ANNO QUINTO

GULIELMI IV. REGIS.

Cap. xxiv.

An Act for making and maintaining a Turnpike Road from the Town of *Hurstperpoint* to the *Brighton* and *Cuckfield* Turnpike Road at or near *Ansty Cross* in the Parish of *Cuckfield*, all in the County of *Sussex*. [12th *June* 1835.]

WHEREAS the making and maintaining a Turnpike Road from the Town of *Hurstperpoint* to the Turnpike Road leading from *Brighton* to *Cuckfield* at or near a certain Place called *Ansty Cross*, in the Parish of *Cuckfield*, all in the County of *Sussex*, would be of great Advantage to the Inhabitants of the several Parishes in the Neighbourhood thereof, and to the Public in general: And whereas the before-mentioned Object 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 this Act shall be put in execution for and during the Term herein-after mentioned for the Purpose of making and maintaining a Turnpike Road from the Town of *Hurstperpoint* to the Turnpike Road leading from *Brighton* to *Cuckfield*, all in the County of *Sussex*, to commence at or near the Parish Church of *Hurstperpoint* aforesaid, to pass from, through, or into the

This Act to be put into execution for making the Road herein described.

the several Parishes of *Hurstperpoint* and *Cuckfield* aforesaid, and to terminate at the said Turnpike Road leading from *Brighton* to *Cuckfield* at or near a Place called *Ansty Cross*, in the Parish of *Cuckfield* aforesaid, and which said Turnpike Road by this Act authorized to be made and maintained shall henceforth be called "The *Hurstperpoint* and *Cuckfield* Road."

Trustees.

II. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting in and for the County of *Sussex*, together with Sir *Charles Merrik Burrell* Baronet, *Nathaniel Borrer*, *Carey Hampton Borrer*, *John Hamlin Borrer*, *George Maximilian Bethune* LL. D., *Charles Godwyn Bethune* Clerk, *Thomas Bolling*, *William Bolling*, *John Constable* Clerk, Sir *John Dodson* Knight, *William Ellis*, *John Ellis*, *John Fabian*, *Henry Hider*, Sir *Richard Hunter*, *John Sturch Lempriere*, *William Marshall*, *William Marshall* the younger, *John Marchant*, *William Mitten*, *Henry Plimby* Clerk, *John Pratt*, *Henry Pickett*, *Avery Roberts*, *William Roberts*, *Warden Sergison*, *William Sergison* the younger, Clerk, *William Shaw*, *Edmund Vallance*, *Richard Weekes*, *Hampton Weekes*, *Richard Weekes* the younger, *Frederick Weekes*, *Isaac Newton Wigney*, *Samuel Waller*, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be the Trustees for the Purpose of carrying this Act into execution.

Additional 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.

Meeting of 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 in *Hurstperpoint* aforesaid, on the Second *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, and shall then and there proceed to carry this Act into execution.

Tolls.

V. And be it further enacted, That there shall be demanded and taken, collected and paid, at each and every Turnpike or Toll Gate, Side Gate, Bar, or Chain, to be erected or set up upon, across, or by the Side of the said Turnpike 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,)

For every Horse or other Beast drawing any Coach, Stage Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse,

Litter, Break, Chaise, Curricle, Gig, Chair, or other such Carriage, the Sum of Sixpence:

For every Cart of whatever Description, not drawn by more than One Horse, 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 and upwards at the Bottom or Soles thereof, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, (except any Cart not drawn by more than One Horse,) having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half, and less than Six Inches, at the Bottom or Soles thereof, the Sum of Seven-pence Halfpenny:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, (except any Cart not drawn by more than One Horse,) having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, the Sum of Nine-pence:

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

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

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

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

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence *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 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 or moved 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.

No Exemption from Toll for

VIII. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for

Horses drawing Carriages laden with Chalk, &c.

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 Cart or 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 generally to Turnpike Roads in *England*, to the contrary notwithstanding.

Horses, &c. to pay Toll for every Third Time they pass on the same Day.

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 Gate, Side Gate, Bar, or Chain to be erected upon, across, or on the Side of the said Turnpike Road, for or in respect of any Horse or other Beast or Cattle, Dog or other Quadruped, Cart or Carriage, every such Horse or other Beast or Cattle, whether laden or unladen, and not drawing, and every such Horse or other Beast, Dog or other Quadruped, drawing the same Carriage, and every such Cart or Carriage, in respect of which Toll shall have been so paid, shall be permitted to pass and repass once on the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the succeeding Night, through all and every the Turnpikes or Toll Gates, Side Gates, Bars, or Chains to be erected upon, across, or on the Sides of the said Turnpike Road, Toll-free; but no such Horse or other Beast or Cattle, Dog or other Quadruped, Cart or Carriage, shall be permitted to pass a Third Time in any One Day, to be computed as aforesaid, through any such 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 of passing on the same Day; and such and the same Toll shall be demanded and paid for every such Horse or other Beast or Cattle, Dog or other Quadruped, Cart or Carriage, for every such Third Time of passing, as if no Toll had been before paid on the same Day in respect thereof.

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

X. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage or Cart, and also for or in respect of every Carriage moved or propelled by Steam or Machinery, or by any other Power than by Animal Power, conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time of passing along the said Road or any Part thereof: Provided also nevertheless, that no further or additional Toll shall be payable in respect of any Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage or Cart, on account only of the Horses or Beasts drawing the same having been changed.

Horses, &c. drawing Post Chaises, &c. on every fresh Hiring.

XI. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire for riding, or for drawing any Post Chaise or other Carriage, shall

shall be payable and paid every Time of passing along the said Road whenever any new Hiring thereof shall take place.

Plan deposited with Clerk of the Peace to remain there, and be open to Inspection.

XII. And whereas a Map or Plan describing the Line of the said Turnpike Road herein-before mentioned and described, and the Lands and Premises through which the same is intended to be made or carried, together with a List of the Names of the Owners and Occupiers of such Lands and Premises, has 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 all reasonable Times 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 any less Number of Words; and that the said Trustees, in making or causing to be made the said Turnpike Road, 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.

Road to be made through Lands, although mis-stated in the Map or Plan.

XIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to set out or make the said Turnpike 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 or Premises over or through which the same is set out and described in the said Map or Plan as aforesaid, although such Lands or 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.

In case of Lands purchased by Trustees, Freehold to remain in the Owner of the Lands.

XIV. And be it further enacted, That in case any Lands shall be purchased by the said Trustees for the Purposes of this Act, the Freehold and Inheritance of and in the Lands so purchased shall not, by means of any such Purchase, or any Conveyance made in pursuance thereof, be vested in the said Trustees, but that the Freehold and Inheritance of and in the Lands so purchased shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees, but the said Trustees shall by means of such Purchase and Conveyance, or either of them, be entitled to a perpetual Right of Way in or upon the Lands so purchased by them.

Trustees may nevertheless cut into the same.

XV. Provided always, and it is hereby further enacted, That notwithstanding any Provisions herein contained the said Trustees shall have the same Power of cutting and digging the Lands and Hereditaments taken by them for the Purposes of this Act, and of building Toll Gates thereon, and of otherwise using the same, as the said Trustees would have had in case they had purchased the Fee Simple of the said Lands and Hereditaments.

If Land of Road is not wanted, the Freehold thereof to be in the former Owner.

XVI. Provided also, and be it further enacted, That if at any Time any Land purchased by the said Trustees for the Purpose of the Road mentioned in this Act shall not be wanted for the same, then and in such Case the Right of Way in or upon the said Land vested in the said Trustees shall cease, determine, and be extinguished, and the Freehold and Inheritance of the said Land shall be and remain in the Person or Persons who was or were entitled to the same before such Purchase, freed and discharged of and from such Right of Way.

Application of Money received.

XVII. And be it further enacted, That 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 granted and made payable by this Act; in the third place, in defraying the Expences of widening, repairing, maintaining, and preserving the said Turnpike Road by this Act directed to be made and maintained as aforesaid, and of erecting, altering, and repairing the Toll Gates, Toll Bars, Toll Houses, and other Buildings to be erected upon, across, or at the Sides of the said Turnpike 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 already borrowed or hereafter to be borrowed upon the Security of the said 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 Money to be expended in repairing Streets in any Town through which the Road passes.

XVIII. 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 from, through, or into which the said Turnpike Road will pass.

XIX. And

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. Public Act.

XX. And be it further enacted, That this Act shall commence upon the First *Wednesday* 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. Term of Act.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1835.