Tolls altered, varied, or increased: And whereas it is expedient that the said recited Acts should be repealed: 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 the said recited Acts passed in the Eleventh Year of the Reign of His Majesty King George the First, the Sixth and Twenty-sixth Years of the Reign of His Majesty King George the Second, the Twelfth, Thirty-ninth, and Fifty-third Years of the Reign of His Majesty King George the Third, shall be and the same are hereby repealed from and after the Fourth Tuesday next after the passing of this Act.

Recited Acts  
repealed;

and this Act  
to take effect  
for repairing  
the Roads  
herein men-  
tioned.

II. And be it further enacted, That instead thereof this Act shall commence and take effect, and shall be put in execution for and during the Term herein-after mentioned, for more effectually amending, improving, and maintaining the several Roads herein-after mentioned; that is to say, the Roads leading from the Parish of *Enfield* in the County of *Middlesex* to the Town of *Hertford*, and to the great Bridge in *Ware* in the County of *Hertford*, and from the said great Bridge in *Ware* to the South End of the great Bridge at *Wade's Mill* in the Parish of *Thundridge*, and also from *Waltham Cross* to the West End of *Small Lea Bridge* in the said County of *Hertford*.



III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Hertford*, together with *Henry Alington, Samuel Adams, Rowland Alston, John Ayres, Thomas Byron, Charles Brown, Edward Bouchier Clerk, William Booth, Albany Carrington Bond, — Batten D. D. George Jacob Bosanquet, William Robert Baker, Nicholson Calvert, John Early Cook, William Cobham, William Cobham junior, George Cathrow, Edmund Clark, Charles Snell Chauncey, Thomas Colbeck, Felix Calvert, Nicolson Robert Calvert Clerk, Edmond Calvert, John Moses Carter, John Cass, John Dallinger, George Dickens, Thomas Daniell, John Davies, John Green of Bragbury End, Thomas Green, John Green of Ware, Thomas Le Marchant Gosselin, Edward Green, James Matthias Gilbertson, William Harrison, Sir Abraham Hume Baronet, Ezekiel Harman, Sampson Hanbury, Hugh Hughes, Daniel Hankin, John Humfrey, Charles Johnson, John Henry Judson, Thomas Kimpton, Benjamin Giles King, Thomas Lloyd Clerk, Robert Laurie, Lord Lowther, Henry Law Clerk, Joseph Lawrence, Adolphus Meetkerke, Charles Mayo Clerk, William Manser, William Chadwelle Mylne, Matthew Munt, James Poulter Manser, Daniel Mardall, Edward Norwood, Philip Egerton Ottey, Robert Orme Clerk, Hugh Stacey Osborne, Sir George Beeston Prescott Baronet, Joshua Page, George Proctor, John Proctor, Thomas Pallett, Thomas Pickthall Clerk, Charles Phelps, Henry Pepys Clerk, John Pemberton, Joshua Page junior, Thomas Artemidorus Russell, Cuthbert Relph, John Kidgel Sandon, Francis Carter Searancke, Thomas Sanders, Samuel Smith, Sir John Saunders Sebright Baronet, Henry Saunders, Thomas Spence, John Townshend, Charles Tween, Henry Ware, Joseph Francis Wyatt, Edward Waller, Henry George Ward, Robert Plumer Ward, Henry Yorke Clerk, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, according to the Laws respecting Trustees of Turnpike Roads in *England*, shall be, and they and their Successors, to be duly elected according to the Laws respecting Turnpike Roads in *England*, are hereby appointed Trustees for putting this Act and the several Acts relating to Turnpike Roads in *England* into execution.*

IV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, at any Meeting to be holden for that Purpose, to nominate and appoint any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, 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 so to be appointed, being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been hereby expressly and by Name nominated and appointed.

V. And be it further enacted, That the Trustees for executing this Act shall meet at some convenient House or Place on or near to the said Roads by this Act authorized to be maintained and kept in repair on the Fourth *Tuesday* after the passing thereof, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, and shall then

Trustees.

Trustees may appoint additional Trustees, not exceeding Three in the whole.

First Meeting of Trustees.

and



and there proceed to the Execution of this Act ; and the said Trustees shall and may then, and from Time to Time afterwards, adjourn to and meet at such Place or Places on or near the said Roads by this Act authorized to be maintained and kept in repair, as may be found convenient, and as they shall appoint.

Tolls.

VI. And be it further enacted, That it shall be lawful for the said Trustees to demand and take, or cause to be demanded and taken, the several Tolls herein-after mentioned at each and every Turnpike, Toll Gate, Side Gate, Bar, and Chain which now is or hereafter shall be set up or continued upon, across, or by the Side of the said Roads by this Act authorized to be maintained and kept in repair, before any Horse or other Beast and before any Carriage shall be permitted to pass through the same ; (that is to say,)

For every Horse or other Beast of Draught, drawing any Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, or other such like Carriage, any Sum not exceeding Four-pence :

For every Horse or other Beast of Draught, drawing any Waggon, Wain, Cart, or Dray having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, any Sum not exceeding Three-pence :

For every Horse or other Beast of Draught, drawing any Waggon, Wain, Cart, or Dray having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Four and a Half Inches and of less Breadth than Six Inches, any Sum not exceeding Four-pence :

For every Horse or other Beast of Draught, drawing any Waggon, Wain, Cart, or Dray having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches, any Sum not exceeding Five-pence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding One Penny Halfpenny :

For every Drove of Oxen or Neat Cattle any Sum not exceeding Ten-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 Five-pence *per* Score, and so in proportion for any greater or less Number :

And for every Carriage of whatever Description, and for whatever Purpose, which shall be drawn or impelled or set or kept in motion by Steam, or by any other Power or Agency than being drawn by any Horse or Horses or other Animal Power, any Sum not exceeding Two Shillings.

No more  
than Two  
full Tolls to  
be paid on  
the Road.

Tolls to be  
paid but  
once a Day.

VII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees to cause more than Two full Tolls to be demanded or taken for or in respect of the Passage of the same Horse, Beast, or Cattle through all the several Turnpikes or Toll Gates continued or erected or to be erected by virtue of this Act, on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night ; but in case the Toll hereby authorized to be taken for the passing of any Horse, Cattle, or Beast through any  
One



One of the said Turnpikes or Toll Gates continued or erected or to be erected by virtue of this Act, shall have been paid, such Horse, Cattle, or Beast shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through the same Turnpike or Toll Gate, and through such other Gate or Gates as the Ticket for such Payment may free, at any Time or Times during the same Day, to be computed as aforesaid; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

VIII. Provided always, and be it enacted, That no Horse or Horses or other Beast or Beasts of Draught for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, Side Gates, Bars, or Chains, and which shall return or pass on the same Day through any of the same Turnpikes, Toll Gates, Side Bars, or Chains, or any other Turnpike, Toll Gate, Side Gate, Bar, or Chain, upon, across, or by the Side of the said Roads by this Act authorized to be maintained, improved, and kept in repair, drawing another or different Waggon, Cart, or other Carriage whatsoever, shall return or pass through the same or any such other Turnpike, Toll Gate, Side Gate, Bar, or Chain on the same Day without paying Toll again, and in the same Manner as on a first Time of passing, any thing herein contained to the contrary thereof notwithstanding.

Horses drawing different Carriages to pay each Time of passing.

IX. Provided always, and be it further enacted, That the Tolls payable for and in respect of Horses or other Beasts drawing any Stage Coach, Van, Caravan, Waggon, Cart, or other Stage Carriage conveying Passengers or Goods for Pay, Hire, or Reward, and for and in respect of every Carriage, of whatever Description, drawn, impelled, or set or kept in motion by Steam, or by any other Power or Agency than being drawn by any Horse or Horses or other Animal Power, shall be payable and paid every Time such Stage Coach, Van, Caravan, Waggon, Cart, or Stage Carriage as aforesaid, or other Carriage herein-before referred to, not drawn by any Horse or Horses or other Animal Power, shall pass or repass along the said Roads: Provided nevertheless, that no further or additional Toll shall be payable in respect of Horses or Beasts drawing any such Stage Coach, Van, Caravan, Waggon, Cart, or other Stage Carriage, on account only of the Horses or Beasts drawing the same having been changed.

Stage Coaches, &c. to pay every Time of passing.

X. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or Beasts of Draught drawing any Post Chaise or other Carriage for Hire, for every Time of passing or returning through any of the said Turnpikes, Toll Gates, Side Gates, Bars, or Chains, as often as any new or fresh Hiring thereof shall be made or take place.

Post Horses drawing Carriages to pay for every fresh Hiring.

XI. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of this Act shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless the Tolls hereby made payable shall be demanded and taken thereon; and no more Money shall be expended by the said Trustees

Expence of Repairs of Branch Roads.

[*Local.*]

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in or towards the Repairs of any such Branch Road than shall be collected on such Branch Road, or shall be borrowed on the Credit of the Tolls taken thereon.

Application  
of Tolls and  
Monies.

XII. And be it further enacted, That all Monies, Tolls, Penalties, and Effects which shall have been raised and produced by virtue of the said recited Acts hereby repealed, and which shall remain undisposed of at the Time of passing this Act, and also all the Monies which shall arise and be produced by or from the Tolls made payable by this Act, together with the Monies which shall be borrowed on the Credit thereof, and all other Monies which shall arise by virtue thereof, 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 Interest for the same; secondly, in Payment of the Expences of erecting and providing, altering and repairing Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings, upon, across, and by the Sides of the said Roads by this Act authorized to be maintained and kept in repair, and of Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act; thirdly, in paying and keeping down the Interest of all Principal Monies which at the Commencement of this Act shall be due and owing to any Mortgagee or Mortgagees of the Tolls arising by virtue of the said recited Acts hereby repealed, in preference to the Interest of any Monies to be borrowed on the Credit of the Tolls which shall be payable by virtue of this Act; fourthly, in paying and keeping down the Interest of the Principal Monies which shall be borrowed on Security of the Tolls which shall be payable by virtue of this Act; fifthly, in amending, improving, and keeping in repair the said Roads by this Act directed to be maintained, improved, and kept in repair, and in making, providing, and keeping in repair proper and sufficient Footpaths, Causeways, Bridges, Sewers, Soughs, Fences, Rails, Posts, Boards, and other necessary Matters and Things thereon, and in repaying the Principal Monies which at the Commencement of this Act shall be due and owing on Security of the Tolls arising by virtue of the said recited Acts hereby repealed; and, lastly, in repaying the Principal Monies hereafter to be borrowed on the Credit of the Tolls arising by virtue of this Act.

No Money  
to be laid  
out in repair-  
ing Streets,  
&c.

XIII. 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 to be raised by virtue of this Act in repairing, paving, lighting, cleansing, or otherwise improving any Street, Road, or Highway in any Town through or into which the said Roads pass.

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.

XV. And be it further enacted, That this Act shall commence and Term of Act.  
take effect upon the Fourth *Tuesday* next after the passing thereof,  
and shall 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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