



ANNO QUARTO

GULIELMI IV. REGIS.

Cap. x.

An Act for more effectually repairing and maintaining the Road from *Crouch Hill* in the Parish of *Henfield* to *Ubley's Corner* in the Parish of *Albourne*, and from the *King's Head Inn* in *Albourne*, through the Town of *Hurstperpoint*, to the Cross Roads in the Town of *Ditcheling*; and also for making and maintaining a Branch of Road from the Town of *Hurstperpoint* to *Poynings Common*, all in the County of *Sussex*. [26th March 1834.]

WHEREAS an Act was passed in the Seventeenth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for repairing and widening the Road from a Place called* 17G.3. c.74.
Crouch Hill in the Parish of Henfield to the Turnpike Road leading from Brighthelmstone to Cuckfield, and from the East Side of the said Turnpike Road to the Town of Ditcheling, in the County of Sussex: And whereas another Act was passed in the Thirty-eighth Year of the Reign of His said late Majesty, intituled *An Act for continuing for the Term of Twenty-one* 38G.3. c.7.
Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers of an Act passed in the Seventeenth Year of the Reign of His present Majesty, for repairing and widening the Road from a Place called Crouch Hill in the Parish of Henfield
 [Local.] X x to

to the Turnpike Road leading from Brighthelmstone to Cuckfield, and from the East Side of the said Turnpike Road to the Town of Ditcheling, in the County of Sussex; and also for repairing and widening the Road from Ubley's Farm in the Parish of Hurstperpoint to the Marle Pit opposite to Newtimber Broad Lane in the said County: And whereas another Act was passed in the Fifty-eighth Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Terms and Powers of several Acts of His present Majesty, for repairing the Road from Crouch Hill in the Parish of Henfield to the Turnpike Road leading from Brighthelmstone to Cuckfield, and from the East Side of the said Turnpike Road to the Cross Roads in the Town of Ditcheling, in the County of Sussex*: And whereas by an Act passed in the Forty-eighth Year of the Reign of His said late Majesty, intituled *An Act for making and maintaining a Road from the Brighthelmstone Road at Pyecombe to the Cuckfield Road at Staplefield Common, and from Pyecombe to the Henfield Road at Poynings Common, in the County of Sussex*, it is enacted, that so much of the said recited Acts passed in the Seventeenth and Thirty-eighth Years of His said late Majesty as related to the said Road from *Ubley's Farm* to the *Marle Pit* opposite to *Newtimber Broad Lane*, and from *Ubley's Farm* aforesaid to *Albourne Green*, should be repealed, and that such Parts of the said Turnpike Road (being about One Mile and a Half in Length) should be made Part of the said Road to be amended and kept in repair by the Trustees for executing the said last-recited Act: And whereas the Trustees appointed by or in pursuance of the said recited Acts of the Seventeenth, Thirty-eighth, and Fifty-eighth Years of the Reign of His said late Majesty 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 Road 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 Road was made from the Town of *Hurstperpoint*, by or near *Washbrook* and *Coneyberry Lanes*, and *Muddleswood*, through the Lands of *William John Campion* Esquire and others, to the Turnpike Road leading from *Henfield* to *Brighthelmstone* to *Poynings Common* in the County of *Sussex*, which said Branch of Road will pass from, through, or into the several Parishes of *Hurstperpoint*, *Newtimber*, *Albourne*, and *Poynings*, all in the County of *Sussex*: And whereas it would be more convenient that the said Three several herein-before recited Acts of the Seventeenth, Thirty-eighth, and Fifty-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 Road from *Crouch Hill* in the Parish of *Henfield* to *Ubley's Corner* in the Parish of *Albourne*, and from the *King's Head* Inn in *Albourne*, through the Town of *Hurstperpoint*, to the Cross Roads in the Town of *Ditcheling*, all in the County of *Sussex*; 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, That from and after the First *Wednesday* next after the passing of this Act the said recited Acts passed in the Seventeenth, Thirty-eighth, and Fifty-eighth Years of the Reign of His said late Majesty shall be and the same

Acts 17, 38,
& 58 G. 3.
repealed.

are hereby repealed; and that instead thereof this Act shall commence and take effect and be put in execution, for and during the Term hereinafter mentioned, for the Purpose of more effectually amending, widening, turning, altering, improving, and keeping in repair the present Turnpike Road leading from *Crouch Hill* in the Parish of *Henfield* to *Ubley's Corner* in the Parish of *Albourne*, and from the *King's Head Inn* in *Albourne*, through the Town of *Hurstperpoint*, to the Cross Roads in the Town of *Ditcheling*, all in the County of *Sussex*, and passing from, through, or into the several Parishes of *Henfield*, *Woodmancoate*, *Shermanbury*, *Twineham*, *Albourne*, *Hurstperpoint*, *Clayton*, *Keymer*, and *Ditcheling*, all in the same County; and also for the Purpose of making, maintaining, amending, widening, turning, altering, improving, and keeping in repair the said Branch of Road from the Town of *Hurstperpoint*, by or near *Washbrook* and *Coneyberry Lanes*, and *Muddleswood*, through the Lands of *William John Champion* Esquire and others, to the Turnpike Road leading from *Henfield* to *Brighthelmstone* at *Poynings Common*, all in the County of *Sussex*, and passing from, through, or into the several Parishes of *Hurstperpoint*, *Newtimber*, *Albourne*, and *Poynings*, all in the same County.

II. 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 *William Borrer*, *Nathaniel Borrer*, *John Hamlin Borrer*, *Carey Hampton Borrer*, *John Borrer*, *Edward Borrer*, *Thomas Bolling*, *Stephen Bine*, *Thomas Friend Bull*, *William John Champion*, *William John Champion* the younger, *John Gratewicke Challen* Clerk, Doctor of Divinity, *John Dennett*, *John Leighton Wade Dennett*, *John Dodson*, *William Ellis*, *Charles Gordon*, *William Gordon* Clerk, *Henry Halliwell* Clerk, *Henry Holman*, *John Marchant*, *John Marshall* Clerk, *John William Henry Marshall* Clerk, *William Marshall*, *William Marshall* the younger, *Robert Podmore*, *Henry Plimley* Clerk, *Henry Pickett*, *Avery Roberts*, *Edward Roberts*, *Lawrence Dennett Smith*, *Lawrence Smith*, *John Hamlin Smith*, *William Stanford*, *Thomas West*, *Richard Weekes*, *Hampton Weekes* Doctor of Medicine, *Richard Weekes* the younger, *Frederick Weekes*, *William Wigney*, *William Wigney* the younger, *Isaac Newton Wigney*, and *Thomas Dominick Whiteman*, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be Trustees for the Purpose of carrying this Act into execution. Trustees.

III. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, and they are hereby authorized and empowered, to elect and appoint any Number of Trustees (not exceeding Three 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 they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named. Additional Trustees.

IV. And be it further enacted, That the said Trustees shall meet at the *New Inn* in *Hurstperpoint*, or at some other convenient Place on or near the said Road, on the first *Wednesday* next after the Commencement of this Act, or as soon after as conveniently may be, and shall then and there proceed to carry this Act into execution. First Meeting of Trustees.

V. And

Tolls to be taken.

V. And be it further enacted, That from and after the first *Wednesday* next after the passing of this Act there shall be demanded and taken, collected, and paid at each and every Turnpike or Toll Gate, Side Gate, Bar, or Chain now erected or set up, or which shall hereafter be erected or set up, upon, across, or by the Side of the said Road or the said Branch of Road, before any Horse, Mule, Ass, Beast, or other Cattle, or any Carriage, shall be permitted to pass through any such Turnpike or Toll Gate, Side Gate, Bar, or Chain, the respective Tolls following; (that is to say,)

Tolls.

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

For every Dog, Goat, or other Quadruped, not usually employed as a Beast of Draught, drawing any Carriage whatsoever, the Sum of Three-pence:

For every Carriage whatsoever propelled or moved by Steam, Gas, or Machinery, the Sum of Three-pence *per* Wheel:

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

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

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

Fractional Part of a Halfpenny in Tolls.

VI. And be it further enacted, That in all Cases where there shall be a fractional Part of One Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized to be taken, or any of them, the Sum of One Halfpenny shall be demanded, paid, and taken in lieu of such fractional Part.

Double Tolls.

VII. And be it further enacted, That from and after the said first *Wednesday* next after the passing of this Act Double the Tolls or Duties hereby granted or authorized to be taken in respect of every Horse or other Beast drawing any Carriage, or in respect of any Carriage propelled by Steam, Gas, or Machinery, shall be demanded, taken, and paid in respect of every Horse or other Beast drawing any Waggon, Wain, or other such Carriage laden with Timber, Planks, Boards, Wood, Bricks, Tiles, Gun or other Iron, Chalk, Stone, Sand, or Gravel, and in respect of every Carriage propelled by Steam, Gas, or Machinery, laden as last aforesaid, between the Twentieth Day of *October* in every Year and the First Day of *April* next succeeding.

Horses drawing Lime, &c. not exempt from Tolls.

VIII. 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 Chalk, Lime, Marle, or Chalk Marle for manuring or improving Lands, or for or in respect of any Carriage propelled by Steam, Gas, or Machinery laden as last aforesaid; any thing in this Act, or any Act or Acts of Parliament relating to Turnpike Roads in *England*, to the contrary notwithstanding.

Tolls to be paid but once a Day, unless they pass a Third Time.

IX. Provided also, and be it further enacted, That in case the Toll hereby granted and imposed shall have been paid at any Turnpike or Toll

Toll Gate, Side Gate, Bar, or Chain, for or in respect of any Horse or other Beast or Cattle, laden or unladen and not drawing, or for or in respect of any Horse or other Beast, Dog, Goat, or other Quadruped drawing any Carriage whatsoever, or for or in respect of any Carriage propelled by Steam, Gas, or Machinery, every such Horse or other Beast or Cattle, laden or unladen, and not drawing, and every such Horse or other Beast, Dog, Goat, or other Quadruped drawing the same Carriage, and every such Carriage so propelled as aforesaid, shall be permitted to repass through the same Turnpike or Toll Gate, Side Gate, Bar, or Chain, on the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the succeeding Night, Toll-free; but no such Horse or other Beast or Cattle, laden or unladen, and not drawing, nor any such Horse or other Beast, Dog, Goat, or other Quadruped drawing any Carriage nor any such Carriage so propelled as aforesaid, shall be permitted to pass a Third Time in any One Day, to be computed as aforesaid, through any Turnpike or Toll Gate, Side Gate, Bar, or Chain, until such and the same Toll shall have been paid as may be demanded and taken for the same respectively upon first passing, and so *toties quoties* for every Third Time that any such Horse or other Beast or Cattle, laden or unladen, and not drawing, or any such Horse or other Beast, Dog, Goat, or other Quadruped drawing the same Carriage, or any such Carriage so propelled as aforesaid, shall pass in the same Day, to be computed as aforesaid; and such and the same Toll shall be demanded and paid for every such Horse or other Beast or Cattle, laden or unladen, and not drawing, and for every such Horse or other Beast, Dog, Goat, or other Quadruped drawing any Carriage, and for every such Carriage so propelled as aforesaid, for every such Third Time of passing, in such and the like Manner as if it had been the First Time of passing on the same Day.

X. And be it further enacted, That for or in respect of all Horses or other Beasts of Draught drawing any Stage Coach, Diligence, Stage Wagon, Van, Caravan, Cart, or other Carriage travelling regular Stages, and employed in conveying Passengers or Goods for Payment, Hire, or Reward, or for or in respect of any Carriage propelled or moved by Steam, Gas, or Machinery, travelling and being employed in like Manner, for which Tolls shall have been paid at any such Turnpike, Toll Gate, Side Gate, Bar, or Chain as aforesaid, and which shall return through the same on the same Day, the respective Tolls herein-before mentioned and made payable shall be paid for every Time both of passing and repassing through every such Turnpike, Toll Gate, Side Gate, Bar, or Chain, in like Manner as if no Toll had been before paid thereat: Provided always, that no further or additional Toll shall be payable for or in respect only of the Horses drawing any such Carriage having been changed.

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

XI. And be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses and other Beasts of Draught travelling for Hire, and drawing any Post Chaise or other Carriage, for every Time of passing or repassing along the said Road or Branch of Road, as often as another or fresh Hiring thereof shall take place.

Post Chaises,
&c. on every
new Hiring.

XII. And whereas a Map or Plan describing the Line of the said Branch of Road herein-before mentioned and described, and the Lands and Premises through which the same are intended to be made or carried,

[Local.]

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Plan, &c.
deposited
with the
Clerk of the
Peace to re-
together

main there,
and be open
to Inspec-
tion.

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 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 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.

Power to
make Branch
Road.

XIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to set out or make the said Branch 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 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.

XIV. 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 Day of the Commencement of this Act, 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; in the second 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 Road and Branch of Road by this Act directed to be made, widened, improved, or kept in repair; in the third place, in defraying the Expences of widening, repairing, and preserving the Road and Branch of Road by this Act directed to be made, widened, improved, or 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 Road and Branch of Road, and otherwise in executing the Provisions of this Act; 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

rowed 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.

XV. Provided always, and be it further enacted, That no more of the Monies arising by virtue of this Act shall be laid out or expended upon or in the Management of the said Road leading from *Crouch Hill* to *Ubley's Corner*, and from the *King's Head* Inn in *Albourne* to the Cross Roads in the Town of *Ditcheling*, or in the Payment of any Principal Money borrowed on the Credit of the Tolls arising or payable thereon, or the Interest thereof, than shall be actually raised or collected upon or in respect of the same Road, any thing in this Act contained to the contrary thereof in anywise notwithstanding.

No more Money to be expended on the Crouch Hill Line of Road than is raised thereon.

XVI. Provided also, and be it further enacted, That no more of the Monies arising by virtue of this Act shall be laid out or expended upon or in the Management of the said Branch of Road, or in the Payment of any Principal Money borrowed on the Credit of the Tolls arising or payable upon such Branch of Road, or the Interest thereof, than shall be actually raised or collected upon or in respect of such Branch of Road, any thing in this Act contained to the contrary thereof in anywise notwithstanding.

No more Money to be expended on the Branch Road than is raised thereon.

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

Trustees not to repair Streets in Towns, &c.

XVIII. And whereas by the said recited Act of the Thirty-eighth Year of the Reign of His said late Majesty it was enacted, that it should and might be lawful to and for the Trustees acting in the Execution thereof, or any Seven or more of them, to shut up or cause to be shut up a certain Wapple Road or Lane leading out of the said additional Road from *Ubley's Farm* to the Marle Pit opposite to *Newtimber Broad Lane* in the Parish of *Newtimber*, through certain Lands called *Muddleswood*, *Breach Lands*, and *Wanbarrough*, to the Turnpike Road at a certain Place called *West Town*, in the Parish of *Hurstperpoint*, by erecting or causing to be erected any Gate, Rail or Rails, Fence or Fences, at the End leading out of the said additional Road: And whereas the said Trustees did, in pursuance of the said last-mentioned Act, shut up the said Wapple Road or Lane, and the same now remains shut up: And whereas it is expedient that the said Wapple Road or Lane should remain shut up; be it therefore further enacted, That the said Wapple Road or Lane shall, notwithstanding the Repeal of the said last-mentioned Act, be and continue shut up, and that it shall and may be lawful to and for the said Trustees for executing this Act to erect or cause to be erected and continued any Gate or Gates, Rail or Rails, Fence or Fences, at the End of the said Wapple Road or Lane leading out of the said additional Road; and if any Person shall destroy or damage any Gate, Rail, or Fence already erected or hereafter to be erected at the End of the said Wapple Road or Lane by virtue of the said Act or of this Act, every Person so offending shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be recovered and applied

The Wapple Road or Lane to continue shut up.

applied in such and the same Manner as Penalties for wilfully injuring or damaging any Posts, Rails, or Fences placed by the Side or Sides of any Turnpike Road by the Trustees or Commissioners thereof, or their Surveyor or Surveyors, are recoverable and applicable under or by virtue of an Act of Parliament made and passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England.*

4 G. 4. c. 95. Public Act. XIX. 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.

Term of Act. XX. And be it further enacted, That this Act shall commence upon the first *Wednesday* next after the passing of this Act, 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.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1834.