



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. cxiii.

An Act for more effectually repairing the Road from the Town of *Rickmersworth* in the County of *Hertford*, through the Village of *Pinner*, to or near the *Swan* Public House at *Sudbury Common*, in the Turnpike Road leading from *Harrow* to *London*. [29th May 1830.]

WHEREAS an Act was passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing, widening, and improving* 49 G. 3. c. 51. the Road leading from the Town of *Rickmersworth* in the County of *Hertford*, through the Village of *Pinner* by *Harrow-on-the-Hill* in the County of *Middlesex*, to or near the *Swan* Public House at *Sudbury Common*, in the Turnpike Road leading from *Harrow* to *London*: And whereas the Trustees, acting under and by virtue of the said recited Act, have proceeded to put the same into execution, and have borrowed several considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken on the said Road, which still remain due and owing, and cannot be paid off, or the Interest thereof discharged, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term granted by the said Act be further continued; and it would be more convenient to the said Trustees, and beneficial to the said Road, if the said recited Act was repealed, and if further, better, and more effectual Powers were granted instead thereof; but the same cannot be effected without the Aid and Authority

[Local.] 32 T of

Recited Act
repealed.

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 Third *Wednesday* next after the passing of this Act, the said recited Act passed in the Forty-ninth Year of the Reign of His said late Majesty King George the Third shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

This Act to
take effect for
the Purposes
herein men-
tioned.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, maintaining, improving, and keeping in repair the Road from the Churchyard at the Extremity of the Town of *Rickmersworth*, over *Batchworth Heath* in the County of *Hertford*, and over *Ruislip Common*, to the Bridge in the Village of *Pinner*, from the Churchyard in the said Village of *Pinner*, through *Roxborough Fields* by *Harrow* and *Sheepcot Farm* in the County of *Middlesex*, to or near the *Swan* Public House at *Sudbury Common*, in the Turnpike Road leading from the Town of *Harrow* to *London*.

No Money to
be laid out in
repairing, &c.
the Streets

III. 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 now in hand, or borrowed or hereafter to be borrowed upon the Credit of the said Tolls, in paving, lighting, watching, repairing, amending, or improving any Part of the said Road, Streets, Footways, or Pavements within the said Town of *Rickmersworth* or Village of *Pinner*.

Debts due to
former Trus-
tees vested in
new Trustees.

IV. And be it further enacted, That all Arrears of Tolls or Rents and other Monies due to, and all other Property Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the Trustees acting in execution of the said former Act, shall immediately on the passing of this Act be vested in the Trustees acting in the Execution of this Act.

Appointment
of Trustees.

V. And be it further enacted, That all His Majesty's Justices of the Peace acting for the Counties of *Hertford* and *Middlesex* for the Time being respectively, together with *William Abbs*, *John Allen*, *William Boyd*, *Robert Barker*, *Humphrey Bache*, *John Barnes*, *William Berry*, *John Copeland*, *John William Cunningham* Clerk, *Archibald Campbell*, *Ralph Carr*, *William Caffall*, *Adam Clarke D.D.*, *Francis Dancer*, *Ralph Dean*, *Thomas Day*, *Branton Day*, *Ralph Ellis*, *Thomas Fellowes*, *William Flower*, *John Finch*, *William Greenhill*, *Daniel Hill*, *Thomas Hill*, *James Hill*, *Charles Hamilton*, *Benjamin Hamilton*, *James Howard*, *Simeon Howard*, *William Hunt*, *Joseph Longbottom*, *Charles Lawrence*, *Christopher Laroche*, *Edmund Morris*, *James Mitchell*, *Henry Plaistowe*, *John Paul Rowe*, *Rotch*, *John Sibley*, *James Taylor*, *George Thompson*, *Sir John Vaughan* Knight, *Benjamin Weall*, *Job Woodman*, *John Weall*, *Thomas Weedon*, *Thomas Hall Plumer*, *Charles John Plumer*, *George Watlington*, *William Philimore*, *John Fam Timins*, *Wood*, and *Charles Webber*, and their

Successors,

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.

VI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, not exceeding Three in the whole, in addition to the Trustees herein named and appointed, to be Trustees for the Purposes of this Act; and such Persons so elected and appointed, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to
appoint
additional
Trustees.

VII. And be it further enacted, That the said Trustees, or any Four or more of them, shall hold their First Meeting at the House known by the Sign of the *Queen's Head*, at *Pinner* in the County of *Middlesex*, or at some other convenient House or Place on the Line of the said Road, on the Fourth *Monday* next after the passing of this Act, or as soon after as conveniently may be, and shall then and there proceed in the Execution of this Act, and shall and may then and from Time to Time afterwards adjourn to and meet at such Time and Times, and at such Place and Places in the Neighbourhood of the said Road, as they shall think proper.

First Meeting
of Trustees.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person being a Lessee or Farmer, or appointed or continued to be appointed Collector 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) any Sum or Sums of Money not exceeding the several and respective Tolls herein-after mentioned; and the Tolls or Sums of Money to be levied and collected by virtue of this Act shall be and the same are hereby vested in the said Trustees, to be applied by them in the Manner herein-after directed:

Power to
take Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, Hearse, or Litter, the Sum of Four-pence:

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage, rolling a Surface of less Breadth than Six Inches at the Bottom of the Fellies of the Wheels thereof, the Sum of Four-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage, rolling a Surface of Six Inches or upwards at the Bottom of the Fellies of the Wheels thereof, the Sum of Two-pence:

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

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

For

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

For every Carriage with Four or more Wheels, not drawn by any Horse or Beast of Draught, but propelled or moved by Machinery, the Sum of One Shilling and Sixpence :

And for every Carriage with Three or less Number of Wheels, not drawn by any Horse or Beast of Draught, but propelled or moved by Machinery, the Sum of Nine-pence.

Tolls to be
paid but
Once a Day.

IX. Provided always, 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 or other Beast or Carriage through any Toll Gate, Turnpike, Side Bar, or Chain continued or to be erected upon the said Road, such Horse or other Beast or Carriage shall (on a Ticket denoting such Payment on that Day being produced) be permitted to pass and repass from Time to Time through the same and all other Toll Gates, Turnpikes, Side Bars, and Chains continued or erected on the said Road, Toll-free, on the same Day, such Day to be computed as aforesaid (except as herein-after is mentioned).

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

X. 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 Stage Carriage, propelled or moved by Machinery, conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time of passing or repassing through any of the said Toll Gates, Turnpikes, Side Bars, or Chains; and 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 propelled or moved by Machinery, which shall be let out to Hire, shall be payable and paid every Time of passing or repassing through any of the said Toll Gates, Turnpikes, Side Bars, and Chains, whenever any new or fresh Hiring thereof shall take place: Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Diligence, Van, Caravan, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

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

Proviso as to
Change of
Horses.

Horses draw-
ing different
Vehicles to
pay each Time
of passing.

XI. Provided always, and be it further enacted, That the said Tolls shall be payable at the said Toll Gates, Turnpikes, Side Bars, and Chains, in respect of Horses or other Beasts drawing any Waggon, Wain, Cart, or other such Carriage, for every Time during the same Day that any such Horse or other Beast shall pass through either of the said Toll Gates, Turnpikes, Side Bars, or Chains, drawing any other Waggon, Wain, Cart, or other such Carriage than that which such Horse or other Beast was employed in drawing on any former Occasion during the same Day on which Toll shall have been paid.

Fractional
Part of a
Halfpenny
in Tolls.

XII. And be it further enacted, That in all Cases where there shall be a fractional Part of One Halfpenny in the Calculation or the Amount of the Tolls hereby granted and authorized to be taken, or any

any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

XIII. And whereas it frequently happens that Carts drawn by One Horse passing along the said Road carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore further enacted, That all Carts passing along the said Road drawn by One Horse only shall and may be weighed at any Weighing Machine now erected or to be erected on the said Road, and the like additional Tolls demanded, received, and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, Penalties, Matters, and Things now in force relating to the weighing of Waggon, Carts, and other Carriages drawn by more than One Horse, shall be applicabe to Carts passing on the said Road drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

One-horse
Carts to be
weighed.

XIV. And be it further enacted, That out of the Monies which at the Commencement of this Act shall be in the Hands of the said Trustees or their Treasurer, and also out of the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, as also out of all the Monies which shall have been or shall be borrowed upon the Credit thereof, and out of all other Monies which shall arise and be produced by virtue of this Act, the said Trustees shall, in the first place, pay and discharge all the Costs and Charges incident to and attending the obtaining and passing of this Act, together with lawful Interest on any Money that may be borrowed for Payment of such Costs and Expences, from the Time of advancing the same to the Time of the Payment thereof; and the Remainder of all such Monies already received, arising, or to be borrowed on the Credit of the said Tolls on the said Road, shall be applied in keeping down the Interest of the Principal Monies advanced or borrowed on the Credit of the Tolls collected or arising from or payable on account of the said Road, and which may hereafter be borrowed on the Credit of this Act, or of the Tolls to arise from or to be collected on or to be paid in respect of the said Road, and in erecting and maintaining Turnpikes and Toll Houses on the said Road, and in amending, altering, turning, widening, improving, and keeping in repair the said Road, and otherwise in putting this Act into execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls collected on or arising from or payable in respect of the said Road, and the Principal Monies which may hereafter be borrowed by virtue of this Act.

Application
of Tolls and
Money bor-
rowed.

XV. And be it further enacted, That if any Person or Persons shall hang or put or place out any Linen or other Clothes on any Line, Bank, Rail, or Fence adjoining the said Road, or shall hang or put or place any Hook or Hooks or other Thing or Things to, from, or in any House, Shop, or Place adjoining or being near to the said Road, so as to project into the said Road, or be an Annoyance to any Persons or Cattle passing thereon, or prevent the free and safe Use of the whole Breadth of the said Road, every Person offending in any of the Cases aforesaid shall forfeit and pay a Sum

Penalty for
hanging out
Clothes, &c.
near the
Road.

not exceeding Forty Shillings for every Offence; and such Penalty shall be levied and recovered (together with the necessary Costs and Charges for levying the same) by the same Ways and Means as any Penalty or Forfeiture for any Nuisance committed in or upon any Turnpike Road may by Law be levied or recovered; and one Moiety of such Penalty shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and be applied and disposed of for the Purposes of this Act.

Entrance to
Fields, &c.
to be made
with hard
Materials.

XVI. And be it further enacted, That in all Places throughout the said Road hereby directed to be repaired, where any Entrance shall be from the said Road to any Field, Garden, Yard, or other Land or Ground, or to any Buildings from the said Road 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 Building, so that such Road may not be injured by the Stoppage or Running of Water, or by Carriages or Horses passing to or from the same by such Entrance; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to put and 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 Place of Residence, by the Surveyor or Surveyors to the said Trustees, or other Person or Persons 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 Surveyors, or any other Person or Persons 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 recovering 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 for the County, Borough, or separate Jurisdiction within which such Default in Payment shall be made, or for the County, Borough, or separate Jurisdiction within which the Goods and Chattels of such Proprietor or Occupier shall be or be situate, and which Warrant of Distress any such Justice or Justices is or are hereby authorized and empowered to grant, on Proof made before him or them, on Oath, of such Expence having been incurred, and of such Notice having been taken 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.

XVII. 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.

XVIII. And be it further enacted, That this Act shall commence Term of Act. and take effect on the Third *Wednesday* next after the passing thereof, 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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