ANNO UNDECIMO

Georgii III. Regis.

An Act for repairing and widening the Road from the Turnpike Road at *Vinehall*, in the Parish of *Mountfield* in the County of *Sussex*, to *Cripps's Corner*, and from thence to *Staple Cross*, and to the Turnpike Road near the Windmill in the Parish of *Beckley*, and from *Staple Cross* to *Longley's* Water Corn-Mill at *Kent Ditch*, and from *Cripps's Corner* to the Town of *Rye* in the said County.

WHEREAS the Road leading from the Turnpike Road at Vinehall, in the Parish of Mountfield, in the County of Sussex, to Cripps's Corner, and from thence to Staple Cross, in the Parish of Ewhurst in the said County, to the Turnpike Road near the Windmill, in the Parish of Beckley in the said County, and from Staple Cross aforesaid to Bodiham Bridge, and through the Parish of Bodiham to Longley's Water Corn-Mill at or near Kent Ditch, and from Cripps's Corner aforesaid to and through the Parishes of Brede and Udimore; Preamble.

more, to the ancient Town of Rye in the ſaid County of Suſſex, by reaſon of the Deepneſs of the Soil thereof, and many heavy Carriages frequently paſſing through the ſame loaded with Timber and Guns for Naval and Ordnance Service, is become very ruinous and bad; that in the Winter Seaſon the greateſt Part thereof is quite impaſſable: And in regard the ſaid Road cannot be ſufficiently amended, widened, and kept in Repair by the ordinary Courſe of Law; 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 Right Honourable the Earl of Thomond in the Kingdom of Ireland, the Right Honourable George Lenox, commonly called Lord George Lenox, the Right Honourable George Germain, commonly called ~~Lord~~ George Germain, the Honourable James Murray, Sir Whiſtler Webſter, Sir John Shelley, Baronets; the Mayor and Jurats of the ancient Town of Rye for the Time being, William Aſhburnham, Thomas Akenborow, Joaſh Adcroft, Richard Ade, Thomas Ades, Stephen Ades, William Apps, John Auſten, Edward Ades, Samuel Boys junior, Richard Batchellor, John Baker, George Biſhop, Edward Maynard Briſtow, John Buckhurſt, Joſeph Baker, Samuel Boys, George Briſtow, John Bartlett, Samuel Baker, John Bourne junior, Francis Bourne, Richard Barnes, William Biſhop, Iſaac Baker, William Baniſter, Richard Butler, William Blackman, Henry Mallory Biſhop, John Baker of Northiam, Edmund Chittenden, Henry Carleton, John Chambers, Jeremiah Curteis, William Cuckow, Thomas Cooke, John Cleve, Samuel Cheſter, William Cooper, Thomas Cooper, William Cook, Moſes Cloake, Joſeph Calverley, Samuel Daſh, William Davis, William Danſays, Daniel Davis, James Dalrymple, John Davis, Samuel Day, General George Auguſtus Elliot, William Edgar, Roſe Fuller, Thomas Fuller, Stephen Fuller, John Fuller of Parkgate, John Fuller junior of Lewes, Thomas Frewen, Thomas Frewen junior, Edward Fox, Charles Frewen, John Fuller of Heathfield, Stephen Fryman, Edward Frewen, William Fiſher, David Guy, Thomas Guy, William Green, Greening Gott, Walter Gubbon, John Grayborn, Colonel Thomas Hay, William Hawes, William Hicks, John Hilder, Richard Harcourt, John Hogben, John Holman, John Haddock, John Holt, John Holman junior, Stephen Holman, Henry Hyland, William Henly, Thomas Huſſey,

Truſtees Names.

Huſſey, William Jenkin, James Jeakens, Burford Jeakens, Thomas Inman, Peter Jarman, John Longley, William Lord junior, Thomas Lamb, James Lamb, Thomas Phillips Lamb, Thomas Lomas, Thomas Larkins, Robert Lake, James Markwick, William Markwick, John Mayo, George Medley, James Marriott, Samuel Miller, William Marten, Thomas Marten, Edward Milward, Thomas Moreland, Robert Moſley, Arnold Neſbitt, John Norris, Charles Nairn, John Nicoll, John Nicoll, Gawen Harris Naſh, John Pelham, John Peckham, William Peckham, Henry Peckham, Thomas Pix, Thomas Procter, William Proſſer, Richard Pollard, Francis Pooke, John Pooke, William Roſam, Henry Richardſon, Henry Richardſon junior, William Reede, Alexander Reeve, [illegible] Snip, Jeremiah Smith, Simeon Selmes, Charles Stace, Joſeph Stoneſtreet, John Stoneſtreet, Chiſwell Slade, Edward Swaine, John Swaine, John Stapley, Richard Stileman, John Shelley, Henry Sayer, John Stonham, Thomas Tyrrell, Thomas Tyrrell junior, Stephen Taylor, Stephen Taylor junior, Laton Frewen Turner, Thomas Treſs, William Tempeſt, Robert Turner, Stephen Treſs, John Tilden, [illegible] Worge, Richard Weller, Henry Walker, Walter Waters, Walter Waters junior, Needler Chamberlain Watſon, William Weekes, Stephen Wilmshurſt, Abraham Ward, John Weekes, John Watſon, Godfrey Webſter, Godfrey Webſter junior, William Wyborn, Richard White, Thomas Walſingham Weſtern, William Woodhams ſenior, William Woodhams junior, Thomas Whiteman, Peter Waters, **Eſquires and Gentlemen**; Luke Trevegar D. D. Robert Andrews, John Biſhop, Peter Collett, John Courtail, Thomas Frewen, Edward Frewen, Joſeph Fearon, Henry Harcourt, Henry Hodſon, Thomas Hooper, William Hayley, William Horn, Drake Hollingbery, William Lord, Richard Moreton, Thomas Nairn, Robert Ruſſell, Robert Tenant, Henry Thomſon, Thomas Williams, and Francis Woodgate, **Clerks, and their Succeſſors, to be elected in Manner herein after mentioned, ſhall be, and they are hereby appointed Truſtees for putting this Act in Execution.**

Qualification of Truſtees.

Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon ſhall be qualified or capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall, during all the Time he ſhall ſo act, be, in his own Right, or in the Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the

clear yearly Value of Forty Pounds, or poſſeſſed of or intitled to perſonal Eſtate to the Value of Eight hundred Pounds, or ſhall be Heir-apparent of a Perſon poſſeſſed of an Eſtate in Land of the clear yearly Value of Eighty Pounds, and unleſs he hath taken, or ſhall (not being ſuch Heir-apparent as aforeſaid) before he acts as ſuch Truſtee, take and ſubſcribe the Oath following, before any Two or more of the Truſtees appointed, or to be appointed by or in purſuance of this Act, who are hereby authoriſed and impowered to adminiſter the ſame, in the Words or to the Effect following; (that is to ſay)

The Oath.

I *A. B.* do ſwear, That I truly, and *bona fide*, am, in my own Right, or in the Right of my Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, or poſſeſſed of or intitled to a perſonal Eſtate, to the Value of Eight hundred Pounds, *(as the Caſe may be)*.

So help me GOD.

Penalty on acting if not qualified.

And if any Perſon ſhall preſume to act contrary to the true Intent and Meaning of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame; to be recovered in any of His Majeſty's Courts of Record at Weſtminſter, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecutor than that ſuch Perſon has acted as a Truſtee in the Execution of this Act.

First Meeting of Truſtees.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall firſt meet together at the Houſe of William Daw, known by the Sign of the Red Croſs at Staple Croſs aforeſaid, on the Second Monday in the Month of June, One thouſand ſeven hundred and ſeventy-one, and proceed to the Execution of this Act; and ſhall then, and from Time to Time afterwards, adjourn themſelves to meet

meet at such Place in or near the said Road as the said Trustees, or any Five or more of them, shall think proper and convenient for putting this Act in Execution: And if it shall happen that at the Time of any Meeting, which shall be so from Time to Time appointed to be holden by the said Trustees as aforesaid, there shall not appear a sufficient Number of Trustees to act, and to adjourn to another Day, or in case the Trustees at any Time so assembled shall omit or neglect to adjourn themselves, the Clerk to the said Trustees shall, from Time to Time, in either of such Cases, by Notice in Writing under his Hand, to be affixed at all the Turnpikes which shall be erected by virtue of this Act across the said Roads, at least Ten Days before the next Meeting, appoint the said Trustees to meet at the Place where the last Meeting was appointed to be held, on that Day Three Weeks on which such last Meeting was appointed; and the said Trustees, at all their Meetings, shall defray their own Expences.

In Default of a sufficient Number to act, the Clerk to give Notice for other Meetings.

Trustees to bear their own Expences.

Provided always, That Two Trustees shall be sufficient for the Purpose of Adjournment only; and if a Meeting of the said Trustees shall be thought necessary to be held, for the better Execution of this Act, before the Time appointed in virtue of any Adjournment shall come; then, and in every such Case, the said Trustees, or any Five or more of them, or the Clerk, at their Request, shall and may give Fifteen Days Notice at least in Writing, to be affixed on all the Turnpikes erected across the said Roads, of the Time and Place of the holding such Meeting; and in every such Notice shall be specified the particular Business intended to be done and transacted thereat, and which Business the said Trustees, or any Five or more of them, may do and transact; and the Business so done and concluded shall have the same Effect as it could have had in case it had been done at a Meeting of Trustees herein otherwise authorised or directed to be held; but any Business done at such Meeting, other than what shall be so specified, shall be, to all Intents and Purposes, void, and of no Effect.

Two Trustees sufficient to adjourn, and Trustees, &c. may appoint extra Meetings.

And be it enacted by the Authority aforesaid, That all Orders and Determinations of the said Trustees in Execution of this Act, shall be made at Meetings to be held in pursuance of this Act, and not otherwise, (except

Trustees not to act but at Meetings held by virtue of this Act,

nor any Order to be valid, unless made by a Majority present.

(except as is herein before excepted); and that no such Order or Determination shall be made without the Consent of the major Part of the said Trustees present at such Meeting; nor shall any Order or Determination made by Five or more Trustees, being under the Number of Nine, be revoked, repealed, or set aside at any subsequent Meeting, unless Nine or more Trustees, neither of them being personally interested in the Matter in question, shall be present at the making such subsequent Order; nor shall any Order made by Nine or more Trustees be revoked, repealed, or set aside at any subsequent Meeting, unless Fifteen or more Trustees, neither of them personally interested as aforesaid, shall be present at the making such further subsequent Order; nor shall any Trustee be capable of acting in the Execution of any of the Powers of this Act, during the Time he shall hold any Place of Profit under this Act; but all such Trustees as are Justices of the Peace for the said County of Sussex, and for the said ancient Town of Rye, may act as such in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they are personally interested.

No Order to be repealed unless 15 Trustees present.

No Trustee to act whilst he enjoys a Place of Profit.

Justices may act although Trustees, where not interested.

On Death, &c. of Trustees, others to be chosen.

And be it further enacted by the Authority aforesaid, That when, and so often as any Trustee shall die, or refuse to act, it shall and may be lawful for the surviving or remaining Trustees, or any Seven or more of them, by Writing under their Hands and Seals, to elect and appoint One other Person, qualified as aforesaid, living in the said County of Sussex, or in the County of Kent, to be a Trustee in the Room of such Trustee so deceased or refusing to act; but Notice of the Time and Place of Meeting for every such Election shall be given in Writing under the Hand of the Clerk to the said Trustees, and be fixed at or on all the Turnpikes across the said Road at least Ten Days before such Meeting; and all Persons who shall be so elected, are hereby vested with the same Powers for putting this Act in Execution, as the Persons in whose Places they shall be respectively chosen were vested with.

Trustees may erect Turnpikes and Toll-houses, &c.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall and may cause to be erected any Turnpike or Turnpikes, in, upon, or cross any Part or Parts of the said Road hereby intended to be made or repaired, and also upon the Sides of the said Road, and at the End, or cross, or within One Furlong from the

End of any Lane or Way leading into or out of the same; and may also cause to be erected or provided a Toll-house, with suitable Out-buildings at or near each Turnpike, and from Time to Time remove such Turnpike or Turnpikes, and Toll-houses, or alter the same, or any Part or Parts thereof respectively, as they the said Trustees, or any Nine or more of them, shall think necessary, so as the Number of Turnpikes to be erected cross the said Road, leading from Vinehall to the Turnpike Road near the Windmill in Beckley, do not exceed Two, and so as the Number of Turnpikes to be erected cross that Part of the said Road leading from Staple Cross to Longley's Water Corn-mill, do not exceed Two, and so as cross that Part of the said Road leading from Vinehall aforesaid, to the said Town of Rye, there be not erected more than Three such Turnpikes; and the Tolls following shall be demanded and taken at every Turnpike by such Person or Persons as the said Trustees, or any Five or more of them, shall, from Time to Time, appoint for that Purpose, before any Cattle or Carriage whatsoever shall be permitted to pass through the same; that is to say,

The Tolls.

For every Coach, Chariot, Berlin, Landau, Chaise, Chaise Marine, Calash, Chair, or Hearse, drawn by Six Horses, or Beast of Draught, One Shilling; and drawn by Four Horses or Beasts of Draught, Nine-pence; and drawn by Three or Two Horses or Beasts of Draught, Sixpence; and drawn by One Horse or Beast of Draught, Three-pence.

For every Caravan, Waggon, Wain, Cart, Dray, or other Carriage, drawn by Four or more Horses or Beasts of Draught, Eight-pence; and drawn by Three or Two Horses or Beasts of Draught, Sixpence; and drawn by One Horse or Beast of Draught, Three-pence.

For every Horse, Mare, or Gelding, laden or unladen, and not drawing, Three Halfpence.

For every Mule or Ass laden or unladen, and not drawing, Three Farthings.

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

And for every Drove of Calves, Hogs, Sheep, or Lambs, Two-pence Halfpenny per Score, and so in proportion for any greater or less Number.

Recovery of Tolls.

Provided always nevertheless, That in demanding and paying the Tolls upon Oxen drawing, One Pair or Yoke of Oxen shall be reckoned and paid for only as One Horse drawing; all which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll: And if any Person or Persons, subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed as aforesaid, to collect such Tolls by himself or themselves, or taking such Assistance as he or they shall think necessary, to seize and distrain any Horse or Horses, or other Cattle, together with their Bridles, Gears, Harness, or Accoutrements, or their Loading, or any Goods or Carriage upon which such Toll is hereby imposed, or any of the Goods or Chattles of the Person or Persons so neglecting or refusing to pay the same; and if such Tolls, and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Five Days after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriages, Goods, Chattels, or Things so seized and distrained, returning the Overplus, (if any be) on Demand to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted; and all the Tolls collected or levied by virtue of this Act shall be, and are hereby vested in the said Trustees, and shall be applied, in the first Place, to pay and discharge all the Expences and Costs in and about procuring and passing this Act, and the Remainder in erecting and providing Turnpikes and Toll-houses, and in amending the said Road, and other necessary Expences attending the Execution of this Act, and to no other Use or Purpose whatsoever.

Persons paying at a Side-gate to pass the next cross Gate Toll-free, and *vice versa*.

Provided also, That all Persons having paid Toll for passing through any Turnpike so to be erected on the Side of any Part of the said Road, and producing a Note or Ticket of such Payment, shall pass through the next of the said Turnpikes erected upon or cross the said Road Toll-free; and so likewise all Persons having passed through either of the said Turnpikes so to be erected upon or cross the said Road; and having paid the Tolls at such Turnpike, shall, upon producing a Note or Ticket of such Payment, pass Toll-free through

through the next Turnpike so to be erected on the Sides of the said Road.

Provided likewise, and be it further enacted by the Authority aforesaid, That all Carriages, except those laden with Corn or other Grain, and except Coaches, Chariots, Berlins, Landaus, Chaises, Chaise Marines, Calashes, Chairs, or Hearses, passing through any Turnpike or Turnpikes to be erected by virtue of this Act, between the First Day of October and the First Day of March in every Year during the Continuance of this Act, shall pay double Toll; any Thing in this Act contained to the Contrary thereof notwithstanding. Double Toll betwe n First of *October* and First of *March*.

And be it further enacted by the Authority aforesaid, That no Toll shall be taken by virtue of this Act for any Horse, Cattle, or Beast drawing or not drawing, or for any Carriage employed only in conveying or carrying any Materials for repairing the said Road, or for mending any of the Highways in the Parishes in which the said Road by this Act directed to be repaired doth lie; nor for any Cattle, Beast, or Carriage, passing through any of the Turnpikes erected by virtue of this Act, at any Time between the First Day of March and the First Day of November, in every Year, for or with Dung, Mould, Soilage, Muck, Sheet, Litter, Marle, Compost, or other Materials, for manuring of Lands or Gardens belonging to, and used by the respective Inhabitants of the several Parishes or Places in which the said Road hereby intended to be repaired doth lie; or employed in carrying, going or returning for or with Hay, Corn in the Straw, Hops going to the Oast to be dried, or returning from thence, (not for Sale, but intended to be laid up in any Houses, Out-houses, Barns, or Yards, of or belonging to the respective Owners thereof, being Inhabitants of the several Parishes or Places in which the said Road hereby intended to be repaired doth lie) so as such Cattle, Beasts, or Carriages, so laden with, or employed in carrying Dung, Mould, Soilage, Muck, Sheet, Litter, Marle, Compost, or other Materials, for manuring of Lands or Gardens; or with Hay, Corn in the Straw, and Hops, do not pass through more than One of the said Turnpikes across the said Road Toll-free; nor shall any Toll be demanded or taken by virtue of this Act for the Passage or Conveyance of any Ploughs, Harrows, Rolls, or any other Implements Persons and Things exempted from Toll.

Implements of Husbandry, belonging to any Person or Persons residing or using Farms in the said Parishes in which the said Road hereby directed to be repaired doth lie, provided the same be not haled or carried otherwise than on Wheel-carriages, or through more than One Turnpike erected across the said Road; nor shall any Toll be demanded of or taken from any Person or Persons residing in any of the Parishes in which the said Road hereby directed to be repaired doth lie, who shall pass with any Cattle or Carriages going to or from their own respective Church or Chapel, or other Place of religious Worship on Sundays, or who shall attend the Funeral of any Person or Persons to be buried in any of the said Parishes; nor for any Horses, Mares, Geldings, or Cows, going to or returning from Pasture, or to be milked, or going to or returning from the watering Place or Places near the said Road; nor for any Oxen, Sheep, or other Cattle, going to or returning from One Farm to another Farm in the Occupation of the same Person, nor for the Horse of the Driver of any such Cattle, provided the said Person's Cattle, Beasts, or Carriages aforesaid, do not respectively pass Toll-free through more than One of the said Turnpikes across the said Road; nor shall any Toll be demanded or taken for any Post-horse or Post-horses carrying or conveying any Mail or Packet, or for any Horse or Horses, Carriage or Carriages, which shall have been at London, or elsewhere, laden with Fish only from the Sea Coast, upon their Return unladen towards the Sea Coast (such Horse or Horses, Carriage or Carriages, when laden, having before paid the Tolls granted by this Act); nor for any Horse or Horses upon which the Riders or Drivers of such Horses or Carriages shall ride upon their Return unladen as aforesaid; nor for the Horses of any Soldiers passing, who are upon their March, or for the Carts, Carriages, or Waggons attending them, laden with their Arms or Baggage; nor for any Horses, Carts, or Waggons, travelling with Vagrants sent by legal Passes; nor for Coaches, Berlins, Landaus, Chariots, Chaises, Chaise Marines, Calashes, or Chairs, or Passengers on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of Sussex, on the Day or Days of such Election.

Provided

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Provided nevertheless, That if any Person or Persons shall claim, or take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, One Moiety whereof shall be applied to the Use of the Informer, and the other Moiety thereof to be applied towards amending the said Road; any Thing in this Act contained to the Contrary thereof notwithstanding. Penalty on taking Benefit of any Exemption not being intitled.

Provided always, and it is hereby enacted, by the Authority aforesaid, That no Person or Persons who shall have paid the Tolls for passing through any of the Turnpikes erected by virtue of this Act, with any Horse or Cattle not drawing, and shall produce a Note or Ticket denoting such Payment, (which said Note or Ticket the Collector and Collectors of the Tolls is and are hereby required to give upon receiving the Toll), shall be liable to pay any further Toll for passing or repassing at any Time or Times during the same Day, or before Twelve of the Clock at Night, with the same Horse or Cattle not drawing, through the Turnpike where such Toll was paid as aforesaid; nor shall any Person or Persons, who shall have paid the Tolls for the Passage of any Carriage through either of the Turnpikes, and shall produce a Note or Ticket denoting the Payment thereof, (which the Collector and Collectors is and are hereby directed to deliver on receiving the Toll) be liable to the Payment of any further Toll for returning within the Time aforesaid with the same Carriage through the Turnpike where such Toll was paid; but if any Person or Persons shall pass the same Day through the same Turnpike or Turnpikes with any Carriage a Third Time, then such Person or Persons shall be liable and compellable to pay the said Toll hereby imposed on such respective Carriage and Cattle drawing the same, and shall receive another Note or Ticket, which the Collector and Collectors is and are hereby required to deliver as aforesaid, which shall intitle him or them to return through the same Gate, with the same Carriage, within the Time aforesaid, Toll-free, and so toties quoties, for every Third Time the said Carriage shall pass the same Day through the same Turnpike. Tolls to be paid again for Carriages passing oftener than twice a Day.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Nine or more of them, to compound or agree with any of the Inhabitants of any Parish, wherein Trustees may compound with Persons.

the Road hereby directed to be repaired doth lie, by the Year, for passing through any Bar, Gate, or Turnpike, to be erected by virtue of this Act, provided such Person or Persons shall not carry Goods for Hire, and shall always pay down One Year's Composition Money in Advance.

Turnpike and Toll-houses vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the Right and Property of all the Turnpikes and Toll-houses which shall be erected or provided by virtue of this Act, and of the Materials for building or making the same, and for repairing the said Road, shall be and are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby impowered to dispose thereof as they shall think proper, and to bring Actions in the Names of any Two or more of them, or in the Name or Names of their Clerk or Treasurer for the Time being, or to prefer and prosecute Bills of Indictment against any Person or Persons who shall injure the same, or disturb them in the Possession of the Property thereof.

No Turnpike to be removed unless nine Trustees consent hereto.

Provided always, and be it further enacted by the Authority aforesaid, That no Bar, Gate, or Turnpike, erected or set up by virtue of this Act, shall be taken down or removed to any other Place, except by Order of the said Trustees, or any Nine or more of them, and whereof Fourteen Days Notice shall be given in Writing, by the Clerk to the Trustees under his Hand, to be affixed on all the Turnpikes to be erected across the said Road; any Thing in this Act contained to the Contrary notwithstanding.

Tolls may be varied.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, at a General Meeting to be held for that Purpose, whereof Notice shall be given in Manner aforesaid, at least Fourteen Days before such Meeting, are hereby authorised and impowered, from Time to Time, in case it shall appear requisite and expedient, to lessen and reduce, and again to raise and advance, the Tolls or Duties hereby granted and made payable, and to order the same to be taken in such Manner, Parts, and Proportions, as they shall think fit, so as the respective Tolls so varied never exceed the Tolls granted by this Act, nor be ever lessened until the Money to be borrowed on the Credit thereof, together with the Interest, be repaid, unless all Persons to whom such Money and Interest is due consent thereto; and such Tolls or Duties so varied,

varied, or any of them, shall be collected, recovered, laid out, and applied in the same Manner as the Tolls and Duties hereby granted are directed to be collected, recovered, and applied.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Seven or more of them, at their First or any subsequent Meeting to be held in pursuance of this Act, upon the Credit of the Tolls arising by virtue of this Act, to borrow and take up at Interest such Sum or Sums of Money as they, or any Seven or more of them shall think fit; and may and are hereby impowered to assign over or mortgage the said Tolls, or any Part or Parts thereof, (the Costs and Charges of such Assignment or Mortgage to be borne and paid out of the said Tolls,) as a Security to any Person or Persons, or their Trustees, who shall advance the same, by the following Words of Assignment under their Hands, or by any other Words for that Purpose. Tolls may be assigned for Money borrowed.

BY virtue of an Act made in the Year of the Reign of His Majesty King *George* the Third, for We of the Trustees do assign unto *A. B.* his Executors, Administrators, or Assigns, in Consideration of the Sum of from this Day of in the Year of our Lord until the said Sum of with Interest, at the Rate of *per Cent. per Annum*, shall be paid such Proportion of the Tolls arising by virtue of this Act, between as the said Sum of shall bear to the whole Sum advanced on the Credit of the same.

Which said Money so borrowed shall (after paying the Expences of obtaining this present Act) be applied and disposed of as the said Tolls are to be applied and disposed of by virtue hereof, and to no other Use or Purpose whatsoever; and Copies of all such Mortgages or Assignments shall be entered at length in a Book to be kept for that Purpose by the Clerk of the said Trustees; but no Money shall be borrowed on the Credit of the said Tolls after their first Meeting, unless Notice for that Purpose be fixed in Writing, under the Hand of the Clerk to such Trustees, upon all the Turnpike Gates erected by virtue of this Act, at least Fourteen Days before borrowing such Money. Notice to be given of borrowing Money.

Provided

Trustees not personally liable to repay Mortgage-Money.

Provided always, That nothing herein contained shall extend, or be construed to extend, to charge, or subject the said Trustees, or Persons appointed to receive the said Monies, or any Part thereof so to be borrowed as aforesaid, to any Payment of the same by reason of their or any of their signing any such Assignment, or other Securities to be made in pursuance of this Act, or any or either of them.

Mortgages may be assigned.

And it is also further enacted by the Authority aforesaid, That all and every the Person and Persons to whom such Mortgage or Assignment shall be made as aforesaid, or his, her, or their Executors or Administrators, may, from Time to Time, assign or transfer his, her or their Right, Title, Interest, or Benefit, to the Principal and Interest thereby secured to any Person or Persons whomsoever, by indorsing on the Back of such Security, before One credible Witness, the following Words, or Words to the like Effect.

Form of Transference.

I Do transfer this Assignment, with all my Right and Title to the Principal hereby secured, and to all the Interest now due, unto his Executors, Administrators, and Assigns, dated this Day of

J. K.

Witness *G. H.*

Clerk's Fee.

Which Transfer or Assignment shall be produced and notified to the said Clerk, who shall cause an Entry or Memorial to be made thereof, containing the Dates, Names of the Parties, and Sums of Money therein transferred, in the Book or Books to be kept for entering the said original Assignments, for which the said Clerk shall be paid such Sum as the said Trustees, or any Five or more of them, shall appoint, not exceeding the Sum of Two Shillings and Sixpence; and after such Entry made, but not till then, every such Assignment shall intitle such Assignee, his, her, and their Executors, Administrators and Assigns, to the Benefit thereof, and Payment thereon; and every such Assignee may, in like Manner, assign again, and so toties quoties; and it shall not be in the Power of such Person or Persons, who shall have made such Assignment respectively, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof; and all and every Person and Persons to whom any such Mortgage or Assignment

ment shall be made as aforesaid, shall be, in proportion to the Sum or Sums therein mentioned, Creditors on such Tolls, on the Credit whereof such Sum or Sums are advanced, in equal Degree one with another; and shall have no Preference in respect of the Priority of advancing or lending any such Monies; and such Mortgages, Assignments, and Transfers, shall not be subject to any Stamp-duty, but shall be good and valid, without any Stamp being impressed thereon.

For leasing the Tolls.

And be it further enacted, by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Fifteen or more of them, upon Thirty Days Notice to be given thereof, by Writing, under the Hand of the Clerk to the said Trustees, affixed on all the Turnpikes erected by virtue of this Act, from Time to Time to lease, demise, let to farm, or set out by Writing under their Hands and Seals, for any Term not exceeding Three Years, the Tolls by this Act granted, or any Part thereof, to any Person or Persons who shall be willing to take or farm the same, for the best Price such Trustees can get, payable at such Times, and in such Manner, as they the said Trustees, or any Fifteen or more of them, shall think fit, and to be paid to the said Trustees, or any Seven or more of them, or to such Person or Persons as they, or any Seven or more of them, shall appoint to receive the same; which Monies so to be paid shall be applied, as the said Tolls and Duties are by this Act directed to be applied, and to no other Use whatsoever; or to lease, demise, let to farm, or set out by such Writing, under their Hands and Seals, the said Tolls or any Part thereof, for any Term not exceeding Five Years, for any other valuable Consideration, which the said Trustees, or any Fifteen or more of them, shall think fit.

Penalty on haling Timber, except on Wheels.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall hale or draw, or cause to be haled or drawn, in or along the Road by this Act intended to be repaired, or any Part thereof, any Tree or Trees, Piece or Pieces of Timber, otherwise than and except upon Wheel Carriages, or shall suffer any Tree or Piece of Timber to drag or trail on the said Road, or any Part thereof, to the Prejudice thereof, every such Person, for every such Offence, shall forfeit and pay the Sum of Twenty Shillings.

Penalty on driving into private Passages to evade the Toll,

And be it further enacted, by the Authority aforesaid, That if any Person or Persons shall forcibly or wilfully

fully go or pass with any Horse, Beast, or Carriage, through any Bar, Gate, or Turnpike, by virtue of this Act to be erected or set up, without paying the Toll or Tolls by virtue of this Act directed to be paid for the same, or shall knowingly or designedly assault, interrupt or obstruct, any or either of the Collectors, or Persons, in the collecting or receiving any or either of the said Tolls, or any otherwise, in the Execution of his, her, or their Office or Offices, of Collector or Collectors; or if any Person or Persons whatsoever, owning or occupying any Messuage or Land near to any Turnpike, which shall be erected in pursuance of this Act, shall permit or suffer any Person or Persons to pass through any Land, Gate, Passage, or private Way, with any Carriage, Horse, Mare, Ass, Mule, or any Sort of Cattle, on which any Toll or Duty is hereby laid; or if any Person or Persons shall with any Carriage whatsoever, or with any Horse, Mare, or other Cattle, pass through any such Land, Gate, Passage, or private Way, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall take off, or cause to be taken off, any Horse, Mare, or other Cattle, from any Carriage, with an Intent to avoid paying any of the said Tolls or Duties, or shall leave, or cause to be left upon or near the said Road, any Coach, Berlin, Landau, Chariot, Chaise, Chaise-marine, Calash, Chair, Waggon, Wain or other Carriage, Horse, or any other Cattle, with such Intent as aforesaid, every Person so offending in any of the Cases aforesaid, shall forfeit and pay the Sum of Twenty Shillings; One Moiety whereof shall be paid to the Informer, and the other Moiety thereof shall be applied towards repairing the said Road.

For disposing of Tickets for that Purpose.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, having paid any of the Tolls by this Act granted, and having such Note or Ticket, Notes or Tickets as aforesaid, shall give or dispose of the same to any Person or Persons, in order to avoid the Payment of any of the said Tolls, every such Person so offending or disposing of such Note or Ticket, Notes or Tickets, and the Person receiving and making Use of the same, shall respectively forfeit and pay the Sum of Twenty Shillings; One Moiety whereof shall be paid to the Informer, and the

the other Moiety thereof shall be applied towards repairing the said Road.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, from Time to Time, by Writing under their Hands, appoint One or more Collector or Collectors of the Tolls, and One or more Clerk or Clerks, Treasurer or Treasurers, and Surveyor or Surveyors of the said Road, and such other Officers as the said Trustees, or any Five or more of them, shall think necessary; and, from Time to Time, to remove any or either of such Officers, and other Persons, and appoint others in the Room of such of them as shall be so removed, or shall die; and out of the Monies to arise by virtue of this Act, make such Allowances to the said Officers and Persons as to them the said Trustees, or any Five or more of them, shall seem reasonable: And all such Officers and Persons shall, under their Hands, at such Time and Times, and in such Manner as the said Trustees, or any Five or more of them shall direct, deliver to such Trustees, or such Person or Persons, as they, or any Five or more of them, shall appoint, true and perfect Accounts, in Writing, of all the Monies which shall have been by such Officer or Officers, and Person or Persons, respectively received by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint; and all the said Officers and Persons so accounting as aforesaid, shall, upon Oath, if thereunto required by the said Trustees, or any Five or more of them (which Oath the said Trustees, or any Five or more of them, are hereby impowered to administer) verify their said Accounts: And if any such Officer or Person shall not make and render, or shall refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Trustees, or any Five or more of them, within Fourteen Days after being thereunto required, by any Five or more of such Trustees, all the Books, Papers, and Writings, in his Custody or Power,

Trustees may appoint Officers,

and remove them, and appoint others.

Trustee to allow Officers Salaries.

Officers to account upon Oath.

Officers refusing to account,

Power, relating to the Execution of this Act; or shall refuse or neglect to pay such Monies, as upon the Balance of any Account or Accounts, shall appear to be in their respective Hands, to the said Trustees, or any Five or more of them, or as they shall direct or appoint; then, and in either of the Cases aforesaid, such Trustees, or any Five or more of them, may, and are hereby authorised and impowered, to bring, or cause to be brought, any Action or Actions in the Name of such Trustees, or in the Name or Names of any Two or more of them, against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint shall be made of any such Refusal or Neglect as aforesaid, to any One or more of the Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons, so neglecting or refusing, shall be and reside; such Justice or Justices may, and is and are hereby authorised and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him or them, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees, or any Five or more of them, by virtue of this Act, might have done; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice or Justices is and are hereby impowered and required to administer without any Fee or Reward) it shall appear to such Justice or Justices, that any of the Monies that shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons; such Justice or Justices may, and is and are hereby authorised and required, upon Non-payment thereof, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Officer

Justices to enquire into Default;

Balance to be levied by Distress.

Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of distraining for the same; then such Justice or Justices shall commit every such Offender to the Common Goal for the County or Place where such Offender shall reside or be apprehended, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Trustees, or any Five or more of them, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Trustees, or any Five or more of them, are hereby impowered to make), or until he shall deliver up such Books, Papers, and Writing as aforesaid, or give Satisfaction in respect thereof to the said Trustees, or any Five or more of them.

For want of Distress, Offender to be committed.

And be it further enacted, That the said Trustees, or any Five or more of them shall, and they are hereby required to take such Security from their Treasurer, for the due Execution of his said Office, as the said Trustees, or any Five or more of them, shall think fit.

Treasurer to give Security.

Provided always, and be it enacted, That no Victualler, or Retailer of Beer, Ale, or Spirituous Liquors, shall be capable of holding any Place of Profit under this Act.

Victuallers not to hold Places of Profit.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors for the said Road, or such Person as he or they, or the said Trustees, or any Five or more of them shall appoint, to dig, gather, take, and carry away, any Gravel, Furze, Heath, Sand, Stones, or other Materials for repairing the said Road, out of or from any River or Brook, Waste or Common Grounds, in any Parish or Place wherein or near which the said Road, or any Part thereof doth lie, or in any neighbouring Parish or Place, without paying any Thing for the same; such Surveyors or other Persons filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same may not be dangerous to Passengers or Cattle; and if there is not a sufficient Quantity of such Materials in such Rivers, Brooks, Common or Waste Grounds, it shall and may be lawful for the said Surveyor or Surveyors, or other Persons as aforesaid, (such Surveyor or Surveyors first having an Order of the said Trustees, or any Five or more of them, for that Purpose)

Surveyors may dig Gravel, &c. in private Grounds, making Satisfaction to the Owners.

pose) to dig, gather, and take away such Materials in the Ground of any Person or Persons whomsoever (not being a Garden, Orchard, Yard, Park, Paddock, Nursery, or planted Walk or Walks, or Avenue to a House) paying or tendering Payment for such Materials, and for the Damage done to such private Grounds, over which any Materials shall be conveyed, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference concerning the same, between the Parties concerned and the said Trustees, the Justices of the Peace, at the next General Quarter-sessions to be holden for the said County of Sussex, shall and may examine Witnesses upon Oath relating thereto, and shall adjudge and finally determine the same, and order the Damages to be paid by the Treasurer for the Time being of the said Road, out of the Money arising by the said Tolls; from which Determination there shall be no Appeal.

Justices to determine Difference.

Surveyors to make Causeways, &c.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors, or such Person or Persons as he or they shall appoint, (such Surveyor or Surveyors having an Order for that Purpose from the said Trustees, or any Five or more of them), to make, or cause to be made, any Causeway or Causeways, in or along the Side or Sides of any Part of the said Road, and to build, or cause to be built, any Bridges in and upon, or across the said Road, or any Part thereof, and cut or cause to be cut, any Watercourses, in, through, or cross any Lands or Grounds, to prevent the said Road, or any Part or Parts thereof, from being overflown, and to erect Bridges over such Drains or Watercourses, or over any River or Channel, if necessary, other than and except over the River or Channel called the Tillingham Channel, where there is already a Bridge, where certain Tolls are paid for passing over the same; and also to make a Road or Way through the Grounds adjoining or lying near to any hollow Way, or any narrow or ruinous Part of the said Road, (such Ground respectively not being the Ground whereon any House stands, nor any Yard, Garden, Orchard, Park, Paddock, planted Walk, Nursery, or Avenue to a House,) to be made use of as a publick Highway, whilst the old Road is repairing and widening; making such reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds respectively, for the Damages they shall thereby sustain, as to the said Trustees, or any Five or more of them, shall seem reasonable.

and erect Bridges, &c.

and make a temporary Road;

making Satisfaction to the Owners of the Ground.

And

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall have full Power and Authority, if they shall think fit, from Time to Time, to treat, contract, and agree with the several Owners, Proprietors, Trustees, and Persons interested in the said Bridge now built and being over the said River or Channel called Tillingham Channel, for the Purchase of the said Bridge or the Tolls arising therefrom, or the Hire of the said Bridge or the Tolls thereof, for any Term or Number of Years, and out of the Tolls by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for the Purchase or Hire of the said Bridge or the Tolls thereof, such Sum and Sums of Money as shall be agreed on between such Owners, Proprietors, Trustees, and Persons interested as aforesaid, and the said Trustees by this Act appointed, or any Nine or more of them, and also the Costs and Charges attending such Agreement or Purchase, or the treating for the same: And it shall be lawful for the Owners, Proprietors, Trustees, and all and every Person and Persons interested in such Bridge, or the Tolls thereof, to treat, contract, and agree with the said Trustees by this Act appointed, or any Nine or more of them, for the Purchase or Hire of such Bridge, or the Tolls thereof, or for their Interests therein, and to sell, convey, lease, set, or to farm-let the same, as Occasion shall be or require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing to the Contrary thereof in any-wise notwithstanding.

Trustees may treat with the Proprietors of the Bridge.

And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, from Time to Time, to remove and prevent all Annoyances, and to plash and cut Hedges adjoining to or on any Part of the said Road, and to cut down Trees or Bushes growing in the said Road, or in the Hedges or Banks adjacent thereto, the Owners or Occupiers neglecting to plash and cut such Hedges, or to cut down such Trees and Bushes, or to remove such Annoyances as aforesaid for the Space of Ten Days after Notice in Writing given for that Purpose under the Hand or Hands of the said Surveyor or Surveyors, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers neglecting to plash and cut such Hedges, or to cut down such Trees or Bushes, or to remove such Annoyances

For removing Annoyances.

noyances as aforesaid; and in case such Owners or Occupiers shall not, upon Demand, pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Warrant or Warrants under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said County of Sussex, wherein such Hedges, Trees, and Bushes stood, which shall be so plashed, cut down, and lopt, or from whence such Annoyances shall be moved, from Time to Time to levy the Charge thereof upon such Owners and Occupiers by Distress and Sale of his, her, and their Goods and Chattels, rendering the Overplus, if any be, to the Owners or Occupiers thereof, upon Demand, after all Charges paid; and if, after Removal of any of the said Annoyances, any Person or Persons shall again offend in the like Manner, every such Person so offending, and being thereof convicted upon Oath before Two or more Justices of the Peace for the County of Sussex aforesaid, shall, for every such Offence, forfeit and pay to the said Trustees, or any Five or more of them, the Sum of Twenty Shillings over and above the reimbursing to such Surveyor or Surveyors the Costs and Charges of doing the same as aforesaid.

Owners of Watercourses neglecting to scour the same after Notice given for that Purpose,

And be it further enacted, That if any Person or Persons, who of Right ought to scour or cleanse any Ditch, Drain, or Watercourse, which shall lead into or out of any Part or Parts of the said Road, shall not in a proper Manner cause the same to be scoured and cleansed within the Space of Ten Days next after Notice in Writing shall for that Purpose be given to him, her, or them respectively, or shall be left at his, her, or their respective Place or Places of Abode by the said Surveyor or Surveyors, then the said Surveyor or Surveyors may cause such Ditches, Drains, and Watercourses to be scoured and cleansed, and pay for the scouring and cleansing the same; and if the said Person or Persons, who of right ought to have done the same shall not repay the Money so paid by such Surveyor or Surveyors, upon Demand thereof upon him, her, or them respectively made, either in Person or by Writing, to be left at his, her, or their respective Place or Places of Abode, it shall and may be lawful for such Surveyor and Surveyors, upon Proof of the cleansing and scouring the said Ditches, Drains, or Watercourses, and Payment of the said Money, and

Surveyors may cleanse them.

Demand

Demand thereof made, and Nonpayment thereof as aforesaid, by the Oath of One or more Witness or Witnesses, before any Justice of the Peace for the said County of Sussex, by a Warrant or Warrants under the Hand and Seal of such Justice, to levy the same by Distress and Sale of the Goods and Chattels of such Person or Persons, rendering the Overplus, if any be, to the Owner or Owners thereof, upon Demand, after all Charges paid.

Trustees may contract for the Purchase of Lands, &c.

And be it further enacted, That in case the said Trustees, or any Fifteen or more of them, shall at any Time or Times think proper to widen the said Road, or to divert, turn, shorten, vary, or alter the Course or Path of any Part or Parts of the said Road, for the better Accommodation of Passengers, that then the said Trustees, or any Fifteen or more of them, shall have full Power and Authority, from Time to Time, to treat, contract, and agree with the several Owners, Proprietors, Occupiers of and Persons interested in any Lands, Grounds, or Hereditaments, for the Purchase or Hire of any such Lands, Grounds, or Hereditaments, or for the Loss or Damage such Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall or may any ways sustain by such widening, diverting, turning, shortening, varying, or altering any Part of such Road, and out of the Tolls by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for such Lands, Grounds, or Hereditaments, and for such Loss or Damage, such Sum or Sums of Money as shall be agreed upon between such Owners, Proprietors, Occupiers, and Persons interested as aforesaid; and the said Trustees, or any Fifteen or more of them, and also the Costs and Charges attending such Agreement and Purchase; and it shall be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, all Feoffees in Trust, Executors, Administrators, Guardians, Committees of Ideots, Lunaticks, and Husbands, or other Trustees whatsoever, for or on Behalf of any Infants, Femes-covert, or Cestuique Trusts, Ideots, Lunaticks, and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of or interested in any such Lands, Grounds, or Hereditaments, to treat, contract, and agree with the said Trustees, or any Fifteen or more of them, for the Purchase or Hire of such Lands, Grounds, or Hereditaments, or for their Interests therein, for the Purposes aforesaid, and to sell and convey the same, as Occasion shall be or require; and all Contracts, Agree-

Bodies Politick, &c. may treat for the Sale of Lands, &c.

ments, Sales, and Conveyances which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the Contrary thereof in any-wise notwithstanding: And all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act: And if any such Owners, Proprietors, Occupiers, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees, or other Person or Persons, interested in any such Lands, Grounds, or Hereditaments, upon Notice to them given or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode, of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of the Lands, Grounds, or Hereditaments so to be taken in and added to the said Road, or into, over, or through which the said Road is to be turned or altered, as aforesaid, shall, by the Space of Twenty Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating; then, and in every or any such Case, the said Trustees or any Five or more of them, shall cause it to be enquired into and ascertained by and upon the Oath of a Jury of Twelve indifferent Men of the said County of Sussex, (which Oath any Two or more of the said Trustees are hereby impowered and required to administer,) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Proprietors, Occupiers, or other Person or Persons interested for, or upon Account of the taking such Lands, Grounds, or Hereditaments into the said Road, or of turning such Road into over or through the same: And in order thereto the said Trustees, or any Fifteen or more of them, are hereby impowered and required, from Time to Time, as Occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever, who shall be thought necessary or proper to be examined as a Witness or Witnesses touching or concerning the Premises, (which Oath any Two or more of the said Trustees are hereby impowered and required to administer), and they shall also order and cause the said Jury to view the said Places in question, if there be Occasion, and use all lawful Ways and

Persons refusing to treat, Damage to be settled by a Jury.

Witnesses may be examined on Oath.

and Means, as well for their own as for the said Jury's better Information in the Premises, as they the said Trustees, or any Fifteen or more of them, shall think fit: And after the said Jury shall have enquired of, ascertained and settled such Damage and Recompence, they the said Trustees, or any Fifteen or more of them, shall thereupon order, adjudge and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners, Proprietors, Occupiers of, or other Persons interested in the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order or Determination so had and made, shall be final, binding and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-covert, and Persons under any Disability whatsoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all other Person or Persons whomsoever; and all and every such Owners, Proprietors and Occupiers, and all and every Person or Persons, any-wise interested in such Lands, Grounds or Hereditaments, shall, upon Payment, or Tender of the Sum or Sums of Money so assessed as aforesaid, thereby be, from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest and Property of, in, to, or out of the same: And for the summoning and returning such Juries, the said Trustees, or any Fifteen or more of them, are hereby impowered to issue their Warrant or Warrants to the Sheriff of the said County of Sussex, requiring him to impannel, summon, and return an indifferent Jury of Twenty-four Persons, qualified to serve upon Juries, to appear before the said Trustees, or any Fifteen or more of them, at such Time and Place as in the said Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, summon, and return such Number accordingly; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Two or more of them, shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured, to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful

Recompence to be settled by a Jury.

Verdict of the Jury to be final.

Trustees impowered to issue their Warrant to the Sheriff for summoning a Jury.

In Default of a sufficient Number, others may be chosen.

Jurors may be challenged.

lawful Challenge against any of the said Jurymen when they come to be sworn: And the said Trustees, or any Fifteen or more of them, acting in the Premises, shall have full Power, from Time to Time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premises, and on any of the Persons that shall be summoned and returned to serve on such Jury, and shall not appear, or that shall refuse to be sworn of the said Jury; or being so sworn, refusing to give, or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who being required to give Evidence before the said Jury, touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence; and from Time to Time to levy such Fine and Fines, so as that no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence; and all such Fines shall be applied for such Uses, and in such Manner, as the Tolls granted by this Act are to be applied.

Penalty on Sheriff, &c. making Default.

Fines not to exceed 10*l.*

And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money, so assessed by such Jury for the Damage and Recompence as aforesaid, shall be, and is hereby charged and chargeable upon the Monies which shall be raised, received, or borrowed, by virtue of this Act, and shall be paid thereout accordingly, to the Person or Persons respectively intitled thereto, or to their Agent or Agents; and upon Payment or Tender thereof to such Persons or their Agents, and in case of Refusal to accept the same, then, upon leaving the same in the Hands of the Treasurer to the said Trustees, for the Use of such Persons, it shall be lawful for any Person or Persons, authorised by Writing under the Hands of the said Trustees, or any Fifteen or more of them, to widen, divert, or turn such Road through or over such Lands or Hereditaments, and to do all and every Act, Matter, and Thing, with relation to such Lands or Hereditaments, as the said Trustees, or any Fifteen or more of them, shall think fit; and all Lands, Grounds or Hereditaments, which shall be laid into or made a Part of the said Road by virtue of this Act, shall, to all Intents and Purposes whatsoever, become, and be deemed and taken to be a publick and common Highway, and shall be repaired, and kept in Repair, in such Manner as the other Parts of the Road included in this Act are to be repaired; and, from thenceforth, all Parties and Persons shall be divested of all Right or Title to such

All Sums assessed chargeable on the Monies raised by this Act

upon Payment, &c. to Owners.

Lands to be made Part of the Roads.

such Lands and Hereditaments; and after any such new Road shall be completed, the old or former Road, unless leading over some Moor or Waste Ground, or to some Village, Town, or Place, to which such new Road doth not lead, shall and may be stopped up by the said Trustees, or any Fifteen or more of them.

Not to damage any House, &c. in altering the Roads.

Provided always, and be it further enacted by the Authority aforesaid, That in widening, turning or diverting any Part or Parts of the said Road, nothing shall be done which shall or may in any-wise injure or damage any House or Building, or any Yard, Garden, Orchard, Plantation, or Nursery of Trees, or any Walk of Trees, or Avenue to any House, unless the Owner or Owners thereof shall consent thereto.

How the Statute-work shall be performed.

And be it further enacted by the Authority aforesaid, That, for preventing Differences which may arise between the said Trustees and the Surveyors of the Highways for the several Parishes, Townships, or Places through which the said Road doth lead, or the Inhabitants thereof, touching the Statute-work the Inhabitants of each Parish, Township, or Place, ought to do on the said Road by this Act directed to be repaired, it shall and may be lawful for any Two or more Justices of the Peace, within their respective Jurisdictions, upon Application made to them by the said Trustees, or any Five or more of them, to Summon the Surveyors of or for any Parish, Township, or Place, wherein the said Road doth lie; and in case no Surveyor shall be appointed for any such Parish, Township, or Place, then to summon the Churchwardens or Overseers of the Poor of such Parish, Township, or Place, to bring in Writing before such Justices, upon Oath, within Fifteen Days after such Summons, the Names of the several Persons who, within each Parish, Township, or Place respectively, are obliged by Law to do their Statute-work for that Year, with Teams and Draughts, or otherwise; and also the Number of Days Work which, with such Teams or Draughts, or otherwise, each Person ought to do on the said Road; out of which List, the said Justices shall and may allot, appoint, and order such and so many Persons to do their Statute-work on the said Road as the said Justices shall think fit; which Statute-work shall be done by such of the Persons as shall be appointed to do the same on such several Days, and at such several Times, and at such Part of the said Road, as the said Trustees, or any Five or more of them,

Penalty on Persons refusing to do their Statute-work.

or their Surveyor or Surveyors shall from Time to Time direct and appoint: And if any Person shall neglect or refuse to do such Statute-work, so allotted, appointed, and ordered to be done as aforesaid, every such Person for every Day he, she, or they shall make Default, shall forfeit and pay the Sum of Ten Shillings for every Team or Draught; and every Householder, and Person liable to do Statute-work, making Default, shall forfeit and pay the Sum of Eighteenpence for each Day's Default, instead of such Penalty or Penalties as he she or they is and are respectively, now by Law, subject to, for neglecting to do their Statute-work: And if any Person or Persons who shall come to work as a Labourer or Labourers, or shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent, by the Turpike Surveyor or Surveyors, such Surveyor or Surveyors is and are hereby impowered to remove and turn off such Person or Persons, who shall, in that Case, be subject and liable to the respective Forfeitures and Payments aforesaid, as if he, she, or they had neglected or refused to come, or such Team or Draught had not been sent to work on such Road; all which said Forfeitures shall be recovered, levied and disposed of in such Manner as is herein after-mentioned and declared: And in case the said Surveyors of the Highways, for any of the Parishes, Townships, or Places aforesaid, or the said Churchwerdens or Overseers of the Poor, or any of them respectively, shall refuse or neglect to give a List of the Names as aforesaid to such Justices, then each and every of such Surveyors, Church-wardens and Overseers so refusing or neglecting, shall, for every such Neglect or Refusal, being thereof lawfully convicted upon Oath, before any One or more of the said Justice or Justices of the Peace, forfeit and pay the Sum of Five Pounds.

Labourers found idle, to be turned off.

Penalty on Surveyors, &c. neglecting to deliver in Lists of Persons liable to do Statute-work.

Persons obliged to repair Bridges, &c. to continue so.

And be it further enacted by the Authority aforesaid, That where any particular Part of the said Road, or any Bridge, Drain, or Sewer being therein or thereupon, which hath been accustomed or ought to be repaired and maintained by any particular Person or Persons, Bodies Politick or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or by the said County of Sussex, or any Township therein, the same shall be maintained and kept in Repair by such Person or Persons, Bodies Politick or Corporate, County, or Township, in such Manner

Manner as the same were or ought to have been respectively done before the passing of this Act; and it shall be lawful for the Justices of the Peace for the Division or Place wherein such particular Part of the Road, Bridge, Drain, or Sewer shall lie, and they are hereby required, at their petty or special Sessions, upon Application to them made by the said Trustees, or any Five or more of them, to adjudge and determine when and how the same shall be maintained and repaired.

Trustees may compound for Statute-work.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, from Time to Time to compound and agree with the Surveyor or Surveyors of any of the Parishes or Places in which the said Road doth lie, and with any of the Possessors or Occupiers of Lands, Tenements and Hereditaments, or other Persons, who are or shall be liable or chargeable towards the repairing of any Part of the said Road, either by Statute-work, Custom, or Tenure, as aforesaid, for a certain Sum of Money by the Year, or otherwise, as the said Trustees, or any Five or more of them, shall think reasonable, in lieu of such Statute or other Work to be done by the Inhabitants of such Parishes or Places, or by such Possessor or Possessors, Occupier or Occupiers, of such Lands, Tenements and Hereditaments, or other Persons chargeable by Custom or Tenure as aforesaid.

How Composition-money may be recovered.

And be it further enacted by the Authority aforesaid, That in case any Composition-money, agreed to be paid in lieu of any Statute-work or Day's Work of the Inhabitants of any Parish or Place wherein the Road to be amended by virtue of this Act doth lie, or in lieu of Repairs to be done to Bridges, Drains, Sewers, or other Parts of the said Road by Persons chargeable therewith as aforesaid, shall not be paid within Fifteen Days next after the same shall become payable, according to such Agreement or Composition, to the Person or Persons whom the said Trustees, or any Five or more of them, shall authorise to receive the same; that then it shall and may be lawful for any One of the Justices aforesaid, by Warrant under his Hand and Seal, to impower the Person or Persons so authorised by the said Trustees to receive such Composition-money, (Oath being first made that the same has been demanded, and remains unpaid, which Oath the said Justice is hereby authorised and required to administer,) to levy such Composition-money by

by Diſtreſs and Sale of the Goods of the Surveyor or Surveyors of the Highways, or of the Perſon or Perſons ſo having reſpectively compounded, either for ſuch Statute or Day's Work, or for ſuch Repairs to be done to ſuch Bridges, Drains, Sewers, or other Parts of the ſaid Road, by Perſons chargeable therewith as aforeſaid, returning the Overplus, if any, after the Charges of ſuch Diſtreſs and Sale thereout firſt deducted.

Surveyors to be reimburſed.

Provided always, and be it further enacted by the Authority aforeſaid, That if any Surveyor of the Highways of and for ſuch Parish, or other Place for which any ſuch Compoſition ſhall be made for any Statute or Day's Work as aforeſaid, ſhall pay the Compoſition-money, or in caſe the Compoſition-money ſhall be levied on him in the Manner herein-before provided, all and every ſuch Surveyor and Surveyors ſhall and may be reimburſed the Compoſition-money he ſhall ſo pay, or which ſhall be ſo levied on him, together with the Charges of levying the ſame, in ſuch Manner as by the Law Surveyors of the Highways of this Kingdom are to be reimburſed the Money by them expended in buying Materials for amending the Highways.

Mile-ſtones erected.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall and may, and they are hereby required and impowered to cauſe the ſaid Road to be meaſured, and Stones or Poſts to be ſet up in or near the Sides thereof, at the Diſtance of One Mile each from the other, denoting the Diſtance of every ſuch Stone or Poſt from London, or any other Place, as to the ſaid Truſtees ſhall ſeem meet: And if any Perſon ſhall wilfully and maliciouſly break or pull up any of the Stones or Poſts, or any Part thereof, which ſhall be erected and ſet up, or ſhall obliterate or deface any of the Words, Letters, Figures or Marks, which ſhall be inſcribed thereon, and ſhall be convicted thereof by the Confeſſion of the Party, or by the Oath of One or more credible Witneſs or Witneſſes, before One or more of the ſaid Juſtices of the Peace for the ſaid County of Suſſex, (which ſaid Oath the ſaid Juſtice or Juſtices is and are hereby required and impowered to adminiſter), every ſuch Perſon ſo offending, and being thereof convicted as aforeſaid, ſhall reſpectively forfeit and pay the Sum of Forty Shillings for each Stone or Poſt ſo broken or pulled up, obliterated or defaced, to be levied and recovered in ſuch Manner as the Penalties and Forfeitures are herein after directed to be levied and recovered; One Moiety of ſuch

Penalty on defacing Mile-ſtones, &c.

Forfeitures to be paid to and for the Use of the Informer, and the Residue thereof to be applied in repairing the Stones or Posts so broken or defaced, or in supplying new Ones in their Stead; and if there shall be any Overplus thereof, the same shall be laid out in repairing the said Road; but in Case no sufficient Distress can be found whereby to levy the same, then it shall and may be lawful for any One or more of such Justice or Justices, by Warrant under his and their Hand and Seal, or Hands and Seals, to commit the Person or Persons so offending to the House of Correction within the said County of Sussex, to be there kept to hard Labour for any Time not less than the Space of One Month, nor exceeding Three Months, or until he, she, or they, shall have fully paid the Money which he, she, or they, shall forfeit, or be liable to pay on such Conviction as aforesaid.

Recovery and Application of Penalties and Forfeitures.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures by this Act imposed or incurred (touching which no other Provision is herein made) shall be levied by Distress and Sale of the Offender or Offenders Goods or Chattels, by Warrant or Warrants under the Hands and Seals of Two or more of the said Justices of the Peace, which Warrant or Warrants the said Justices are hereby impowered and required to grant upon Information of One or more credible Witness or Witnesses upon Oath, (which Oath, any such Justice or Justices is and are hereby required and impowered to administer without Fee or Reward); and the Penalties and Forfeitures, when recovered, after rendering the Overplus, if any be, when demanded, to the Party or Parties, whose Goods and Chattels shall be so distrained and sold, the Charges of such Distress and Sale being first deducted, shall go and be applied and laid out, if not otherwise applied and disposed of by this Act, for and towards amending the said Road.

Allowing Persons aggrieved to appeal.

Provided always, and be it further enacted, by the Authority aforesaid, That in case any Person or Persons shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already hereby appointed, such Person or Persons may appeal to the Justices of the Peace, at any General Quarter Sessions to be held for the said County of Sussex, and within Three Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving Six Days Notice at the least, in Writing, of his or her Intention

tention to bring such Appeal, and of the Matter thereof, to the Clerk to the said Trustees, and within Two Days after such Notice, entering into a Recognizance before some Justice of the Peace of the County aforesaid, conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Session; and the said Justices at such Session, upon due Proof of such Notice being given, and such Recognizance entered into, shall hear and determine the Causes and Matters of Complaint in a summary Way; and if they see cause, may, by order of such Session, mitigate, at their Discretion, all or any of the Penalties aforesaid, or vacate or set aside the Convictions, and set the Parties at Liberty, or otherwise may ratify and confirm the same, with such Costs as to them shall seem reasonable, and to make such Orders and Judgements in regard to the Premises, as they shall think right and proper; and the Determination of such Session shall be binding and conclusive upon all Persons.

Proceedings not to be quashed for want of Form, or removable by *Certiorari*.

And be it further enacted by the Authority aforesaid, That no Proceedings to be had or done by the said Trustees, or by any Justice or Justices of the Peace, touching the Conviction of any Offenders against this Act, shall be quashed or vacated for want of Form, or be removeable by Certiorari, or any other Process, into any of His Majesty's Courts of Record at Westminster.

Proceedings so be entered in a Book.

And it is hereby further enacted by the Authority aforesaid, That all and every the Orders and Proceedings of the said Trustees, done by them in pursuance of this Act, shall be entered in a Book or Books, to be kept for that Purpose by the Clerk to the said Trustees; and which Orders and Proceedings so entered shall be signed by the said Trustees, or the major Part of them present at the making of such Orders and Proceedings; and such Orders and Proceedings so signed shall be deemed and taken to be as Originals, and shall and may be produced and read in Evidence in all Cases of Appeals, Suits, Actions, and other Proceedings, touching any Thing done in pursuance of, or by Authority of this Act; and which Book or Books, and also the Book directed to be kept for registering the original Mortgages of the said Tolls, and of the Assignments thereof, shall and may be seen and perused by any Person or Persons whomsoever, without Fee or Reward.

Writings to be without Stamps.

And be it further enacted, by the Authority aforesaid, That no Mortgage, Writing, or Proceeding whatsoever, under the Hand and Seal of, or only signed by, any of the Trustees, or any Justice or Justices of the Peace,

or

or exhibited before them, or any of them, touching the Execution of any Power or Authority hereby granted, shall be liable or chargeable with any Stamp-duty whatsoever.

Parties levying not deemed Trespassers.

And be it further enacted by the Authority aforesaid, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

No Person to recover after Tender of Amends.

Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity, if sufficient Tender of Amends have been made to him, her, or them, by or on the Behalf of the Defendant or Defendants, before such Action brought.

Commencement of the Act.

And be it further enacted, by the Authority aforesaid, That this Act shall commence and have Continuance from the Day of passing thereof, for and during the Term of Twenty-one Years, and to the End of the then next Session of Parliament.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the same shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and brought in the said County of Sussex, and not elsewhere; and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, or that such Action or Suit shall not be commenced within the Time before limitted for bringing the same as aforesaid, or shall be brought in any other County or Place, then the Jury shall find for the Defendant or Defendants; and upon a Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Actions, after the Defendant or Defendants shall have appeared; or if, upon

General Issue.

Demurrer

Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

Treble Costs.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

FINIS.