ANNO UNDECIMO

Georgii III. Regis.

An Act for repairing and widening the Road from *Hodges* to *Beadles Hill*, and from thence to the Town of *Cuckfield*, and from *Beadles Hill* aforesaid, to the Town of *Lindfield*; and from the Turnpike Road between *Cuckfield* and *Crawley* to the Town of *Horsham*; and also the Road from *Swingtae*, in the Parish of *Burwash*, to *Shover Green*, in the Parish of *Ticehurst*; all in the County of *Sussex*.

WHEREAS the Road leading from the Turnpike Road from Tunbridge Wells to Lewes, at a Place called Hodges, in the Parish of Mayfield, over Hadley Down, through the several Parishes of Buxted, Maresfield, Fletching, Newick, and Chailey, to a Place called Beadles Hill, in the Parish of Lindfield, and from thence to the Town of Lindfield; and also the Road from Beadles Hill aforesaid, through the Parish of Wivelsfield, over Haward's Heath, to the Town of Cuckfield; and also the Road from the Turnpike Road between the Towns of Cuckfield and Crawley, over Saint Leonard's Forest, to the Town Preamble.

Town of Horſham; and alſo the Road from a Place called The Swingate, in the Pariſh of Burwaſh, to a Place called Stonegate, in the Pariſh of Ticehurſt, and through the ſaid Pariſh of Ticehurſt and Pariſh of Wadhurſt, to a Place called Shover Green, in the Pariſh of Ticehurſt aforeſaid, where it joins the Turnpike Road from Tunbridge Wells, in the County of Kent, to Swiftsden, all in the County of Suſſex, are in a ruinous Condition, and in ſeveral Places, narrow and dangerous, ſo as to be impaſſable for Carriages in Winter, and very incommodious for Travellers at all Seaſons, and cannot be amended, widened, and kept in Repair, without the Authority of Parliament; may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame: That the Reverend Robert Auſtin, the Reverend Charles Aſhburnham, the Reverend Robert Andrews, Clerks; John Aldridge, Sir Joſeph Ayloffe, Thomas Allcorne, John Allcorne, John Attree, Thomas Afield, Sir John Bridger, Sir Thomas Broughton, George Boughey, Samuel Blunt, William Board, John Burges, Thomas Burrell, Peter Burrell, William Burrell, L. D. Sir Merrick Burrell, the Reverend Timothy Burrell, the Reverend Michael Baynes, Clerks; Thomas Buttingſhaw, Samuel Boyſe ſenior, Samuel Boyſe junior, Joſeph Barham, Samuel Baker, Michael Baker, Walter Batchellor, George Beard, Stephen Brunſdon, Richard Burtenſhaw, John Brapple, William Botchley Budgen, Sir George Colebrooke, William Clutton, Henry Campion, William Campion, George Courthorpe, George Courthorpe junior, Joſeph Caverly, Dennis Clarke, L. D. Charles Cocks, James Clitherow, Chriſtopher Clitherow, Stephen Cummings, Joſeph Caverley, the Reverend John Chatfield, the Reverend Henry Courthorpe, the Reverend Roger Chalice, the Reverend John Courtail, the Reverend Edward Clarke, Clerks; John Conſtable, William Conſtable, Michael Chatfield, Nicholas Coppord, John Ace, James Coe, Sir John Dyke, Samuel Daſh, Samuel Durrant, James Dalrymple, William Durrant, Robert Durrant, Anſell Day, William Day, Richard Dungate, Thomas Huett Dungate, Sir Charles Eversfield, George Auguſtus Elliot, James Evelyn, William Earle, Roſe Fuller, Stephen Fuller, John Fuller of Heathfield, John Fuller of Lewes, John Fuller of Lewes, Edmond Ferrers, Edward Frewen, John Fuller of Wilsfield, John Fuller of Uckfield, John Fry, Joſeph Farncombe, the Right Honourable

Truſtees Names.

Honourable Lord Viſcount Gage, in the Kingdom of Ireland; Thomas Gage, Lewis Peake Garland, Charles Goring, the Reverend Robert Geriſon, John Grainger, Henry Gatland, James Gatland, William Gurr, Walter Goldſmith, Richard Harcourt, John Baker Holroyd, Henry Humphreys, the Reverend Henry Harcourt Clerk, Thomas Hay, the Honourable Trevor Hampden, John Holman, John Holman junior, the Reverend William Hayley, the Reverend Thomas Hooper, John Hamlin, John Hamſhar, William Hammond, Thomas Harmer, William Hicks, Richard Harman, John Hepden, John Hart, Francis Jefferſon, Thomas Jackſon, John Ingram, Philip Jenner, William Kempe, John Kemp, Robert Kenward, John Knowles, the Honourable George Henry Lenox, Charles Langford, John Leland, John Lintott, Thomas Lambe, John Henry Lintott, John Legas, John Luck, Edmond Latter, Sir John Major, George Medley, the Reverend Henry Mitchell, the Reverend Joſeph Matthews, Clerks; Thomas Millward, William Mitchell, James Mitchell, Thomas Maynard, John Madgwick, John Mill, John Mill junior, Thomas Moon, John Marten, William Martin, James Marriott, John Newnham, Nathaniel Newnham, Nathaniel Newnham junior, William Newnham, George Lewis Newnham, Thomas Newnham, William Newton, the Reverend George Newton Clerk, John Norris, the Reverend Nairn Dean of Battel, William North, Anthony Nott, Thomas Nott, Sergiſon Nott, Robert Noakes of Burwaſh, John Noakes, Zebulon Newington of Ticehurſt, Zebulon Newington of Etchingham, Robert Noakes of Ticehurſt, Samuel Noakes, Edward Olive, Sir Ferdinando Poole, John Pelham, Henry Pelham, William Poole, William Peirce, the Reverend Thomas Porter, the Reverend Henry Poole, Clerks; John Peckham, William Peckham, William Peters, Henry Plaſted, Robert Plumer, John Plumer, Richard Porter, John Paine, William Payne, Thomas Hollis Paine, Edward Paine, William Powell, the Reverend John Ridout, William Roſam, Robert Randall, Thomas Rogers, the Reverend Charles Rugge, Sir Robert Smith, Michael Sergiſon, Luke Spence, John Shelley, Henry Shelley, Elfred Staples, Byſh Shelley, Thomas Steele, Robert Saxby, Stratfield, Richard Shadwell, William Shadwell, John Snaſhall, Stephen Sawyer, John Smith of Franfield, John Smith junior, Joſiah Smith, William Smith, John Smith of Maresfield, Edward Simmonds, Thomas Stone, David Stone, Henry Stevens, the Reverend William Tatton, Nathaniel Tredcroft, the Reverend Luke Trevegar, William Turner, Chalfield Turner,

Richard Trill, John Tompſell, Thomas Taylor, George Venables Vernon, William Uwins, Sir Thomas Spencer Wilſon, Francis Warden, Richard Wyatt, John Wood, James Wood, Henry Wood, Sir Whiſtler Webſter, Charles Weſtern, Thomas Walſingham Weſtern, Thomas Wakeham, Francis Wheeler, Thomas Willard, Nicolas Willard, John Woodgate, Edward Willett, Stephen Wood, Thomas Wolgar, Thomas Wood, Daniel Watſon, the Honourable John Yorke, and their Succeſſors, to be appointed as herein-after mentioned, ſhall be, and they are hereby appointed Truſtees for putting this Act in Execution.

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

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall appoint, ſhall or may erect, or cauſe to be erected, a Gate or Gates, Turnpike or Turnpikes, upon, in, or acroſs any Part or Parts of the ſaid Roads, and alſo upon the Side or Sides thereof, croſs any Lane or Way leading into the ſame; and alſo a Toll-houſe to each Gate or Turnpike, with ſuitable Out-buildings thereto; and alſo may take in and incloſe on the Sides of the ſaid Roads convenient Garden Spots for each Toll-houſe as the ſaid Truſtees, or any Five or more of them, ſhall direct or appoint; and ſhall demand, receive, and take, at each and every of the ſaid Toll-gates or Turnpikes, (except as herein-after excepted) the Tolls following, before any Horſe, Cattle, or Carriage whatſoever, ſhall be permitted to paſs through the ſame; (that is to ſay,)

and take the following Tolls.

The Tolls.

For every Waggon or other Carriage upon Four Wheels, the Sum of One Shilling.

For every Waggon or other Carriage upon Two Wheels, the Sum of Sixpence.

For every Coach, Chariot, Chaiſe, Berlin, or Hearſe, drawn by Four or more Horſes, Mares, or Geldings, the Sum of One Shilling and Sixpence.

For every Coach, Chariot, Chaiſe, Berlin, or Hearſe, drawn by Two Horſes, Mares, or Geldings, the Sum of Nine-pence.

For every Calaſh or Chair drawn by One Horſe, the Sum of Sixpence.

For every Horſe, Mare, or Gelding, laden or unladen, and not drawing, the Sum of Two-pence.

For every Mule, Aſs, or other Beaſt of Burden, laden or unladen, and not drawing, the Sum of One Penny.

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

For

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence per Score, and so in proportion for any greater or less Number.

And for every Carriage whatsoever laden with Iron, Chalk, Timber, Guns, or Sea Coal, between the Tenth Day of October and the Fifth Day of April in every Year, during the Continuance of this Act, double the Tolls hereby before granted and imposed upon such Carriages.

Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll; and the Money so to be raised and collected shall be, and is hereby vested in the said Trustees, and the same and every Part thereof shall be paid, applied, and disposed of, and may be assigned to and for the several Uses, Intents, and Purposes, and in such Manner as is herein after mentioned; 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, to seize and distrain any Horse or Horses, or other Cattle, Beasts, or Goods, or any Carriage upon which any such Tolls are by this Act imposed, or any other of the Goods and Chattels of any Person or Persons who ought to pay the same; and if such Tolls, and the reasonable Charges of such Distress, shall not be paid within the Space of Four Days after such Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriage, or Goods so seized and distrained, returning the Overplus (if any be) upon Demand to the Owner thereof, after such Tolls, and the reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid. Tolls vested in Trustees.

Provided always, and be it further enacted, That no more than One Gate shall be erected between Hodges and Maresfield Mill-pond; at which Gate no greater Toll shall be taken for any Horse, Mare, Gelding, Mule, or Ass, than One Penny; nor more than Sixpence for any Carriage loaded with Chalk only, between the Fifth Day of April and the Tenth Day of October in any Year; and that no Toll whatsoever shall be taken at the said Gate until the Sum of One hundred Pounds shall have been expended in repairing the Road between Tottease Oak and Lepham's Bridge, in the Parish of Buxted. Proviso relating to a Gate between *Hodges* and *Maresfield* Mill-pond.

Provided also, and be it further enacted, That no more than Two Gates shall be erected between Swingate aforesaid and Shover Green; at which no greater Toll shall Proviso relating to the Gates between *Swingate* and *Shover Green*.

shall be taken than One Penny for any Horse, Mare, or Gelding, laden or unladen, and not drawing; nor more than One Halfpenny for any Mule, Ass, or other Beast of Burden, laden or unladen; which respective Tolls shall be paid at One of the said Gates only in the same Day; and every Person having paid the said Toll at One of the said Gates, upon producing a Note or Ticket denoting such Payment, (which the Collector of such Toll is required to give gratis upon the Receipt of such Toll) shall be permitted to pass Toll-free through the other of the said Gates with the same Cattle or Carriage for the Remainder of that Day.

No Person exempted from Toll at the aforesaid Gates, except as above excepted.

Provided nevertheless, That the having paid the Tolls at any other Gate to be erected by virtue of this Act, shall not exempt any Person from the Payment of the Tolls at either of the last-mentioned Gates; and that the same Tolls shall be paid for passing through the said last mentioned Gates, and also through the said Gate to be erected between Hodges and Maresfield Mill-pond, as are authorised to be taken at any other Gate or Turnpike to be erected by virtue of this Act, except above mentioned and particularly excepted.

No Toll to be taken at any Gate near the Town of *Horsham* from Persons passing to or from the Vill of *Bewbush*, &c.

And whereas the Owners and Occupiers of Land and Inhabitants of the Vill or Tithing of Bewbush, in the Parish of Beeding, otherwise Seal, travelling from thence to the Town of Horsham, or returning, would be subject and liable to the Payment of a Toll in case a Gate or Turnpike should be erected or set up at the Entrance of the said Town, although they travel or pass along or over no Part of the Road intended to be repaired by virtue of this Act: And whereas also a small Part only of the Roads within the said Vill or Tithing of Bewbush, in proportion to the Length, State, and Condition of the Whole, is lying at another Place, and may be Part of the Road intended to be repaired by this Act, and the Inhabitants of the Vill or Tithing would be subject thereby to the Performance of the full Statute-work by this Act appointed to be done and performed thereon; be it therefore enacted by the Authority aforesaid, That no Toll or Tolls shall be demanded or taken at any Gate or Turnpike which shall or may be erected at or near the Entrance of the said Town of Horsham for any Horses, Cattle, or Carriages, belonging to any of the Owners or Occupiers of Land, Inhabitants of the said Vill or Tything of Bewbush, going or passing between the said Tything and the said Town of Horsham; and that One Twelfth Part only of the Statute-work to be done and performed by the said Owners, Occupiers, and Inhabit

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ants of the said Tything, shall be done and performed upon that Part of the said Road intended to be repaired by this Act as shall lie within the said Tything; any Clause, Matter, or Thing, in this Act contained to the Contrary thereof in any-wise notwithstanding.

Trustees may lessen or vary 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 Seven or more of them, assembled at any Meeting or Meetings to be held for that Purpose, and they are hereby impowered, from Time to Time, with the Consent of such Person or Persons as shall be intitled to Five Sixths or more of the Money which shall have been advanced upon the Credit of the said Tolls, to lessen or reduce all or any of the Tolls herein before mentioned, and for such Time or Times as the said Trustees, or any Seven or more them, shall think proper; and may afterwards, from Time to Time, advance all or any of the Tolls so lessened to any Sum or Sums of Money, not exceeding the respective Rates herein before mentioned; and the said Trustees, or any Seven or more of them, may, from Time to Time, direct the Tolls hereby granted or reduced as aforesaid, to be collected in such Parts or Proportions as they shall think proper; and such reduced Tolls, and also such Parts and Proportions thereof as aforesaid, shall and may be collected, levied, and applied, in such and the same Manner as the Tolls hereby granted are directed to be collected, levied, and applied; but no Meeting shall be held for any of the Purposes aforesaid, unless Fourteen Days previous Notice thereof at the least shall have been given in Writing affixed upon all the Turnpikes which shall have been then erected upon the said Roads.

Toll to be paid but once a Day.

Provided always, and it is hereby further enacted by the Authority aforesaid, That no Person shall be liable to pay Toll more than Once for passing or repassing at any Time or Times in any One Day (except as hereafter excepted) to be computed from Twelve of the Clock in One Night, to Twelve of the Clock in the succeeding Night, with the same Cattle and Carriage through all the Gates or Turnpikes to be erected by virtue of this Act, upon any Part of the said Roads, or on the Sides thereof; but that all and every Person and Persons having Once paid Toll as aforesaid, upon any Part of the said Roads, shall, during the Remainder of such Day, pass Toll-free with the same Cattle and Carriage through all the said Gates or Turnpikes, upon produc-

ing a Note or Ticket, denoting the Payment of such Toll; which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis, on Receipt of the Toll.

Carriages passing a Third Time to pay Toll.

Provided nevertheless, That if any Carriage shall pass through any of the said Gates or Turnpikes a Third Time the same Day, such Carriage shall be charged with the same Toll again, and so toties quoties for every Third Time any Carriage shall so pass; any Thing herein before contained to the contrary notwithstanding.

Application of the Tolls.

Provided always, and be it further enacted and declared, That no Turnpike shall be erected or set up, or permitted to remain if already erected, upon any Road directed to be repaired by any particular Act or Acts of Parliament, and which crosses or intersects any of the Roads hereby directed to be repaired, so as to subject any Person to the Payment of any Toll by virtue of any of the said Acts for travelling the Road directed to be repaired by this Act, with any Horse or other Cattle, Coach, Waggon, or other Carriage, for crossing any such Roads, or unless such Cattle or Carriage shall travel more than One Mile upon the Road directed to be repaired by some or One of the said Acts; any Thing in any of the said Acts to the Contrary notwithstanding: And that nothing in this Act contained shall authorise the Trustees hereby appointed to erect any Turnpike or Toll-gate upon the Road hereby directed to be repaired in such Manner as to subject any Person travelling, or going to travel upon any Road directed to be repaired by any of the said Acts with any Horse or other Cattle, Coach, Waggon, or other Carriage, to the Payment of any Toll for crossing the Roads hereby directed to be repaired, or unless such Cattle or Carriage shall travel more than One Mile upon the Roads comprised in this Act.

Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained in relation to Roads which are directed to be repaired by any particular Acts of Parliament, and which cross or intersect any of the Roads hereby directed to be repaired, shall extend to a Gate erected, by virtue of an Act made in the Fifth Year of His present Majesty's Reign, for repairing the Road from the Turnpike Road on Hurst Green, in the County of Sussex, to the Extent of the Parish of Burwash at a Place called Swingate, in the said Parish of Burwash; any Thing herein contained to the Contrary notwithstanding.

And

And be it further enacted by the Authority aforesaid, That out of the first Monies arising by virtue of this Act the said Trustees, or any Five or more of them, shall, in the first Place, pay and discharge the Charges and Expences of procuring and passing this Act, and shall apply the Remainder of the Money so raised in defraying the Expences of erecting Gates, Turnpikes, and Toll-houses, and repairing and widening the said Roads, and defraying the necessary Costs, Charges, and Expences, attending the same, and the Execution of this Act, in such Manner as the said Trustees, or any Five or more of them, shall, from Time to Time, order, direct, and appoint. Charges how to be paid.

And be it further enacted by the Authority aforesaid, That the Right and Property of all the Turnpikes and Toll-houses to be erected by virtue of this Act, and of the Materials provided for building and repairing the same, and of all Materials which shall be actually got or collected for repairing the said Roads, and all Mile-stones to be set up on the said Roads, shall be, and are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby authorised and impowered to bring, or cause any Action or Actions to be brought in the Name or Names of any One or more of them, or their Treasurer or Treasurers, Clerk or Clerks, or to prefer, and order and direct the preferring of any Bill or Bills of Indictment against any Person or Persons who shall keep Possession of any Turnpike or Toll-house, after Notice given by the said Trustees, or any Five or more of them, or by their Clerk or Treasurer for the Time being, to such Person or Persons to quit the same; or who shall dig up, break, or pull down, steal, take, carry away, spoil, injure, or destroy, any Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, Mile-stone or Mile-stones, which shall by virtue of this Act be erected or provided, or any Part thereof, or any of the Materials of which the same shall be made, built, or consist, or any of the Materials which shall be provided for repairing the Roads. Turnpikes and Toll-houses vested in Trustees.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, upon Ten Days Notice to be given thereof upon all the said Turnpikes, from Time to Time, by Writing under their Hands and Seals, to let or farm 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, from Year to Year, or for any For leasing the Tolls.

any Part of the Term hereby granted, not exceeding Three Years at any One Letting, upon publick Bidding to the highest Bidder, and for the best Price such Trustees can get for the same, payable at such Times, and in such Manner, and under such Covenants, and with such Sureties for the Payment thereof, as the said Trustees, or any Seven or more of them, shall think fit; which Money so to be paid, shall be applied and disposed of as the Tolls granted by this Act are directed to be applied and disposed of.

Penalty on Persons avoiding the Tolls.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall with any Horse, Cattle, Beast, or Carriage whatsoever pass through any Land, Ground, or Hereditament, adjoining to or lying near any Turnpike erected, or to be erected, upon the said Roads, (the same not being a publick Highway) or if the Owner or Occupier of any such Land, Ground, or Hereditament, shall knowingly permit or suffer any Person or Persons with any Horse, Cattle, Beast, or Carriage, to pass through the same, whereby the Payment of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall give to, or receive from, any Person or Persons, or forge or counterfeit any Ticket by this Act directed to be given by the Collector of the Tolls; or if any Person or Persons shall at any Time or Times, take off, or cause to be taken off, any Horse, or other Cattle, or Beast, from any Carriage, whereby the Payment of the Tolls, or Part thereof, shall be evaded; or shall leave, or cause to be left upon or near to any Part of the said Roads, any Carriage, Horse, Cattle, or Beast, with an Intent to evade the Payment of the said Tolls, or any Part thereof; or, with such Intent, shall unload any Goods from any Horse, Cattle, Beast, or Carriage; any Person so offending in any of the Cases aforesaid, shall, for every Offence, forfeit the Sum of Forty Shillings; One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied towards amending the said Roads.

Persons and Things exempted from Toll.

Provided always, and it is hereby further enacted by the Authority aforesaid, That no Person or Persons shall be charged with, or liable to pay any of the Tolls made payable by this Act, for passing or repassing with any Waggon, Wain, Cart, Dray, or other Carriage, or with any Horse, Mare, Gelding, Ox, Mule, Ass, or other Beast, drawing or not drawing, which shall be used or employed in the Carriage of Stones, Gravel,

or other Materials for repairing of any Road or Highway; or in the Carriage of any Dung, Mould, Soil, or Compost of any Kind, for the manuring of any Garden or other Land or Ground, or that shall be used or employed in the ploughing, tilling, cultivating, or stocking of any Land or Ground; or in the Carriage of any Grass, Hay, Fodder, Straw, or Corn in the Straw, Gorse, or Hedgewood, not sold or disposed of, but to be laid up in the Houses, Outhouses, Barns, or Yards, of the Owner or Owners thereof, or for the going, passing, returning, or repassing of any Plough, Harrow, Dray, or other Implements of Husbandry, or of any Horse, Mare, Gelding, Ox, or other Beast drawing the same, in order for repairing thereof, or using them in Husbandry, or any Thing whatsoever that shall be used in Husbandry, or in manuring or stocking of Land; or for the going, passing, returning, or repassing of any Horse, Mare, Gelding, Ox, Mule, Ass, or other Beast or Cattle to or from Water or Pasture, or in order to be shoed or carried; or for the going, passing, returning, or repassing of any Horses of any Officers or Soldiers on their March, or of any Waggon, Cart, or other Carriage, or of any Horse, Mare, or Beast drawing the same, which shall be employed in the Carriage of the Arms or Baggage of such Officers or Soldiers; or of any Waggon, Cart, or other Carriage, or of any Horse or other Beast drawing or not drawing the same, that shall be employed in the passing of Vagrants travelling with Passes; or for any Post-horse or Horses carrying or drawing the Mail; or for the passing, returning, or repassing of any Horse, Mare, Gelding, Mule, or Ass, or of any Coach, Berlin, Landau, Chariot, Chaise, Chair, Caravan, or any other Carriage, or of any Horse, Mare, or Gelding drawing the same, that shall be going to, or returning from, any Election of a Knight or Knights of the Shire to serve in Parliament for the County of Sussex, on the Days of such Election.

Penalty on illegal Claims.

Provided always, That if any Person shall claim or take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings; One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied in repairing the said Roads.

Times and Places of Meetings.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall meet together at the Sign of the Chequer, in the

Town of Maresfield, on Monday the Twenty-second Day of April, One thousand seven hundred and seventy-one; and proceed to the Execution of this Act, and shall and may adjourn themselves, from Time to Time, and meet at any Place as often as the said Trustees, or any Five or more of them, shall think proper; And if, at any Meeting appointed to be held by virtue of this Act, there shall not appear a sufficient Number of Trustees to act, and to adjourn to another Day; or in case the Trustees shall omit or neglect to adjourn themselves, that then, and in either of the Cases, their Clerk or Clerks shall, by Notice in Writing to be affixed upon all the Turnpikes which shall then be erected upon the said Roads, at least Ten Days before the next Meeting, appoint the Trustees to meet at the same Place where the last Meeting was appointed to be held on the Day Three Weeks after the Day on which such last Meeting was appointed; and if no Turnpike shall be then erected, such Notice shall be affixed upon such Place or Places as the said Trustees, or any Three or more of them, shall direct or appoint; and the said Trustees, at all their Meetings, shall pay and defray their own Expences.

In Default of a sufficient Number of Trustees to act, &c. Notice to be given by the Clerk.

Trustees to defray their own Expences.

Time of adjourned Meetings to be limited.

When Orders, &c. are made, and how they may be altered.

Provided always, That no Adjournment shall be made for a longer Time than Three Months; and that all Orders and Determinations of the said Trustees in the Execution of this Act shall be at Meetings to be held in pursuance of this Act, and not otherwise; and that no such Order or Determination shall be made unless the Majority of the Trustees present at a Meeting shall concur therein; nor shall any such Order or Determination be revoked or altered at any subsequent Meeting unless Seven Trustees shall be present, nor unless the Person or Persons applying to revoke or alter any such Order shall give Notice thereof in Writing to the Clerk of the said Trustees, to be by him affixed up at all the Gates or Turnpikes then standing upon the said Roads, at least Ten Days previous to any Meeting to be held for such Purpose; nor shall any Trustee be capable of acting in the Execution of any of the Powers hereby granted during the Time he shall hold any Place of Profit under this Act; and all such Trustees who are Justices of the Peace, may act as Justices of the Peace in the Execution of the Powers and Authorities hereby given to any Justice or Justices of the Peace, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

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

Justices may act although Trustees, where not interested.

Provided

Provided always, and be it further enacted by the Authority aforesaid, That Two Trustees shall be sufficient for the Purpose of Adjournment; and if it shall at any Time happen that a sufficient Number of Trustees shall not appear at the Time and Place appointed for any of their Meetings, or that the Clerk or Clerks to the said Trustees shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall and may be lawful for any Five or more of the said Trustees, at any Time or Times, to appoint the said Trustees to meet at some House in or near the said Roads upon the Day Fortnight after the Date of such Notice; which Notice shall be in Writing, and shall be affixed on all the Turnpikes erected by virtue of this Act, and the same shall be deemed and taken to be sufficient Notice for any such Meeting.

Two Trustees sufficient to adjourn.

Trustees, &c. may appoint extra Meetings.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall and may, and they are hereby impowered, at any Meeting to be held in pursuance of this Act, to borrow and take up at Interest any Sum or Sums of Money as they, or any Seven or more of them, shall think proper, upon the Credit of the Tolls payable by virtue of this Act, and to mortgage, assign, and convey over the said Tolls, or any Part or Parts thereof, by any Writing or Writings under their Hands and Seals, (the Charges of such Assignments and Conveyances to be paid out of such Tolls respectively) to any Person or Persons who shall lend Money thereon, for any Time or Term during the Continuance of this Act, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof as aforesaid; and the Money so to be borrowed shall be applied in such Manner, and for such Purposes only as the Tolls so assigned are hereby directed to be applied; and that Copies of all such Mortgages, Assignments, and Conveyances, shall be entered at length in a Book or Books to be kept for that Purpose by the Clerk or Clerks to the said Trustees; but no Money shall be borrowed on the Credit of the said Tolls after the First Meeting of the said Trustees, unless Notice be for that Purpose affixed in Writing upon all the Turnpikes to be erected by virtue of this Act, at least Fourteen Days before the borrowing of such Money; and all and every Person and Persons to whom any such Mortgage, Assignment, or Conveyance, shall be made as aforesaid, or who shall be intitled to the same, is and are hereby impowered, from Time

Trustees impowered to borrow Money on the Credit of the Tolls.

No Money to be borrowed after first Meeting, unless 14 Days Notice be given.

Time to Time, by an Indorsement under his, her, or their Hand or Hands to be made on the Back of his, her, or their Security, or by any other Writings or Writings under his, her, or their Hand and Seal or Hands and Seals, to be duly executed in the Presence of Two or more credible Witnesses, to assign over or transfer such Security or Securities, or any Share thereof, and all or any Part of the Monies due thereon, to any Person or Persons whomsoever; all which Assignments and Transfers shall be produced or notified to the Clerk or Clerks to the said Trustees within Fourteen Days after the Date thereof, and such Clerk or Clerks shall cause an Entry or Memorial to be made of such Transfers, specifying the Dates thereof, and the Names, Additions, and Places of Abode of the several Parties, and the Sum or Sums therein mentioned to be transferred, and the Names, Additions, and Places of Abode of the Witnesses to the Execution thereof, in the said Book or Books to be kept for entering the said original Mortgages, Assignments, or Conveyances, for which the Clerk or Clerks shall be paid Two Shillings and Sixpence, and no more, by the Person or Persons to whom such respective Assignments or Transfers shall be made; which said Book or Books shall and may be inspected, at all seasonable Times, by any Person or Persons whomsoever; and the Sum of One Shilling, and no more, shall be paid to such Clerk or Clerks for every such Inspection; and after such Entry made, and not otherwise, such Assignment or Transfer shall intitle the Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee may in like Manner assign again, and so toties quoties; and it shall not be in the Power of any Person who shall have made any such Assignment or Transfer to make void, release, or discharge the same, or any Monies thereon due.

Assignments to be entered in the Clerk's Book.

Clerk's Fee.

All Creditors to be equal in Degree.

And be it further enacted by the Authority aforesaid, That no Preference shall be given to any Person or Persons advancing any Sum or Sums of Money upon the Credit of this Act, his, her, or their Assignee or Assignees, in respect to the Priority of Assignment, or of advancing such Sum or Sums of Money; but that all Persons to whom such Mortgages or Assignments shall be made as aforesaid, his, her, and their Assignee and Assigns, shall be, in proportion to the Sum or Sums therein mentioned, Creditors on this Act, and in equal Degree One with another.

Provided

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 Money to be borrowed on the Credit of this Act, or any Part thereof, to any Payment of the same, by reason of their or any of their signing or sealing any such Assignments, or other Securities to be made in pursuance of this Act, or any or either of them. Exempting Trustees from the Payment of Debts contracted by this Act.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, may, and they are hereby impowered, by Writing under their Hands and Seals, from Time to Time, to appoint One or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the said Tolls, and Surveyor or Surveyors of the said Roads, and such other Officers and Persons for the due Execution of this Act, as they the said Trustees, or any Five or more of them, shall think proper; and, from Time to Time, to remove such Officer or Officers and Persons, and, on the Death or Deaths, Removal or Removals of such Officers and Persons, to appoint others in their Stead; but Fourteen Days Notice shall be given of every Meeting where any such Appointment shall be made, after the First Meeting of the said Trustees, upon all the said Turnpikes; and the said Trustees, or any Five or more of them, shall and may, and are hereby authorised and impowered, by and out of the Monies which shall arise by virtue of this Act, to give such Salaries, and make such Allowances, to such Officers and other Persons by them the said Trustees employed for their Services, in or about the repairing, widening, or altering, the said Roads, or any Part thereof, or otherwise in putting this Act in Execution, as they the said Trustees, or any Five or more of them, shall think reasonable. Trustees may appoint Officers, &c. and allow them Salaries.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall, and they are hereby required, to take such Security from the Treasurer or Treasurers, and Collectors or Receivers of the Tolls to be appointed for the Purpose of this Act, for the due Execution of his or their Office or Offices, as to the said Trustees, or any Five or more of them, shall seem meet; and that no Person shall be capable of holding any Place of Profit under this Act who shall sell Wine, Cyder, Ale, Beer, or Spirituous Liquors by Retail. Treasurer to give Security. No Seller of Liquors to enjoy any Place of Profit.

And be it further enacted, That all such Officers and other Persons shall, from Time to Time, when and as often Officers to deliver to the Trustees perfect Accounts, in Writing,

often as he or they shall be thereunto required by the said Trustees, or any Five or more of them, produce, render, and give up to them the said Trustees, or any Five or more of them, full, true, fair, and perfect Accounts in Writing, under their respective Hands, of all the Monies which shall have been by them respectively had, collected, or received, and how, to whom, and for what Uses such Monies, and every Part thereof, hath or shall have been paid, disposed of, or applied, together with proper Receipts and Vouchers for such Payments, and shall and are hereby respectively required to pay all such Monies as, upon the Balance of such Accounts, shall appear to be in their respective Hands, to the said Trustees, or any Five or more of them, or to such Person or Persons, and for such Uses and Purposes as they, or any Five or more of them, shall direct or appoint; and that all and every the said Officers and Persons so accounting, or to account as aforesaid, shall, if required, upon their several Oaths (which said Oaths the said Trustees, or any Five or more of them, are hereby authorised and impowered to administer to such Officers and Persons) verify their said Accounts, and the particular Items and Articles thereof, and the several Receipts and Payments which shall be therein contained: And if any of the Officers or Persons so accounting, or to account as aforesaid, being required so to do, shall refuse or neglect to render or give up such Account or Accounts as aforesaid, or to produce or deliver up to the said Trustees, or any Five or more of them, the Receipts and Vouchers relating to the same, or to verify the Items or Articles thereof upon his or their Oath or Oaths, or shall refuse or neglect to pay all such Money 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 and appoint, or shall not deliver to the said Trustees, or any Five or more of them, within Ten Days after being thereunto required by the said Trustees, or any Five or more of them, all the Books, Papers, and Writings, in his or their Custody or Power relating to the Execution of this Act; that then, and in any of the Cases aforesaid, such Trustees, or any Five or more of them, may, and they are hereby authorised and impowered to bring, or cause to be brought, any Action or Actions in the Name or Names of any One or more of the said Trustees, against the Officer or Officers, Person or Persons, so refusing or neglecting as aforesaid, in order for the Recovery of the Monies tha

and verify them on Oath, if required.

Officers refusing or neglecting to account, Actions may be commenced against them.

tha

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 Justice of the Peace for the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing shall live and reside, such Justice may, and he is hereby authorised and required, by Warrant or Warrants under his Hand and Seal, to cause the Officer or Officers, Person or Persons, so refusing or neglecting to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matters of such Complaint 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 Officer or Officers, Person or Persons, against whom such Complaint or Complaints shall be made, or by the Oath or Oaths of One or more Witness or Witnesses, (which Oath or Oaths such Justice is hereby impowered to administer) it shall appear to such Justice that any of the Monies which shall have been collected and raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may, and is hereby authorised and required, upon Nonpayment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods of such Officer or Officers, Person or Persons, respectively: And if no Goods of such Officer or Officers, Person or Persons, can be found to answer and satisfy the said Money, and the Charges of levying and raising the same; or if such Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place by him appointed for that Purpose, upon Notice thereof in Writing delivered to such Officer or Officers, Person or Persons, or left at his or their last Place or Places of Abode respectively; or if appearing he shall refuse or neglect to give or deliver to the said Justice such Account or Accounts of the Receipts and Payments as aforesaid, or to verify the Truth of such Accounts, and of the Items and Articles thereof upon Oath as aforesaid, or to produce or deliver up to the said Justice the several Receipts and Vouchers relating to such Accounts respectively, and to the Items and Articles thereof; then, and in any of the Cases aforesaid, such Justice may and is hereby authorised and required, by a Warrant or Warrants under his Hand and Seal, to cause such Officer or Officers, Person

Justices impowered to determine Matters in a summary Way.

On Confession, &c Monies may be levied by Distress;

and for want of Distress, Offenders may be committed,

till he have delivered up Accounts, or made Composition.

ſon or Perſons to be committed to the Common Gaol of the County or Place where ſuch Officer or Officers, Perſon or Perſons, ſhall live and reſide, there to remain without Bail or Mainprize, until he or they ſhall have delivered in and ſettled his or their Accounts reſpectively, and verified the Items thereof on Oath, and ſhall have produced and delivered up the Receipts and Vouchers relating to ſuch Accounts, and ſhall have paid all the Money which ſhall appear to be in their reſpective Hands, and the reaſonable Charges of ſuch Diſtreſs and Sale, as ſhall, in thoſe Reſpects, have been made, or ſhall have compounded with ſuch Truſtees, or any Five or more of them, for the ſame, and paid the Compoſition-money which ſhall be thereby ſtipulated by them to be paid (which ſaid Compoſitions the ſaid Truſtees, or any Five or more of them, are hereby authoriſed and impowered to make and receive) and until he or they ſhall deliver up ſuch Books, Papers, and Writings as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Truſtees, or any Five or more of them.

On Death, of Collector, another to be choſen.

Provided always, That as often as any Collector of the ſaid Tolls ſhall die or be incapable of performing his Duty, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, though not aſſembled at a Meeting in purſuance of this Act, by any Writing under their Hands, to appoint another Perſon to collect ſuch Tolls; and ſuch Perſon ſhall have the ſame Power and Authority to collect the ſame, as if he had been appointed by the ſaid Truſtees at a Meeting to be held in purſuance of this Act.

Surveyors may dig Gravel, &c. in private Grounds,

And be it further enacted by the Authority aforeſaid, That the Surveyor or Surveyors of the ſaid Roads, or any of them, and ſuch other Perſon or Perſons as ſhall be employed or appointed by ſuch Surveyor or Surveyors, or by the ſaid Truſtees, or any Five or more of them, is and are hereby authoriſed and impowered to cut, dig, gather, take, and carry away, or cauſe to be cut, digged, gathered, taken, and carried away, any Furze, Heath, Stones, Gravel, Sand, or other Materials proper for repairing the ſaid Roads, in, upon, out of, or from any Waſte or Common Ground, in any Pariſh, Town, or Place, in, adjoining to, or lying near the ſaid Roads, or in any neighbouring Pariſh, Town, or Place, to be uſed in repairing the ſaid Roads, without paying any Thing for the ſame; they the ſaid Surveyors or other Perſons filling up the Pits and Holes, and levelling the Ground from which ſuch Ma-

without paying any Thing for the ſame; filling up the Pits;

terial

terials shall be taken, or railing or fencing off such Pits, so that the same may not be dangerous to Passengers or Cattle: And if sufficient Quantities of Materials cannot be had or found in or upon such Waste or Common Ground; then, and in such Case, the Surveyor or Surveyors, or other Persons as aforesaid, may, by Order of the said Trustees, or any Five or more of them, cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, and carried away, any such Materials as aforesaid, in, upon, or out of, from, and over any the Lands, Fields, or Grounds, of any Person or Persons where the same may be had or found, to be used towards repairing the said Road (such Lands, Fields, and Grounds, not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery Ground, or any Walk or Walks planted with Trees, or an Avenue to any House) paying, or offering to pay, to the respective Owners or Occupiers of such Lands, Fields, or Grounds, such Damages for the cutting, digging, gathering, taking, and carrying away such Furze, Heath, Stones, Gravel, Sand, and Materials, and for carrying the same over their Grounds, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference between the said Trustees, Surveyor or Surveyors, or other Person or Persons by them appointed or employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning the said Damages, any Two or more Justices of the Peace of the County or Place where such Materials shall be so cut, digged, gathered, taken, and carried away, shall and may (on Ten Days Notice thereof to be given by the said Surveyor or Surveyors to the said Owner or Owners, Occupier or Occupiers, or by them the said Owner or Owners, Occupier or Occupiers to the said Surveyor or Surveyors, or to be left at their respective Places of Abode with some one of their respective Families) hear, settle, and determine the Matters of the said Damages.

making Satisfaction to the Owners.

Justices to determine Differences.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Five or more of them, or the said Surveyor or Surveyors, or any Person or Persons by them, or either of them appointed or employed, from Time to Time, (such Surveyor or Surveyors having an Order for that Purpose from the said Trustees, or any Five or more of them) to remove and prevent all Annoyances on any Part of the said Roads, by Filth, Dung, Ashes,

Surveyors may remove Annoyances, &c.

Rubbish, Straw, or otherwise, and convert the same to his or their own Use or Uses; and to turn any Watercourses, Sinks, or Drains, running along, into, or out of the said Roads, to the Prejudice thereof; and to open, scour, cleanse, widen, and make deeper any Watercourses or Ditches adjoining thereto, and to make the same as deep and large as he or they shall think necessary, in case the Owners or Occupiers of the Premises shall neglect to open, scour, cleanse, widen, or deepen such Watercourses or Ditches, in a proper Manner, or remove such other Annoyances, in such Manner as the said Trustees, or any Five or more of them, or their Surveyor or Surveyors shall require, for the Space of Ten Days next after such Notice in Writing given for that Purpose under the Hand or Hands of such Surveyor or Surveyors; and to cut down, lop, or top, any Trees, Branches, Shrubs, or Bushes, growing in the said Roads, or in the Hedges or Banks adjacent thereto, and to take, carry away, and sell the Wood so cut, and apply the Money arising thereby in Repair of the Road whereon the same stood, in case the Owners or Occupiers shall neglect to lop or top, cut down, and remove such Trees, Branches, Shrubs, or Bushes, in such Manner as the said Trustees, or any Five or more of them, shall require, for the Space of Ten Days next after Notice given in Writing for that Purpose, to be left at the House belonging to the Land on which the same shall stand, or at the House of the Tenant in Possession thereof, under the Hands of Five of the said Trustees; the Charges whereof to be settled by the said Trustees, or any Five or more of them, shall be reimbursed by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures are herein-after directed to be recovered and applied: And if, after the Removal of any of the said Annoyances, any Person shall again offend in the like Manner, every such Person shall, for every such Offence, forfeit the Sum of Forty Shillings.

Owners neglecting to remove the same after Notice,

Charges to be reimbursed to the Surveyors.

Penalty on a Second Offence.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors of the said Roads, or such Person or Persons as he or they shall appoint or employ, (such Surveyor or Surveyors having an Order for that Purpose from the said Trustees, or any Five or more of them) to make Causeways, and also Ditches and Drains in and upon the said Roads, or any Part thereof, and also through any

Surveyors may make Causeways, Bridges, &c.

any Grounds or Fields lying contiguous thereto; and also to make a Road through the Grounds or Fields adjoining or lying near to any hollow Way, narrow or ruinous Part of the said Roads (such Ground respectively not being the Ground whereon any House stands, or a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground planted or set apart as a Nursery for Trees) to be made Use of as a publick Highway, whilst the old Road is repairing or widening; and also, by Order of any Five or more of the said Trustees, to build, erect, repair, and keep in Repair, any Bridge or Bridges, Arch or Arches, upon any Part or Parts of the said Roads, and across any River, Stream, Brook, Water, Ditch, or Drain therein, or contiguous thereto, making such Recompence to the Owners and Occupiers of the private Grounds respectively, for the Damages they shall or may thereby sustain, as shall be judged reasonable by the said Trustees, or any Five or more of them; but that no Satisfaction shall be made for doing or performing any of the Works aforesaid upon or through any Poor or Waste Ground.

and make a temporary Road;

making Satisfaction to the Owners of the Ground.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall interrupt or hinder, or cause to be interrupted or hindered, any Turnpike Surveyor, or any other Person by them, or by the said Trustees, or any Five or more of them, employed in the cutting, digging, gathering, or carrying away any Furze, Heath, Sedge, Sand, Gravel, Chalk, Flints, Stones, or other Materials, or in altering, widening, or repairing the said Roads, or in lopping, topping, cutting, or carying away, any Tree, Lop, Top, or Overhangings, or in digging, cleansing, or scouring, any Ditch, Drain, or Watercourse as aforesaid, or in doing any other Act in or for the repairing, widening, or altering the said Roads, by virtue of the Powers by this Act given, or any of them, every such Person shall, for every such Offence, forfeit the Sum of Forty Shillings.

Penalty of assaulting Officer on his Duty.

And be it further enacted by the Authority aforesaid, That in case the said Trustees, or any Seven or more of them, shall at any Time or Times hereafter, during the Continuance of this Act, think proper to widen any of the said Roads, or to alter the Course thereof, or to make any new Road or Roads contiguous or adjacent to the said Roads, or any Part or Parts thereof; that then, and in any of the said Cases, it shall and may be lawful

Trustees may purchase Lands for the widening of the Roads.

lawful for the said Trustees, or any Seven or more of them, and they are hereby authorised and impowered to contract with the Owner or Owners of, and Persons interested in, any Lands and Hereditaments lying near the said Roads, or through or over which any new Road or Roads so to be made shall lead, for the absolute Purchase of so much and such Part or Parts of such Lands or Hereditaments, as they the said Trustees, or any Seven or more of them, shall think proper and necessary for the altering, enlarging, widening, or making, any new Road or Roads, or any Part or Parts thereof: And all Bodies Politick, Corporate and Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, and other Trustees for or on Behalf of Infants, Femes-covert, or Cestuique Trusts, and all other Persons whomsoever, may, and are hereby authorised and impowered to contract and agree with the said Trustees, or any Seven or more of them, for the absolute Sale or Exchange of such Lands and Hereditaments, and of their respective Estates and Interests therein, and may and shall convey all such Lands and Hereditaments to the said Trustees, or any Seven or more of them, for the Purposes aforesaid: And all Contracts, Agreements, Sales, and Conveyances, that shall be so made as aforesaid, shall be valid and binding against and to all Persons, and to all Intents and Purposes whatsoever: And in case the said Trustees and Owner or Owners cannot agree as to the Price or Prices, or the Values of the Lands or Hereditaments so intended to be purchased, then the said Trustees, or any Seven or more of them, may, and are hereby authorised and impowered, Six clear Days before any General or Quarter Sessions of of the Peace to be holden for the County of Sussex, to give, or cause to be given, to such Owner or Owners, and such Persons interested in such Lands or Hereditaments, or to be left at their last Place of Abode respectively, with some or One of their respective Families, a Notice in Writing, denoting and describing the respective Quantities of Lands or Hereditaments so intended to be purchased and laid into the said Road, and the Places where the same shall lie, and purporting, that the Value and Values of such Lands and Hereditaments respectively shall be adjudged and settled by a Jury at the said Sessions; and the Justices at their said Sessions, upon Proof to them then and there made of such Notice or Notices having been so given, shall and are hereby

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

Owners and Trustees disagreeing in the Price,

on Notice given,

Recompence to be settled by a Jury.

hereby authorised and required to charge the Jury which shall attend at such Sessions, or some other Jury of Twelve honest and substantial Men, to be then and there impanneled and returned by the Sheriff of the said County, without Fee or Reward, and cause them to be sworn well and truly on their Oaths to assess the Value of the Lands or Hereditaments comprised in the said Notices, and the Damages and Recompence to be given for the same to the respective Owner or Owners thereof, according to their respective Interests therein (which Oath the said Justices are hereby impowered to administer to the said Jurors) and to which said Juries the said Trustees, and all Parties interested in the said Lands, shall have their lawful Challenges; and the said Jury, being so charged and sworn as aforesaid, and after proper Evidence on Oath to them given concerning the Nature, Quantity, and Value of the said Lands and Hereditaments, shall, by their Verdict, assess the Damages and Recompence to be given for the said Lands or Hereditaments, to the respective Owner or Owners thereof, according to their respective Interests; which Verdict of the said Jury, and the Judgement of the said Justices upon the same, shall finally bind and be conclusive to the said Trustees and all Persons and Parties interested in the said Lands and Hereditaments: And that from and after such Verdict and Judgement, and after Payment or Tender of the Damages and Recompence therein and thereby found and directed to be given for the said Lands or Hereditaments to the respective Owner or Owners thereof, or after the Execution of any Conveyance of the said Lands or Hereditaments to the said Trustees, or any Seven or more of them, by the respective Owner or Owners thereof, and Payment or Tender of the Money thereby stipulated to be paid for the same and which Money, Damages, and Recompence the said Trustees, or any Seven or more of them, are hereby impowered to pay out of the Monies which shall be borrowed, raised, and collected, by virtue of this Act, the said Lands and Hereditaments, and every Part thereof, and the Fee-simple and Inheritance thereof, and of every Part thereof, shall be vested in the said Trustees, and their Successors, without any Fine or Recovery, notwithstanding the same shall or may be limited and settled to, for, or upon any Use, Trust, Limitation, Intail, Remainder, or otherwise, and notwithstanding any Politick, Corporate, or other Interest therein; and that then, and from thenceforth the said Trustees, or any

Jurors may be challenged.

Verdict of the Jury to be final.

Lands purchased to be vested in the Trustees,

and be laid into the new Road.

any Seven or more of them, or any Person or Persons by them, or any Seven or more of them, for that Purpose impowered or employed, may, and is and are hereby authorised and impowered to take and lay the said Lands and Hereditaments, and every Part thereof, into the said Road; and that then, and from thenceforth for ever afterwards, such Lands and Hereditaments, and every Part thereof, shall be deemed, taken, and used, and the same is and are hereby declared to be a Part or Parts of the said Roads, and shall for ever thereafter be repaired, and kept in Repair, as Part of the said Roads, any Right, Title, Interest, Law Custom, or Usage to the Contrary thereof in any-wise notwithstanding: And in case any new Road or Roads shall be purchased contiguous or adjacent to any Part of the Roads hereby directed to be repaired, and such new Road shall be made and completed, the Lands and Grounds comprised in and through which the said old Road did lead is hereby vested in the said Trustees, and shall or may by them, or any Seven or more of them, be sold or disposed of for the best Price that can or may be gotten for the same, and the Money arising by such Sale shall be applied to the repairing the Roads hereby directed to be repaired; and the Conveyances to be made of such Lands and Grounds comprised in and through which the old Road did lead being executed by the said Trustees, or any Seven or more of them, and inrolled with the Clerk of the Peace for the County of Sussex, shall be good and effectual in the Law to all Intents and Purposes whatsoever.

New Road being compleated, old Road may be sold.

No Damage may be done to any House, &c. in altering the Road.

Provided always, and be it further enacted by the Authority aforesaid, That, in altering, 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, Court, Park, Paddock, Plantation, or Nursery of Trees, or any planted Walk of Trees, or Avenue to any House, unless the Owner or Proprietor thereof shall consent thereto.

Persons liable to repair Roads, &c. to continue so.

And be it further enacted by the Authority aforesaid, That all Bodies Politick, Corporate and Collegiate, Corporations Aggregate and Sole, and all other Persons whatsoever, who by any Law, Custom, Usage, or otherwise, are or shall be liable to the Repair of any Part or Parts of the said Roads, or any Bridge or Bridges thereon, or to pay any Sum or Sums of Money for or towards the Repair thereof, shall, notwithstanding this

Act,

Act, remain liable to repair the same, or to pay such Monies for or towards the Repairs thereof, as they respectively before were or was liable to do or pay.

How Statute-work is to be performed.

And be it further enacted, That all Owners and Occupiers of Land, and Inhabitants in and of the several Parishes, Hamlets, and Places through which the said Roads lead, or that are or shall be liable to do Statute-work or Duty in the Highways, shall yearly, and every Year, do Two Days of such Statute-work or Duty in such Part or Parts of the said Roads as doth or do lie in such Parishes, Hamlets, or Places respectively, and in such Places thereof, and at such Times, (the same not being in Hay-time nor Harvest) and in such Manner as the said Trustees, or any Five or more of them, or their Surveyor or Surveyors, shall direct or appoint; and that every Inhabitant of such Parishes, Hamlets, and Places respectively, who shall rent, hold, or occupy Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, shall be deemed and taken to keep a Team, and shall, with their Teams and Servants, or otherwise, as the Case shall be, do Eight Hours Work in every Day; and the Surveyor or Surveyors of the Highways of such Parishes, Hamlets, and Places respectively, and where there shall be no Surveyor, then the Churchwardens or Overseers of the Poor, and if no Churchwardens or Overseers, then some or One of the principal Inhabitants of the said Parishes, Hamlets, and Places respectively, shall yearly, within the Space of Seven Days next after Notice in Writing to him or them for that Purpose respectively given by the said Trustees, or any Seven or more of them, or by the said Turnpike Surveyor or Surveyors, under his or their respective Hands, deliver to such Trustees or Surveyors, from whom such Parish Surveyor, Churchwarden, Overseer, or Inhabitant, shall receive such Notice, or to One of them, a true and fair List in Writing of the Names of all the Inhabitants of such Parishes, Hamlets, and Places respectively, liable to do Statute-work upon the said Road, and shall therein distinguish and set forth which of such Inhabitants keep Teams, and are liable to do Duty with Teams or Draughts, and which of them are Labourers only: And if any of the Inhabitants of the said Parishes, Hamlets, or Places, shall refuse or neglect to do and perform their Statute-work or Duty respectively on the the said Road, at such Times and Places, and in such Manner, as he shall be directed to do by the Surveyor or Surveyors to the said Trustees, or shall

Who are deemed to keep Teams,

Surveyors, &c. to make up Lists, yearly, of the Persons liable to Statute-work.

Penalty on Persons liable, and refusing to perform Statute-duty.

shall not work full Eight Hours in each of the said Days upon the said Road; every such Person shall, for every such Refusal or Neglect, forfeit and pay the respective Sums herein-after mentioned; (that is to say,) Every Person liable to do a Team's Duty, for each Day's Default, the Sum of Ten Shillings; and every Person liable to do Duty only as a Labourer, the Sum of One Shilling and Six-pence: And if any of the said Parish Surveyors, Churchwardens, Overseers, or principal Inhabitants of the said Parishes, Hamlets, or Places respectively, having such Notice to deliver such List or Lists as aforesaid, shall refuse or neglect so to do within the Time, or in the Manner herein before for those Purposes mentioned, every such Surveyor or Churchwarden, Overseer or Inhabitant, shall, for every such Neglect or Offence, forfeit the Sum of Five Pounds: And every Person who shall, according to such Notice as aforesaid, come to work as a Labourer, or with a Team, on the said Road, and shall be found idle or negligent by the said Turnpike Surveyor or Surveyors, such Surveyor or Surveyors may, and is and are hereby required to discharge such Person, and it shall be deemed as if such Person or such Team had not come or been sent to do such Work; and every Labourer or Person, or the Owner of any such Team, shall be liable to the respective Forfeitures before mentioned; and all Persons doing such Day's Work on the said Road, shall not be liable to do any other Statute-work thereon.

Penalty on Surveyors, &c. neglecting to deliver Lists.

Labourers found idle to be turned off, and be liable to the Penalties.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and are hereby impowered to compound with the Inhabitants of the several Parishes, Hamlets, and Places, through which the said Roads lead for the Statute-work and Labour by them respectively to be performed by virtue of this Act on the said Roads in every Year, such Composition-money being always paid down at the Time of making such Composition.

Trustees may compound with Parishes, &c. for Statute-work.

And be it further enacted by the Authority aforesaid, That as often as any Trustee by this Act appointed, or their Successors, shall die, or refuse to act, it shall 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 a Trustee in the Room of the Trustee so dying or refusing to act; but Notice in Writing of the Time and Place of Meeting for every such Election shall be given by the Clerk or Clerks to the said Trustees, by affixing the same upon all the Turnpikes in or upon the said Roads, at least Fourteen

Trustees dying, &c. others may be elected.

Fourteen Days before every such Meeting; and all Persons who shall be so elected and appointed are hereby vested with the same Powers and Authorities as any Trustee or Trustees hereby appointed is or are vested with.

Qualification of Trustees.

Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall in his own Right, or in the Right of his Wife, be in the actual Possession and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds, or shall be Heir-apparent of some Person having such Estate of the clear yearly Value of One hundred Pounds, or be possessed of a personal Estate to the Amount of One thousand Pounds: And if any Person, not being qualified as aforesaid, 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 inform or 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, 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 so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee.

Penalty on acting if not qualified.

Roads to be measured, and Mile-stones erected.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and they are hereby impowered and required to cause Stones or Posts to be set up on the Sides of the said Roads, at the Space of One Mile distant from each other, with Inscriptions thereon, denoting the Distance of each of the said Stones or Posts from some Town or Place as they shall think fit; and also to erect Guide or Direction-posts, with such Inscriptions thereon as the said Trustees, or any Five or more of them, shall think proper: And if any Person or Persons shall wilfully break or pull down, dig up, or damage the said Stones or Posts, or any of them, or any Part thereof, or obliterate or deface any of the Words, Letters, or Marks, that shall be inscribed thereon, or cause or procure the same to be done, every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings; One Moiety whereof shall be paid to the Informer, and

Penalty on defacing Guide-posts or Mile-stones.

the other Moiety, after replacing or repairing the respective Stones or Posts that shall be removed or damaged shall be applied in such Manner, and for such Purposes, as other Forfeitures by this Act imposed are hereby directed to be applied.

Penalties and Forfeitures, how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That when any Penalties or Forfeitures by this Act imposed shall be incurred, (except such as are by this Act otherwise particularly directed to be recovered) then, upon Complaint and Proof thereof made to any Justice of the Peace of the County or Place where such Penalty or Forfeiture shall be incurred, by or on the Oath or Oaths of One or more Witness or Witnesses, such Justice may, and is hereby required to issue his Warrant or Warrants under his Hand and Seal, for the apprehending and bringing such Person or Persons before him, or some other Justice of the Peace of the said County or Place, to answer the Complaint or Complaints; and the Justice before whom such Person or Persons shall be so brought, or if the said Person or Persons cannot be met with or found, then, upon leaving a Summons from and under the Hand and Seal of such Justice at the last and usual Place of Abode of such Person or Persons, thereby setting forth the Nature of the said Complaint or Complaints, and appointing a Time and Place for the said Person or Persons to appear and answer the same before such Justice, such Summons being so left Four Days before the Time appointed for such Appearance, such Justice (even if the said Person or Persons being so summoned shall not appear) may and is hereby required to enquire into the Causes and Matters of the said Complaint or Complaints in a summary Way, and either by the Confession of the said Person or Persons, or on the Evidence of One or more Witness or Witnesses upon Oath as aforesaid, if he shall see Cause, convict the said Person or Persons of such Offence or Offences, and in the Penalties or Forfeitures by him or them respectively incurred in those Respects; and for Nonpayment thereof, shall issue a Warrant or Warrants under his Hand and Seal for levying the same Penalties or Forfeitures by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus (if any there shall be) after Payment of such Penalties and Forfeitures, and the Charges of the said Convictions, Distresses, and Sales, to such Offender or Offenders respectively, if demanded; and for Want of such Distress or Distresses, may commit such Offender or Offenders to the Common

Common Gaol or House of Correction of the County or Place where such Offender shall be so apprehended, there to remain without Bail or Mainprize, until the said Penalties and Forfeitures, and Charges shall be paid.

Application of Penalties.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures by this Act imposed, other than and except such or such Parts thereof as are by this Act otherwise directed to be applied, shall be paid to the said Trustees, and shall be by them applied in the Repair of such Part of the said Roads in respect whereof such Penalties or Forfeitures respectively shall be incurred.

Persons aggrieved may appeal to the Quarter-sessions.

And be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, such Person may appeal to the Justices of the Peace at their next General Quarter-sessions of the Peace, or Second General Quarter-sessions of the Peace to be held for the County of Sussex, after the Act, Order, Conviction, Judgement, or Determination shall by virtue hereof be done or made, upon Ten Days Notice thereof in Writing being given by such Person of his or her Intention to bring such Appeal, and of the Cause and Matter thereof, to any Surveyor or Collector of the Tolls of the Road in respect whereof such Act, Order, Conviction, Judgement, or Determination, shall be so made, and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, to prosecute such Appeal with Effect; and the said Justices at their said Sessions may, and are hereby required to examine the Causes and Matters of such Acts, Orders, Convictions, Judgements, or Determinations, and to confirm or discharge the same, and to award such Costs to be paid by and to either of the Parties concerned in the said Appeal as they shall judge proper; and which said Judgements of the Justices at their Sessions shall be finally binding to all Parties, and the Penalties and Forfeitures contained in the said Acts, Orders, Convictions, Judgements, or Determinations, (in case the same shall be confirmed) and the Charges attending the same; and the Costs awarded by the Sessions, shall, upon producing the same Acts, Orders, Convictions, Judgements, or Determinations, or a Duplicate or Duplicates thereof, and the said Orders of Sessions confirming the same, to any such Justice as aforesaid, be levied by Distress and Sale of the Goods and Chattels of the Offender, by a Warrant or Warrants

under the Hand and Seal of such Justice, in such Manner as the Penalties and Forfeitures by this Act imposed are herein before directed to be levied and recovered.

Distress not to be deemed unlawful for Want of Form,

And be it further enacted by the Authority aforesaid, That where any Distress shall be made by virtue of this Act, the Distress itself 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, Notice, Warrant of Distress, or in the Appointment of the Collector or Collectors, Surveyor or Surveyors, or in any other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall happen to be done in making such Distress, but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damages which he or they shall have sustained thereby, with usual Costs, and no more, in an Action of Trespass, or on the Case, at the Election of the Party or Parties aggrieved.

nor the Party distraining be deemed a Trespasser *ab initio*.

Plaintiff not to recover, if Tender of Amends hath been made.

Provided always, That no Plaintiff shall recover in any Action for any Irregularity as aforesaid, if Tender of good and sufficient Amends shall have been made by or on Behalf of the Party or Parties distraining before such Action brought, nor if such Tender of Amends shall be made at any Time after the said Action brought, and before the Trial thereof, together with Costs of Suit to the Time of such last-mentioned Tender; but on Proof made of such Tender on any Trial to be had in such Action the Plaintiff or Plaintiffs shall suffer Judgement as in Cases of Nonsuit, with Full Costs; to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any Case by Law.

Proceedings not to be quashed for want of Form,

And be it further enacted by the Authority aforesaid, That no Act, Order, Conviction, Judgement, Determination, or other Proceeding that shall be done, made, or had, by the said Trustees, or by any Justice or Justices of the Peace, or by the Sessions, by virtue of this Act, shall be quashed, vacated, or discharged for Want of Form only, or shall be removed by Certiorari, or otherwise, into any Court of Record at Westminster.

nor removeable by *Certiorari*.

Trustees may pay the Expences of Prosecutions.

And be it further enacted by the Authority aforesaid, That in case any Action or Prosecution shall be commenced or prosecuted in pursuance of this Act, under the Authority, or by the Direction of the said Trustees, or any of them, in every such Case the said Trustees, or any

any Five or more of them, shall, out of the Monies arising by virtue of this Act, allow and pay to the Prosecutor, or such Person or Persons in whose Name or Names such Action or Prosecution shall be commenced or prosecuted, all such reasonable Costs and Charges as such Person or Persons shall be really and bona fide out of Pocket, for or by reason of such Action or Prosecution, or any Judgement or Determination therein; and likewise indemnify all such Persons as shall be prosecuted, or have any Action or Actions brought against them for or by reason of any Thing done in pursuance of this Act, under the Authority, and by the Direction of the said Trustees, or any Five or more of them.

Commencement and Continuance of this Act.

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

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all Acts, Orders, Accounts, and Proceedings of the Trustees to be done, made, or had by virtue of this Act, shall be fairly entered in a Book or Books to be kept by the Clerk or Clerks to the said Trustees for those Purposes; and such Acts, Orders, Accounts, and Proceedings, so entered shall be signed by the said Clerk or Clerks, and being so signed shall be deemed to be Originals; which said Books, and also the Books directed to be kept for entering the said Assignments and Transfers, shall be admitted as Evidence in all Courts whatsoever.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, or Warrant, under the Hand and Seal, or Hands and Seals of, or only signed by any Trustee or Trustees for putting this Act in Execution, or any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, or in the Execution of any Power or Authority hereby vested in such Trustees or Justices of the Peace, or any of them, shall be charged or chargeable with any Stamp-duty whatsoever.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action at Law shall be brought or commenced against any Person or Persons for any Thing done, or to be done, by virtue of this Act, until after Twenty Days Notice thereof in Writing shall be given to the

Person or Persons against whom such Action shall be intended to be so brought, or left at his or their last or usual Place of Abode, setting forth the Cause of such Action; and that every Action brought for any Thing done, or to be done, as aforesaid, shall be brought within the Space of Six Calendar Months next after the Cause of Complaint shall arise, and shall be laid and tried in the County of Sussex, and not elsewhere; and the Defendant or Defendants therein may plead the General Issue. 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 by virtue hereof; and if on the Trial of such Action it shall appear that the same was brought before the Expiration of Twenty Days next after such Notice shall have been so given or left as aforesaid, or after the End of Six Calendar Months next after the Cause thereof shall have arisen; or if such Action shall be brought or laid in any other County than as aforesaid, or after sufficient Tender of Amends shall have been made to the Party or Parties aggrieved; that then, and in any of the Cases aforesaid, the Jury shall find for the Defendant or Defendants therein; And in all Cases where any Verdict shall be found for any Defendant or Defendants in such Action; or if the Plaintiff or Plaintiffs shall discontinue the same after the Defendant or Defendants shall have appeared, or shall be nonsuited; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs; the Defendant or Defendants in such Action shall have Treble Costs. Treble Costs, and have the like Remedies for recovering the same as Defendants have for recovering their Costs in other Cases by Law.

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

FINIS.