



ANNO QUARTO

# GEORGIIV. REGIS.

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## *Cap. xxvii.*

An Act for amending the Road from *Offington Corner* in the Parishes of *Broadwater* and *West Tarring*, or one of them, in the County of *Sussex*, by *Findon*, *Washington Hill Rock*, and *Ashington Common*, to *Dial Post*, and from thence by *Nep Castle*, to the *Steyning Turnpike Road* at *West Grinsted Park* in the said County; and for making a new Branch of Road to communicate therewith. [12th *May* 1823.]

**W**HEREAS an Act was passed in the Forty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending, widening, improving and keeping in repair the Road leading from Worthing in the Parish of Broadwater in the County of Sussex, by Findon, Washington Hill Rock, and Ashington Common, to Dial Post, and from thence by Nep Castle and Baybridge Lane, to the Steyning Turnpike at West Grinsted Park in the said County*: And whereas the Trustees appointed in or by virtue of the said Act of the Forty-second Year of His said late Majesty have proceeded to put the same into execution, and a considerable Sum of Money hath been borrowed on the Credit of the Tolls by the said Act granted, which still remains due and owing, and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term granted by the said recited Act be further continued; and it would be

42 G. 3. c. 62.

[*Local.*]

7 A

more

more convenient if the said Act, passed in the Forty-second Year of the Reign of His late Majesty King *George* the Third, were repealed, and other Powers and Provisions granted instead thereof; and it is expedient that the Tolls granted by the said recited Act should be increased: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas it would be convenient, and tend to the public Benefit, that a Branch or new Road should be made and maintained from a certain Place at or near the Village of *Findon*, and from thence by the *Dog Kennels, Talmare Pond, Clapham, and Patching*, to the Road leading from *Shoreham Bridge to Arundel*, and from the said Road leading from *Shoreham Bridge to Arundel*, through the Village of *Angmering* and Parish of *Rustington*, to the Village of *Littlehampton*, in the said County; but the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, passed in the Forty-second Year of the Reign of His said late Majesty King *George* the Third, shall be and the same is hereby declared to be repealed, and null and void, to all Intents and Purposes whatsoever, and that this Act shall commence and take effect in lieu and in stead thereof, and shall be put in Execution for and during the Term herein-after mentioned, as well for the Purpose of amending, widening, turning, altering, improving, and keeping in repair the Road leading from a Place called *Offington Corner*, near the Town of *Worthing*, in the Parishes of *Broadwater* and *West Tarring*, or one of them, in the County of *Sussex*, by *Findon, Washington Hill Rock, and Ashington Common*, to *Dial Post*, and from thence by *Nep Castle* and *Baybridge Lane*, to the *Steyning* Turnpike at *West Grinsted Park* in the said County, as also for the Purpose of making, widening, maintaining, amending, turning, altering, improving, and keeping in repair the Branch or new Road herein-before particularly described; and this Act, and the Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit or on account of the said first recited Act, and also of such other Sum or Sums of Money as may be borrowed by virtue of or become due on the Credit of the said first recited Act and of this Act, or either of them, and of all Interest due and to grow due for the same respectively.

A certain Part of the Road discontinued as a Turnpike Road.

II. And be it further enacted, That so much of the said Road now included in the said first recited Act, as leads from the Town of *Worthing* to a Place called *Offington Corner* in the said Parishes of *Broadwater* and *West Tarring*, or one of them, shall, from and immediately after the passing of this Act, be discontinued as a Turnpike Road; and the said Trustees shall be and they are hereby declared to be discharged from the future Care and Management thereof.

Extending the Powers of the General Turnpike

III. And be it further enacted, That all the Powers, Provisions, Remedies, Penalties, and Exemptions, Matters and Things, contained in the said recited Act, passed in the Third Year of the Reign of His said present Majesty,

Majesty, shall extend and be deemed, construed, and taken to extend to this Act, in as full, large, and ample a Manner, to all Intents, Constructions, and Purposes whatsoever, as if the same respectively were repeated and re-enacted in the Body of this Act, save and except where the same are, or any Part thereof is, expressly varied, altered, or repealed by this Act.

Act 3 G. 4.  
c. 126. to this  
Act.

IV. And whereas a certain Part of the said Road, to the Extent of Half a Mile, or thereabouts, and situate near *Offington* in the said County of *Sussex*, is in part situate in the Parish of *Broadwater*, and another Part thereof is situate in the Parish of *West Tarring* in the said County: And whereas, since the passing of the said first recited Act it hath been discovered that the Boundaries of the said respective Parishes of *Broadwater* and *West Tarring* in part run and terminate, for the Distance aforesaid, in the Centre of that Part of the said Road; and Doubts have arisen whether the aforesaid Part of the said Road, which lies in the said Parish of *West Tarring*, is a Part of the said Road, the said Parish of *West Tarring* not being mentioned in the said Act; and it is expedient that such Doubts should be removed; be it therefore enacted, That from and immediately after the passing of this Act, so much and such Part of the said Road, as lies in the said Parish of *West Tarring*, shall, to all Intents and Purposes whatsoever, be deemed, considered, and taken to be Part of the Roads included in this Act, and shall be amended, widened, altered, varied, improved, and kept in Repair by virtue of this Act.

For removing a Doubt as to that Part of the Road which lies in the Parish of *West Tarring*.

V. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities, made or entered into by any Person or Persons, to or with any of the Trustees for executing the said first recited Act, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities, duly made or entered into by the Trustees for executing the said Act hereby repealed to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said last recited Act, and be observed and kept by them, according to the Terms and Stipulations and Tenor thereof respectively.

Bonds and Securities entered into under the former Act to remain in Force until satisfied and paid.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Sussex*, together with Sir *Charles Merrick Burrell* Baronet, Sir *Timothy Shelly* Baronet, *Austin* Clerk, *William Bradford* Clerk, *Walter Burrell*, *Edward Barker*, *William Borrer*, *Thomas Bushby*, *John Stileman Eostock*, *John Gratwick Challen* Clerk, *Charles Coppard*, *William Davison* Clerk, *Joseph Dixon* Clerk, *John Dennett*, *Owen Evans*, *Hugh Fuller*, *Charles Goring*, *Charles Forster Goring*, *Harry Goring*, *William Gratwick Kinleside* Clerk, *Thomas Groome*, *William Golds*, *John Cheal Green* Clerk, *Thomas Hatch* Clerk, *William Holmes*, *Richard Holmes*, *George Henty*, *Thomas Henty*, *William Heath*, *John Hinde* Doctor in Divinity, *Thomas Holmes*, *Robert Hurst*, *Hugh Ingram*, *Isaac Jeffery*, *William Kinleside* Clerk, *Moses Kenney*, *James Martin Lloyd*, *Henry Lane*, *George Lyall*, *Geering Lane*,  
*Richard*

Trustees.

*Richard Lidbetter, Leonard Lidbetter, Charles Marshall, Thomas Charles Medwin, Peter Walland Moore Clerk, William Margesson, Richard Milles Clerk, John Newland, Richard Newland, Harry Newland, George Neville Clerk, James Ogle, James Olliver, Thomas Olliver, John Olliver, Hugh Penfold of Cysbury, Hugh Penfold of Annington, Edward Greenfield Penfold, John Penfold of Bedding, George Porter, Charles Penfold, Caleb Rickman, John Rice, William Westbrook Richardson, John Richardson, William Richardson, John Cole Tompkins, Charles Stanhope, Joseph Skinner, Luke Upperton, Edward Fuller Upperton, Thomas Upperton, Luke Upperton of Rackham, William Vaux Clerk, Richard Watt Walker, Robert Watkins, Peter Wood Clerk, William Peckham Woodward Clerk, and Henry Warren Clerk, shall be and they are hereby appointed the Trustees for putting the said last recited Act and this Act in Execution.*

Power to  
appoint  
additional  
Trustees.

VII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, at their first Meeting to be holden in pursuance of this Act, to elect any Number of Persons not exceeding Five in the whole, to be Trustees for the Purposes of this Act and the said last recited Act, in addition to the Trustees hereby and by the said last recited Act appointed; and such Trustees so elected, and being qualified according to the Directions of the said last recited Act and this Act, shall be and are hereby invested with the same Powers and Authorities for executing this and the said last recited Act, as if they had been hereby nominated and appointed.

Trustees to  
take an Oath  
truly to exe-  
cute the Acts.

VIII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting this Act and the said last recited Act into Execution, unless he shall be qualified in such Manner as in and by the said last recited Act 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 recited Act, and the Oath herein-after mentioned), take and subscribe before any One or more of the said Trustees an Oath, or being a Quaker, an Affirmation, in the Words or to the Effect following; (that is to say),

Oath.

‘ I *A. B.* do swear [*or, being a Quaker, do affirm*], That I will truly,  
‘ honestly, and impartially, according to the best of my Judgment,  
‘ execute and perform the several Powers, Authorities, and Trusts re-  
‘ posed in me as a Trustee, by virtue of an Act passed in the Fourth Year  
‘ of the Reign of His Majesty King *George* the Fourth, intituled *An Act,*  
‘ &c. [*here insert the Title of this Act*], and also an Act passed in the  
‘ Third Year of the Reign of His said Majesty, intituled *An Act to amend*  
‘ *the general Laws now in being for regulating Turnpike Roads in that*  
‘ *Part of Great Britain called England.* So help me GOD.’

Which Oath or Affirmation any One or more of the said Trustees is and are hereby authorized and empowered to administer; and if any Person shall presume to act (except as aforesaid) before he shall have taken and subscribed the said Oath or Affirmation, 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, or by Bill, Complaint, Suit or Information, wherein no Essoign, Protection, or Wager of

of Law, or more than one Imparlance shall be allowed: Provided nevertheless, that no Act or Proceeding touching the Execution of the said last recited Act 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 Acts and 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.

IX. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the *Red Lion Inn, on Ashington Common*, or at some other convenient House or Place on or near the said Road, on the Second *Tuesday* next after the passing of this Act, or as soon after as may be convenient, for the Purpose of carrying the same and the said last recited Act into Execution; and that the said Trustees, or any Five or more of them, shall and may adjourn themselves from Time to Time, and meet at the above Inn, or at any other House or Place, as they or any Five or more of them may think proper; and that if at any Meeting appointed to be held by virtue of this Act, there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned, and that Two Trustees shall be sufficient for the Purpose of Adjournment only; and that in case the said Trustees or any of them shall not attend, or shall omit to adjourn, then the Clerk to the said Trustees shall adjourn the said Meeting, and appoint the said Trustees to meet at the Place where such last Meeting was appointed to be held, within Six Weeks next after the Day on which such last Meeting was appointed to be held, and shall cause Notice thereof to be affixed on the several Turnpike Gates on the said Road, at least Fourteen Days before such Meeting, at which Meeting the said Trustees shall and may, by Writing under their Hands, elect and appoint a Treasurer or Treasurers, and a Clerk or Clerks, and also a Collector or Collectors of the Tolls, and of all the Monies to be collected, or which shall or may be due and payable under or by virtue of the said last recited Act and this Act, and shall likewise appoint some fit and proper Person or Persons to be a Surveyor or Surveyors of the said Roads, and all such other Officers as they the said Trustees shall think proper; and that they the said Trustees shall and may from Time to Time remove all such Treasurers, Clerks, Collectors, Receivers, Surveyors and other Officers, or any of them, when and as often as they shall see occasion, and appoint others in their Stead, as to the said Trustees shall seem proper; and the said Trustees shall and may, out of the Tolls and other Monies to be collected and received under or by virtue of the said last recited Act and this Act, make such Allowance, by way of Salaries or otherwise, unto the Treasurers, Clerks, Collectors, Receivers, Surveyors and other Officers, so to be appointed for and in Consideration of the Care and Pains by them respectively taken in the Execution of their respective Offices, and to such other Person or Persons as shall be assisting in and about the Execution of the said last recited Act and this Act, as to the said Trustees shall seem proper.

Meetings of  
the Trustees.

X. Provided always, and be it further enacted, That it shall not be law-  
ful for the said Trustees to continue or appoint the Person or Persons who  
has been or may be appointed their Clerk or Clerks in the Execution of  
this Act, or the Partner of any such Clerk or Clerks, or the Clerk or

Treasurer  
and Clerk  
not to be the  
same Per-  
son.

[Local.]

7 B

Clerks

Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance shall be allowed.

Old Officers  
may continue  
until others  
are ap-  
pointed.

XI. 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 and by virtue of the said first recited Act hereby repealed, shall hold and enjoy their several and repective 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 and Authorities for carrying the said recited Act of the Third Year of the Reign of His said present Majesty, and this 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 or by virtue of this Act.

Books used  
under former  
Acts to be  
Evidence.

XII. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said first recited Act, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said first recited Act had not been repealed.

Officers  
under the  
former Act  
to account  
to the Trus-  
tees for  
executing  
this Act.

XIII. Provided also, and be it further enacted, That all Persons who have been employed, or who shall have received any Tolls, or other Money, by virtue or in pursuance of the said first recited Act, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as are by the said last recited Act inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things by virtue of the said Act and this Act.

Trustees  
may erect  
Gates.

XIV. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, as they shall think proper, continue or

remove all or any of the Toll Gates erected by virtue of the said first recited Act, or which shall or may be erected by virtue thereof, and of this Act, or either of them, and may erect and set up, or cause to be erected and set up, any other Toll Gate or Gates, Bar or Bars, Chain or Chains, in, upon, or across any Part or Parts of the said Roads, and upon the Sides thereof respectively, and also across any Lane or Way leading into or out of the same, and may also continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences at or near each Toll Gate; and may from Time to Time afterwards remove, alter, or discontinue such Toll Gates or Toll Houses, or any of them, as they the said Trustees, or any Five or more of them, shall think expedient; and also may take in and inclose from the said Roads convenient Garden Spots, for the said Toll Houses respectively, not exceeding One-eighth Part of an Acre to each Toll House; any thing in this or the said first recited Act to the contrary notwithstanding.

XV. 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, erected by virtue of the said Act hereby repealed, on the said Road, to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Out-houses, Gardens, and Appurtenances thereunto belonging, when they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as they the said Trustees can obtain for the same, and in case of Sale to convey the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same, as an Estate or Estates of Inheritance in Fee Simple; and the Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said Trustees, or to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust, and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Land, as is by the said last recited Act directed to be given, where any Piece or Pieces of Ground, or old Road not wanted for the Purposes of any Turnpike Road is authorized to be sold and disposed of.

Power to sell the present or any useless Toll Houses.

XVI. And be it further enacted, That the several Tolls following shall be demanded and taken at each of the Gates, Bars, or Chains, by such Person or Persons as the Trustees, or any Five or more of them, shall from Time to Time appoint for that Purpose, before any Horse, Cattle, or Carriage shall be permitted to pass through the same; (that is to say),

Power to take Tolls.

At the Gate to be erected between the Village of *Findon* and *Offington* Corner.

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

For every Horse, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing

Tolls at the Gate between Findon and Offington Corner.

drawing in any Waggon, Cart, or other Carriage of the like Nature, with Wheels of the Breadth of Six Inches, the Sum of Four-pence :

For every Horse, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing in any Waggon, Cart or other Carriage of the like Nature, with Wheels of less Breadth than Six Inches, the Sum of Sixpence :

For every Horse, Mule, Ass, Ox, Bullock or other Beast, drawing in any other Carriage, the Sum of Three-pence :

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

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

At each of the other Two Gates erected or to be erected on the said old Road :

Tolls at each of the Gates on the old Road.

For every Horse, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing in any Waggon, Cart, or Carriage of the like Nature, with Wheels of the Breadth of Six Inches, the Sum of Four-pence :

For every Horse, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing in any Waggon, Cart, or other Carriage of the like Nature, with Wheels of less Breadth than Six Inches, the Sum of Sixpence :

For every Horse, Mule, Ass, Ox, Bullock, or other Beast, drawing in any other Carriage, the Sum of Four-pence Halfpenny :

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

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

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

And at the Gates to be affixed on the said Branch or additional Road, the Tolls following ; (that is to say),

Tolls on the new Road.

For every Horse, Mule, Ass, Ox, Bullock or other Beast of Draught, drawing in any Waggon, Cart, or Carriage of the like Nature, with Wheels of the Breadth of Six Inches, the Sum of Four-pence :

For every Horse, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing in any Waggon, Cart, or other Carriage of the like Nature, with Wheels of less Breadth than Six Inches, the Sum of Sixpence :

For every Horse, Mule, Ass, Ox, Bullock or other Beast, drawing in any other Carriage, the Sum of Four-pence Halfpenny :

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

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

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

Which said respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be and are hereby vested in the said Trustees, and shall be applied as herein-after is directed.



XVII. Provided always, and be it further enacted, That any Person who shall have paid the Tolls hereby granted for or in respect of any Horses, Cattle, Beast or Carriages, at any Toll Gate, Bar, or Chain to be erected on the said new or Branch Road, shall on the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next following Night) be permitted to pass and repass Once with the same Horses, Cattle, Beast, or Carriages through the same, or any other Toll Gate, Bar, or Chain to be erected on the said Branch or new Road, such Person or Persons producing a Ticket denoting that the Toll hath been paid on that Day (which Ticket the Collectors of the Tolls are hereby required to deliver *gratis*); but if any Person or Persons shall pass through any Toll Gate, Bar, or Chain a Third Time with the same Horses, Cattle, Beast or Carriages, then and in such Case such Person or Persons shall be again liable to pay the said Toll, and so *toties quoties* for every Third Time the said Person or Persons shall pass the same Day through the same Toll Gate, Bar, or Chain on the said Branch or new Road, with the same Horses, Cattle, Beast, or Carriages as aforesaid.

Limiting the Number of Tolls to be taken on the new Branch of Road.

XVIII. And whereas *Richard Watt Walker* Esquire, the Owner of *Mitchelgrove* Estate, in the said County of *Sussex*, through which Estate the said Branch or new Road will pass, hath at his own Expence made a considerable Part of the said Branch or new Road for the Distance of One Mile and upwards; and whereas it would be expedient that no Toll Gate or Bar should be erected on those Parts of the said Branch or new Road herein-after mentioned; be it therefore enacted, That nothing herein contained shall authorize or empower the said Trustees to erect any Toll Gate or Gates, Bar or Bars, on the said Branch or new Road, or any Lane or Way leading out of the same, within One Mile of the *Gun Inn*, *Findon*, or between the Road leading from *Shoreham Bridge* to *Arundel*, and the South End of a certain Lane called *Long Furlong Lane*, in the Parish of *Clapham*.

Trustees not to erect any Toll Gate between *Shoreham Bridge* and *Long Furlong Lane*.

XIX. And be it further enacted, That any Person who shall have paid the Tolls hereby granted for or in respect of any Horses, Cattle, Beast or Carriages, at any Toll Gate, Bar or Chain to be continued or erected, by virtue of this or the said last recited Act, shall on the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next following Night) be permitted to pass and repass once with the same Horses, Cattle, Beasts or Carriages, through the same Toll Gate, Bar or Chain, such Person or Persons producing a Ticket denoting that the Toll hath been paid on that Day (which Ticket the Collectors of the Tolls are hereby required to deliver *gratis*); but if any Person or Persons shall pass through any Toll Gate, Bar or Chain a Third Time with the same Horses, Cattle, Beasts or Carriages, then and in such Case such Person or Persons shall be again liable to pay the said Toll, and so *toties quoties* for every Third Time the said Person or Persons shall pass the same Day through the same Toll Gate, Bar or Chain, on the said Road, with the same Horses, Cattle, Beasts, or Carriages as aforesaid.

Tolls payable but once a Day.

XX. And be it further enacted, That no Person shall be liable to any Toll for any Horse, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing any Waggon, Cart, or other Carriage of the like Nature, laden  
[Local.]

Exempting Lime for improving Land from Payment of Toll.

with Lime for the Improvement of Land, or in going for or returning empty after having been laden with such Lime; any thing in this or the said last recited Act to the contrary notwithstanding.

Stage  
Coaches, Ca-  
ravans, and  
Post Chaises  
to pay every  
Time of  
passing.

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

Power to  
stop up cer-  
tain Roads,  
&c.

XXII. And as well for the Convenience of Land Owners, through whose Estates the said Branch or new Road shall be made, as in order to prevent the evading of the said Tolls on the said old Road and Branch, or new Road; be it further enacted, That after the said Branch or new Road shall be open for Travellers, the several Roads and Ways following shall be stopped up and discontinued, and are hereby declared to be stopped up and discontinued; (that is to say), the Road leading from the said old Turnpike Road, on the Southern Side of the Village, and in the Parish of *Findon*, through *Findon Place* Lands, by *Findon Place* House and the Church, to the Road at or near *Talmare Pond*, in the same Parish, except as to a Right for Persons on foot to use it as heretofore, and for Horses and Carriages, to go to and return from *Findon* Church; and also for the Vicar and Lessee of the Tithes of *Findon*, under *Magdalen College* for the Time being, who shall be at Liberty to use the said Road as a Bridle Road at all Times; and also a certain Bridle Road, leading Westward towards the *Dog Kennels* from the said old Turnpike Road, near *Kingswood House*, except as to the Owners and Occupiers for the Time being of *Kingswood House*, and his and their Families and Servants, who are always to have a Right to use the said Bridle Road as heretofore; and also a certain other Carriage Road, leading from the said old Turnpike Road, in the Parish of *West Grinsted*, at or near a certain Place called *Dial Post*, to *Rooks Cross*, in the said Parish of *West Grinsted*; and also a certain other Road leading Eastward from the North or upper End of *Long Furlong Lane*, in the said Parish of *Clapham*, over the *Downs*, to *Findon*, at or near *Talmare Pond*, except as a Bridleway and Footway as heretofore, and except as to the Occupiers for the Time being of that Part of *Mitchelgrove* House and Estate, situate on the North Side of the Road leading from *Shoreham Bridge* to *Arundel*, and West or North of the said Branch or new Road, and his and their Servants as heretofore; and it shall not be lawful for any Person or Persons, except as hereinbefore and herein-after mentioned, at any Time or Times after the said Roads or Ways, or any of them, shall have been so stopped up and discontinued as aforesaid, with any Horse or Horses, Cattle, Carriage or Carriages whatsoever, to use or claim the Use of any or either of the said Roads or Ways so stopped up and discontinued as a public Highway or Bridleway; and if any Person or Persons (except as hereinbefore and herein-after mentioned) shall pass with any Horse, Cattle, or Carriage,

Carriage, along any Road or Way which shall have been so stopped up and discontinued, every such Person, after Notice from the said Trustees, or any Five or more of them, or their Agent, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; but nothing herein contained shall extend to prevent, interrupt, or hinder the Owners or Occupiers of any Lands, Grounds, or Hereditaments, adjoining or lying contiguous to any Road or Bridleway which shall be so stopped up and discontinued as aforesaid, or their Servants, Horses, Cattle, or Carriages, from passing or repassing to or from such Lands, Grounds, or Hereditaments, for the Purpose of Husbandry or Occupation of the same Lands, Grounds, or Hereditaments only: Provided always, that none of the said Roads or Ways shall be stopped up, unless the Concurrence and Approbation in Writing of any Two or more of His Majesty's Justices of the Peace for the County or Place in which the same shall be situate, shall be first had and obtained, and their Determination in the Premises shall be subject to appeal in the Manner and Form directed and prescribed by an Act passed in the Fifty-fifth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to amend an Act of the Thirteenth Year of the Reign of His present Majesty, for the Amendment and Preservation of the public Highways, in so far as the same relates to Notice of Appeal against turning or diverting a public Highway, and to extend the Provisions of the same Act to the stopping up of unnecessary Roads.*

Not to prevent Land Owners from using the same for the Purposes of Husbandry, &c.

55 G. 3. c. 68.

XXIII. And whereas a Map or Plan describing the Line of the Branch or new Road herein-before mentioned and described, and the Lands and Premises through which the same are intended to be made or carried, together with a List of the Names of the Owners and Occupiers of such Lands and Premises, hath been deposited at the Office of the Clerk of the Peace for the said County of *Sussex*; be it therefore enacted, That the said Map or Plan and List shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at any reasonable Time have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace for the Time being a reasonable Compensation for making such Copies or Extracts; and that the said Trustees in making, or causing the said Branch or new Road to be made, shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing first had and obtained of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

Map or Plan, &c. deposited at the Office of the Clerk of the Peace, to remain there for Inspection, &c.

XXIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to set out and make the said Branch or new Road into, through, across or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners, or Occupier or Occupiers of Lands and Premises over or through which the same is or are set out and described in the said Map or Plan as aforesaid, although such Lands and Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mistated in the said Map or Plan or List, in case it shall appear to any Two or more Justices of the Peace for the said County of *Sussex*, and

Trustees to make the new Branch conformable to the Plan, notwithstanding Errors or Omissions.

and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

For diverting  
the Road  
near Ham.

XXV. Provided always, and be it further enacted, That from and after the passing of this Act, a certain Part of the Branch or new Road near *Ham*, in the said Parish of *Angmering*, called *Ham Lane*, on the North Side of the Field called the *East Field*, belonging to *William Gratwicke Kinleside Gratwicke* Esquire, and then turning to the South on the West Side of the said Field called the *East Field*, to the said Road, leading to *Littlehampton*, near *Osborne's Barn*, shall be stopped up and discontinued as soon as a new Line of Road from the Entrance near *Ham Lane*, leading towards *Preston*, Part of *Preston Lane*, and from thence across the said *East Field*, North of the Cottage belonging to the said *William Gratwicke Kinleside Gratwicke*, in a South-west Direction to the Road leading to *Littlehampton*, shall be made and perfected in lieu of the said Road so agreed to be stopped up and discontinued as aforesaid; and the Ground and Soil of the said last-mentioned Road so to be stopped up and discontinued shall be and is hereby declared to be vested in the said *William Gratwicke Kinleside Gratwicke*, in exchange for the Land to be given by him across the said Field called the *East Field*, for the making the said new Road, which said new Road, so to be made by the said *William Gratwicke Kinleside Gratwicke*, shall from the completing thereof be deemed and taken as Part of the said Branch or new Turnpike Road: Provided always, that nothing herein-before contained shall extend or be construed to extend to stop up or discontinue the said Part of the said Branch or new Road, until the said *William Gratwicke Kinleside Gratwicke*, shall have made and completed the said last-mentioned Road fit for the Passage of Cattle, Carts, and Carriages.

Houses, &c.  
not to be  
injured.

XXVI. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend to empower or authorize the said Trustees in making the said Branch or new Road, to take or pull down, injure or damage any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.

For compelling  
Payment  
of Subscrip-  
tions, &c.

XXVII. And be it further enacted, That the several and respective Persons who shall have subscribed Money for and towards the making and repairing the said Branch or new Road herein-before mentioned shall and they are hereby required to pay the Sum or Sums of Money so subscribed, within such Time or Times, and in such Parts and Proportions, as the said Trustees, or any Five or more of them, shall order and direct, and the same shall be paid to such Person or Persons as the said Trustees, or any Five or more of them, shall by any Writing under their Hands authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or any Part thereof as aforesaid, it shall be lawful for the said Trustees, or any Five or more of them, to sue for and recover the same, in the Names of the said Trustees, or any Five or more of them, or in the Name of their Clerk or Treasurer, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, Bill, Plaint,

Plaint, Suit or Information, wherein no Essoign, Protection, or Wager at Law, or more than one Imparlance shall be allowed.

XXVIII. 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 Amount of all Principal Monies due and secured on the Tolls of the said old Road, and on the Amount of every further Sum of Money which shall be borrowed or taken up at Interest on the Credit or Security of the Tolls of the said Roads, shall during the Continuance of this Act be appropriated and paid out of the said Tolls, in order to form a Sinking Fund for the gradual Payment of all and every the said Monies; 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 appropriated and paid out of the said respective 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, that Sum, or any further Part of the Balance thereof, or of any Monies in their Hands, if the Trustees shall think proper, shall be applied in Payment of an equal Amount of the Principal Monies then remaining due or owing on the Credit or Security of the Tolls of the said Roads, rateably or by lot among the said Creditors, as the said Trustees shall think proper.

Sinking  
Fund.

XXIX. 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 first recited Act, and which shall remain undisposed of, as also all other Monies which shall arise or be produced by virtue of this and the said last recited Act, or either of them, 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 Expences which shall 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 shall have been already borrowed, and shall be due and owing on the Credit of the said first recited Act; and also the Interest which shall from Time to Time become due in respect of any Sum of Money already due, or which shall hereafter be borrowed or taken up at Interest on Security of the said Tolls 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 paying the Sum of Two Pounds *per Centum per Annum* for providing such Sinking Fund as is herein-before directed; in the Fourth Place, in defraying the Expences of making, erecting, and keeping in repair the Toll Gates, Toll Bars, Toll Houses and other Buildings, and of widening, repairing and preserving the said Roads by this and the said last recited Act, or either of them, directed to be made or kept in repair as aforesaid; and the Residue 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 now due and owing, or hereafter to be advanced upon the Security of such Tolls and Duties respectively, 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 or direct.

Application  
of Monies.

[*Local.*]

7 D

XXX. And

Trustees may contract for the making or repairing the Roads.

XXX. And be it further enacted, That the said Trustees, or such Person or Persons as they shall for that Purpose authorize, delegate, or appoint, shall and may, and they and he are and is hereby empowered to contract with any Person or Persons for making, altering, diverting, widening, repairing, or otherwise improving the said Roads, or any Part thereof, or for doing any other Work to be performed in the Execution of the said last recited Act and this Act, in such manner and for such Sum or Sums of Money as the said Trustees shall think proper; and that all Contracts or Agreements in Writing entered into pursuant to any Order of the said Trustees, or by their Clerk or Treasurer, Surveyor or other Officer, with any Workmen or other Person or Persons, relating to any Matter or Thing to be done by virtue of the said last recited Act and this Act, or either of them, shall be binding upon all such Parties and Persons as shall sign the same, his, her, or their Executors or Administrators.

Regulations as to Performance of Statute Work.

XXXI. 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, 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 said County of *Sussex*, 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 do 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 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 Twenty-one 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 to 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 said County of *Sussex*, on Complaint made to such Justices by the Surveyor to the said Trustees.

XXXII. 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 or Costs, or for any 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 Twenty-one 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

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods vested in such Trustees or their Treasurer.

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 the said Treasurer shall and may retain, out of any Monies which may come into his Hands, in pursuance of this Act, all such Costs, Charges, and Expences as he shall be put unto by virtue of such Order or Orders as aforesaid.

Public Act.

XXXIII. 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.

Term of Act.

XXXIV. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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