ANNO SEXTO

GULIELMI IV. REGIS.

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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 hereinafter mentioned, for the Purpose of making and maintaining a Turnpike Road or Turnpike Roads, to commence at the *North Lodge, Saint Leonard's*, in the Parish of *Saint Leonard's*, and at the *South Saxon* Hotel in the Parish of *Saint Mary Magdalen*, proceeding to and uniting at or near the Point of Junction of the *Hastings, Saint Leonard's*, and *Hollington* Roads at *Hollington Lane* in the Parish of *Saint Leonard's*, and to pass from thence over and across the present Road at *Silver Hill* in the Parish of *Saint Mary in the Castle*, through certain Lands called *Silver Hill Farm, Eversfield Wood*, and *Ashdown Farm*, all in the Parish of *Hollington*, to the present Turnpike Road leading from *Battel* to *Hastings*, passing under such last-mentioned Road near the *Harrow* Inn by means of an Archway, and from thence through certain Lands of Sir *Charles Montolieu Lamb* Baronet, to and across a Parish Road leading to *Westfield* through *Baldsloe Wood* and the *Moat Farm*, past the *Yew Tree Cottage*, crossing, in the Parish of *Westfield* aforesaid, the present Road leading from the *Harrow* Inn to *Sedlescomb*, and to proceed from thence through other Part of the *Moat Farm* aforesaid, whence the said intended Turnpike Road is to follow for the Distance of about Half a Mile the Road which at present leads from the *Yew Tree Cottage* to *Carpenter's Barn*, and proceed from thence through *Norton's Farm* to and along the Road which now leads from *Kent Street* to *Whydown Hill* to *Blackbrooks* in the said Parish of *Westfield*, from which Place the Road will proceed in Two Directions, one towards the *Royal Oak* at *Whatlington*, leading through *Birchbrook, Marley Farm*, and *Petley Wood*, over the Stream near the Corner of *Petley Wood*, through *Spilstead Farm* in the Parish of *Sedlescomb*, and across the Road leading from *Sedlescomb* to *Whatlington* near Mr. *Bates*'s Windmill, and from thence past *Handcock's Farm* to the *Royal Oak* at *Whatlington*, and terminating in front of the Cottages near the *Royal Oak* aforesaid; and the other Direction towards *Cripp's Corner* will proceed from *Blackbrooks* aforesaid, through Lands of *Hercules Sharpe* Esquire in the Parish of *Westfield*, to *Sedlescomb Bridge*, and from thence in the present Line of Road through *Sedlescomb Street*, past *Castleman's Oak*, to or near *Sedlescomb* Church, and from thence through a Portion of *Sedlescomb* Glebe, and along the present Road from *Sedlescomb Street* to the *Compasses* for the Distance of about a Furlong, and from thence through Lands of *John Bishop* Esquire and Mr. *John Eldridge*, crossing again the present Road from *Sedlescomb Street* to the *Compasses* opposite the Lands of the said *John Eldridge*, and from thence in a straight Line behind the *Compasses*, and over Lands of the said *John Bishop*, all in the said Parish of *Sedlescomb*, into and along the Road leading from the *Compasses* to *Cripp's Corner*, up to and terminating at *Cripp's Corner Gate* in the Parish of *Ewhurst* in the County of *Sussex*; and for the Purposes of such Road or Roads to make Turnpike, and to divert, alter, widen, improve, and repair, certain Parts of the existing Highways upon the Line and between the Points of the Commencement and of the respective Terminations of the said new Road or Roads; and also for the Purpose

Description of Roads.

of

of making and maintaining a Branch from and out of the said new Road, to commence about a Furlong on the South-west Side of the *Harrow* Inn aforesaid, across certain Lands of Sir *Charles Montolieu Lamb* Baronet towards the North-west, to terminate at the Turnpike Road leading from *Hastings* to *Battel* about a Furlong to the West of the *Harrow* Inn aforesaid; and also for the Purpose of maintaining and keeping in repair such Portions of any existing Road or Roads into which the said intended new Road or Roads or any Part thereof may lead as may hereafter be abandoned by the Trustees of such existing Road or Roads.

Power to keep up Road abandoned by the Plimwell Trust.

II. And whereas by the Improvements in progress under the Provisions of an Act passed in the Second Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road leading from* Flimwell Vent *in the Parish of* Ticehurst *in the County of* Sussex *to the Town and Port of* Hastings *in the said County*, the Distance between *London* and *Hastings* will be shortened, and a Portion of the present Line of the said last-mentioned Road between *John's Cross* and the Town of *Battel* will thereby be abandoned by the Trustees acting under the said recited Act; be it therefore enacted, That when and as soon as the said Road between the said Town of *Battel* and *John's Cross* shall be abandoned the Trustees acting in the Execution of this Act shall and they are hereby required to maintain and keep in repair such Portion of the said Road, when so abandoned as aforesaid, and for that Purpose to demand and take such Tolls as may be required, and generally to do such other Matters and Things relating to the said Road, when so abandoned, as fully and effectually to all Intents and Purposes as the Trustees under the said last-recited Act could or might or ought to have done: Provided nevertheless, that no more Tolls shall be taken or collected thereupon than shall be necessary for maintaining the same, and for paying the annual Expences exclusively relating thereto.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Sussex*, together with Sir *William Ashburnham* Baronet, *John Ashburnham* Clerk, *Francis Ayerst*, *Thomas Ayerst*, *Peter Auber*, *John Bishop*, *John Bishop* junior, *James Burton*, *William Ford Burton*, *Septimus Burton*, *Decimus Burton*, *Alfred Burton*, *Hugh Brown*, *William Pain Beecham*, *Spencer Crisford*, *Alexis James Doxat*, *Richard Day*, *William Duke* senior, *Thomas Daws*, *Thomas Chester Daws*, Sir *Howard Elphinstone* Baronet, *Charles Hay Frewen*, *George French*, *George French* junior, *William Farncomb*, *Henry Grace*, *Gant Greenough*, *Edward Craven Hawtrey* Doctor of Divinity, *Thomas Law Hodges*, *Thomas Twisden Hodges*, *Harwood* Doctor of Medicine, *William Harwood* Doctor of Medicine, *John Hilder* of *Sandhurst*, *James Hilder* of *Bodmin*, *John Hoffman*, *Joseph Jeffries*, *Walter Inskipp*, *George Augustus Lamb* Doctor of Divinity, *Alfred Laurence* Clerk, *Charles Lamb*, *William Phillips Lamb*, *Thomas Davis Lamb*, *Thomas Cooper Langford*, *Frederick Langford*, *David Manser*, *John Mannington*, *Robert Mercer*, *Joseph Mercer*, *John Platt* Clerk, *Richard Palliser*, *Richard Curteis Pomfret*, *Thomas Pix*, *Thomas Smith Pix*, *John Joseph Pratt*,

Pratt, *Henry Edward Pratt*, *Thomas Richards* Clerk, *Thomas Walter Reeves*, *William Reed*, *William Swete* Clerk, *William John Sharpe*, *Hercules Brabazon Sharpe*, *Tilden Smith* of *Mountsfield*, *Tilden Smith* of *Ewhurst*, *Stephen Smith*, *Richard Smith*, *Samuel Selmes*, Sir *John Godfrey Thomas* Baronet, Clerk, *Thomas Frewen Turner*, *Edmund Thomas*, *James Troup*, *William Thorpe*, *John Upperton*, *John Vignoles*, *Henry Winchester*, *John Ward*, *Thomas Wood*, *Francis Wilson*, *Edward Young*, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying the several Acts for regulating Turnpike Roads in *England* and this Act into execution.

Election of new Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time at any of their Meetings, to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected, and being duly qualified according to the Acts for regulating Turnpike Roads in *England*, shall have the same Powers and Authorities for executing the several Acts for regulating Turnpike Roads in *England* and this Act as if they had been named herein.

Meetings.

V. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *Queen's Head* Inn in *Sedlescombe* in the County of *Sussex*, or at some other convenient Place in the Neighbourhood of the said Road, on the Third *Tuesday* next after the Commencement of this Act, or so soon afterwards as conveniently may be, between the Hours of Ten and Two of the Clock on that Day, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and Places within the Parish of *Sedlescomb* aforesaid, or in the Neighbourhood of the said Roads, as the said Trustees or the major Part of them present at such respective Meetings shall think proper and appoint.

Power to make the Roads.

VI. And be it further enacted, That it shall be lawful for the said Trustees to make the said Roads herein-before mentioned of such Widths as they shall think proper, not exceeding Sixty Feet, together with such Footpaths, Causeways, Embankments, Foundations, Piers, Abutments, Bridges, Archways, Arches, Culverts, Ditches, Drains, Fences, and other Works on the Lines of the said Roads as they shall think expedient, and for the Purposes aforesaid to make and use any Lands, Tenements, or Hereditaments, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain by the Execution of the Powers of this Act; and it shall also be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon any Lands, Tenements, or Hereditaments upon, in, over, or through which such Roads, Causeways, Embankments, Foundations, Piers, Abutments, Bridges, Archways, Arches, Culverts, Ditches, Drains, Fences, and other Works as aforesaid, or any of them, are intended to be made or pass, and also upon, in, over, or through any adjoining Lands, Tenements, and Hereditaments, and to stake out the

the same in such Manner as the said Trustees shall think expedient, without being deemed Trespassers, and without being subject to any Penalty or Punishment for entering or continuing upon such Lands, Tenements, or Hereditaments for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence

Provision for making a certain Portion of Road to be used in common with the Hollington Trust.

VII. And whereas a Bill is now pending in Parliament, intituled *A Bill for making and maintaining a Turnpike Road leading from the* Flimwell *to* Hastings *Turnpike Road at or near* Beauport *in the Parish of* Hollington *to* Hastings *in the County of* Sussex, *to be called* "*The* Hastings *and* Hollington *Turnpike Road*," by which said Bill it is intended to take Power to pass over a Portion of the Line of Road which the Trustees acting in execution of this Act are authorized to make and maintain; and it is expedient that some Provision shall be made for securing the making of the said Portion of Road within a reasonable Time, and also a Provision for Payment by the Trustees of the said intended Act of a Moiety of the Expences to be incurred in making and maintaining the same; be it therefore enacted, That the Trustees acting in execution of this Act shall and they are hereby required, within Six Calendar Months from the passing hereof, to make and from Time to Time to maintain so much of the said Road as will be required to be used in common with the Trustees of the said intended Act, the same to be made and maintained with good hard Stone, with sufficient Drains for effectually carrying off the Water; and that the Expences of making and maintaining such Portion shall be paid in equal Shares and Proportions by the Trustees of the said intended Act and this Act, and in case of any Dispute as to such Expences, or any other Matter touching the making, maintaining, repairing, or otherwise relating to the said Road so to be used in common as aforesaid, the same shall be settled, on Application of either Party, after Ten Days Notice in Writing by the other Party of such intended Application, by His Majesty's Justices of the Peace for the said County of *Sussex* in Petty Sessions assembled for the Division within which the said Portion of Road is situate: Provided always, that if the said Trustees acting in execution of this Act shall not make and complete the said Portion of Road in manner aforesaid within the said Period of Six Calendar Months, and shall not from Time to Time keep the same in good Repair as aforesaid, then and in either of these Cases the Powers hereby given so far as relate to the said Portion of Road shall cease to all Intents and Purposes.

No Toll to be taken upon the Road made at joint Expence.

VIII. Provided always, and be it further enacted, That no Toll Gate or Toll Bar shall be erected or placed by the Trustees of this Act upon that Portion of the said Road so to be made and maintained by the Trustees of the said intended Act and of this Act at their joint Expence as aforesaid.

Map of Road and Book of Reference

IX. And whereas a Map or Plan describing the said intended Road, and the Lands, Tenements, and Hereditaments upon, in, over, or through which the same are intended to be carried, together with Books

to remain with Clerk of the Peace and be open to Inspection.

Books of Reference thereto containing the Names of the Owners and Occupiers of such Lands, Tenements, and Hereditaments, have been deposited in the Office of the Clerk of the Peace for the County of *Sussex*; 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 all reasonable Times have Liberty to inspect the same, and to take Copies thereof and Extracts therefrom, paying to the said Clerk the Sum of Two Shillings and Sixpence for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or either of them, or any Copy thereof respectively, certified by the said Clerk of the Peace for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law and Equity; and the said Trustees in making such Road shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan without the Consent in Writing of the Party or Parties upon, in, over, or through whose Lands, Tenements, or Hereditaments any such Deviations beyond the said Distance of One hundred Yards shall be made.

Houses, &c. not to be taken unless mentioned in Schedule.

X. Provided always, and be it further enacted, That the Powers and Authorities by this Act given for making the said Roads shall not authorize the said Trustees to pull down, take, or use any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, Plantation, planted Walk or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owners or Proprietors thereof or other Persons interested therein first had and obtained, except such as are mentioned in the Schedule to this Act annexed.

Unintentional Errors remedied.

XI. Provided also, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads and other Works aforesaid upon, in, over, or through any Lands, Tenements, or Hereditaments upon, in, over, or through which such Roads and other Works are delineated on the said Maps or Plans, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof respectively, or the Names of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the said Books of Reference, provided it shall appear to any Two or more Justices of the Peace for the County within which such Lands, Tenements, or Hereditaments shall be situate (in case of Dispute about the same), and be certified by Writing under their Hands, that such Omission, Misstatement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County for the Time being, as the Case may require.

Limiting Time for Purchase of Property.

XII. Provided also, and be it further enacted, That if the said Trustees shall not within the Space of Two Years next after the passing of this Act agree for or cause to be valued and purchase the Lands,

Lands, Tenements, and Hereditaments which they are by this Act authorized to take, or so much thereof respectively as they shall deem necessary for the Purposes of this Act, then and from thenceforth the Powers by this Act or by any other Act or Acts granted in relation to the taking of Lands, Tenements, or Hereditaments for the Purposes of Turnpike Roads shall, so far as relates to the Lands, Tenements or Hereditaments herein-before mentioned, cease and be utterly void, unless with the Consent of the respective Owners of such Lands, Tenements, or Hereditaments; any thing in this Act or in any such Act or Acts as aforesaid contained to the contrary thereof notwithstanding.

The Freehold and Inheritance of Lands to remain and be vested in the Persons of whom they are purchased.

XIII. And be it further enacted, That in case any Lands shall, in pursuance of this Act or of the Acts for regulating Turnpike Roads in *England*, 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 (notwithstanding any Provisions in the said Acts or any of them to the contrary), 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; and the said Trustees shall, by means of such Purchase and Conveyance or either of them, be entitled to a perpetual Right of Way in, over, or upon the Lands purchased by them in pursuance of this Act and the said Acts or any of them.

The Right of Way to cease when Lands are not wanted.

XIV. Provided always, and be it further enacted, That if at any Time any Land purchased by the said Trustees for the Purposes of the Roads mentioned in this Act or any of them shall not be wanted for the same, then and in such Case the Right of Way in, over, or upon the Lands 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 then entitled to the same, freed and discharged of and from such Right of Way.

The Trustees to have the same Powers of cutting the Lands taken by them as if they had purchased the Fee Simple.

XV. Provided also, and be it further enacted, That the said Trustees shall have such and the same Power and Authority of cutting and digging and otherwise using the Lands and Hereditaments taken by them for the Purposes of this Act, and of building any Toll House or any Bridge or any other Erections thereon, as fully and effectually to all Intents and Purposes as the said Trustees would have had in case they had purchased the Fee Simple of the said Lands and Hereditaments under and by virtue of the Powers contained in any of the Acts now in force for regulating Turnpike Roads in *England*; any thing herein contained to the contrary in anywise notwithstanding.

Toll Houses.

XVI. And be it further enacted, That it shall be lawful for the said Trustees to erect or build, upon each of the said Roads or any Part thereof, or upon the Sides thereof or any Part thereof, when and where

where and as they shall judge proper, any Toll Gates or Toll Bars, Toll Houses and Weighing Machines, with Outhouses and Buildings thereto, and to take in and inclose suitable Garden Spots for such Toll Houses, not exceeding One Eighth Part of a Statute Acre, as they shall think necessary, and from Time to Time to alter or take down and rebuild or to discontinue and remove the same or any of them as they shall think proper.

Tolls.

XVII. And be it further enacted, That the Tolls to be taken by virtue of this Act shall not exceed the following; (that is to say,)

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Coach, Stage Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Litter, Break, Chaise, Curricle, Gig, or other such like Carriage, the Sum of Four-pence:

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, the Sum of Two-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches and not less than Four Inches and a Half, the Sum of Three-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Four Inches and a Half, the Sum of Four-pence:

For every Horse, Ass, Mule, Beast, or other Cattle drawing any Carriage laden with Fish only, the Sum of One Penny, and the same Toll on returning with such Carriage empty on another Day:

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

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

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

For every Score of Calves, Swine, Sheep, or Lambs, except Calves, Lambs, and Pigs not having been weaned, and passing with their Dams, the Sum of Five-pence, and so in proportion for any less Number than a Score:

And for every Coach, Waggon, Vehicle, or other Carriage of whatever Description, propelled or drawn wholly or in part by Steam, Gas, or any such like Means, or by Machinery, or otherwise than by Animal Power, the Sum of Two Shillings:

And for every Dog, Goat, or other such like Animal drawing any low Cart, Truck, or other Carriage there shall be paid the Sum of One Penny:

Such respective Tolls to be paid before any such Horse, Mule, Ass, Cattle, or Beast, or any such Carriage, or Dog drawing as aforesaid, shall be entitled to pass through any Turnpike or Toll Gate to be erected on the said Roads.

One Half Toll in addition in Winter.

XVIII. Provided always, and be it further enacted, That all Horses or other Beasts of Draught drawing any Carriage whatsoever (except Coaches,

Coaches, Chariots, Berlins, Landaus, Hearses, Chaises, Chaise Marines, Calashes, Chairs, Caravans, Vans, or Carts licensed to carry Persons or Passengers, or any other Carts if drawn by One Horse only,) passing through any Bar, Gate, Turnpike, or Chain erected or to be erected by virtue of this Act, between the Thirtieth Day of *September* and the First Day of *April* in every Year during the Continuance of this Act, shall be subject and liable to the Payment of an additional Toll of One Half of the Toll herein-before imposed on the Horses or other Beasts drawing such like Carriage, according to the Number of Horses or Beasts of Draught drawing the same, at each Bar, Gate, Turnpike, or Chain through which such Horses or other Beasts of Draught shall pass.

Fraction of One Halfpenny to be deemed One Halfpenny.

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

Restriction on Exemption.

XX. 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, Beast, or Cattle drawing any Waggon, Wain, Cart, or other Carriage laden with any Materials for making or repairing any Highway, or for building, rebuilding, or repairing any Bridge, or with Dung, Soil, Compost, or Manure for improving Lands, or Lime for agricultural Purposes, or with Ploughs, Harrows, or Implements of Husbandry, or Hay, Straw, Fodder for Cattle, or Corn in the Straw, Potatoes, or other agricultural Produce, such Waggon, Cart, or other Carriage having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches, or the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above the Surface of such Tire.

Limiting the Number of Tolls to be taken on the whole Line.

XXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend to empower the said Trustees, or any Collector or Collectors to be by them appointed for that Purpose, to demand or take more than Three full Tolls for passing over the whole Line of Road.

Horses, &c. for which Toll has been paid to repass Toll-free, unless drawing a different Carriage.

XXII. Provided also, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle shall at any Time during the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages) through the same Toll Gate or Toll Bar: Provided nevertheless, that no Horse, Beast, or Cattle for which Toll shall have been paid at any of the said Toll Gates or Toll Bars, drawing another or different Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Toll Gate or Toll Bar on the same Day without again paying Toll.

Stage Coaches to pay each Time of passing.

XXIII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Hire or Reward, for each Time of passing and for each Time of repassing along the said Roads: Provided nevertheless, that no further or additional Tolls shall be payable in respect of any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage on account only of the Horses drawing the same having been charged.

Post Chaises on every fresh Hiring.

XXIV. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle let out for Hire, and drawing any Post Chaise or other Carriage, for each Time of passing along the said Roads whenever a new Hiring thereof shall take place.

Steam Carriages to pay every Time of passing.

XXV. Provided always, and be it enacted, That the Tolls hereby made payable for and in respect of any Carriage propelled or moved by Steam, Gas, Machinery, or any other like Means, shall be paid every Time of the passing and repassing of such Carriage along the said Road or Roads.

No more Money to be laid out on any Road than is collected thereon.

XXVI. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Road authorized to be made by this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Road or on the Side thereof, nor unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any of the Roads authorized to be made by this Act than shall be collected thereat or borrowed on the Credit of the Tolls collected thereon.

No Preference for Mortgagees.

XXVII. And be it further enacted, That no Preference, except as herein-after mentioned, shall be given to any Person or Persons who shall have advanced or who shall hereafter advance any Money on the Credit of the Tolls granted by this Act, to his, her, or their Assignee or Assignees, in respect of the Priority of the Mortgage or Assignment or other Security for the same, or of advancing such Money; but all such respective Persons shall (in proportion to the Sums mentioned in such Security) be Creditors under this Act, and in equal Degree one with another, without any Preference or Priority.

Sinking Fund.

XXVIII. And be it further enacted, That from and after the Twenty-fifth Day of *March* One thousand eight hundred and forty-three such annual Sum as the said Trustees shall think proper (such Sum not being less than Fifty Pounds) shall from thenceforth be charged on and during the Continuance of this Act be appropriated and paid out of the Tolls and Dues to arise at the several Gates on the said Road or Roads, in order to form a Sinking Fund for

for the gradual Payment of all the Principal Sums to the Extent of Eleven thousand Pounds first to be advanced or to be borrowed as aforesaid; and that as often as the said Trustees shall think proper the said Sinking Fund shall be applied in the first place in the Payment of such Principal Money rateably or by Lot among the said Creditors, as the said Trustees shall think proper, and in the second place, from and after Payment of all such Principal Money due and owing to such last-mentioned Creditors, then in the Payment of an equal Amount of the said Principal Money which shall be raised or borrowed on the Credit of the said Tolls exceeding the said Sum of Eleven thousand Pounds, the Amount of which annual Sum shall be in the Discretion of the said Trustees.

Application of Tolls.

XXIX. 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, together with the Monies that shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be vested in the said Trustees, and shall be applied to and for the several Uses, Intents, and Purposes, in the Order and Manner following; (that is to say,) in the first place in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relating thereto respectively; secondly, in defraying the Expences of making the said Roads, and of erecting Turnpikes, Toll Gates, Side Gates, and Toll Houses, with suitable Outbuildings, upon, across, and by the Side of the said Roads; thirdly, in paying and discharging the Interest which shall from Time to Time become due in respect of every Sum and Sums of Money now or hereafter to be borrowed or taken up at Interest on Security of the Tolls hereby granted; fourthly, in paying the annual Sum for founding such Sinking Fund as is herein-before directed; and lastly in defraying the Expences of erecting and keeping in repair the Toll Gates, Toll Bars, Weighing Engines, Toll Houses, and other Buildings, and of widening, repairing, improving, diverting, and preserving the Roads by this Act directed to be made or kept in repair as aforesaid, and in building, erecting, and in keeping in repair Bridges, Archways, Arches, and other Erections as the same respectively may be required, and in executing the other Purposes of this Act.

Provision for making an Archway near the Harrow Inn.

XXX. Provided always, and be it further enacted, That before any of the Works within Fifty Yards of the Centre of the *Flimwell* to *Hastings* Turnpike Road at or near the *Harrow* Inn shall be commenced for the Purpose of making the Archway intended to be made by virtue of this Act under the said *Flimwell* to *Hastings* Turnpike Road, One Calendar Month's Notice in Writing of the Intention to commence such Works for the Purpose aforesaid, together with a Plan, Section, and Specification of the same Works, shall be left with the Clerk of the Trustees of the said Road, or at his House.

Expences of forming the same to be

XXXI. And be it further enacted, That the whole of the Works to be done and performed within the said Distance and for the Purpose aforesaid

paid by the Trustees of this Act.

aforesaid shall be executed and performed at the Expence of the Trustees of this Act in such Manner as shall be agreed upon between the Engineer or Surveyor for the Time being of the Road intended to be made by virtue of this Act and the Engineer or Surveyor for the Time being of the said *Flimwell* to *Hastings* Turnpike Road; and in case of any Dispute, Difference, or Disagreement between them relating thereto, the same shall be decided, on the Application of either Party, after Ten Days Notice in Writing to the other Party of such intended Application, by His Majesty's Justices of the Peace for the said County of *Sussex* in Petty Sessions assembled for the Division within which that Part of the said Road where such Works are proposed to be done is situate, which Justices are hereby required to decide such Dispute, Difference, or Disagreement within One Calendar Month next after Application to them shall have been made; and the said Justices are hereby authorized to employ such competent Engineer as they may think proper to inspect the Works proposed to be performed, and to report thereon to such Justices, to enable them to decide such Dispute; and that such Justices shall have full Power to direct in what Manner such Works shall be completed, as well as by whom the Costs incurred by reason of the Application to such Justices shall be paid, and the Decision of such Justices shall be final, conclusive, and binding.

To prevent Damage to the Hastings Turnpike Road during Progress of the Works.

XXXII. And be it further enacted, That in case any of the Surface of the said *Flimwell* to *Hastings* Turnpike Road within the Distance of Twenty Feet of the Centre of the Road shall be moved for the Purpose of making the said Archway, the whole of the said Surface shall be relaid and stoned on a Level with the present Surface of the said Road within Three Months from the first breaking up or removing any Part of the said Surface, and there shall be at all Times during the Progress of the said Work a temporary Road formed with broken hard Stone of the clear Breadth of Twenty Feet constantly left open and uninterrupted for the Use of the Public; and such fencing, lighting, and other Matters shall from Time to Time be erected, done, performed, and constantly kept in good substantial Repair by the Trustees of the Road intended to be made by virtue of this Act, as shall be necessary for the Protection, Safety, and free Passage on the said *Flimwell* to *Hastings* Turnpike Road for all Persons, Cattle, and Carriages, to the Intent that the Safety and free Passage of the said *Flimwell* to *Hastings* Turnpike Road may not be injured or endangered during the Progress or after the Completion of the said Works by any thing to be done or neglected to be done by the Trustees acting in execution of this Act: Provided always, that in case the Trustees of the Road intended to be made by virtue of this Act shall fail forthwith to erect, do, and perform such Matters for such Protection, Safety, and free Passage of the said *Flimwell* to *Hastings* Turnpike Road as aforesaid, whether during the Progress or after the Completion of the said Works, after a Notice in Writing, requiring them to do so, given to their Clerk, Engineer, or Surveyor for the Time being, by the Clerk, Engineer, or Surveyor for the Time being of the said *Flimwell* to *Hastings* Turnpike Road, it shall be lawful for the Trustees of the said *Flimwell* to *Hastings* Turnpike Road to erect, do, and perform such Matters, and the Money

Money expended therein shall be repaid them by the Trustees of the Road intended to be made by virtue of this Act, the Amount of which in case of Dispute shall be ascertained by the Justices in Petty Sessions in the same Manner as is herein provided respecting any Dispute touching the Works to be done or performed for the Purpose of making the Archway proposed to be made near the *Harrow* Inn aforesaid; and the Order of the said Justices for Payment of such Expences, addressed to the Treasurer of the said Trustees, shall be a sufficient Authority to him for the Payment thereof.

Rule for the Construction of certain Expressions in this Act.

XXXIII. And be it further enacted, That wherever in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, such Word shall be construed to include several Matters as well as One Matter, several Persons as well as One Person, and Females as well as Males; and where the Word "Lands" shall be used the same shall be construed to include Tenements and Hereditaments; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Term of Act.

XXXIV. And be it further enacted, That this Act shall commence upon the passing thereof, and shall thenceforth continue and be in force and be executed for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Public Act.

XXXV. 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.

SCHEDULE to which the foregoing Act refers.

Owners.	Occupiers.	Description of Property.
	PARISH OF HOLLINGTON.	
William Farncomb -	- | William Farncomb -	- | Plantation.
	PARISH OF WESTFIELD.	
William Bishop -	- | Stephen Selden -	- | Garden Ground.
	PARISH OF SEDLESCOMB.	
Lord Delawarre -	- | John Sims - -	- | Clump of Trees.
	PARISH OF WHATLINGTON.	
Stephen Overy -	- | Thomas Jimpson, Stephen Turner.	| Garden Ground.
	PARISH OF SEDLESCOMB.	
Mrs. T. Woodward	- | Spencer Crisford -	- | Hop Garden.
	PARISH OF EWHURST.	
Jesse Hilder - -	- | Jesse Hilder - -	- | Garden Ground.

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