Anno ſecundo

Georgii III. Regis.

An Act for enlarging the Term and Powers granted by Two ſeveral Acts, paſſed in the Sixth and Sixteenth Years of His late Majeſty, for the more effectual repairing the Roads leading from *Wadeſmill*, in the County of *Hertford*, to *Barley* and *Royſton*; and for making the ſaid Acts more effectual.

WHEREAS by an Act paſſed in the Sixth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for the more effectual repairing the Roads leading from *Wadeſmill* in the County of *Hertford*, to *Barley* and *Royſton*, in the ſaid County, ſeveral Tolls and Duties are granted to certain Truſtees, in the ſaid Act named, for repairing the ſaid Roads; which Tolls are to commence from and after the Twenty fourth Day of June, One thouſand ſeven hundred and thirty three, and to have Continuance for and during the Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament; which ſaid Act was, by an Act paſſed in the Sixteenth Year of His ſaid Majeſty's Reign, intituled, An Act for enlarging the Term and Powers granted by an Act paſſed in the Sixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the more effectual repairing the Roads leading from* Wadeſmill *in the County of* Hertford, *to* Barley *and* Royſton *in the ſaid County*, farther continued for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament; and divers other Powers are by

Preamble, reciting Acts 6 *Geo.* II.

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the ſaid laſt mentioned Act given to the ſaid Truſtees: And whereas the ſaid Roads are ſo much injured by the exceſſive Weights carried upon the broad-wheel'd Waggons, that they cannot be amended and kept in Repair, nor the Money owing upon the Credit of the Tolls be repaid, without a further Continuation of the Term granted by the ſaid Acts, and an Increaſe of the Tolls thereby given: To the End therefore that the ſaid Roads may be put into and kept in ſufficient Repair; and that the Money due and owing, or hereafter to be borrowed upon the Credit of the ſaid former Acts, or of this preſent Act, may be repaid; May it pleaſe Your moſt Excellent 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 Truſtees appointed or elected, or to be appointed or elected, by and under the Powers of the ſaid former Acts, or either of them, ſhall, from and after the paſſing of this Act, be, and are hereby appointed, Truſtees for putting this preſent Act in Execution; and that the ſaid Act of the Sixteenth Year of the Reign of his late Majeſty, and all and every the Authorities, Powers, Penalties, Forfeitures, and Clauſes, therein contained, except ſuch Clauſes, Matters, and Things, as are hereby altered or varied, ſhall be and continue in full Force, and be executed, from and after the Expiration of the Term by the ſaid Act granted, for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament, in as full and ample Manner as if the ſaid Act were again repeated and re-enacted in the Body of this preſent Act, for the Purpoſes therein and herein mentioned: But if at any Time before the Expiration of the ſaid additional Term of Twenty one Years hereby granted, all the ſaid Roads ſhall be ſufficiently amended and repaired, and ſo adjudged by the Juſtices of the Peace for the ſaid County of Hertford, aſſembled at their Quarter Seſſions to be holden for the ſaid County; that then, from and after ſuch Adjudication made, and Re-payment of all ſuch Money as ſhall be due and owing upon the Credit of the ſaid former Acts, and this preſent Act, together with Intereſt for the ſame, the ſeveral Tolls and Duties thereby and hereby granted, continued, and made payable, ſhall ceaſe and determine; any thing herein contained to the contrary notwithſtanding.

The ſaid Acts further continued.

And whereas by the ſaid Act of the Sixth Year of the Reign of His late Majeſty, it is provided, That if caſe there ſhall be more than One Gate or Turnpike in, croſs, or on the Side of the ſaid Roads, no Perſon or Perſons having paid the Toll or Tolls at the Firſt Gate or Turnpike, ſhall be liable to pay any other Toll or Tolls at any other of the ſaid Gates or Turnpikes upon the ſaid Roads, on the ſame Day: And whereas it has been found impoſſible to amend the ſaid Roads, or to keep the ſame in Repair, without an Increaſe of the ſaid Tolls; be it therefore enacted by the Authority aforeſaid, That ſuch Part of the ſaid Clauſe as directs the ſaid Tolls to be paid at One Gate or Turnpike only upon the ſame Day, ſhall be, and is hereby declared to be repealed. Tolls to be taken at Two Gates.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees appointed, or to be appointed, to put the ſaid former Acts, and this preſent Act, in Execution, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall authorize and appoint, to receive and take the Tolls and Duties herein after mentioned, at any Two of the Gates or Turnpikes erected, or to be erected, in or upon any Part of the ſaid Roads, inſtead of the Tolls laid and made payable by the ſaid Act of the Sixteenth Year of his late Majeſty's Reign, before any Coach, Berlin, Landau, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, Dray, Carriage, Horſe, Mare, Gelding, Mule, or Aſs, Oxen, Sheep, Lambs, Hogs, or other Cattle or Carrriage whatſoever, ſhall be permitted to paſs through the ſame; any thing in the ſaid former Acts, or any other Act, contained to the contrary notwithſtanding: That is to ſay, The Tolls following to be taken inſtead of thoſe granted by the former Act.

For every Coach, Berlin, Landau, Chariot, Chaiſe, Chair, or Calaſh, drawn by Six Horſes, or other Beaſts, One Shilling and Six Pence; and drawn by Four Horſes, or other Beaſts, One Shilling and Three Pence; and drawn by Two or Three Horſes, or other Beaſts, Nine Pence. The Tolls.

For every Chaiſe, Chair, or Calaſh, drawn by One Horſe, or other Beaſt, Three Pence.

For each and every Horſe, Mare, Gelding, Ox, Mule, or Aſs, drawing any Waggon, Wain, Cart, Dray, or other Carriage, Four Pence Halfpenny.

For every Horſe, Gelding, Mare, Mule, or Aſs, laden or unladen, and not drawing, One Penny Halfpenny.

For every Drove of Oxen, or Neat Cattle, Ten Pence per Score; and ſo in Proportion for any leſs Number.

For every Drove of Calves, Hogs, Sheep, or Lambs, Five Pence per Score; and ſo in Proportion for any leſs Number.

Tolls veſted in the Truſtees. And the ſaid ſeveral Tolls herein before mentioned are and ſhall, from and after the paſſing of this Act, be veſted in the ſaid Truſtees, appointed or to be appointed to put the ſaid former Acts, and this preſent Act, in Execution; and that they, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall authorize and appoint, ſhall, and they are hereby declared reſpectively to have the ſame Powers, Authorities, and Remedies, for demanding, collecting, borrowing of Money on, and recovering and levying the Tolls hereby made payable, as are in and by the ſaid former Acts, or either of them, given and preſcribed: And the Tolls hereby granted and made payable, and every Part thereof, ſhall, after paying the Charges of paſſing this preſent Act of Parliament, be paid, applied, and diſpoſed of, and aſſigned to and for ſuch Uſes, Intents, and Purpoſes, as the Tolls are in and by the ſaid former Acts, or either of them, and this preſent Act, directed and appointed, and to no other Uſe or Purpoſe whatſoever.

Truſtees may reduce the Tolls. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, from time to time, at any Meeting or Meetings, whereof Ten Days Notice in Writing ſhall be given upon all the ſaid Turnpikes, to reduce all or any of the Tolls hereby granted, ſo as ſuch Reduction be no Prejudice to, or with the Conſent of, the ſeveral Perſons who ſhall have advanced Money upon the Credit of this Act; and to raiſe the ſame again, or any Part thereof, ſo as the ſame do not exceed the ſeveral and reſpective Rates herein before granted; and ſuch Tolls ſo reduced or raiſed again ſhall be collected, recovered, and applied, in the ſame Manner as the Tolls herein before granted are to be collected, recovered, and applied.

Tolls to be paid but Once a Day. Provided always, That nothing in this Act contained ſhall extend to impower the ſaid Truſtees, or any Perſon or Perſons appointed by them, to take the ſaid Toll at more than Two Gates upon the ſaid Roads, for the Paſſage of any Carriage, Horſe, Beaſt, or Cattle, in the ſame Day, before Twelve of the Clock at Night.

Creditors may enter upon Tolls. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons who ſhall have advanced Money upon the Credit of the ſaid Tolls ſhall be willing to be repaid the ſame, upon ſignifying ſuch his Deſire in Writing

Writing to the ſaid Truſtees, or any Five or more of them, or to their Treaſurer for the time being, in caſe the ſaid Money ſhall not be repaid within the Space of Three Months from the Date of ſuch Notice, then, and ſo often as it ſhall ſo happen, it ſhall and may be lawful to and for ſuch Perſon or Perſons to take Poſſeſſion of all or any of the Toll-gates or Toll-gate erected, or to be erected, by virtue of the ſaid former Acts, or this preſent Act, and to receive and take the Tolls and Duties hereby made payable, until thereby, or therewith, or otherwiſe, the Principal and Intereſt due to ſuch Perſon or Perſons reſpectively, and all Arrears of the ſame then grown due, or that during ſuch Poſſeſſion ſhall grow due, and all Coſts and Charges attending ſuch Entry upon, and Perception of, the ſaid Tolls and Duties, and all Damages that he or they ſhall then have had or ſuſtained by reaſon of the Non-payment of ſuch Sum or Sums of Money ſo due to him, her, or them, ſhall be fully ſatisfied and paid.

All Creditors to be deemed equal in Degree, &c.

Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon or Perſons advancing any Sum or Sums of Money upon the Credit of the Tolls or Duties granted by this Act, or the ſaid former Acts, ſhall have any Preference in reſpect of the Priority of advancing his, her, or their Part or Parts thereof; but that all ſuch Lenders and Perſons to whom ſuch Aſſignments ſhall be made as aforeſaid, ſhall be, and are hereby declared to be, Creditors on the ſaid Tolls and Duties in an equal Degree one with another.

First Meeting of Truſtees.

And be it further enacted by the Authority aforeſaid, That the firſt Meeting of the Truſtees to put this preſent Act in Execution ſhall be upon the firſt Monday in April, in the Year One thouſand ſeven hundred and ſixty two, at the Houſe known by the Name of the George Inn in Buntingford; and that an annual Meeting of the ſaid Truſtees ſhall be held upon every firſt Monday in May during the Continuance of this Act, at the ſaid Houſe, or at any other convenient Place near the ſaid Roads, as the ſaid Truſtees, or any Five or more of them, ſhall direct and appoint; and if a ſufficient Number of Truſtees ſhall not appear at any ſuch annual Meeting, or at any Meeting held by Adjournment, that then, and as often as it ſhall ſo happen, the Clerk to the ſaid Truſtees ſhall, by Notice in Writing to be fixed on all the Turnpikes erected, or to be erected, by virtue of the ſaid former Acts, or this preſent Act, appoint a Meeting of the Truſtees, at the ſame Houſe or Place, or at ſome other convenient Houſe or Place near the ſaid Roads, on that Day Month on which

Annual Meeting to be held.

ſuch

such Meeting where a sufficient Number of Trustees did not appear was appointed to be held; and the said Trustees shall, and are hereby required, at all their Meetings, to defray their own Charges and Expences.

Trustees to defray their own Expences.

No Victualler, &c. to have a Place of Profit.

And be it further enacted by the Authority aforesaid, That no Victualler, or Person retailing Spirituous or fermented Liquors, shall be capable of being employed as a Gate-keeper to any Gate or Turnpike erected, or to be erected, by virtue of the said former Acts, or this present Act.

Qualification of Trustees.

And be it further enacted by the Authority aforesaid, That no Person shall be deemed qualified, or capable of acting as a Trustee in the Execution of this Act, unless he shall be, in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds above Reprizes, or is possessed of, or intitled to, a Personal Estate alone, or a Real and Personal Estate together, to the Amount or Value of Five hundred Pounds; and if any Person hereby deemed incapable of acting, shall nevertheless presume to act, every such Person shall, for every such Offence, forfeit the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, to be recovered in any of His Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, Bill, Suit, or Information; wherein no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed, One Moiety of which said Forfeiture shall be paid to the Prosecutor, and the other Moiety thereof shall be applied to the repairing of the said Roads; and the Person so prosecuted shall prove that he is so qualified as aforesaid, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person had acted as a Trustee in the Execution of this Act.

Penalty on acting, not being qualified.

Treasurer to give Security.

And be it further enacted by the Authority aforesaid, That the said Trustees shall, and they are hereby required to take such Security from their Treasurer or Treasurers, as to the said Trustees, or any Five or more of them, shall appear reasonable.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be, a Publick Act, and all Judges, Justices, and other Persons, are hereby directed to take Notice of the same as such, without specially pleading the same.

FINIS