



ANNO QUADRAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 9.

An Act for continuing the Term, and altering and enlarging the Powers of an Act, passed in the Seventeenth Year of the Reign of His present Majesty, intituled, *An Act for repealing an Act, made in the Twenty-seventh Year of His late Majesty King George the Second, for amending, widening, and keeping in Repair, the Road leading from Union Point, near the Town of Uckfield in the County of Suffex, to Langney Bridge, in the Parish of Westham in the said County, and for more effectually repairing the said Road; and also for amending, widening, and keeping in Repair the Road from the Side Gate on the Horse Bridge Turnpike Road, in the Parish of Hellingly, to the Turnpike Road leading from Cross-in-Hand to Burwash in the said County.* [19th March 1802.]

[Loc. & Per.]

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WHEREAS

17 Geo. 3.

WHEREAS an Act was passed in the Seventeenth Year of the Reign of His present Majesty, intituled, *An Act for repealing an Act, made in the Twenty-seventh Year of His late Majesty King George the Second, for amending, widening, and keeping in Repair, the Road leading from Union Point, near the Town of Uckfield in the County of Suffex, to Langney Bridge, in the Parish of Westham in the said County, and for more effectually repairing the said Road; and also for amending, widening, and keeping in Repair the Road from the Side Gate on the Horse Bridge Turnpike Road, in the Parish of Hellingly, to the Turnpike Road leading from Cross-in-Hand to Burwash in the said County, whereby certain Tolls, Powers, and Authorities were given and granted for amending, widening, and keeping in Repair the said Roads; which Act was to have Continuance from the End of the Session of Parliament after the Seventeenth Day of April One thousand seven hundred and eighty, for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas the Trustees acting in the Execution of the said Act, have borrowed upon the Credit of the Tolls thereby granted several considerable Sums of Money; which, with an Arrear of Interest, now remain due and cannot be repaid, and the said Roads effectually amended and kept in Repair, unless the Term of the said Act (which is near expiring) be further continued, the Tolls increased, and some of the Provisions thereof altered and enlarged; 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 Term granted by the said recited Act shall be repealed; and that the said recited Act, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained (except such Parts thereof as are hereby varied, altered, or repealed, and also such as relate to Exemption from Stamp Duties), shall be and remain in full Force and Effect, and, together with this present Act, shall be put in Execution for the several Purposes thereby and hereby intended, for and during the Term herein-after granted, as fully and effectually in all Respects, and to all Intents and Purposes whatsoever, as if the same were expressly repeated and re-enacted in the Body of this present Act; which said Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Monies now due on the said Roads on the Credit of the said recited Act, or which shall or may be hereafter borrowed or become due on the Credit of the said recited Act and of this Act, and all Interest due and to become due for the same respectively.*

Additional
Term
granted.

Additional
Trustees.

II. And be it further enacted, That *John Apsley Dalrymple, William Henry Pigou, Francis Hare Naylor, Thomas Partington, Henry Thurlow Shadwell, and Eardley Wilmot Michell, Esquires; George Thompson, John Thompson, Edward Rudstone Langdale, George Woodward, Jeremiah Smith, Robert Hare, William Delves, Anthony Nott, and James Capper, Clerks; John Whapham, Samuel Lidbetter, John Jenner, Edmund Catt, Thomas Moon, Caleb Pierce, Philip Turner, Walter Mason, William Child, William Dodson, James Bray, Samuel Rickman, Nathaniel Rickman, David Rickman, Henry Barton the elder, Henry Barton the younger, John Barton, Samuel Roads, Pennington Gorringe, Thomas Hall, Stephen Gower, Thomas Parker, Francis Gorringe,*

Gorringe, William King of Hailsham Common, William King of Hailsham Town, Robert Kennard, Thomas Noakes the younger, Richard King the elder, Richard King the younger, John King, William Elpbick the elder, William Elpbick the younger, Edward Putland, John Rason, William Rason, John Denman, Walter Elpbick, William Lambert, John Lambert, Samuel Lambert, George Carey, Henry Freeman the younger, James Newman, Richard Plummer, William Martin, John Sinnock the elder, John Sinnock the younger, Samuel Sinnock, and Matthias Slye, Gentlemen, shall be; and they are hereby added to and joined with the surviving and remaining Trustees appointed in or elected by virtue of the said recited Act; and that the said several Persons herein-before named, together with those who were appointed or elected Trustees in or by virtue of the said recited Act (being qualified as in the said recited Act is mentioned), shall be, and they are hereby appointed Trustees to put the said recited Act and this Act into Execution, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said recited Act.

III. And be it further enacted, That from and after the Commencement of this Act, the several Tolls and Duties granted in and by the said recited Act shall cease, determine, and be no longer paid or payable; and that in lieu and instead thereof, the respective Tolls or Duties following shall be demanded and taken, before any Horse, or other Beast or Cattle, or any Carriage, shall be permitted to pass through any Turnpike or Gate erected or to be erected by virtue of the said recited Act or this Act, upon and across any of the said Roads, or upon and across any Lane or Way leading into the same; (that is to say),

Discontinuing the former Tolls, and granting new ones.

For every Coach, Berlin, Landau, Chariot, Calash, Hearse, Caravan, Chaise, or Chair, drawn by more than Four Horses, Mares, or other Beasts of Draught, the Sum of Two Shillings and Three-pence:

For every Coach, Berlin, Landau, Chariot, Calash, Hearse, Caravan, Chaise, or Chair, drawn by Four Horses, Mares, or other Beasts of Draught, the Sum of One Shilling and Sixpence:

For every such Carriage as aforesaid, drawn by Two or Three Horses, Mares, or other Beasts of Draught, the Sum of Nine-pence:

For every such Carriage as aforesaid, drawn by One Horse, Mare, or other Beast of Draught, the Sum of Sixpence:

For every Waggon, Wain, or other Four-wheel Carriage, having the Fellies of the Wheels of less Breadth than Six Inches, in the Summer Part of the Year, the Sum of One Shilling and Sixpence:

For every such Waggon, Wain, or other Four-wheel Carriage, in the Winter Part of the Year, the Sum of Two Shillings:

For every other Waggon, Wain, or other Four-wheel Carriage, in the Summer Part of the Year, the Sum of One Shilling; and in the Winter Part of the Year, the Sum of One Shilling and Sixpence:

For the First Horse or other Beast of Draught, drawing any Cart or other Two-wheel Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards, in the Summer Part of the Year, the Sum of Four-pence; and for every other Horse or other Beast of Draught, drawing such Cart or other Two-wheel Carriage, in Summer, the Sum of Two-pence:

For the First Horse or other Beast of Draught, drawing any such Cart or other Two-wheel Carriage, in the Winter Part of the Year, the Sum of

of

of Sixpence; and for every other Horse or other Beast of Draught, drawing such Cart or Carriage, the Sum of Three-pence:

For the First Horse or other Beast of Draught, drawing any Cart or other Two-wheel Carriage, having the Fellies of the Wheels of less Breadth than Six Inches, in the Summer Part of the Year, the Sum of Sixpence; and for every other Horse or other Beast of Draught, drawing such last mentioned Cart or other Two-wheel Carriage, in Summer, the Sum of Three-pence:

For the First Horse or other Beast of Draught, drawing any Cart or other Two-wheel Carriage, having the Fellies of the Wheels of less Breadth than Six Inches, in the Winter Part of the Year, the Sum of Eight-pence; and for every other Horse or other Beast of Draught drawing the same, in the Winter, the Sum of Four-pence:

For every Horse, Mare, Gelding, or Mule, laden or unladen and not drawing, the Sum of Two-pence:

For every Ass or other Beast of Burthen, laden or unladen and not drawing, the Sum of One Penny:

For every Ox, Bull, Cow, or other Neat Cattle, the Sum of One Penny:

For every Drove of Sheep or Lambs, the Sum of Two-pence by the Score, and so in Proportion for any greater or less Number, except as to any Number under Five, which shall pay the Sum of One Halfpenny:

And for every Drove of Calves or Hogs, the Sum of Five-pence by the Score, and so proportionably:

And that, for the Purposes of this Act, Two Oxen or other Neat Cattle drawing in Pairs, shall be deemed equal to One Horse.

Double Tolls
to be taken in
certain Cases.

IV. And be it further enacted, That Double the said respective Tolls shall be demanded and taken for every Carriage laden with Chalk, Timber, Plank, Iron, Bricks, Tiles, Bolders, Flints, Beach, or Stones, which shall pass through any of the Turnpikes erected upon the said Roads, between the First Day of *November* and the First Day of *April* in every Year; any Thing in the said recited Act contained to the contrary notwithstanding.

For ascertain-
ing the Sum-
mer and Win-
ter Seasons.

V. And whereas it is necessary that the Time fixed by the said recited Act, for ascertaining what shall be deemed the Summer and Winter Seasons, should be altered; be it therefore further enacted, That, for the Purposes of the said recited Act and this Act, it shall be deemed Summer from the First Day of *April* to the First Day of *November*, both Days inclusive, and Winter from the Second Day of *November* to the Thirty-first Day of *March*, both Days inclusive.

For prevent-
ing the Eva-
sion of Tolls.

VI. And be it further enacted, That if any Person or Persons shall go or pass with any Carriage, Horse, or other Beast, laden, on any of the said Roads, and after coming to or near any Gate erected or to be erected thereon, shall take out or take off such Lading, or any Part thereof, from such Carriage, Horse, or other Beast, and carry or convey the same through such Gate in any other Manner than in or on the same, or some other Carriage, Horse, or other Beast, with an Intent to evade, and having thereby evaded the Payment of any of the said Tolls or any Part thereof, every such Person shall be subject and liable to the same Penalties as are inflicted by the said recited Act upon Persons evading the Tolls.

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VII. And

VII: And whereas it is proper, that the Clause in the said recited Act, which exempts certain Persons from the Payment of Toll, should be repealed, and other Provisions made for that Purpose; be it therefore further enacted, That from and after the Commencement of this Act, the said Clause shall be and is hereby repealed.

For repealing
Clause of
Exemption.

VIII. Provided always, and be it further enacted, That no Person or Persons shall be charged with any of the Tolls aforesaid, who shall pass through any of the Gates or Turnpikes which are or shall be erected on the said Roads, or across any Lane or Way leading into the same, with any Horse, Mare, Gelding, Mule, Ass, Waggon, Cart, or other Carriage, which shall carry or draw any Quantity of Gravel, Chalk, Stones, Sand, Rubbish, or other Materials for repairing the Roads hereby directed to be amended, or any Road in any of the Parishes in which the same Turnpikes are or shall be erected; nor for any Horse, Mare, Gelding, Mule, Ass, Waggon, Cart, or other Carriage carrying or drawing Grass, Hay, Clover, Saintfoin, Fodder, Straw, Corn in the Straw, Dung, Mould, or Compost (Lime excepted), or carrying or drawing any Ploughs, Harrows, or other Implements of Husbandry, to be used for the tilling or stocking of any Lands or Grounds in any of the Parishes in which such Gates or Turnpikes are or shall be erected; nor for any Horse or Horses or other Cattle going to or from Water or Pasture, or to be shod or farried, or to or from Plough or other Tillage or Work in Husbandry, upon or in any of the Lands or Grounds within the several Parishes in which such Gates or Turnpikes are or shall be erected; or for any Waggons, Carts, or other Implements of Husbandry belonging to the Inhabitants of any of the Parishes aforesaid, on passing through any such Gates or Turnpikes, for the Purpose of being repaired within the same Parish; nor shall any Toll be demanded or taken of or from any Person or Persons residing in any Parish wherein the said Turnpike or Turnpikes is, are, or shall be erected, for passing through the said Turnpike or Turnpikes, and carrying any Corn or Grain threshed from his or their own Barns, to his or their own Granaries situate and being in the same Parish; or for hauling or carrying any Dung or Soil made in his or their own Stables or Folds lying in such Parishes, into or upon any Lands in the same Parish that shall be in his or their own Occupation; nor for any Horses or Carriages, of whatever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or in returning back from conveying or guarding the same; or for the Horses of any Soldiers who are upon their March, or for the Horses, Waggons, Carts, or Carriages belonging to and passing with them, or carrying their Baggage; or for Horses, Carts, or Carriages travelling with Vagrants sent by Passes; nor for any Coach, Landau, Chariot, Calash, Chaise, or Chair, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Suffex*, during the Time of such Election, or on the Day before or after the same; nor from any Person or Persons residing in any of the Parishes in which the said Roads hereby directed to be repaired do lie, who shall pass through any of the aforesaid Turnpikes to or from any Church, Chapel, or other Place of religious Worship, situate in the Parish in which such Person or Persons shall so reside, on *Sundays*.

Exemptions
from Toll.

[*Loc. & Per.*]

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IX. And

Exemptions
not to be
claimed in
certain Cases.

IX. And be it further enacted, That no Person shall be entitled to claim the said Exemptions from Tolls, or any of them, on carrying or drawing any Gravel, Chalk, Stone, Sand, Rubbish, or other Materials, through any Gate or Turnpike erected or to be erected by virtue of the said recited Act or of this Act, unless the same shall be for the Repair of the Roads hereby intended to be repaired, or One of them, or of some publick Road lying in the same Parish in which such Gate or Turnpike is or shall be erected; nor shall any Person or Persons be entitled to claim any Exemption from Toll on carrying or drawing any Grass, Hay, Clover, Saintfoin, Fodder, Straw, Corn in the Straw, Dung, Mould, or Compost, Ploughs, Harrows, or other Implements of Husbandry; or for any Horse or Horses, or other Cattle going to or from Water or Pasture, or to be shod or farried, or to or from Plough or other Tillage or Work in Husbandry, or on carrying any such Corn or Grain threshed, or hauling or carrying any such Dung or Soil as aforesaid, other than the Occupier or Occupiers of Lands lying contiguous to the Gate or Turnpike through which such Cattle or Carriage shall pass, and in the same Parish in which such Occupier or Occupiers shall reside.

For punishing
Persons in-
juring the
Roads.

X. And whereas the Tolls arising upon the said Turnpike Roads have been considerably diminished, and the Roads themselves materially injured, by the Practice of loading Carriages with extraordinary Weights of Chalk at the Pits from which the same is dug, and after passing through the Turnpike Gate next adjoining or near thereto, depositing the Whole or Part thereof on the Sides of or in Places near adjoining to such Roads, to be afterwards removed and carried further along the said Roads; be it therefore enacted, That if any Person from and after the Commencement of this Act, shall wilfully, and not by reason of unavoidable Accident, unload or deposit any Chalk from any Waggon, Wain, Cart, or other Carriage in which the same shall have been carried through any Gate or Turnpike erected or to be erected under the Powers of this or the said recited Act, upon the Side of or within Five hundred Yards Distance from either of the Roads by this Act intended to be repaired, except at or near such Kiln or other Place where the same shall be intended to be burnt into Lime, or otherwise used or employed, every such Person so offending shall be deemed guilty of evading the said Tolls, and shall forfeit and pay any Sum not exceeding Forty Shillings, to be levied and disposed of as other Forfeitures and Penalties inflicted by this or the said recited Act; upon Persons wilfully evading the said Tolls, are directed to be levied and disposed of.

Penal-
ties may be
levied before
One Justice.

XI. And be it further enacted, That the Penalties and Forfeitures inflicted by the said recited Act and this Act, shall and may be levied and recovered in the Manner therein mentioned, before any One of His Majesty's Justices of the Peace for the said County of *Suffex*; any Thing in the said recited Act contained to the contrary notwithstanding.

Application of
Compen-
sation Money,
where a-
mounting to
200/.

XII. 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 Act and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Convert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said recited Act particularly mentioned, such
Money

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 Act 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 to the Rents and Profits of the said Lands, Grounds, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Grounds, or other Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so 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 Lands, Grounds, or other 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 Lands, Grounds, or other 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 said 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, or other Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, or other 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 to the Rents and Profits of the Lands, Grounds, or other 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 Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before 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 Five or more of the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating

Application where the Compensation shall be less than 200 *l.* and above 20 *l.*

minating and approving Parties), in order that such Principal Money, and the 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 the Money is less than 20/.

XIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all 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 Lands, Grounds, or other Hereditaments so purchased, taken, or used for the Purposes of the said Act and this Act, in such Manner as the said Trustees, or any Five 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 Expences of the Act.

XV. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid out of the First Money collected or received by virtue of the said recited Act and this Act.

Publick Act.

XVI. 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.

Commencement and Continuance of the Act.

XVII. And be it further enacted, That this Act shall commence and take place upon the Nineteenth Day of *April* One thousand eight hundred and two, and, together with the said recited Act, shall continue in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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