



ANNO QUADRAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 89.

An Act to continue for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and alter and enlarge the Powers of two Acts passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Second, and in the Nineteenth Year of the Reign of His present Majesty, for repairing and widening the Road leading from *Flimwell Vent*, in the Parish of *Ticehurst*, in the County of *Suffex*, to the Town and Port of *Hastings* in the said County.

[20th June 1801.]

WHEREAS an Act was passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for repairing and widening the Road leading from Flimwell Vent, in the Parish of Ticehurst, in the County of Suffex, to the Town and Port of Hastings in the said County*: And whereas another Act was made in the Nineteenth Year of His present Majesty, for continuing the Term and enlarging the Powers of the said Act: And whereas great Progress hath

Preamble.
26 Geo. II, and
19 Geo. III,
recited,
hath

[Loc. & Per.]

18 L

and further
continued.

hath been made in the Execution of the said Acts, and several Sums of Money have been borrowed on the Credit thereof, which have been expended in the Repairs of the said Road, which Money, nor the Interest thereof, can be paid off, nor can the said Roads be completely amended and kept in Repair, unless the Terms and Powers of the said Acts are further continued and enlarged, and the Tolls thereby granted increased, and some other Amendments and Alterations made in the said Acts: 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, and all and every the Clauses, Powers, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained, (except such as relate to Exemptions from Stamp Duties, or such as are hereby varied, altered, or repealed), shall be, and they are hereby declared to be in full force, and shall take Effect and have Continuance from the Day of passing this Act, as fully and effectually to all Intents and Purposes whatsoever, as if the same were here again repeated and particularly enacted: And that during the Term granted by this Act, all the Trustees appointed or to be appointed in and by virtue of the said recited Acts, shall be, and they are hereby appointed Trustees to put the said Acts and this Act in Execution, and all the Tolls and Duties hereby continued, and also all other the Tolls and Duties herein-after granted and allowed to be taken in lieu of any of the former Tolls or Duties, shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing, or hereafter to grow due upon the credit of the said recited Acts, or of this Act, and of the Interest due or to grow due thereon, in like Manner and with the like Provisions as to the Application thereof, and as by the said Acts are made, declared, and enacted.

Former Ex-
emptions re-
pealed.

II. And whereas in and by the said first recited Act it is provided, That no Person or Persons shall be charged with any of the Tolls or Duties therein granted for any Carts, Waggons, or other Carriages, carrying any Hop-Poles, Dung, Marle, Lime, or Compost, used in the manuring of Land or Gardens: And whereas such Exemptions have been found to be inconvenient, be it therefore further enacted, That so much of the said recited Act as grants the said Exemptions shall be and the same is hereby repealed.

Tolls for Hop-
Poles and
Manure.

III. Provided always, and be it further enacted and declared by the Authority aforesaid, That no higher or greater Toll shall be demanded and taken at each or any of such Gate or Gates, Turnpike or Turnpikes, erected or to be erected on or across the said Road, for any Waggon, Wain, or Carriage, laden with any Quantity of Hop-Poles, Dung, Marle, Lime, Mould, Ashes, Sullage, or Compost, for manuring of Land or Gardens only, and passing through the said Gates or Turnpikes than the following, that is to say, for every Waggon, Wain, or other Carriage, upon Four Wheels, so laden and passing through any such Gate or Turnpike erected or to be erected upon the said Road between the First Day of April and the Thirtieth Day of October in any Year, both inclusive, the Sum of Sixpence, and for every Cart or other Carriage drawn upon Two Wheels, so laden and passing as aforesaid, between the said First Day of April and

and the Thirtieth Day of *October* in any Year, both inclusive, the Sum of Three-pence; for every Waggon, Wain, or other Carriage, upon Four Wheels, so laden and passing through any such Gate or Turnpike erected or to be erected on or across the said Road, between the Thirty-first Day of *October* and the Thirty-first Day of *March* both inclusive, in every Year, the Sum of One Shilling; and for every Cart or other Carriage drawn upon Two Wheels, so laden and passing through any such Gate or Turnpike, between the said Thirty-first Day of *October* and the Thirty-first Day of *March* in every Year, both inclusive, the Sum of Sixpence; any Thing herein or in any of the said Acts to the contrary notwithstanding.

IV. Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, from Time to Time during the Continuance of this Act, to compound and agree to and with any of the Inhabitants of any of the Parishes or Townships through which the said Road leads, and with any of the Possessors or Occupiers of Lands, Tenements, or Hereditaments within the same Parishes, using to travel through the said Turnpikes erected or to be erected by the said former Acts, or this present Act, with any Waggon, Wain, Cart, or other Carriage, laden with Hop-Poles, Dung, Marle, Lime, Mould, Ashes, Sullage or Compost, or any other Things whatsoever, (except Chalk, to be used and employed for manuring of Lands in their own Occupation), for any Sum or Sums of Money for and in lieu of Payment of any of the Tolls, or Duties payable for Carriages laden with all or any of the said Articles, to be paid at such Times, and in such Manner and under such Restrictions as to the Time of their carrying the same, as the said Trustees or any Seven or more of them shall direct or appoint.

Trustees empowered to compound.

V. And whereas by the said recited Act of the Nineteenth Year of His present Majesty, it is provided that no Toll shall be demanded or taken for any Carriage returning empty through any of the Turnpikes erected or to be erected by virtue of the said Acts, after having been employed in the Carriage of Fish only; and whereas such Exemption hath been found to be inconvenient; be it therefore enacted, That the said Exemption shall be and the same is hereby repealed.

Exemptions of Carriages carrying Fish and returning empty repealed.

VI. And whereas by the said first recited Act the said Trustees were empowered to assign over or mortgage the Tolls, and Duties thereby granted as a Security for any Sum or Sums of Money, to be borrowed as a Security to any Person or Persons advancing and lending the same with such Interest as should be agreed upon, not exceeding Four Pounds *per Centum per Annum*: Now it is hereby enacted and declared, That it shall and may be lawful for the Trustees appointed by the said former Acts, or hereafter to be appointed, or any Nine or more of them, to agree with any Person or Persons who have already advanced, or hereafter shall advance any Sum or Sums of Money on the Security aforesaid, to pay Interest for the same at any Sum not exceeding the Rate of Five Pounds *per Centum per Annum*, any Thing in the said Acts contained to the contrary notwithstanding.

Trustees may advance Interest of Money borrowed to 5 l. per Cent.

VII. And whereas Part of the said Road called *Robertbridge Clappers* is from its low Situation subject and liable to deep and dangerous Floods, insomuch,

The Road at Robertbridge Clappers liable to Floods to be diverted.

inſomuch that Paſſengers and Carriages are frequently ſtopped and delayed, for which Reaſon it is abſolutely neceſſary that the ſaid Road ſhould be turned or diverted from its preſent Courſe, for a ſmall Diſtance of Forty Rods or thereabouts, and that ſtrong and ſubſtantial Arches of Brick or Stone ſhould be erected and built thereon, and which cannot be done, and the ſame kept in proper Repair, without a very great Expence, for which Reaſon it will be neceſſary that a new Turnpike Gate be erected and Tolls taken thereat; be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Nine or more of them, to erect ſuch Gate or Turnpike, together with ſuch Arches as aforeſaid, on or acroſs the ſaid Road ſo diverted or turned as aforeſaid, with a proper Toll Houſe to the ſaid Gate, and to demand and take at ſuch Gate a Toll or Duty not exceeding One Half of the ſaid Tolls in and by the ſaid Acts and this preſent Act granted; which ſaid Tolls and Duties ſhall be collected, levied, and recovered in ſuch and the ſame Manner as the Tolls and Duties granted and made payable by the ſaid recited Acts, are directed to be collected, levied, and recovered; and that the ſaid Tolls and Duties ſhall be applied in making and completing the ſame only, and to and for no other Uſe, Intent, or Purpose whatſoever, any Thing in the ſaid Acts or this Act to the contrary notwithstanding.

Power to borrow Money on Credit of the Tolls granted for the new Road.

VIII. And be it further enacted, That the ſaid Truſtees, or any Nine or more of them, ſhall and they are hereby impowered from Time to Time by any Writing or Inſtrument under their Hands and Seals, to aſſign over or mortgage the Tolls to be collected on the ſaid laſt-mentioned Road, in ſuch Manner and Form in the ſaid Acts directed, as a Security for any Sum or Sums of Money to be borrowed by the ſaid Truſtees, to ſuch Perſon or Perſons, or to his, her, or their Truſtee or Truſtees who ſhall advance and lend the ſame, to ſecure the Repayment thereof, with ſuch Interest as ſhall be agreed upon, not exceeding Five Pounds *per Centum per Annum*; which ſaid Money ſo to be borrowed ſhall be applied and diſpoſed of, for the Purpose of making the ſaid intended New Road, erecting Arches, Turnpike Gate, and Toll Houſe, and completing the ſame, and to no other Uſe or Purpose whatſoever, any Thing in the ſaid Acts contained to the contrary notwithstanding.

Application of Compenſation Money when exceeding 200 l.

IX. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts and this Act, for the Purpose thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatick, or Perſon or Perſons under any Diſability or Incapacity, as in the ſaid recited Act of the Twenty-fixth Year of the Reign of His late Maſteſty King George the Second particularly mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of England, in the Name and with the Privy of the Accountant-General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid Acts and this Act; to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way, by the Perſon or Perſons who would have been entitled unto the Rents and Profits of the ſaid Lands, Grounds, or Hereditaments,

taments, in Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof, as the said Court shall authorize to be paid, affecting the same Grounds or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes, or where such Money shall not be applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court in the Purchase of other Messuages, Lands, Grounds, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, Grounds, and Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement, shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

X. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, and Hereditaments, purchased, taken, or used, for the Purposes aforesaid, and belonging to any Corporation or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled unto the Rents and Profits of the Hereditaments so purchased, taken, or used; or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and to be placed to his Account as aforesaid, in Order to be applied in Manner herein-after directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Seven or more of the said Trustees appointed to put the said recited Acts and this Act in Execution (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such principal Money and Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where Compensation Money does not exceed 100*l.* and above 20*l.*

XI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before-mentioned, shall be less

[*Loc. & Per.*]

18 M

than

Application where the Money be less than 20*l.*

Twenty Pounds, then and in such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, for the Purposes of the said Acts and this Act, in such Manner as the said Trustees, or any Seven or more of them, shall think fit, or in Case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

For paying
the Expence
of this Act.

XII. And be it further enacted, That all Costs, Charges, and Expences, incident to and attending the obtaining and passing of this Act, shall be paid and discharged by the Trustees for putting the said recited Acts and this Act in Execution, or any Seven or more of them, out of any Money which hath arisen by virtue of the said recited Acts, or out of the first Money which shall arise by virtue thereof and of this Act, in Preference to all other Payments.

Declaring this
Act publick.

XIII. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Fixing the
Term of the
Act.

XIV. And be it lastly enacted, That the Term granted and continued by the said recited Acts shall, upon the passing hereof cease and determine; and that the said Acts (subject to the Alterations herein-before mentioned), and this Act shall from thenceforth continue and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1801.