ANNO SEXTO

GULIELMI IV. REGIS.

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Cap. ii.

An Act to amend an Act passed in the Fifth Year of the Reign of His present Majesty, for repairing the Road from *Farnborough* to *Riverhill* in the Parish of *Sevenoaks* in the County of *Kent*; and for making a new Line of Road to communicate therewith. [18th *March* 1836.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for repairing the Road from* Farnborough *to* Riverhill *in the Parish of* Sevenoaks *in the County of* Kent, *and for making several Diversions in the said Road:* And whereas the making the Diversion or new Line of Road from *Dunton Green* in the Parish of *Otford* to *Pratts Bottom Gate* in the Parish of *Chelsfield*, by the said recited Act authorized to be made, and substituting the same for the present Line of Road from those respective Points, will be attended with great Disadvantage to several Owners and Occupiers of Estates in the Neighbourhood thereof, and to the Inhabitants of *Brasted*, *Sundridge*, and *Chevening*, intending to pass from thence into the Main Line of the said Road, unless a direct Communication be made from those respective Places into the said proposed Diversion or new Line of Road: And whereas such Communication may very readily be made from and out of the said Diversion or new Line of Road, commencing at or near a certain Field called *Little Dunton*, in the Occupation of *William Tonge* Esquire, in the Parish of *Otford*, and terminating in that Part of

5 & 6 W. 4. c.20.

the said old Line of Road near to which the Road leading from *Sundridge* to *Chevening* enters into the said old Road in the Parishes of *Otford* and *Chevening* or one of them: And whereas it is by the said recited Act provided and enacted, that when the Tolls authorized to be taken by virtue of that Act should have been paid, the Horse, Mule, Ass, or other Cattle in respect of which such Tolls should be paid should be permitted to pass Toll-free through the same Toll Gate, and also through all other Toll Gates on the said Road or on the Sides thereof: And whereas it is ascertained the Tolls received by virtue of the said recited Act are insufficient to carry the same into execution; it is therefore necessary that Two full Tolls should be taken on the same Day for or in respect of the same Horse, Mule, Ass, or other Cattle passing through the several Toll Gates on the said Road or by the Side thereof; and it is expedient that the Powers and Provisions of the said recited Act should be altered, amended, and enlarged; but the same 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, and all and every the Powers and Provisions therein contained, shall (save and except such Parts thereof as are varied, altered, or repealed,) extend, and be construed, deemed, and taken to extend, to this Act in as full and ample a Manner to all Intents and Purposes as if the same were repeated and re-enacted in this Act.

Powers of recited Act to extend to this Act.

II. And be it further enacted, That it shall be lawful for the Trustees acting under and by virtue of the said recited Act, and they are hereby authorized, to set out, make, and complete the said new Line of Road herein-before mentioned and described, of such Width as they may think proper, not exceeding the Width of Forty-five Feet, together with such Footpaths, Arches, Bridges, Ditches, Drains, Fences, and other necessary Works adjoining thereto as they may think requisite, and for the Purposes aforesaid to take all or any of the Lands, Tenements, and Hereditaments which are mentioned and set forth in the Schedule to this Act annexed, tendering or making Satisfaction for the same to the Owners of the said Lands, Tenements, and Hereditaments, and other Persons interested therein, or for the Damage which such Owners or other Persons may respectively sustain thereby; and for the Purposes aforesaid the several Powers, Provisions, Directions, Regulations, and Restrictions contained in the said recited Act with respect to the making the several Diversions or new Lines of Road by the said Act authorized to be made shall extend and apply to the setting out, making, and completing the new Line of Road herein-before mentioned, as fully and effectually to all Intents and Purposes as if such Powers, Provisions, Directions, Regulations, and Restrictions were herein repeated and re-enacted with respect to such new Line of Road.

Power to make new Road.

III. And whereas a Map or Plan describing the new Line of Road herein-before mentioned, and the Lands, Tenements, and Hereditaments through or over which the same is intended to be carried or made, together with a Book of Reference containing a List of the Names of the Owners or reputed Owners and the Occupiers of such Lands, Tenements,

Maps, &c. deposited with the Clerk of the Peace to remain there,

and Hereditaments, have been deposited at the Office of the Clerk of the Peace for the said County of *Kent*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, 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 said Clerk of the Peace the Sum of One Shilling for every Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Trustees, in making the said new Line of Road, shall not deviate more than One hundred Yards on either Side from the Line described in such Map or Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, entitled to the Lands or Premises to be affected by such Deviation.

and be open to Inspection.

IV. And be it further enacted, That when the said new Line of Road by this Act authorized to be made shall be set out, made, and completed, and be fit for the Passage of Cattle, Carts, and Carriages, it shall not be lawful for the said Trustees to lay out or expend any Money in the Maintenance, Repair, or Support of the same, unless there shall be a Toll Gate erected thereon and Tolls taken thereat; nor shall the said Trustees in that Case lay out or expend a larger Sum of Money in the Maintenance, Repair, or Support of such Road than shall be collected at such Toll Gate, or borrowed on the Credit of the Tolls collected thereon, or received as a Composition for Statute Duty in respect of such Road.

When new Road is made, Trustees not to lay out any Money to support the same unless there be a Toll Gate thereon.

V. And be it further enacted, That so much of the said recited Act as provides and enacts, that when the Tolls authorized to be taken by virtue of that Act should have been paid for or in respect of any Horse, Mule, Ass, or other Cattle passing through any of the Toll Gates erected or to be erected on the said Road or on the Sides thereof, no further Toll should be demanded or taken for or in respect of the same Horse, Mule, Ass, or other Cattle (except in the Cases therein-after mentioned), during the same Day, but on a Note or Ticket being produced, denoting such Payment, such Horse, Mule, Ass, or other Cattle should be permitted to pass Toll-free through the same Toll Gate, and also through all other Toll Gates erected on the said Road or by the Sides thereof, shall be and the same is hereby declared to be repealed.

Repeal of Clause in recited Act authorizing Tolls to be taken but once for passing and repassing.

VI. Provided always, and be it further enacted, That when the Tolls authorized to be taken by virtue of the said recited Act shall have been paid for or in respect of any Horse, Mule, Ass, or other Cattle, or Carriage, passing through any of the Toll Gates, Side Bars, or Chains erected or to be erected on the said Road or on the Sides thereof, no further Toll shall be demanded or taken for or in respect of the same Horse, Mule, Ass, or other Cattle, or Carriage, (except in the Case of Horses, Mules, Asses, or other Cattle drawing Stage Coaches, Vans, Caravans, or other Carriages conveying Passengers or Goods for Hire or Reward, or drawing Post Chaises or other Carriages travelling for Hire,) at the same Toll Gate on the same Day, or at any other Toll Gate at which the Ticket for such Payment shall free, but on a Note or Ticket being produced, denoting such Payment, such Horse, Mule, Ass, or other Cattle, or Carriage, shall be permitted to pass Toll-free through such Toll Gate

Fixing the Tolls to be taken at One Gate on the same Day.

Gate during the same Day, and also through any other Toll Gate at which the Ticket for such Payment shall free.

Limiting the Number of Tolls to be taken on the same Day.

VII. Provided also, and be it further enacted, That no more than Two full Tolls (except in the Case of Horses, Mules, Asses, or other Cattle drawing Stage Coaches, Vans, Caravans, or other Carriages conveying Passengers or Goods for Hire or Reward, or drawing Post Chaises or other Carriages travelling for Hire, which shall pay each Time of passing and repassing,) shall be demanded or taken in any One Day for or in respect of the same Horse, Mule, Ass, or other Cattle, or Carriage, for passing through all or any of the Toll Gates erected or to be erected on the said Road.

For paying the Expenecs of the Act.

VIII. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act shall be paid and discharged by the Trustees for executing this and the said recited Act, in preference to all other Payments whatsoever.

Public Act.

IX. 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.

X. And be it further enacted, That this Act shall continue and be in force from and after the passing hereof for and during the Term and Continuance of the said recited Act.

SCHEDULE referred to in the foregoing Act.

Description of Property.	Owners.	Lessees.	Occupiers.
	Otford Parish.		
Little Duntons -	George Polhill, Esq.	William Tonge, Esq.	William Tonge, Esq.
	Otford and Chevening Parishes.		
Broadfield - -	John S Hylton, Esq., and Mary Susannah his Wife, and William Vaughan and Petty Vaughan Esqrs., Guardians and Trustees.	William Tonge, Esq.	William Tonge, Esq.

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