ANNO PRIMO

GULIELMI IV. REGIS.

****

Cap. xxxiii.

An Act for more effectually repairing the Road from *Stopham Bridge* in the Parish of *Pulborough* to the Direction Post in the Parish of *Steyning*, on the Turnpike Road leading from *Steyning* to *Horsham* in the County of *Sussex*.

[30th *March* 1831.]

WHEREAS an Act was passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making and keeping in repair the Road leading* 50 G. 3. c. 55. *from a Place near* Stopham Bridge *in the Parish of* Pulborough *in the County of* Sussex *to the Road running from* Worthing *to* Horsham *in the said County, and from the said Road running from* Worthing *to* Horsham *to the Direction Post in the Parish of* Steyning, *on the Turnpike Road leading from* Steyning *to* Horsham *in the said County:* And whereas the Trustees appointed in and by virtue of the said Act have proceeded to put the same into execution, and have borrowed considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, which still remain due and owing, and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term granted by the said recited Act be further continued, and further, better, and more effectual Powers and Authorities granted instead thereof; and

it is expedient that the Tolls granted by the said recited Act should be altered, increased, and regulated, and the said Act repealed, and more effectual Powers and Provisions granted for repairing, maintaining, and otherwise improving the said Road; but the Purposes aforesaid cannot be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 from and after the Twenty-ninth Day of *September* next after the passing of this Act the said recited Act shall be and the same is hereby declared to be repealed and null and void to all Intents and Purposes whatsoever.

Recited Act repealed.

This Act to be put in execution instead thereof.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect in lieu and instead thereof, and shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, turning, altering, improving, and keeping in repair the Road leading from a certain Place being Ten Yards to the Eastward of *Stopham Bridge* in the Parish of *Pulborough* in the County of *Sussex* to the Road leading from *Worthing* to *Horsham* in the said County, and from the said Road leading from *Worthing* to *Horsham* to the Direction Post in the Parish of *Steyning*, on the Turnpike Road leading from *Steyning* to *Horsham* in the said County of *Sussex*.

Trustees.

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 *Sussex*, together with Sir *Timothy Shelley* Baronet, Sir *Charles Merrick Burrell* Baronet, Sir *Charles Forster Goring* Baronet, the Reverend *John Austin*, *Walter Burrell*, the Reverend *William Bradford*, *William Botting*, *Samuel Bosanquet*, *Edward Brown*, *Saxe Bannister*, the Reverend *John Nixon Blagden*, *John Stilemen Bostock*, the Reverend *William Barlee*, the Reverend *William Henry Cooper*, the Honourable *Robert Curzon*, the Reverend *Edmund Cartwright*, *James Constable*, *Joseph Curtis*, *John Clement*, *Charles Coppard*, *Thomas Chatfield*, *William Dennett*, *Thomas Philip Dennett*, *Richard Emery*, *Hugh Fuller*, *Harry Dent Goring*, *Forster Goring*, *Thomas Groome*, *Charles Groome*, *George John Gibson*, the Reverend *Charles Griffith*, *Robert Hurst*, *Robert Henry Hurst*, *William Heath*, *William Harwood*, *John Hampton*, *Hugh Ingram*, *Henry Manning Ingram*, *John Jupp* the elder, the Honourable *George King*, *Peter Marchant Lashmar*, *James Martin Lloyd*, *Edward Michell*, the Reverend *John Morgan*, *William Margesson*, the Reverend *Peter Wallond Moore*, *Charles Mitford*, *George Mant*, *Charles Marshall*, *Arthur Mant*, *Peter John Martin*, *Philip Norris*, the Reverend *John Penfold*, *Hugh Penfold* (of *Cissbury*), *Hugh Penfold* the younger (of *Cissbury*), *Hugh Penfold* (of *Annington*), *John Penfold* (of *Beeding*), *Edward Greenfield Penfold*, the Reverend *George Palmer*, *George Pechell*, *William Westbrooke Richardson*, *Thomas Richardson*, *Walter Smith*, *Charles Freeman Sandham*, *John Tilly*, *John Tilly* the younger, *Luke Upperton* (of *Thakeham*), *Edward Fuller Upperton*, *Luke Upperton* (of *Rackham*), *Robert Upperton*, the Reverend *Henry Warren*, the Reverend *George Wells*, and

and their Successors, being duly qualified to act as Trustees for Turnpike Roads in *England*, shall be the Trustees for the Purpose of putting this Act in execution.

For electing new Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First Meeting to be held in pursuance of this Act, to elect any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Number of Trustees hereby nominated; and such Persons when so elected, and being duly qualified as aforesaid, shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been hereby nominated and appointed.

First Meeting of Trustees.

V. And be it further enacted, That the said Trustees shall meet at the *White Horse* Inn at *Storrington*, or at some other convenient House or Place on or near the said Road, on some Day within Six Weeks next after the Commencement of this Act, or as soon after as may be convenient, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall then and there proceed to carry this Act into execution; and the said Trustees shall and may adjourn themselves from Time to Time, and meet at the said Inn, or any other House or Place, as they may think proper; and if at any Meeting appointed to be held by virtue of this Act, there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned, and Two Trustees shall be sufficient for the Purpose of Adjournment only.

Power to take Tolls.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or for their Collectors, or any present or future Mortgagee or Mortgagees when in actual Possession, to demand and take at each Toll Gate, Bar, and Chain which now is or hereafter shall or may be erected upon, across, at or on the Side of the said Road, before any Horse, Mule, Ass, or other Beast, Cattle, or Carriage, shall be permitted to pass through the same, the Tolls following; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast, where there shall be more than One such Horse, Mule, or other Beast, drawing any Coach, Chariot, Landau, Berlin, Hearse, Post Chaise, or Calash, or any such like Carriage, the Sum of Sixpence:

For every Horse, Mule, or other Beast, where there shall be only One such Horse, Mule, or other Beast, drawing any Coach, Chariot, Landau, Berlin, Hearse, Post Chaise, Calash, Car, Fly Chair, or any such like Carriage with more than Two Wheels, the Sum of Nine-pence:

For every Horse, Mule, or other Beast, where there shall be but One such Horse, Mule, or other Beast, drawing a Chaise commonly called a Single-horse Chaise, or any such like Carriage with Two Wheels only, the Sum of Sixpence:

For every Horse, Mule, or other Beast, and for every Pair of Oxen or other Neat Cattle, drawing any Waggon, Wain, Cart, or other Carriage

Carriage of the like Nature or Kind, with Wheels of the Breadth of Six Inches, the Sum of Four-pence:

For every Horse, Mule, or other Beast, and for every Pair of Oxen or other Neat Cattle, drawing any Waggon, Wain, Cart, or other Carriage of the like Nature or Kind, with Wheels of the Breadth of Four and a Half Inches and less than Six Inches, the Sum of Five-pence:

For every Horse, Mule, or other Beast, and for every Pair of Oxen or other Neat Cattle, drawing any Waggon, Wain, Cart, or other Carriage of the like Nature or Kind, with Wheels of less Breadth than Four and a Half Inches, the Sum of Sixpence:

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

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

And for every Drove of Calves, Sheep, Lambs, Hogs, or Swine, the Sum of Sixpence *per* Score, and so in proportion for any less Number.

Double Tolls on Horses drawing Carriages laden with Timber, &c.

VII. And be it further enacted, That Double the Tolls or Duties hereby granted on every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other Carriage of the like Nature or Kind, shall be demanded, taken, and paid on every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other Carriage whatsoever of the like Nature or Kind, laden with Timber, Plank, Wood, Bricks, Tiles, Stone, Marl, Chalk, Culm, Lime, Cement, or Sand, of the Weight of Three Fourths of a Ton or upwards, between the First Day of *November* and the First Day of *April* in every Year during the Continuance of this Act; any thing herein contained to the contrary thereof notwithstanding.

Tolls vested in Trustees.

VIII. And be it further enacted, That the said several and respective Tolls herein-before granted shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in the Manner directed by this Act.

One Half Toll on Asses.

IX. And be it further enacted, That in all Cases only One Half of the Tolls by this Act granted shall be paid for an Ass passing through any of the Toll Gates, Bars, or Chains erected or to be erected in, upon, or across the said Road, or upon the Sides thereof, whether drawing or not.

Tolls to be paid but once in respect of the same Horses unless they pass a Third Time.

X. Provided always, and be it further enacted, That any Person who shall have paid the Tolls authorized to be taken by virtue of this Act for or in respect of any Horse, Mule, Ass, or other Beast or Cattle, at any of the Toll Gates, Bars, or Chains erected or to be erected in, upon, or across the said Road, or upon the Sides thereof, such Horse, Mule, Ass, or other Beast or Cattle shall on the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) be permitted to pass and return once through the same Toll Gates, Bars, or Chains, without being subject to the Payment of any further Toll, the Person

or

or Persons attending the same producing Notes or Tickets denoting such respective Payments in respect of such Horse, Mule, Ass, or other Beast or Cattle (which Notes or Tickets the Collector or Collectors of the Tolls is or are hereby required to deliver *gratis* on Receipt of the Toll); but if any Horse, Mule, Ass, or other Beast or Cattle shall pass through any such Toll Gate, Bar, or Chain a Third Time, then and in any such Case the Person or Persons attending the same Horse, Mule, Ass, or other Beast or Cattle, shall again be liable to pay the said Toll, and so *toties quoties* for every Third Time the same Horse, Mule, Ass, or other Beast or Cattle shall pass the same Day through the same Toll Gate, Bar, or Chain.

Limiting the Number of Tolls.

XI. And be it further enacted, That no more than Three full Tolls shall be demanded or taken on the same Day (to be computed as aforesaid) for passing along the whole Line of the said Road.

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

XII. And be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of any Horse, Mule, Ass, or other Beast drawing any Stage Coach, Waggon, Caravan, Cart, Van, or other Carriage conveying Passengers or Goods for Hire or Reward, every Time of passing through any of the said Toll Gates, Bars, or Chains; but no further or additional Tolls shall be payable or paid in respect of Stage Coaches, on account only of the Horses drawing the same having been changed.

Post Chaises, &c. on every new Hiring.

XIII. And be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of any Horse, Mule, Ass, or other Beast let out to Hire, and drawing any Post Chaise or Carriage, every Time of passing or repassing through the said Toll Gates, Bars, or Chains, whenever a new Hiring thereof shall take place.

Application of Tolls.

XIV. 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 defrayed out of the Monies raised by virtue of the said recited Act hereby repealed, and out of the first Monies to be raised by virtue of this Act; and all the Residue of the Money so raised, and any Money which shall hereafter be raised, shall from Time to Time be applied, in the first place, in discharging the Interest upon all Mortgages and other Securities made by virtue of the said recited Act hereby repealed, or to be made by virtue of this Act on the said Road in manner herein-before directed, in preference to all other Payments whatsoever, and afterwards in defraying the Expences of making, erecting, and keeping in repair the Toll Gates, Toll Bars, Toll Houses, and other Buildings, and of widening, repairing, and improving the said Road, or otherwise in putting this Act in execution, and to no other Use or Purpose whatsoever.

Public Act.

XV. 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.

Term of Act.

XVI. And be it further enacted, That this Act shall commence upon the said Twenty-ninth Day of *September* next after the passing thereof, and shall from thenceforth continue and be in full Force, and be executed for Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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