



ANNO UNDECIMO

# GEORGIIV. REGIS.

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## *Cap. xcix.*

An Act for amending and improving the Road from  
*Tonbridge to Ightham*, and other Roads commu-  
nicating therewith, in the County of *Kent*.

[29th *May* 1830.]

**W**HEREAS an Act was passed in the Forty-ninth Year of  
the Reign of His late Majesty King *George* the Third,  
intituled *An Act for amending and improving the Road* 49 G. 3. c.91.  
*from the North End of the Town of Tonbridge to the Village of*  
*Ightham, and Two other Roads communicating with the same, all in*  
*the County of Kent*: And whereas the Trustees appointed in or by  
virtue of the said Act have proceeded to put the same in execution,  
and several considerable Sums of Money are due and owing on the  
Credit of the Tolls by the said Act authorized to be taken on the  
Roads comprised in the said Act, which cannot be paid off, nor can  
the Roads comprised in the said Act be properly amended, improved,  
and maintained in repair, unless the Term and Powers of the said  
Act are enlarged, and the Tolls increased or altered: And whereas  
it is expedient that the said recited Act should be repealed, and  
that further and other Powers should be granted instead thereof:  
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  
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Recited Act  
repealed.

of the same, That from and after the Commencement of this Act the said Act passed in the Forty-ninth Year of the Reign of His late Majesty shall be and the same is hereby declared to be repealed.

Purposes of  
this Act.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing, improving, and keeping in repair the Road leading from the North End of the Town of *Tonbridge*, through the Parish of *Shipborne*, to the Village of *Ightham*, and the Road leading out of the said Road at *Shipborne Green* in the said Parish of *Shipborne*, through the Hamlet of *Hollanden*, to a Place called *Watt's Cross*, on the *London and Tonbridge Turnpike Road*, and the Road leading from a Place called the *Four Vents*, on the Road from *Tonbridge* to *Ightham* aforesaid, to the *Maidstone and Tonbridge Turnpike Road*, at a Place called *Parker's Green*, in the Parish of *Hadlow*, in the County of *Kent*.

Trustees  
appointed.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Kent*, together with the Honourable *George Byng*, Sir *William Geary* Baronet, *Alexander Hume Evelyn*, *Phillips Monypenny* Clerk, *James Isaac Monypenny* Clerk, *Stephen Woodgate* Clerk, *John Hartrup West*, *James Eldridge West*, *James John West*, *William Ashburnham West*, *John Eldridge West*, *John Deacon*, Sir *Charles Hardinge* Baronet, Clerk, *Cobb* Clerk, *Demetrius James James*, *William Taylor*, *William Elers*, *Charles Selby*, *Thomas Stephens* Doctor of Laws, *Thomas Knox* Clerk, *Thomas Brown* Clerk, *John Simpson*, *John Simpson of Shipborne Green*, *Thomas Jervis*, *Baden Powell*, *John Mills*, *Christopher Idle*, *Walter Barton May*, *William Thomas Harvey*, *William Harvey*, *William Mugridge*, *William Edmeades*, *Joseph Sclater*, *John Carnell of West Peckham*, *William Carnell*, *William Carnell the younger*, *John Carnell of Tonbridge*, *William Jeffery*, *William Golding*, *Francis Woodgate*, *Francis Woodgate the younger*, *George Moore* Clerk, *Thomas Thompson*, *Charles Willard*, *Richard Children*, *George Lingard*, *John Buttanshaw*, *Henry Buttanshaw*, *William Knox Child*, *Edmund Yates*, *James Alexander*, *William Bailey*, *Anthony Harman*, *Henry Harman*, *Robert Kirby*, *William Jewhurst*, *John Jewhurst*, *John Sherlock*, *Thomas Martin*, *John Auldjo*, *John Coombs*, *William Polhill Douthwaite*, *Thomas Poynder*, *Maximilian Dudley Digges Dalison*, *George Claridge*, *Moses Montefiore*, *Richard Round*, and *Eramus Maddox*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for amending, improving, and maintaining in repair the said Roads, and for otherwise putting this Act into execution.

Power to  
appoint ad-  
ditional  
Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, (not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and

appointed 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.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *Rose and Crown Inn* in the Town of *Tonbridge*, or at some other convenient Place in the said Town or upon or near to the said Roads, on the Day of the Commencement of this Act, or as soon after as conveniently may be, and proceed in the Execution of this Act, and shall and may then and from Time to Time after adjourn to and meet at such Times, and at such Place or Places in the said Town or upon or near to the Line of the said Roads, as they shall think proper.

First Meeting  
of Trustees.

VI. And be it further enacted, That the respective Sums herein- after mentioned shall or may be demanded and taken for Tolls ; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Barouche, Berlin, Landau, Hearse, Chariot, Curricule, Calash, Chaise, Chaise Marine, Chair, Gig, Whiskey, Car, Caravan, Van, or other such like Carriage, the Sum of Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Four-pence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth than Six Inches at the Bottom or Soles thereof, the Sum of Sixpence :

For every Horse or other Beast drawing any Timber Carriage employed in carrying or conveying any Timber or Tree or Trees, between the Eleventh Day of *October* and the Sixth Day of *April* in each and every Year, Double the Tolls or Duties which could otherwise be demanded and taken by virtue of this Act for such Horse or other Beast drawing any such Carriage and Cart so laden as aforesaid :

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

For every Ass, the Sum of One Penny :

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any less Number than a Score :

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

For every Dog drawing any low Truck or other such like Carriage, whether laden or unladen, the Sum of Sixpence :

All which Sums of Money shall be demanded and taken as Toll before any Horse, Mule, Ass, or other Beast, Coach, Waggon, Cart, Truck, or Carriage, or Dog or Dogs drawing as aforesaid, shall be permitted to pass through any of the said Toll Gates or Side Gates erected or to be erected across or by the Side or Sides of the said Roads ;

Tolls vested  
in Trustees.

Roads; and which Tolls are hereby vested in the said Trustees, and shall be applied in the Manner herein-after directed.

Tolls to be paid but once for passing and re-passing.

VII. Provided always, and be it further enacted, That when the full Toll shall have been paid for or in respect of any Horse or other Beast passing through any of the Toll Gates or Turnpikes, Side Gates or Side Bars, or Chains, erected or to be erected on the said Roads, such Horse or other Beast shall (on a Ticket being produced denoting such Payment) be permitted to return through the same Toll Gates or Turnpikes, Side Gates or Side Bars, or Chains, Toll-free the same Day; but if any such Horse or other Beast shall pass or go a Second Time on the same Day through all or any of the said Toll Gates or Turnpikes, Side Gates, Side Bars, or Chains, then and in such Case a new Toll shall be demanded and taken for the same, and so *toties quoties* for every alternate Time of passing; any thing contained in any Law or Statute relating to Turnpike Roads to the contrary notwithstanding.

Limiting the Number of Tolls to be paid.

VIII. And be it further enacted, That it shall not be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls mentioned in this Act, to demand and take the respective Sums or Tolls aforesaid at any Gate or Turnpike on the said Roads within the Distance of Five Miles of any other Gate or Turnpike on the said Roads, in respect of the same Horses, Beasts, or Cattle for which the said Tolls shall have been paid in the same Day at any other Gate or Turnpike on the said Roads, upon a Ticket being produced denoting such Payment; any thing in any Law or Statute relating to Turnpike Roads contained to the contrary notwithstanding.

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

IX. Provided always, and be it further enacted, That the Tolls payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage conveying any Passengers or Goods for Pay or Reward, shall be payable and paid each Time of passing along the said Roads or any of them: Provided always, that no further or additional Toll shall be payable in respect of any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage, on account only of the Horses or Beasts drawing the same having been changed.

Post Chaises, &c. on every fresh Hiring.

X. Provided also, and be it further enacted, That the Tolls payable for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid each Time of passing along the said Roads or any of them, whenever any fresh Hiring thereof shall take place.

One-horse Carts to be weighed.

XI. And be it further enacted, That, notwithstanding any Law or Statute to the contrary, all Carts and other Carriages drawn by One Horse or other Beast shall be liable to be weighed at any Weighing Machine or Weighing Machines now erected or which hereafter may be erected upon or for the Benefit of the said Roads, in the same Manner as Carts and other Carriages drawn by any greater Number of Horses or other Beasts are now liable to be weighed by Law, and the

the Owners and Drivers thereof shall be liable to the same Penalties for refusing to suffer such Carts and other Carriages to be weighed, or for obstructing the Wheels being measured or gauged, as the Owners or Drivers of Carts or other Carriages drawn by Two or more Horses are now liable by Law; and every such Cart or other Carriage drawn by One Horse or other Beast which, together with the Loading thereof, shall weigh more than Thirty-five Hundred Weight in Summer (to be computed from the First Day of *May* to the Thirty-first Day of *October*), or than Thirty Hundred Weight in Winter (to be computed from the First Day of *November* to the Thirtieth Day of *April*), shall pay, and it shall be lawful for the said Trustees (or any Person or Persons empowered by them to receive the Tolls mentioned in this Act) to receive and take, such and the same additional Tolls for Overweight as Carts or other Carriages drawn by Two or more Horses or other Beasts are liable to pay by Law.

Additional  
Toll for  
Overweight.

XII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Act, and which shall be remaining in the Hands of the Trustees or their Treasurer or Treasurers on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls in this Act mentioned, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences incurred in or incidental to the applying for, preparing, obtaining, and passing this Act; secondly, in repairing, altering, or erecting Toll Gates and Toll Houses, Fences, Ditches, Stones, and Posts, and in paying Expences of Books, Advertisements, Salaries of Officers, and other such current Expences of the Trustees; thirdly, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the said Roads; fourthly, in paying and discharging the Interest due or to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls heretofore payable on the same Roads, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls by virtue of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured in pursuance of and for the Purposes of the said recited Act, and also the several Principal Sums of Money which may hereafter be borrowed by the Trustees for executing this Act.

Application  
of the Tolls  
and Money  
borrowed.

XIII. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended

No Money to  
be laid out on  
the Roads  
where there  
is no Turn-  
pike erected  
or no Tolls  
taken.

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by the said Trustees in or towards the Repair of any such Branch Road than shall be collected thereon, or borrowed on the Credit of the Tolls collected thereon.

Not to repair  
Streets in  
Tonbridge.

XIV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to lay out or apply any of the Money raised by the Tolls mentioned in this Act, or borrowed on the Credit thereof, in paving or repairing any Highway or Street in the Town of *Tonbridge*, or to collect any Tolls by virtue of this Act therein.

Trustees may  
make Fences  
to avoid Tolls  
from being  
evaded.

XV. And whereas Part of the said Roads lead over Woods and Commonable and Waste Grounds, and the Tolls herein mentioned might, by reason of the Width and Extent of such Woods, Commons, and Waste Grounds, be avoided; be it therefore further enacted, That the said Trustees may and they are hereby authorized and empowered, if they see Occasion, to make or cause to be made such Ditches and Fences by the Sides of the said Roads, or upon, over, or across the said Woods or Commons or Waste Grounds, within Two hundred Yards of the Line of the said Roads, in such Manner and Direction as they shall find necessary, so that the Payment of the said Tolls may not be avoided; and if any Person or Persons shall pull down or otherwise damage, displace, or carry away such Fence or any Part thereof, or shall fill up or spoil any such Ditch, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Public Act.

XVI. 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.

Commence-  
ment and  
Continuance  
of this Act.

XVII. And be it further enacted, That this Act shall commence upon the Second *Monday* next after the passing thereof, 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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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1830.