



ANNO QUARTO

GEORGIIV. REGIS.

Cap. xii.

An Act for more effectually making, repairing, and improving the Roads from *Union Point* near *Uckfield* to the *Sea Houses* in *Eastbourne*, and from *Horsebridge* to *Cross in Hand*, all in the County of *Sussex*. [2d May 1823.]

WHEREAS an Act was passed in the Seventeenth Year of the Reign of His late Majesty King *George* the Third, 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 Sussex, 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 Horsebridge Turnpike Road, in the Parish of Hellingly, to the Turnpike Road leading from Cross in Hand to Burwash in the said County*: And whereas another Act was passed in the Forty-second Year of the Reign of His said late Majesty King *George* the Third, intituled *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 Sussex, to Langney Bridge,*

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‘ 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 Horsebridge Turnpike Road in the Parish of Hellingly, to the Turnpike Road leading from Cross in Hand to Burwash in the said County :’ And whereas the Trustees appointed in and by virtue of the said recited Acts have repaired and improved the said respective Roads, and have for that Purpose, in pursuance of the Powers to them thereby given, borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, Part of which Sums of Money still remains undischarged and cannot be paid off, nor can the said Roads be effectually amended, improved, and maintained in Repair unless further Provision be made by Parliament for the amending, improving, and maintaining the same in Repair, and for imposing Tolls or Duties for that Purpose, and for altering, increasing, and regulating the same : And whereas the Powers, Provisions, and Authorities given by the said before-mentioned Acts are, in many respects, insufficient and inconvenient, and it is expedient that the same be altered, amended, and regulated, and that the said Acts should be repealed : And whereas it will be attended with much Convenience to the Public if the said Turnpike Road from Union Point to Langney Bridge, now terminating at the said Bridge, were extended from the same Bridge through and along the present Parish Road, in the Parishes of Westham aforesaid, and Willingdon and Eastbourne, all in the said County of Sussex, unto and to terminate at a certain Place called Broadbourne, situate near the Sea Houses, in the Parish of Eastbourne aforesaid ; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament : And whereas an Act was passed in the Third Year of His present Majesty’s Reign, intitled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England* : 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 from and after the First Day of May One thousand eight hundred and twenty-three, the said recited Acts passed in the Seventeenth and Forty-second Years of the Reign of His late Majesty King George the Third, shall be and the same are hereby declared to be repealed, and instead thereof 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, widening, altering, straightening, improving, and keeping in Repair the said Turnpike Road leading from Union Point aforesaid to Langney Bridge, with the Addition of the said Parish Road from Langney Bridge aforesaid to Broadbourne, and which said Turnpike Road, including the aforesaid Addition, extends through the several Parishes or Hamlets of Uckfield, Littlehorsted, Framfield, Eastbothly, Laughton, Chiddingly, Hellingly, Arlington, Hailsham, Westham, Willingdon, and Eastbourne, all in the said County of Sussex, and is herein-after called or distinguished by the Name of *The Horsebridge Turnpike Road*, and comprises a Distance of Twenty Miles or thereabouts ; and also the said Turnpike Road leading from the Side Gate on the said Horsebridge Turnpike Road in the said Parish of Hellingly, to the Turnpike Road leading from Cross in Hand to Burwash ; and which said last-mentioned Road extends through the several Parishes

of

3 G.4.c. 126.

17 G. 3. c.96.
42 G. 3. c. 9.
repealed.

of *Hellingly* and *Waldron* aforesaid, and *Heathfield*, all in the said County, and is herein-after called or distinguished by the Name of *The Horeham or Branch Turnpike Road*, and comprises a Distance of Seven Miles or thereabouts.

II. And be it further enacted, That the said recited Act, passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Parts thereof as are expressly varied, altered, or repealed by this Act, shall be as good, valid, and effectual for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

Extending
the Powers of
the General
Act,
3 G. 4. c. 126.

III. And be it further enacted, That the whole of the Tolls and Duties by this Act granted and imposed for the keeping and maintaining the Roads hereby directed to be kept and maintained, shall, for and during the Term of this Act, be charged with and made subject to the Payment of all Monies heretofore borrowed for the making and maintaining any or either of the Roads directed by the said recited Acts of the Seventeenth and Forty-second Years of the Reign of His said late Majesty, or either of them, to be made and maintained, and now due and owing upon the Credit or on Account of the said recited Acts, or secured upon or made payable out of the Tolls and Duties thereby granted, or any Part thereof, and of all Interest due and to grow due thereon, equally and without any specific Appropriation or Division of such Tolls, and as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected; and that all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said recited Acts, which in anywise concern the said Roads, or either of them, shall be liable to the Payment thereof to the Trustees for executing this Act; and all Bonds, Covenants, Agreements, Contracts, and Securities duly entered into by any Person or Persons to or with the Trustees for executing the said last-mentioned Acts, or either of them, for or concerning any Matters or Things respecting the said Roads, or either of them, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity until the same are fully satisfied and performed on Account and for the Benefit of the said Roads; and all Contracts or Agreements duly made or entered into by the Trustees for executing the said last-mentioned Acts, or either of them, to or with any Person or Persons, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, according to the Terms or Stipulations thereof respectively, notwithstanding the Repeal of the said last-mentioned Acts.

New Term
and Tolls
liable to former
Debts,
&c.

IV. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Sussex*, together with Sir *Henry Blackman* Knight; the Reverend *Alexander Brodie* Doctor in Divinity; Sir *Charles Blunt* Baronet; the Right Honourable Lord *George Henry Cavendish*, the Honourable *Charles Compton Cavendish*, the Honourable *Henry Frederick Compton Cavendish*, *George Courthope*, *George Courthope* the younger, the Reverend *James Capper* Clerk, the Reverend *Richard Constable* Clerk, *Edward Jeremiahs Curteis*, *Herbert Barrett Curteis*, *Thomas Calverley*,
George

Trustees.

George Carey, Sir Thomas Dyke Baronet; John Apsley Dalrymple, Alexander Donovan, John Darby, Thomas Day, John Denman, William Elphick the elder, William Elphick the younger, John Fuller of Rose Hill, Henry Freeman, Joseph Fuller, Davies Gilbert, the Reverend Henry Grace Pennington Gorringe, Stephen Gower, Francis Gorringe, the Reverend Robert Hare Clerk, William Harison, Charles Harison, Richard Hart, the Honourable Charles Cecil Cope Jenkinson, Thomas Read Kemp, John King, William Kenward, the Reverend Edward Rudstone Langdale, Ewan Law, William Lashmar, William Long, William Courthope Mabbott, Eardley Wilmot Lade Michell, John Mynn, Thomas Moon, William Martin, Matthew Martin, William Mannington, Thomas Noakes, Thomas Partington, Caleb Pearce, John Putland, the Reverend Edward Robert Raynes Clerk, the Reverend Edward Raynes Clerk, the Reverend Thomas Raynes Clerk, Samuel Rickman, David Rickman, Nathaniel Rickman, Richard King Sampson, William Thomas Stone, David Stone, Robert Stone, Samuel Sinnock, Matthias Slye, John Stubbington, Inigo Thomas, George Thomas Thomas, the Reverend John Thompson Clerk, Philip Turner, Francis Warneford, the Reverend George Woodward Clerk, John Harry Willard, Thomas Woodward, John Woodward, John Whiteman, Henry Harcourt Waters, Nicholas Willard of Eastbourne, and their Successors, shall be and are hereby appointed Trustees for amending, widening, altering, straightening, improving, and keeping in repair the said Turnpike Roads by this Act intended to be amended, widened, altered, straightened, improved, and kept in repair, and for otherwise putting into Execution this Act, and such of the Powers and Provisions of the said recited Act of the Third Year of the Reign of His present Majesty, as are not expressly varied, altered, or otherwise provided for by this Act.

Power to appoint additional Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at their First Meeting herein-after directed, or at any subsequent Meeting to be held for that Purpose (of which subsequent Meeting, and of the Purpose thereof, Twenty Days Notice shall be given, by Insertion in some public Newspaper usually circulated in the County of *Sussex*) to elect and appoint any Number of Persons not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so to be elected and appointed shall be and are hereby invested with the same Powers and Authorities for executing the said recited Act of the Third Year of the Reign of His present Majesty, and this Act, as if they had been named and appointed by this Act.

Trustees to be sworn.

VI. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting this Act into Execution, unless he shall be qualified in such Manner as in and by the said recited Act, passed in the Third Year of the Reign of His present Majesty, is directed and prescribed, and unless, being so qualified, he shall, before he shall act as a Trustee (except in administering the Oath mentioned in the said last-mentioned Act, and the Oath herein-after mentioned) take and subscribe, before One or more of the said Trustees (who is and are hereby empowered to administer the same), the Oath following; that is to say,

‘ I *A. B.* do swear, that I will truly and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities, and Trusts reposed in me as a Trustee, by virtue of an Act passed
‘ in

‘ in the Fourth Year of the Reign of His Majesty King *George* the Fourth,
 ‘ intituled *An Act* [*here set forth the Title of this Act*], and also an Act
 ‘ passed in the Third Year of the Reign of His said Majesty, intituled
 ‘ [*here set forth the Title of the General Turnpike Act.*]

‘ So help me GOD.’

And if any Person shall presume to act (except as aforesaid) before he shall have taken and subscribed the said Oath, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, 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 Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed: Provided nevertheless, that no Act or Proceeding, touching the Execution of the said Act of the Third Year of the Reign of His present Majesty or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath by this Act prescribed, shall be thereby impeached or rendered nugatory, but all such Proceedings shall be as valid and effectual as if such Person had taken such Oath previously to his having acted as such Trustee as aforesaid.

VII. And be it further enacted, That the said Trustees shall meet at the House of *Armgill Terry*, known by the Sign of the *King’s Head* at *Horsebridge* aforesaid, on the Second *Thursday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven in the Forenoon and Two in the Afternoon, and shall then proceed to carry the said recited Act of the Third Year of the Reign of His present Majesty and this Act into Execution. First Meeting.

VIII. And be it further enacted, That the said Trustees may and they are hereby required, at their first Meeting to be held under this Act, and afterwards as Occasion may require from Time to Time, by Writing under their respective Hands, to appoint a Clerk and a Treasurer, and such Surveyors, Collectors of the Tolls, and other Officers as they the said Trustees shall think necessary; and from Time to Time to remove such Clerks, Treasurers, Surveyors, Collectors, and other Officers, or any of them, and on the Removal, Death, or Resignation of such Clerk, Treasurer, or any of such other Surveyors, Collectors, or other Officers, to appoint others in their Stead; and may and are hereby authorized and empowered, out of any Monies arising by virtue of the said last-mentioned Act and this Act, to allow and pay to the Clerk, Treasurers, and Surveyors, and other Officers, and to such other Person or Persons as shall be assisting them or any of them in or about the Execution of this Act, such Salaries, Rewards, and Allowances, for their Attendance, Care, Labour, and Services, as the said Trustees shall from Time to Time deem reasonable and direct. For appointing Clerks, Treasurers, and other Officers.

IX. Provided always, and be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers (except the Treasurer) nominated and appointed under or by virtue of the said Acts hereby repealed, or either of them, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers Old Officers may continue till others appointed.

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and

and Authorities for carrying this Act and the said last-mentioned Act into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated or appointed under and by virtue of this Act.

Books, &c.
relative to
former Acts
to be de-
livered to
Trustees.

X. And be it further enacted, That all Officers or other Persons who are or have been employed, or who have received or shall receive any Tolls or other Money by virtue or on account of the said Acts hereby repealed, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or any Things relating to the said Roads, by the before recited Acts directed to be improved and repaired, or either of them, shall account for and pay and deliver over the same, and every Part thereof, to the Trustees hereby appointed, in like Manner and under the like Pains and Penalties, and with the like Powers to the Trustees for enforcing the Recovery thereof, as the several Collectors and other Persons receiving any Money by virtue of the said last-mentioned Act and this Act are required to pay or account for the same.

Power to
continue and
erect Toll
Gates, Toll
Houses, &c.

XI. And be it further enacted, That for the Purpose of collecting and receiving the Tolls hereby granted, the Trustees appointed or to be appointed in or by virtue of this Act shall and may and they are hereby authorized and empowered to continue all or any of the Toll Gates and Toll Houses erected by virtue of the said recited Acts hereby repealed, and shall and may erect, or cause to be erected, such and so many other Toll Gates and Weighing Engines, in, upon, or across such Parts of the said Turnpike Roads by this Act directed to be maintained and kept in Repair, and also such and so many Toll Gates on the Side of either of the said Turnpike Roads, and in, upon, or across any Lane or Highway that does or shall lead into or out of the same, as they the said Trustees shall think proper and expedient, subject nevertheless to such Regulations, Restrictions, and Directions as in this Act or the said Act of the Third Year of the Reign of His present Majesty are laid down, mentioned, or contained, concerning the placing or erecting of such Toll Gates or Weighing Engines; and also shall and may erect and provide a Toll House, with suitable Buildings, a Garden, and other Conveniences, not exceeding Ten Perches of Land, at or near each of the said Toll Gates.

Power to re-
move Toll
Gates, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby empowered from Time to Time, when and as often as they shall think proper, to cause any of the Toll Gates erected by the Authority of the said several Acts hereby repealed, or either of them, or which shall be continued or erected by virtue of this Act, in, upon, or across either of the said Turnpike Roads, or on the Side or Sides of any Part thereof respectively, to be removed to and erected in, upon, or across, or on the Side or Sides of such other Part or Parts of the said Turnpike Roads hereby directed to be maintained and kept in Repair, or either of them, or otherwise to be wholly removed and taken away, as the said Trustees, or any Five or more of them, shall from Time to Time order and direct, provided that none of the said Toll Gates shall be removed or taken away as aforesaid, unless Notice in Writing of the Intention to remove or take away the same shall have been affixed upon all the Toll Gates then standing upon

the said Turnpike Roads, nor unless such Notice shall have been advertised in some Newspaper published in the said County of *Sussex*, Twenty Days at least previous to such Order being made.

XIII. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of any Toll House or Toll Houses, or Building or Buildings, heretofore purchased, erected, or intended for the Purpose of a Toll House or Toll Houses, by virtue of the said Acts hereby repealed, or either of them, or hereafter to be purchased or erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances thereunto belonging, which shall be considered by the said Trustees as useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or by private Sale, at or for such Price or Prices as they the said Trustees can obtain for the same, and to convey, assign, and surrender the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same, according to the Nature and Tenure of the Estate by which the same may be holden; and the Person or Persons who shall purchase the same, his, her, or their Heirs, Executors, Administrators, or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said Trustees, or their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, according to the Nature or Tenure thereof, discharged from all Trusts, and free from all Incumbrances whatsoever, and shall not be answerable for the Application of his, her, or their Purchase Money: Provided always, that such Preference of Purchase shall be given to the Person or Persons from whom any Land on which any Toll Houses may have been erected was purchased, leased, or taken in Exchange, or to the Person or Persons whose Lands shall adjoin thereto, as is by the said Act of the Third Year of the Reign of His present Majesty directed to be given where any Piece or Pieces of Ground not wanted for the Purposes of any Turnpike Road is or are authorized to be sold and disposed of.

Power to sell the present or any future Toll Houses.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed by virtue of this Act Collector or Collectors as aforesaid, and they are hereby authorized and required to demand and take (subject to the Restrictions and Exemptions herein-after mentioned), at each and every of the respective Toll Gates and Side Gates which shall be continued or erected by virtue of this Act, in, upon, or across each of the said Turnpike Roads, or any Lane or Highway leading into the same, before any Horse, Beast, or other Cattle, or any Coach, Chaise, Waggon, Cart, or other Carriage shall be permitted to pass through the same, the several Tolls and Duties following; (that is to say),

Power to take Tolls.

For the first or only Horse or Beast of Draught drawing any Chaise Marine, Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Break, Chaise, Curricule, Gig, Chair or Taxed Cart, Market Cart, or other Cart for the Conveyance of Passengers or light Goods or Articles, the Sum of Sixpence:

Tolls.

For every other Horse or Beast of Draught drawing the same, the Sum of Three-pence:

For

For the first or only Horse or Beast of Draught (except Asses) drawing any Waggon, Cart, Caravan, used for the Conveyance of Goods, or other such like Four-wheel Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, in the Summer Part of the Year the Sum of Sixpence, and in the Winter Part of the Year the Sum of Nine-pence :

For every other Horse or Beast of Draught (except Asses) drawing any such last-mentioned Waggon, Cart, Caravan, or other such like Four-wheel Carriage, in the Summer Part of the Year the Sum of Two-pence, and in the Winter Part of the Year the Sum of Three-pence :

For the first or only Horse or Beast of Draught (except Asses) drawing any such Waggon, Cart, Caravan, or other such like Four-wheel Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half, and less than Six Inches at the Bottom or Soles thereof, in the Summer Part of the Year the Sum of Seven-pence Halfpenny, and in the Winter Part of the Year the Sum of One Shilling :

For every other Horse or Beast of Draught (except Asses) drawing any such Waggon, Cart, Caravan, or other such like Four-wheel Carriage as last-mentioned, in the Summer Part of the Year the Sum of Two-pence Halfpenny, and in the Winter Part of the Year the Sum of Three-pence Halfpenny :

For the first or only Horse or Beast of Draught (except Asses) drawing any such Waggon, Cart, Caravan, or other such like Four-wheel Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, in the Summer Part of the Year the Sum of Nine-pence, and in the Winter Part of the Year the Sum of One Shilling and Two-pence :

For every other Horse or Beast of Draught (except Asses) drawing any such Waggon, Cart, Caravan, or other such like Four-wheel Carriage, in the Summer Part of the Year the Sum of Three-pence, and in the Winter Part of the Year the Sum of Four-pence Halfpenny :

For the first or only Horse or Beast of Draught (except Asses) drawing any Cart, or other such like Two-wheel or Three-wheel Carriage (other than and except any Chaise, Curricule, Gig, Chair, or Taxed Cart, Market Cart, or other Cart for the Conveyance of Passengers or light Goods or Articles) having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, in the Summer Part of the Year the Sum of Four-pence, and in the Winter Part of the Year the Sum of Sixpence :

For every other Horse or Beast of Draught (except Asses) drawing such Cart or other such Two-wheel or Three-wheel Carriage as last-mentioned, in the Summer Part of the Year the Sum of Two-pence, and in the Winter Part of the Year the Sum of Three-pence :

For the first Horse or Beast of Draught (except Asses) drawing any Cart or other such like Two-wheel or Three-wheel Carriage, (other than and except as aforesaid), having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half, and of less Breadth than Six Inches at the Bottom or Soles thereof, in the Summer Part of the Year the Sum of Five-pence, and in the Winter Part of the Year the Sum of Seven-pence Halfpenny :

For every other Horse or Beast of Draught (except Asses) drawing such last-mentioned Cart, or other such like Two-wheel or Three-wheel Carriage, (other than and except as aforesaid), in the Summer
Part

Part of the Year the Sum of Two-pence Halfpenny, and in the Winter Part of the Year the Sum of Four-pence :

For the first Horse or Beast of Draught (except Asses) drawing any Cart or other such like Two-wheel or Three-wheel Carriage (other than and except as aforesaid) having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, in the Summer Part of the Year the Sum of Sixpence, and in the Winter Part of the Year the Sum of One Shilling :

For every other Horse or Beast of Draught (except Asses) drawing any such last-mentioned Cart or Carriage (other than except as aforesaid), in the Summer Part of the Year the Sum of Four-pence, and in the Winter Part of the Year the Sum of Sixpence :

For every Ass drawing any Waggon, Wain, Cart, Caravan, or other such like Carriage, One Half the Toll herein-before enacted in respect of every Horse or other Beast of Draught drawing the same :

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

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

For every Ox or other Neat Cattle, laden or unladen, and not drawing, the Sum of One Penny :

For every Score of Sheep or Lambs, the Sum of Two-pence, and so in proportion for any less Number, except the same shall be under Five, for which the Sum of One Halfpenny shall be paid :

For every Score of Calves or Swine, the Sum of Five-pence, and so in proportion for any less Number :

For every Horse or other Beast drawing, between the Tenth Day of *October* and the Tenth Day of *April*, any Waggon, Cart, or other Carriage, laden with any Kind of Timber, Plank, Boards, Wood, Bricks, or Tiles, Bolders, Flints, Iron, Gravel, Coals, Marle, Chalk, or Sand, One Half more than the Tolls herein-before enacted, in respect of such Horse or other Beast, provided that such additional Toll shall not be taken on account merely of any small Quantities, not exceeding Three Hundred Weight of any of the Articles aforesaid, in such Carriage :

For every Horse or other Beast drawing, between the Twenty-ninth Day of *October* and the Tenth Day of *April*, any Waggon, Cart, or other Carriage, laden with Lime, One Half more than the Tolls herein-before enacted in respect of such Horse or other Beast :

And for the Purposes of this Act, in all Carriages wherein Oxen or Neat Cattle shall be used, Two Oxen or Neat Cattle shall be considered as One Horse.

XV. And be it further enacted, That all and every the Tolls by the said recited Act of the Third Year of the Reign of His present Majesty and this Act authorized to be taken, and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be vested in the said Trustees for the Time being, and the same and every Part thereof shall be levied, collected, paid, applied, disposed of, and assigned, in manner directed by the said last-mentioned Act and this Act. Tolls vested in Trustees.

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XVI. And

Tolls to be paid but once in the same Day for Riding Horses, and in other Cases for passing and returning.

XVI. And be it further enacted, That no Person who shall have paid Toll for passing through any Toll Gate upon either of the said Turnpike Roads, with any Horse or other Beast or Beasts, or Cattle laden or unladen, and not drawing, shall be subject or liable to the Payment of any Toll for passing and repassing through the same Toll Gate on the same Day, before Twelve of the Clock at Night, with the same Horse, Beast or Beasts, or Cattle, not drawing, but shall pass and repass Toll-free; and no Person who shall have paid Toll for passing through any such Toll Gate, with any Horse or Horses or other Beast or Beasts drawing any Carriage or Carriages whatever, shall be subject or liable to the Payment of any Toll for returning through such Toll Gate or Toll Gates on the same Day, before Twelve of the Clock at Night, with the same Horse or Horses or other Beast or Beasts drawing the same Carriage, or not drawing any Carriage, but shall return Toll-free with the same; but no Person shall be permitted to pass a Third Time in any one Day, to be computed as aforesaid, with any Horse or Horses or other Beast or Beasts drawing any Carriage whatever through any Toll Gate, until he shall pay such and the same Toll as may be demanded and taken from him under and by virtue of the said last-mentioned Act and this Act, for the same respectively, upon his first passing, and so *toties quoties*, for every Third Time that any Person shall so pass in one and the same Day with the same Horse or Horses or other Beast or Beasts drawing the same Carriage, the said Tolls shall be demanded of and paid by such Person for such Horse or Horses or other Beast or Beasts so drawing respectively, in such and the like Manner as if it had been the first Time that he had passed with such Horses or other Beasts so drawing such Carriage respectively through such Toll Gate; provided that nothing herein contained shall extend, or be construed to extend, to take away or reduce the Exemption given by the said last-mentioned Act, in respect to Horses travelling for Hire under the Post Horse Duties Act, and returning within certain Hours with the same Carriage empty, or without a Carriage.

Limiting the Number of Tolls.

XVII. Provided always, and be it enacted, That no Horse or Beast of Draught drawing any Coach, Waggon, Cart, or other Carriage, nor any other Horse or Beast passing on the same Day through all or any of the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, shall be charged or chargeable with or liable to pay the Tolls hereby granted at any greater Number of Gates upon any one Road than are herein-after mentioned, (that is to say), upon the whole Length of the said *Horsebridge* Turnpike Road, from the said *Union Point* to *Broadbourne* aforesaid, at Five Gates only and no more; and upon the whole Length of the said *Horeham* or Branch Road, from the said Side Gate at *Horsebridge* to the Junction with and Termination of the said Road in the said Turnpike Road from *Cross in Hand* to *Burwash*, at Three Gates only (including the said Side Gate at *Horsebridge*) and no more: Provided also, that no Person having paid Toll at any Gate erected or to be erected on either of the said Roads, shall be liable to the Payment of any Toll on the same Day (to be computed as aforesaid) for the same Horse or other Beast, Cattle or Carriage, at any other Gate erected on either of the said Roads, situate within One Mile of the Gate at which such Toll shall have

Tolls not to be paid at Two Gates within One Mile of each other.

been paid : Provided also, that no more than Three Gates shall be erected within the Space of Six Miles on the said Roads.

XVIII. Provided always, and be it further enacted, That all Horses or other Beasts drawing any Stage Coach or any Stage Waggon, Van, Caravan, or other Stage Carriage, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, shall be again chargeable with Toll for repassing through such Toll Gate, in like Manner as if no Toll had been before paid thereat; and that the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day with a Ticket denoting a fresh Hiring.

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

XIX. Provided always, and be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for any Horse, Beast, or other Cattle drawing any Carriage employed in carrying or conveying, or having been employed only in carrying or conveying, on the same Day, any Grass, Clover, and Saintfoin, which has grown or arisen on Land or Ground in the Occupation of the Owner of any such Grass, Clover, and Saintfoin; or for any Horse, Beast, or other Cattle drawing any Waggon or Cart belonging to the Inhabitant or Inhabitants of any Parish through which either of the said Turnpike Roads shall run, on passing through any Gate or Turnpike continued or to be erected by virtue of this Act, solely for the Purpose of being repaired, or solely for the Purpose of carrying any Corn or Grain threshed from the Barn or Barns of such Inhabitant or Inhabitants, to his or their own Granary or Granaries, such Horse, Beast, or other Cattle not going or returning on those Occasions out of the Parish in which such Inhabitant or Inhabitants shall reside, or not more than Two Miles on the said Turnpike Roads, or either of them.

Exemptions
from Toll.

XX. And be it further enacted, That from and after the passing of this Act, the Sum of Two Pounds *per Centum per Annum* on the aggregate Amount of all the Principal Monies now due and secured on the Tolls of the said Roads, or either of them, and on the Amount of every further Sum of Money which shall be afterwards borrowed or taken up at Interest on the Credit or Security of the Tolls hereby granted and imposed, shall be charged on and during the Continuance of this Act be appropriated and paid out of the Tolls hereby granted and imposed, in order to form a Sinking Fund, for the gradual Payment of all and every the said Monies, in manner herein-after directed; and that after the Payment of any such Principal Monies, the full Interest which would have been otherwise payable for or in respect of the same to the Creditor or respective Creditors, shall from thenceforth, and during the Continuance of this Act, be charged on and appropriated and paid out of the said Tolls, in aid of the said Sinking Fund, and that as often as the said Sinking Fund shall amount to the Sum of One hundred Pounds, then and in such Case that Sum, or any further Part of the Balance in the Hands of the Treasurer, if the Trustees shall think proper, shall be applied in Payment of an equal Amount of the Principal Monies borrowed by the Trustees under the former Acts, and upon the Credit or Security of the Tolls arising from the said Roads, and then remaining due and owing to or amongst the said Creditors, without Regard

Sinking
Fund.

to

to the specific Fund upon which their Securities were charged, and either rateably or by Lot, as the said Trustees shall think proper; and when and as soon as all the Principal Monies so borrowed under the Authority of the said former Acts shall have been paid and discharged, then in Payment of an equal Amount of the Principal Monies which shall, after the passing of this Act, be borrowed or taken up at Interest, on the Credit or Security of the Tolls hereby granted and imposed, rateably or by Lot, among the said Creditors, as the said Trustees shall think proper.

Application
of Monies.

XXI. And be it further enacted, That as well all the Monies which before the Commencement of this Act shall have been raised or produced by virtue of the said Acts hereby repealed, and which shall remain undisposed of, as also all other Monies which shall arise or be produced by virtue of this Act, shall be united into and form one general Fund for the Maintenance of both the said Roads by this Act directed to be maintained and kept in Repair, without any specific or distinct Appropriation or Division thereof, for the Service of either of the said Roads in particular, and shall be applied to and for the several Purposes, and in the Order and Manner following; (that is to say), in the First Place, in Payment of all the Expences which have been incurred in applying for and obtaining and passing this Act; and in the Second Place, in paying all Arrears of Interest on any Sums of Money which have been already borrowed and shall be due and owing on the Credit of the said Acts hereby repealed, on the said First Day of *May* One thousand eight hundred and twenty-three; and also the Interest which shall from Time to Time become due in respect of every Sum of Money so borrowed as aforesaid, or which shall hereafter be borrowed or taken up at Interest on Security of the Tolls by the said Act of the Third Year of the Reign of His present Majesty, and this Act, granted and imposed, equally and without Preference, on account of the Priority of such Securities, in point of Time or otherwise, and which Interest shall be paid annually, either to the Creditor or Creditors, or in aid of the Sinking Fund herein-before mentioned, as the Case may happen; in the Third Place, in defraying the Expences of making, erecting, and keeping in Repair the Toll Gates, Toll Bars, Weighing Engines, Toll Houses, and other Buildings erected and built, or hereafter to be erected or built, under the Authority of the said Act, and of altering, widening, repairing, and preserving the said Roads by this Act directed to be made or kept in Repair as aforesaid, and of erecting and making necessary and convenient Bridges, Arches, and other Works upon and near the same; and in the Fourth Place, in paying the said Amount of Two Pounds *per Centum per Annum*, for providing such Sinking Fund as is herein-before directed; and the Resicue thereof to be employed in aid of the said Sinking Fund, for the more speedy and effectual Reduction and discharging of the several Principal Sums of Money now due and owing or hereafter to be advanced upon the Security of such Tolls and Duties, in the Course and Manner herein-before directed, of and concerning the same, or otherwise to be carried as a Balance to the Account of the succeeding Year, as the said Trustees shall from Time to Time order and direct.

Tolls to be
paid to the
Treasurer.

XXII. And in order to secure the due Application of the Tolls hereby granted to the several Purposes and in the Order and Manner aforesaid, be it further enacted, That all and every the said Tolls shall always be paid by the several Collectors or Lessees thereof into the Hands of the
Treasurer

Treasurer for the Time being, to be appointed by the said Trustees, who shall pay and apply the same to the several Purposes and in the Order and Manner aforesaid, and shall especially keep a separate Account of the said Sinking Fund, and of the Application thereof; nor shall such Treasurer pay, disburse, or expend any Sum or Sums of Money (other than in Payment of the Interest annually, as it shall become due), without an Order or Authority in Writing, under the Hands of Two or more Trustees, but that all and every Sum or Sums of Money so paid, disbursed, or expended, without such Order or Authority, shall be disallowed in his Account.

XXIII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Act of the Third Year of the Reign of His present Majesty or this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Trustees, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall receive in pursuance of the said last recited Act and this Act, all such Costs, Charges, and Expences as he shall be put unto by virtue of any such Order as aforesaid.

In case of Non-payment of Compensation for Injury done by Trustees, &c. the same to be levied by Distress.

XXIV. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, and the inhabitants of all such Parishes, Townships, or Places liable to do Statute Work upon or to contribute towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereunto, in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the County, City, or Place in

Statute Work.

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which

which such Roads shall be situate, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Clerks, Surveyor or Surveyors, by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes, Townships, or Places liable thereto, or in which the said Roads lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees, or to their Treasurer or Treasurers; and in order thereto it shall be lawful for such Justices, from Time to Time, to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons, (within Ten Days after the serving of such Summons, either personally, or by leaving the same at his or their Dwelling House or Dwelling Houses) of the Names of the several Persons who, within such Parish, Township, or Place, are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is or may be directed by any Law or Statute in Force and Effect for the Repair of the Public Highways; and out of such Lists such Justices shall or may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done on such Days, and at such Times (not being Hay-time or Harvest), and on such Parts of the said Roads, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices may also order and direct the Surveyor or Surveyors of such respective Parishes, Townships, or Places, to pay over to the said Trustees, or their Treasurer or Treasurers, such Proportion of the Composition for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them for that Purpose, signed by the Surveyor or Surveyors to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable by any Law or Statute in Force and Effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or who shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had refused or neglected to come, or such Team or Draught had not been

sent to work on any Part of the said Roads, all which Forfeitures shall be paid to the Treasurer or Treasurers to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds, and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the County, City, or Place where the Offence shall be committed, on Complaint made to such Justices by the Surveyor to the said Trustees.

XXV. Provided always, and be it further enacted, That the said Trustees shall not be personally subject to or liable to be charged with the Payment of any Sum or Sums of Money by reason of their having signed or executed any Mortgage or Assignment by way of Mortgage or other Security to be made by virtue or in pursuance of the said recited Acts or this Act: Provided always, that in case any Action, Suit, or Prosecution shall be brought or commenced against the said Trustees for any thing done by virtue or in pursuance of the said recited Acts or this Act, all the Costs, Charges, and Expences of defending such Action, Suit, or Prosecution shall be defrayed out of the Tolls arising on the Turnpike Roads hereby directed to be amended and repaired.

Trustees not to be personally liable for Mortgages.

XXVI. 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.

Public Act.

XXVII. And be it further enacted, That this Act shall commence upon and have Continuance from the said First Day of *May* One thousand eight hundred and twenty-three, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commencement and Duration of the Act.

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