

ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. xviii.

An Act for more effectually repairing and maintaining the Road from New Chappel in the County of Surrey to Ditcheling Bost Hills in the County of Sussex, and from thence to the Town of Brighthelmston in the same County; and also for making and maintaining a Branch of Road from the Town of Ditcheling to Clayton in the County of Sussex. [8th April 1830.]

HEREAS an Act was passed in the Tenth Year of the Reign of His late Majesty King George the Third, intituled An Act for repairing, widening, and keeping in 10G.3.c.76. repair the Road from New Chappel in the County of Surrey, over Copthorne in the County of Sussex, through Lindfield, to the Town of Ditcheling, up to the Top of Ditcheling Bost Hills, in the said County of Sussex: And whereas another Act was passed in the Thirtieth Year of the Reign of His said late Majesty, intituled An Act for 30G.3.c.97. continuing the Term, and enlarging, altering, and amending the Powers, of an Act made in the Tenth Year of His present Majesty, for repairing, widening, and keeping in repair the Road from New Chappel in the County of Surrey, over Copthorne in the County of Sussex, through [Local.]

Lindfield, to the Town of Ditcheling, up to the Top of Ditcheling Bost Hills, in the said County of Sussex: And whereas another Act was passed in the Forty-eighth Year of the Reign of His said late Majesty, 48G. 3. c. 29. intituled An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from New Chappel in the County of Surrey to Ditcheling Bost Hills, and for amending the Road from Ditcheling Bost Hills to Brighthelmston in the County of Sussex: And whereas the Trustees appointed by or in pursuance of the said recited Acts, for amending, widening, turning, altering, improving, and keeping in repair the Road leading from New Chappel in the County of Surrey, over Copthorne in the County of Sussex, through the Towns of Lindfield and Ditcheling, to the Top of Ditcheling Bost Hills, in the County of Sussex, and from thence to the Town of Brighthelmston in the said County, have proceeded in the Execution thereof, and have borrowed several considerable Sums of Money upon the Credit of the Tolls thereby granted and continued, which Money still remains due, and cannot be paid off, nor can the said Roads be effectually amended, improved, and kept in repair, unless the Terms granted by the said Acts be further continued: And whereas it would be very convenient, and of public Utility, if a Branch of new Road was made from the present Line of Road, to commence and lead out of the said Road at or near the South Side of the Town of Ditcheling, through the Lands of the Earl of Abergavenny and others, to the Turnpike Road leading from Brighthelmston to Cuckfield at or near a certain Hill called Clayton Hill, in the Parish of Clayton in the said County of Sussex, and which said Branch of Road will pass from, through, or into the several Parishes of Ditcheling, Keymer, and Clayton, all in the County of Sussex: And whereas it would be more convenient that the said Three several herein-before recited Acts of the Tenth, Thirtieth, and Forty-eighth Years of the Reign of His said late Majesty should be repealed, and other and more effectual Powers granted and Provisions made for repairing, widening, and improving the said Roads; and it is expedient that the present Tolls should be altered and increased: 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, Recited Acts That from and after the Thirtieth Day of April One thousand repealed, and eight hundred and thirty, the said recited Acts passed in the Tenth, Thirtieth, and Forty-eighth Years of the Reign of His late Majesty King George the Third, and all and every the Powers, Provisions, Matters, and Things therein respectively contained, shall be and the same are hereby repealed, and that instead thereof this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, turning, altering, improving, and keeping in repair the Road leading from New Chappel in the County of Surrey, over Copthorne in the County of Sussex, through the Towns of Lindfield and Ditcheling, to the Top of Ditcheling Bost Hills, in the County of Sussex, and from thence to the Town of Brighthelmston in the same County; and also for the Purpose of making,

this Act to take effect.

making, maintaining, amending, widening, turning, altering, improving, and keeping in repair the said Branch of new Road from the South Side of the Town of Ditcheling, through the Lands of the Earl of Abergavenny and others, to the Turnpike Road leading from Brighthelmston to Cuckfield at or near a certain Hill called Clayton Hill, in the Parish of Clayton in the said County of Sussex, and passing from, through, or into the several Parishes of Ditcheling, Keymer, and Clayton, all in the County of Sussex.

II. And be it further enacted, That all His Majesty's Justices of Trustees. the Peace for the Time being acting for the said Counties of Sussex and Surrey or either of them, together with Denny Ashburnam Clerk, John Attree of Sompting, John Hamlin Borrer, Henry Bacchus, George Maximilian Bethune Clerk, Doctor of Laws, John Boddington, Benjamin Birkhead, John Bull, Henry Van Bodicoate, Henry Bodicoate, John Bent, John Borrer, William Borrer the elder, Nathaniel Borrer, John Henry Campion, Campion, Thomas Compton, Gibbs Crawfurd, William Board Edward Gibbs Crawfurd, Robert Crawfurd, Isaac Clutton, Dixie, George Dixon Clerk, John Manship Ewart, John Hodson, Henry Halliwell Clerk, Charles Jollands, Charles Jollands Clerk, Lane, Richard Mercer, Robert Mott, Richard Monkhouse, Henry Podmore, Edward Peyton Clerk, John Pain, Thomas Scrase, Bartholomew Smithers the elder, Bartholomew Smithers the younger, William Stenning, Stenning, William Stanford the elder, William Stanford the younger, Charles Hampden Turner, Thomas Turner of Old Land, William Tanner the elder, William Tanner the younger, Richard Tanner, Anthony Tanner, Richard Stapley Tuppen, John Turner, Sir Charles Wetherell Knight, James Wood of Hickstead, Robert Wood, John Wood of Ditcheling, Peter Walker, Thomas Dominie Whiteman, Richard Weekes, and Louis Weltye, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in England, shall be Trustees for the Purpose of putting this Act into execution.

III. And be it further enacted, That it shall be lawful for the Power to Trustees appointed by this Act, and they are hereby authorized and appoint adempowered, to elect and appoint any Number of fit Persons (not ditional Trusexceeding Five in the whole) to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Persons, so elected and appointed, being duly qualified as aforesaid, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

IV. And be it further enacted, That the said Trustees shall meet First Meetat the Tiger Inn in Lindfield, or at some other convenient Place on ing of Trusor near the said Roads, on the First Monday next after the Thirtieth tees. Day of April One thousand eight hundred and thirty, or as soon after as conveniently may be, between the Hours of Eleven in the Forenoon and Three in the Afternoon, and shall then and there proceed to carry this Act into execution. V. And

Tolls.

V. And be it further enacted, That from and after the Thirtieth Day of April One thousand eight hundred and thirty, the several Tolls following shall be demanded and taken, collected and paid, at each and every Turnpike or Toll Gate, Side Bar or Side Gate, now erected or set up, or which shall be hereafter erected or set up, upon, across, or by the Side of the said Road, or of the said Branch of Road, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through any such Turnpike or Toll Gate, Side Bar or Side Gate; (that is to say,)

For every Horse, Mule, or other Beast, drawing any Carriage of whatsoever Description, the Sum of Sixpence:

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

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Tenpence per Score, and so in proportion for any less Number:

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

Double Toll between the 20th October and the 1st April.

VI. And be it further enacted, That from and after the Thirtieth Day of April One thousand eight hundred and thirty, Double the Tolls or Duties hereby granted in respect of every Horse or other Beast drawing any Carriage shall be demanded, taken, and paid in respect of every Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage whatsoever laden with Chalk, Timber, Timber in Boards, Plank, or Scantling, Gun or other Iron, Mine Ore, Bricks, Tiles, Sandstone or Ditcheling sandy Mould, (except such Mould as is about to be employed for manuring or improving Land,) between the Twentieth Day of October in each Year and the First Day of April in every succeeding Year.

Chalk and Lime to pay Toll.

VII. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for or in respect of any Horse or other Beast drawing any Carriage laden with any Chalk, Chalk-marl, Ditcheling sandy Mould, or Lime for manuring or improving Lands, any thing in this Act, or in any other Act or Acts of Parliament relating to Turnpike Roads in England, to the contrary notwithstanding.

Only One Toll to be taken on the same Day for Chappel and Lindfield;

VIII. And be it further enacted, That no more than One Toll shall be demanded or taken on the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the once passing succeeding Night, for or in respect of the passing and repassing of and repassing the same Horse, Beast, or Cattle through all or any of the Turnbetween New pikes or Toll Gates, Side Bars or Side Gates, erected or to be erected upon, across, or on the Sides of the said Roads between New Chappel and the Town of Lindfield aforesaid; but on a Note or Ticket, Notes or Tickets, being produced, denoting such Payment;

ment, the same Horse, Beast, or Cattle shall be permitted to pass and repass Once on the same Day Toll-free through all and every the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates.

IX. And be it further enacted, That no more than One Half of Half Toll for the respective Tolls hereby granted shall be demanded, taken, collected, or paid at any Turnpike or Toll Gate, Side Bar or Side Gate, and repassing through the erected or to be erected upon, across, or on the Sides of the said Town of Roads in the Town of Lindfield aforesaid; and that no more than Lindfield; One such Half Toll shall be demanded or taken on the same Day (to be computed as aforesaid) for or in respect of the passing and repassing of the same Horse, Beast, or Cattle through all or any of the Turnpikes or Toll Gates, Side Bars or Side Gates, so erected or to be erected as last aforesaid; but on a Note or Ticket, Notes or Tickets, being produced, denoting such Payment, the same Horse, Beast, or Cattle shall be permitted to pass and repass Once on the same Day Toll-free through all and every the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates.

Once passing and repassing

X. And be it further enacted, That no more than One Toll shall One Toll bebe demanded or taken on the same Day (to be computed as afore- tween Lindsaid) for or in respect of the passing and repassing of the same field and the Horse, Beast, or Cattle through all or any of the Turnpikes or Ditcheling Toll Gates, Side Bars or Side Gates, erected or to be erected upon, Bost Hills; across, or on the Sides of the said Roads between the Town of Lindfield and the Top of Ditcheling Bost Hills aforesaid; but on a Note or Ticket, Notes or Tickets, being produced, denoting such Payment, the same Horse, Beast, or Cattle shall be permitted to pass and repass Once on the same Day Toll-free through all and every the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates.

XI. And be it further enacted, That no more than One Half of Half Toll the respective Tolls hereby granted shall be demanded, taken, col-between lected, or paid at any Turnpike or Toll Gate, Side Bar or Side Gate, Bost Hills erected or to be erected upon, across, or on the Sides of the said and Brighton; Roads between the Top of Ditcheling Bost Hills and the Town of Brighthelmston aforesaid; and that no more than One such Half Toll shall be demanded or taken on the same Day (to be computed as aforesaid) for or in respect of the passing and repassing of the same Horse, Beast, or Cattle through all or any of the Turnpikes or Toll Gates, Side Bars or Side Gates, so erected or to be erected as last aforesaid; but on a Note or Ticket, Notes or Tickets, being produced, denoting such Payment, the same Horse, Beast, or Cattle shall be permitted to pass and repass Once on the same Day Toll-free through all and every the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates.

XII. And be it further enacted, That no more than One Toll shall be demanded or taken on the same Day (to be computed as aforesaid) $\lceil Local. \rceil$

the Branch Road.

said) for or in respect of the passing and repassing of the same Horse, Beast, or Cattle through all or any of the Turnpikes or Toll Gates, Side Bars or Side Gates, erected or to be erected upon, across, or on the Sides of the said Branch of Road; but on a Note or Ticket, Notes or Tickets, being produced, denoting such Payment, the same Horse, Beast, or Cattle shall be permitted to pass and repass Once on the same Day Toll-free through all and every the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates.

Limiting
Tolls to be
taken in respect of
Horses not
drawing.

XIII. Provided also, and be it further enacted, That it shall not be lawful to or for the said Trustees to take or demand, from any Person or Persons, in any One Day, to be computed as aforesaid, for or in respect of the same Horse or other Beast, such Horse or other Beast not drawing any Carriage, more than One full Toll between New Chappel and the Town of Lindfield, nor more than One Half Toll in the Town of Lindfield, nor more than One full Toll between the Town of Lindfield and the Top of Ditcheling Bost Hills, nor more than One Half Toll between the Top of Ditcheling Bost Hills and the Town of Brighthelmston, nor more than One full Toll upon the said Branch of Road.

One Toll
only to be
paid on Stage
Coaches, &c.
between New
Chappel and
Lindfield,
notwithstanding a
Change of
Horses;

XIV. Provided also, and be it further enacted, That no more than One full Toll shall be demanded, taken, collected, or paid at all or any of the Turnpikes or Toll Gates, Side Bars or Side Gates, erected or to be erected between New Chappel and the Town of Lindfield aforesaid, in respect of the Horses or other Beasts drawing any Stage Coach or other Stage Carriage licensed to carry Passengers for Payment, Hire, or Reward; but that all and every the Horses and Beasts drawing any such Stage Coach or Carriage (in respect of the Horses or other Beasts drawing which a Toll shall have been already paid at either of the said Turnpikes or Toll Gates, Side Bars or Side Gates,) shall Once pass on the same Day Toll-free through all and every other the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates, notwithstanding the Horses or other Beasts drawing the same through the said other Turnpikes or Toll Gates, Side Bars or Side Gates, or any of them, shall not be the same Horses or Beasts in respect of which such Toll shall have been already paid.

or between
Lindfield and
Ditcheling
Bost Hills.

XV. Provided also, and be it further enacted, That no more than One full Toll shall be demanded, taken, collected, or paid at all or any of the Turnpikes or Toll Gates, Side Bars or Side Gates, erected or to be erected between the Town of Lindfield and the Top of Ditcheling Bost Hills aforesaid, in respect of the Horses or other Beasts drawing any Stage Coach or other Stage Carriage licensed to carry Passengers for Payment, Hire, or Reward; but that all and every the Horses and Beasts drawing any such Stage Coach or Carriage (in respect of the Horses or other Beasts drawing which a Toll shall have been already paid at either of the said last-mentioned Turnpikes or Toll Gates, Side Bars or Side Gates,) shall Once pass on the same Day Toll-free through all and every other the said last-mentioned Turnpikes

pikes or Toll Gates, Side Bars or Side Gates, notwithstanding the Horses or other Beasts drawing the same through the said other Turnpikes or Toll Gates, Side Bars or Side Gates, or any of them, shall not be the same Horses or Beasts in respect of which such Toll shall have been already paid.

XVI. Provided also, and be it further enacted, That all Horses Stage or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Coaches, &c. Caravan, or other Stage Carriage carrying Passengers or Goods for to pay on Payment, Hire, or Reward, for which Toll shall have been paid, and hiring. which shall return on the same Day through the same Turnpike or Toll Gate, Side Bar or Side 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 or repassing along the said Roads on the same Day, as often as a fresh Hiring thereof shall take place.

XVII. And whereas a Map or Plan, describing the Line of the Map describbranch or new Road herein-before mentioned and described, and ing the the Lands and Premises through which the same are intended to Branch Road deposited be made or carried, together with a List of the Names of the Owners with Clerk and Occupiers of such Lands and Premises, hath been deposited of the Peace. 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 to the Clerk of the Peace for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts, and so in proportion for a greater or less Number of Words; 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.

XVIII. Provided always, and be it further enacted, That it shall Misnomers be lawful for the said Trustees to set out or make the said branch not to delay or new Road into, through, across, or over the several Lands, Here. the Execution of the ditaments, and Premises of any Person or Persons who is or are Act. 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 mis-stated

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

Application of Monies.

XIX. And be it further enacted, That all Monies which before the Commencement of this Act shall have been raised or produced by virtue of the said recited Acts hereby repealed as aforesaid, and which shall remain undisposed of on the Thirtieth Day of April One thousand eight hundred and thirty, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, and not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in 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 otherwise relating thereto, together with lawful Interest for the same; in the second place, in paying off and discharging all such Simple Contract Debts as the Trustees acting in execution of the said recited Acts hereby repealed have contracted or shall contract in the Execution thereof, and which shall then remain due and owing; in the third place, in paying and discharging all Arrears of Interest which shall from Time to Time be owing to any Mortgagee or Mortgagees of any of the Tolls or Duties payable on the Roads by this Act directed to be widened, improved, and kept in repair; in the fourth place, in defraying the Expences of widening, repairing, and preserving the Roads by this Act directed to be widened, improved, and kept in repair as aforesaid, and of erecting, altering, and repairing the Toll Gates, Toll Bars, Toll Houses, and other Buildings erected or to be erected upon, across, or at the Sides of the said Roads; and the Residue thereof to be applied in and towards the Reduction and discharging of the several Principal Sums of Money now due and owing or hereafter to be borrowed upon the Security of the said last-mentioned Tolls or Duties, 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.

No more
Money to be
laid out on
Branch Road
than is raised
thereon.

XX. And be it further enacted, That no Money arising from any of the Tolls hereby authorized to be collected and taken shall be applied in or towards the Repair of the said Branch Road, unless there shall be a Toll Gate or Bar erected and continued thereon under the Authority of the Trustees for carrying this Act into execution: Provided also, that no more of the Monies arising by virtue of this Act shall be laid out or expended upon the said Branch Road, or in the Payment of any Principal Money borrowed on the Credit only of the Tolls arising or payable upon such Branch Road, or the Interest thereof, than shall be actually raised or received upon or in respect of such Branch Road; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

XXI. Provided also, and be it further enacted, That no more of No more the Monies arising by virtue of this Act shall be laid out or ex- Money to be laid out on pended upon the said Road leading from New Chappel by the Top old Line of of Ditcheling Bost Hills to the Town of Brighthelmston, or in the Road than Payment of any Principal Money borrowed on the Credit only of is raised the Tolls arising or payable thereon, or the Interest thereof, than thereon. shall be actually raised upon or in respect of the Road so leading from New Chappel by the Top of Ditcheling Bost Hills to the Town of Brighthelmston aforesaid; any thing in this Act contained to the contrary in anywise notwithstanding.

XXII. And be it further enacted, That it shall and may be lawful Trustees emto and for the said Trustees, if they shall think proper so to do, to powered to demise and mortgage the Tolls to arise and be collected by virtue mortgage Tolls for of this Act at the several Turnpikes or Toll Gates, Side Bars or Arrears of Side Gates, erected or to be erected between New Chappel and the Interest upon Top of Ditcheling Bost Hills, and the Top of Ditcheling Bost Hills existing and the Town of Brighthelmston aforesaid, unto any Person or Per- Mortgages. sons who now is or are the Owner or Owners of any Mortgage or Mortgages made under the Authority of the said recited Acts hereby repealed, or any of them, as a Security for the Repayment of any Sum or Sums of Money, or of any Part of any Sum or Sums of Money, which upon the Thirtieth Day of April next is, are, or may be owing as and for Arrears of Interest upon any such Mortgage or Mortgages, together with Interest thereon at and after the Rate of Four Pounds per Centum per Annum; and that all and every Mortgage and Mortgages which shall be made by virtue of this Act shall be as valid and effectual, to all Intents and Purposes whatsoever, as if the same had been made for Money borrowed and taken up at Interest under the Authority of the Acts now in force for regulating Turnpike Roads in England.

XXIII. And be it further enacted, That it shall not be lawful for Money not the said Trustees to apply, expend, or appropriate any of the Tolls hereby granted, nor any of the Monies now borrowed or hereafter priated for to be borrowed upon the Credit thereof, in or towards the widening, Streets. improving, or repairing any of the Streets in any Town or Place through which the said Roads pass.

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XXIV. And be it further enacted, That for the Purposes of this Limits of Act the Town of Lindfield shall be deemed and taken to commence Town of at a certain Bridge over the River Ouse in the said Parish of Lindfield, defined. called Lindfield Bridge, and to terminate at a certain House situate at Blackhill in the same Parish of Lindfield, belonging to William Durrant, and now in the Occupation of John Isted and Charlotte Verrall.

Lindfield

XXV. And be it further enacted, That this Act shall be deemed Public Act. 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.

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XXVI. And

Commencement and Continuance of Act. XXVI. And be it further enacted, That this Act shall commence from the Thirtieth Day of April One thousand eight hundred and thirty, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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