



ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

Cap. cv.

An Act to amend an Act passed in the Eleventh Year of the Reign of King *George* the Fourth, for repairing and improving the Road from *Brighton* to *Shoreham* and *Lancing* in the County of *Sussex*, and for other Purposes connected therewith. [21st June 1841.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road from Brighton to Shoreham, for building a Bridge over the River Adur at New Shoreham, and for making a Road to Lancing, and a Branch Road therefrom, all in the County of Sussex*: And whereas the Trustees acting by virtue of the said Act have proceeded to put the same into execution so far as it relates to the said Roads from *Brighton* to *Shoreham* and to *Lancing*, and for that Purpose have borrowed considerable Sums of Money on the Credit of the Tolls authorized by the said Act to be taken upon the said Roads, which Money still remains owing, together with an Arrear of Interest thereon; and such Money cannot be paid off, or the Interest thereof discharged, nor the said Roads be effectually improved or kept in repair, unless some of the Powers and Provisions of the said Act be enlarged, and the Tolls upon the said Roads altered or varied: May it therefore please Your Majesty that it

11G.4. c.63.

[*Local.*]

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may

Repeal of
so much of
recited Act
as relates to
the Tolls
upon the
Roads.

may be enacted; and be it enacted by the Queen'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 after the Commencement of this Act so much of the said recited Act as authorizes the Trustees acting by virtue thereof, or any Person appointed by them, to collect and receive the several Tolls in the said Act specified, and all Powers and Provisions relating thereto, shall be repealed.

Appoint-
ment of
Trustees.

II. And be it enacted, That the following Persons, namely, *William Catt junior, William Hallett, Edward Lucas, Thomas Isaacson, George Wigney, Richard Green, Benjamin Wood, and James Collins*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying this Act and the said recited Act into execution, together with the Trustees named in or appointed by virtue of the said recited Act.

Power to
take Tolls.

III. And be it further enacted, That from and after the Commencement of this Act it shall be lawful for the Trustees acting by virtue of the said recited Act and this Act to demand and take, at the several and respective Toll Gates or Toll Bars which shall by virtue of the said recited Act or this Act be upon or on the Sides of the said Roads, the following Tolls; (that is to say,)

For every Horse, Mule, or other Beast drawing any Coach, Landau, Berlin, Machine, Hearse, Chariot, Chaise, Caravan, Curricule, Calash, Chair, Gig, or other such Carriage, a Sum not exceeding 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 Four and a Half Inches at the Bottom or Soles thereof, a Sum not exceeding 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 Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, a Sum not exceeding Four-pence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, a Sum not exceeding Three-pence :

For every Coach, Waggon, Cart, or other Carriage not drawn by any Horse or other Beast, but propelled or moved by Steam or otherwise than by Animal Power, for every Wheel whereon the same shall run a Sum not exceeding One Shilling :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, a Sum not exceeding Two-pence :

For every Drove of Oxen, Cows, or Neat Cattle, a Sum not exceeding Ten-pence *per* Score, and so in proportion for any greater or less Number :

For every Drove of Sheep, Lambs, or Swine, a Sum not exceeding Five-pence *per* Score, and so in proportion for any greater or less Number :

For

For every Horse or other Beast of Draught drawing any Carriage or Carriages, and for every Waggon, Cart, or other Carriage propelled by Steam or otherwise than by Animal Power, laden with Timber, Plank Boards, Wood, Bricks or Tiles, Slate, Cement, Lead, Iron in Bars, Gun-iron, or any other Iron or Metal, Eggs, Hop-poles, Marl, Chalk, Sand, Stones, Gravel, Coals, Coke, or Culm, passing through the said Toll Gates or Toll Bars between the Twentieth Day of *October* and the First Day of *April* in every Year, the Tolls above respectively specified, and One Half in addition thereto respectively which the same would otherwise hereby be liable to pay at each such Toll Gate or Toll Bar through which such Carriage or Carriages so laden shall pass :

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle, or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Bar which shall be by virtue of the said recited Act or this Act upon or across the said Roads, or on the Sides thereof.

IV. And be it enacted, That in all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Fractional Part of a Halfpenny in Tolls.

V. And be it enacted, That (except as herein-after provided as to Horses or Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and except as to any Carriage propelled or drawn by Steam or any other Power than Animal Power, and conveying Passengers or Goods for Hire or Reward), no more than One full Toll shall be taken for or in respect of the same Horses or other Animal or Thing liable to Toll passing and repassing once only in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) through all the Toll Gates or Toll Bars erected or to be erected on the said Road between *Brighton* and *Old Shoreham Bridge*; nor, except as aforesaid, shall any more than One full Toll be taken for or in respect of the same Horses or other Animal or Thing liable to Toll or Duty passing and repassing once only in the same Day, to be computed as aforesaid, through all the Toll Gates or Toll Bars erected or to be erected on the said Road between the Western Extremity of the *Norfolk Bridge* and the Western Extremity of the said Road in the Parish of *Lancing*.

Limiting Number of Tolls to be paid.

VI. And be it enacted, That all Horses and Cattle (except Horses or Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and except any Carriage propelled or drawn by Steam or any other Power than Animal Power, and conveying Passengers or Goods for Hire or Reward,) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar on the said Roads or either of them, or on the Sides thereof, shall, upon a Ticket denoting such Payment being produced, be permitted, in returning once through the same Toll Gate or Toll Bar, and in going and returning once

Persons having paid Toll to return Toll-free.

once through such other Gate or Bar (if any), as the Ticket for such Payment shall free, to pass Toll-free for the same Day.

Post Chaises to pay every Time of passing with a fresh Hiring.

VII. Provided always, and be it enacted, That the Tolls hereby made payable shall be paid for all Horses or Cattle drawing any Post Chaise, Waggon, Cart, or other Carriage travelling for Hire, and for all Post Chaises, Waggons, Carts, or other Carriages propelled or drawn by Steam or any other Power than Animal Power, and travelling for Hire, as often as a new Hiring shall take place, in the same Manner as if no previous Payment of Tolls in respect of such Horses or Cattle had been made on the same Day.

Regulations as to Stage Coaches.

VIII. And be it enacted, That all Horses and Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and any Carriage propelled or drawn by Steam or any other Power than Animal Power, and conveying Passengers or Goods for Hire or Reward, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Gate or Bar which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage; and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any Toll Gate or Bar the Payment at which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

No Toll to be paid by the Owner and Occupiers of Land between the West End of the Norfolk Bridge and the West End of the Lancing Road.

IX. And whereas the Owner of the Lands on the Line of the said Road from *Norfolk Bridge* to *Lancing* has expended large Sums of Money in erecting Groynes and other Defences for protecting the same from the Encroachments of the Sea, by which the said Road is also protected, and the Owner of the said Lands for the Time being will be put to continual Expense in repairing and keeping up such Groynes and Defences; be it therefore enacted, That no Toll shall be demanded or taken by virtue of this Act at any Toll Gate or Toll Bar which by virtue of the said recited Act or this Act shall be upon or by the Sides of the said Road from *Shoreham* to *Lancing* between the West End of the *Norfolk Bridge* and the Western Extremity of the said Road in the said Parish of *Lancing*, of or from any Person or Persons, for any Horse or Horses or other Beasts or Cattle drawing or not drawing any Carriage or Vehicle upon Wheels, and which shall or may belong to and be used by or on behalf of the Owner or Owners, Occupier or Occupiers of either of the Salts Farms in the said Parish of *Lancing*, now or late in the Occupation of *Henry Botting*, *Edward Grinstead*, *James Lee*, *James Penfold* senior, *James Penfold* junior, and *John Weller Smith*, or of any Lands or Farms situate immediately on the Line of the said last-mentioned Road between such last-mentioned Points, for Pleasure or for agricultural or other Purposes not connected with Trade or Merchandize.

The Trustees may water the Roads,

X. And be it enacted, That it shall be lawful for the said Trustees, at any Time or Times in each Year, to order and direct such

such Part or Parts of the said Roads as they shall think fit to be watered, when and as often as they shall think fit, by Contract or otherwise; and it shall also be lawful for the said Trustees, during such Time as the said Roads shall be watered, to collect, levy, and receive, for every Horse or other Beast drawing any Carriage whatever, a Sum not exceeding One Penny; and for every Drove of Oxen, Cows, or Neat Cattle, a Sum not exceeding Two-pence *per* Score, and for every Drove of Sheep, Lambs, or Swine, a Sum not exceeding One Penny *per* Score, and so in proportion for any greater or less Number than a Score; and for every Coach, Waggon, Cart, or other Carriage propelled or moved by Steam, or otherwise than by Animal Power, for every Wheel whereon the same shall run, a Sum not exceeding Three-pence, over and above the Tolls by this Act granted.

and take an additional Toll for the same;

XI. And be it enacted, That it shall be lawful for the said Trustees and they are hereby authorized to cause the said Roads or any Part thereof to be lighted, and to contract and agree with any Body Corporate or Person for lighting the same: Provided always, that nothing herein contained shall authorize the said Trustees to manufacture or make Gas for the Purposes aforesaid.

and also light the Roads,

XII. And be it enacted, That, in case the said Trustees shall cause the said Roads or either of them to be lighted as aforesaid, it shall be lawful for them, during such Time as the said Roads shall be lighted as aforesaid, to collect, levy, and receive, for every Horse or other Beast, drawing or not drawing any Carriage whatever, a Sum not exceeding One Penny; and for every Drove of Oxen, Cows, or Neat Cattle, a Sum not exceeding Two-pence *per* Score, and for every Drove of Sheep, Lambs, or Swine, a Sum not exceeding One Penny *per* Score, and so in proportion for any greater or less Number; and for every Coach, Waggon, Cart, or other Carriage propelled or moved by Steam, or otherwise than by Animal Power, for every Wheel whereon the same shall run, a Sum not exceeding Three-pence, over and above the Tolls by this Act granted.

and take Toll for such lighting.

XIII. Provided always, and be it enacted, That such additional Tolls for watering or lighting shall only be paid and payable upon such of the said Roads from *Brighton* to *Shoreham* and from *Shoreham* to *Lancing* as shall be in part or wholly respectively lighted or watered as aforesaid.

Limitation of extra Tolls.

XIV. And be it enacted, That no such Toll as aforesaid for watering the said Road from *Brighton* to *Shoreham* shall be paid or payable unless such Road shall be watered to the Distance of Four Miles, commencing from the West Side of the *Brunswick Square* District in the Parish of *Hove*, from the First Day of *March* to the First Day of *November* in each Year, and that no Toll shall be paid or payable for the lighting of the said Road unless the same shall be lighted for a Distance of Two Miles, commencing from the West Side of *Brunswick Square* District aforesaid.

No Toll to be payable for watering or lighting Road unless the Road is watered or lighted for a certain Distance.

XV. And be it enacted, That all Monies which shall be received by the said Trustees by virtue of this Act shall, after Payment of all the

Application of Tolls.

[Local.]

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Costs,

Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relating thereto, and after putting the said Road from *Brighton* to *Shoreham* (or such Part thereof as such Trustees are by this Act authorized to repair) into effectual Repair and Condition, to be certified by Writing under the Hands of Two of Her Majesty's Justices of the Peace for the County of *Sussex* in Petty Sessions assembled, be applied for the Purposes mentioned in the said recited Act passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Fourth, in the Manner therein directed as to the Tolls thereby authorized to be received in respect of the Roads made and repaired under the said Act, and shall be liable to all the Debts and Engagements of the said Trustees under the said recited Act.

No Tolls to be taken or Money laid out in Towns.

XVI. And be it enacted, That no Money shall be laid out on any Road comprised in the said recited Act within the Limits of any Act of Parliament passed for the Improvement of any Town or Place, nor shall any be collected therein.

Bridge to be erected for crossing over the London and Brighton Railway.

XVII. And whereas the *London and Brighton* Railway Company have constructed their *Shoreham* Branch Railway on the North Side of the said Road, and they and other Persons are possessed of Wharfs and Warehouses on *Shoreham Harbour*, which is on the South Side of the said Road: And whereas the Traffic upon the said Branch Railway in Goods and Merchandize imported into and exported from the said Wharfs will be very considerable, and will render necessary several Communications between the said Wharfs and the said *Shoreham* Branch Railway, and it is therefore very desirable to prevent such Traffic being taken across the said Road upon the Level thereof; be it therefore enacted, That it shall be lawful for the said Company at any Time hereafter to raise the said Road by means of a Bridge, to be erected by them at any Point on the said Road which they may deem most convenient, and for ever thereafter for the said Company, or the Owners or Occupiers of the said Wharfs, to have the full and free Use of the Arches to be made under such Road, and to alter, divert, or stop up the said present Road whilst the said Bridge is being erected; provided that before the said Company shall alter or stop up the said Road they shall provide another as proper, sufficient, and convenient Road as Circumstances will admit of for the Use of Passengers and Carriages during the Time the said Bridge is erecting: Provided also, that such Bridge shall be formed of such a Width as to leave a clear and open Space between the Parapet Walls thereof of not less than Twenty-five Feet, and that the Ascent of such Bridge shall not be less than One Foot in Thirty Feet, and that the Parapet Wall on the South Side thereof shall not be less than Four Feet, and on the North Side thereof not less than Four Feet nor more than Six Feet (at the Option of the Trustees of the said Turnpike Road) from the Surface of such Bridge; and that the said Company shall at all Times after such Bridge shall be erected keep the same in repair.

Roads not to be exempt from any gene-

XVIII. And be it enacted, That nothing herein or in the said recited Act contained shall be deemed to exempt the said Roads from the Provisions of any general Act relating to the Consolidation or other improved

improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

ral Act
which may
be passed.

XIX. And be it enacted, That all the Powers, Authorities, Clauses, Provisoos, Penalties, Matters, and Things contained in the said recited Act with regard to the Turnpike Roads therein mentioned (save and except in so far as is hereby otherwise declared, and except in so far as any Part thereof shall be inconsistent with or inapplicable or repugnant to the Provisions or Objects of this Act,) shall extend and be construed to extend to this Act, and shall be as good, valid, and effectual for carrying this Act into execution as if the same had been respectively repeated and re-enacted in the Body of this Act, and formed Part thereof.

Powers of
recited Act
extended to
this Act.

XX. Provided always, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend in any Manner to vary, alter, or affect all or any of the Enactments in the said Act contained relating to the Bridge erected over the River *Adur*, and now called the *Norfolk Bridge*, under the Authority of the same Act, or to the Bridge built under or by virtue of an Act passed in the Twenty-first Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for building a Bridge over the River Adur at or near Old Shoreham in the County of Sussex*, or to the Nominees entitled to or interested in the annual Sum of One thousand two hundred Pounds by the said first-mentioned Act charged on the said Bridges and the Tolls thereof, or to the Trustees or Treasurer acting under the said Act of the Twenty-first Year of His late Majesty King *George the Third*, or to the Tolls, Liabilities, Claims, or Rights of the Proprietor of the said Bridges, or of the Trustees of the said Roads, or of any other Parties claiming or having Rights or Interests relating thereto under or by virtue of the said Acts or either of them.

Act not to
affect the
Rights of the
Proprietor
or other
Parties
interested
in Norfolk
Bridge, and
the Bridge
built under
21G.3. c.35.

XXI. And be it enacted, That this Act shall commence on the Second *Monday* after the passing thereof, and shall, as far as regards the said Roads and Matters put under the Jurisdiction of the said Trustees, continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Commence-
ment and
Continuance
of Act.

XXII. And be it enacted, That in construing this Act Words importing the Singular Number shall be understood to include the Plural Number, and Words importing the Plural Number shall be understood to include the Singular Number, and Words importing the Masculine Gender shall be understood to include Females as well as Males, unless in any of the Cases aforesaid there be something in the Subject or Context repugnant to such Construction.

Construc-
tion of cer-
tain Terms
in Act.

XXIII. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such.

Public Act.

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