ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. lvii.

An Act for more effectually repairing and widening the Road from the Turnpike Road at *Vinehall* to *Cripps's Corner*, and from thence to *Staplecross*, and from *Cripps's Corner* to *Taylor's Corner* in the County of *Sussex*, and a Piece of Road communicating therewith.

[23d *May* 1832.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Third, intituled *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* Staplecross, *and to the Turnpike Road near the Windmill in the Parish of* Beckly, *and from* Staplecross *to* Longley*'s Water Corn Mill at* Kent Ditch, *and from* Cripps's Corner *to the Town of* Rye *in the said County:* 11 G.3. c.94. And whereas another Act was passed in the Thirty-first Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to repeal so much of an Act of the Eleventh Year of His present Majesty, 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* Staplecross, *and to the Turnpike Road near the Windmill in the Parish of* Beckley, *and from* Staplecross *to* Longley*'s Water Corn Mill at* Kent Ditch, *and from* Cripps's Corner *to the Town of* Rye *in the said County, as relates to the said Roads from* Staplecross *to the Turnpike Road near the said Windmill, and* 31G.3.c.104.

from Staplecross *to* Longley's *Water Corn Mill aforesaid, for enlarging the Term and Powers of the said Act so far as relates to the rest of the said Roads:* And whereas another Act was passed in the Fifty-first
51 G. 3. c. 47. Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from* Vinehall *in the County of* Sussex *to* Cripps's Corner, *and from thence to* Staplecross, *and from* Cripps's Corner *to the Town of* Rye *in the said County:* And whereas the Trustees appointed by the said recited Acts have in pursuance of the Power given to them by virtue of the said recited Act of the Eleventh Year of the Reign of His late Majesty King *George* the Third purchased of *Edward Jeremiah Curteis* Esquire, and the Devisees named in the Will of *Jeremiah Curteis* Esquire, deceased, the Ferry called the *Rye Ferry* or *Strand Ferry*, and the Bridge erected thereon, and all the Tolls payable thereat, subject to the Right of the Occupiers for the Time being of a certain Farm and Lands called *Cadboro' Farm*, containing Three hundred and twenty Acres, the Property of the said *Edward Jeremiah Curteis*, and his and their Servants, with Horses, Waggons, Carts, and Carriages, Sheep, Bullocks, and other Cattle, at all Times thereafter to pass Toll-free over such Bridge, and through the Gates now erected or at any Time to be erected on the said Bridge, or between the Western Extremity of *Cadboro' Farm* and the Town of *Rye;* and have improved and widened the said Roads, and have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which Sums still remain undischarged, and cannot be paid off, nor can the said Roads be effectually amended and maintained in Repair, unless the Term of the said Act is further continued, and additional Powers granted for amending, improving, and maintaining the same in repair, and for altering, increasing, and regulating the Tolls thereby granted: And whereas the Piece of Road extending from the Parish of *Northiam* to the Parish of *Westfield*, all in the County of *Sussex*, is in a ruinous Condition, and narrow, and cannot be amended, widened, and kept in repair by the ordinary Course of Law, and the amending, repairing, and widening thereof will be of Benefit to the Public: And whereas the Powers, Provisions, and Authorities given by the said former Acts are in many respects insufficient and inconvenient, and it is expedient the same should be altered and amended, and the said several recited Acts repealed, and other Powers granted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirtieth Day of *June* One thousand eight hundred and thirty-two the said recited Acts shall be and the same are hereby repealed.

Recited Acts repealed.

Description of Roads to be repaired by this Act.

II. And be it further enacted, That this Act shall be put into execution for and during the Term hereinafter mentioned, for the repairing, improving, and maintaining the Roads from the Turnpike Road at *Vinehall* in the Parish of *Mountfield* in the County of *Sussex* to *Cripps's Corner*, and from thence to *Staplecross*, and from *Cripps's Corner* to *Taylor's Corner* in the Parish of *Rye* in the County of *Sussex*,

Sussex, including the Bridge and Ferry called the *Rye Ferry*, and also a Piece of Road communicating with the said Road at *Broad Oak*, extending from the Parish of *Northiam* to within One hundred Yards of a Bridge called *Brede Bridge*, in the Parish of *Brede* in the said County of *Sussex*.

Purchase of the Ferry and Bridge confirmed, and vested in the Trustees.

III. And whereas Doubts have arisen as to the Legality of the Purchase of the said Ferry, Bridge, and Tolls, by reason that a sufficient Number of Trustees were not present to authorize such Purchase; be it further enacted, That the Purchase made by the Trustees acting under and by virtue of the said recited Acts, subject to the Exemption herein-before mentioned to the Occupier for the Time being of the said Farm and Lands called *Cadboro' Farm*, shall be as valid and effectual to all Intents and Purposes as if the same had been made by Nine or more of the Trustees; and the said Ferry and Bridge, and the Tolls payable thereat, shall be the Property of and vested in the said Trustees for carrying this Act into execution, and the said Trustees shall have full Power and Authority over the same.

Trustees.

IV. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Sussex*, together with Sir *William Ashburnham*, *John Ashburnham* Clerk, *John Ades*, *Thomas Austen*, *John Ades* the younger, *Frederick Ades*, *John Austen*, the Reverend Doctor *Birch* Dean of *Battle*, *Edward Wright Browne*, *John Bishop*, *George Bishop*, *James Bishop*, *Francis Bourne*, *Francis Bourne* the younger, *John Bourne*, *Francis Bourne* junior, *Thomas Bourne*, *Reginald Jeremiah Curteis*, *Samuel Russell Collett*, *Stanes Brocket Chamberlayne*, *William Coleman* the younger, *John Coleman*, *Horace Coleman*, *William John Denne*, *Richard Greenland Denne*, *Weedon Dawes*, *Thomas Daws*, *Thomas Chester Daws*, *James Eldridge*, *Pennington Gorringe*, *Henry Hodges* Clerk, *John Hilder*, *Thomas Pain Hilder*, *Richard Hollands*, *William Henley*, *Joseph Henley*, *Charles Hicks*, *William Holloway*, *John Short Hewett* Doctor of Divinity, *Robert Hele*, *Selby Hele* Clerk, *George Selby Hele* Clerk, *Thomas Cooper Langford*, *John Haddock Lardner*, *George Augustus Lamb* Doctor of Divinity, *William Phillips Lamb*, *William Pitt Lamb*, *Edward Augustus Lamb*, *Thomas Davis Lamb*, *John Luxford* the younger, *George Luxford*, *Frederick Langford*, *William Morris* the elder, *William Morris* the younger, *John Meryon*, *John Myers* Clerk, *Robert Mercer*, *Joseph Mercer* the younger, *Richard Mercer*, *Samuel Nicholl*, *Nathaniel Procter*, *Thomas Procter*, *Thomas Pix*, *Thomas Smith Pix*, *Charles Pilcher*, *Charles Pilcher* the younger, *John Pix*, *Richard Curteis Pomfret*, *John Pratt* Clerk, *Thomas Walter Reeves*, *Lawrence Reeve*, *Lawrence Reeve* the younger, *John Reeve*, *Tilden Smith*, *Tilden Smith* the younger, of *Mountfield*, *Tilden Smith* of *Ewhurst*, *Jeremiah Smith*, *Spencer Woodhams Smith*, *David Smith*, *Henry Smith*, *David Smith* the younger, *Samuel Selmes*, *George Skinner*, *James Skinner*, *John Stonham*, *Thomas Stonham*, *Samuel Stonham*, *James Stonham*, *Peter Dulvey Stonham*, *John Sloman*, *Richard Stileman* the younger, *Benjamin Smith*, Sir *John Godfrey Thomas* Clerk, *Edmund Thomas*, *John Frewen Turner*, *Tom Frewen Turner*, *John Woodhams*, *William Richard Woodhams*, and *William Watson*, and their Successors, being duly qualified according to the Laws now in force respecting Trustees of Turnpike Roads in *England*, shall

shall be, and they and their Successors, to be duly elected in the Manner directed by such Laws, are hereby appointed Trustees for more effectually amending, widening, and from Time to Time improving and keeping in repair the said Roads, and for putting in execution the several Powers and Authorities by the several Acts for regulating Turnpike Roads in *England* and by this Act given and granted.

First Meeting of Trustees.

V. And be it further enacted, That the said Trustees shall meet together at the *King's Head* Inn at *Brede*, or at some other convenient Place, on the First *Thursday* in the Month of *July* One thousand eight hundred and thirty-two, or as soon after as conveniently may be, and proceed to carry the several Acts for regulating Turnpike Roads in *England* and this Act into execution.

Power to appoint additional Trustees.

VI. And be it further enacted, That it shall and may be lawful for the Trustees appointed by this Act, and they are hereby authorized and empowered, at any Meeting to be held for that Purpose, to elect, nominate, and appoint any additional Number of Trustees (not exceeding Three in the whole) to be Trustees for the Purposes of this Act; and such Trustees so elected and appointed, being qualified as aforesaid, shall be Trustees for the Purposes of this Act, and shall have the same Powers and Authorities for executing this Act as if they had been hereby expressly named and appointed Trustees.

For continuing the present Toll Gates and erecting other Toll Gates.

VII. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to continue all or any of the Gates, Turnpikes, Bars, or Chains now standing in, upon, or across the said Roads or on the Sides thereof, and also to erect, or cause to be erected any other Turnpike or Turnpikes, Toll Gate or Toll Gates, Bar or Bars, or Chain or Chains, in, upon, or across any Part or Parts of the said Roads, and also upon the Sides of the said Roads, or across any Lane or Way leading into or out of the same (such Lane or Way not being a Turnpike Road), and also to continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Toll Gate, and also shall and may retain or take in and inclose from the Sides of the said Roads convenient Garden Spots for the Toll Houses respectively, not exceeding as to such Inclosures hereafter to be made One Eighth Part of a Statute Acre to each Toll House.

Power to take Tolls.

VIII. And be it further enacted, That it shall and may be lawful for the said Trustees to demand and take the several Tolls following at all or any of the Turnpikes or Toll Gates, or Side Bars or Gates, which are or shall be continued or erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Roads, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night; (that is to say,)

Tolls.

For every Horse or Beast of Draught (except an Ass) drawing any Coach, Chariot, Berlin, Landau, Hearse, Chaise, Chaise Marine, Calash, Chair, Caravan, Van, or any Cart licensed to carry Persons or Passengers, and which shall be drawn by One or Two Horses or Beasts of Draught only, Sixpence; and for every additional Horse

Horse or Beast of Draught (except an Ass) over the Number of Two drawing any such like Carriage, Four-pence:

For every Horse or Beast of Draught (except an Ass) drawing any Caravan, Waggon, Wain, Cart, Dray, or other such like Carriage (except as herein-after mentioned) having the Sole or Bottom of the Fellies of the Wheels of the Breadth or Gauge of Six Inches or upwards, Four-pence:

For every Horse or Beast of Draught (except an Ass) drawing any Caravan, Waggon, Wain, Cart, Dray, or other Carriage (except as herein-after mentioned) having the Soles or Bottom of the Fellies of the Wheels of the Breadth of Four Inches and a Half or less than Six Inches, Sixpence:

For every Horse or Beast of Draught (except an Ass) drawing any Caravan, Waggon, Wain, Cart, Dray, or other Carriage (except as herein-after mentioned) having the Soles or Bottom of the Fellies of the Wheels of less Breadth than Four Inches and a Half, and which shall be drawn by not more than Four Horses or Beasts of Draught, Eight-pence; and for every additional Horse or Beast of Draught (except an Ass) over the Number of Four drawing any such like Carriage, One Shilling:

For every Ass drawing any Carriage, One Half of the Tolls hereby imposed on every Horse or Beast of Draught drawing such like Carriage:

For every Dog drawing any Carriage, One Halfpenny:

For every Horse or Mule, laden or unladen, and not drawing, Two-pence:

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

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

For every Drove of Hogs, Calves, Sheep, or Lambs (except with the Dam), *per* Score, and so in proportion for any greater or less Number, Two-pence Halfpenny:

Which said Tolls shall be demanded and taken before any Horse, Mule, Ass, Beast, or other Cattle shall be permitted to pass through any Turnpike or Toll Gate, or Side Bar or Gate, or Chain, already erected or continued, or to be erected and continued by virtue of this Act, upon or across the said Roads or any Part thereof, or upon or across any Lane or Way leading into the same, and which said respective Tolls shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed: Provided always, that Payment of the foregoing Tolls at any Gate erected on the said Road shall exempt the Horse, Beast, Cattle, or Carriage, in repect of which the same shall have been paid, from paying the same at any Side Gate; and the Payment of the Tolls at any Side Gate shall exempt the Horse, Beast, Cattle, or Carriage, in respect of which the same shall have been paid, from paying Toll at any Main Gate on the said Road, provided such Gates stand within Three hundred Yards of each other, but not otherwise.

Additional Toll between September and April.

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

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

Limiting Number of Tolls for passing through all the Gates.

X. Provided also, and be it further enacted, That no more than Three Tolls in the whole shall be payable for or in respect of the same Horses, Cattle, or Beasts for passing in One Day, to be computed as aforesaid, through all the Gates, Turnpikes, Bars, or Chains erected or to be erected on the said Road, or on the Sides thereof.

Tolls to be paid but once in the same Day for Horses, unless they pass the Third Time.

XI. And be it further enacted, That in case Toll shall have been paid for or in respect of any Horse, Beast, or Cattle, for passing through any of the Toll Gates upon the said Road, no Toll shall be demanded or taken for or in respect of the same Horse, Beast, or Cattle, for passing through the same Toll Gate on the same Day before Twelve of the Clock at Night, laden or unladen, but not drawing, but such Horse, Beast, or Cattle shall pass and repass Toll-free on a Ticket being produced denoting the Payment of Toll; and in case Toll shall have been paid for or in respect of any Horse, Beast, or Cattle, for passing through any of the Toll Gates drawing any Carriage whatsoever, no Toll shall be demanded or taken for or in respect of the same Horse, Beast, or Cattle, for returning or passing a Second Time through the same Gate, drawing the same or any other Carriage, on the same Day, and before Twelve of the Clock at Night, on a Ticket being produced denoting the Payment of Toll; but no Horse, Beast, or Cattle shall be permitted to pass a Third Time in any One Day, to be computed as aforesaid, with any Carriage, through any Toll Gate, without Payment of such and the same Toll as may be demanded and taken under and by virtue of this Act upon the first passing thereof, and so *toties quoties* for every third Time that the same Horses, Beasts, or Cattle shall pass and repass in One and the same Day with the same Carriage through any Toll Gate, in such and the like Manner as if it had been the first Time of passing through such Toll Gate.

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

XII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of Horses and other Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Stage Carriage conveying Passengers or Goods for Pay, Hire, or Reward, and also for and in respect of any Carriage impelled or drawn by Machinery or Steam, conveying Passengers or Goods for Pay, Hire, or Reward, every Time of such Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or

Taxed Cart, or other Stage Carriage, Machinery or Steam Carriage, passing or repassing along the said Road; provided also, that no further or additional Toll shall be payable in respect of any Horses drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Post Chaises to be subject to Toll on every new Hiring.

XIII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other such Carriage, every Time of passing along the said Roads whenever any new Hiring thereof shall take place.

Exemption for Manure not to extend to Rags, Rape Seed, &c.

XIV. Provided always, and be it enacted, That no Exemption from Payment of Toll given or granted under or by virtue of the general Laws now in force for regulating Turnpike Roads in *England* shall extend or be construed to extend to exempt any Horse or Beast of Draught drawing any Carriage laden with Rags, Rape Cake, Rape Dust, or Sprats, from Payment of Toll, but such Horse or Beast of Draught shall be subject to the Payment of the same Toll as is hereby imposed on any Horse or other Beast of Draught drawing any such like Carriages.

Application of the Tolls and Money to be borrowed.

XV. And be it further enacted, That out of the Monies already received by virtue of the said recited Acts, or out of the first Monies which shall be received from the Tolls, Mortgages, or otherwise by this Act granted, the said Trustees shall in the first place pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, and the Remainder of all such Monies shall from Time to Time be applied, in the first place in erecting and repairing Milestones, Posts, Turnpikes, Gates, Bars, or Chains, and Toll Houses on the said Roads, and afterwards in paying and keeping down the Interest of the Principal Monies borrowed or due under the said former Acts, and which by virtue of and under the Powers of this Act may be borrowed on the Credit thereof, and then in making, repairing, widening, improving, and rendering more commodious the said Roads, and otherwise putting this Act and the several Acts for regulating Turnpike Roads in *England* into execution, and lastly in repaying the Principal Monies already borrowed by virtue of the said recited Acts or to be borrowed by virtue of this Act.

No Priority of Mortgages.

XVI. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any Sum or Sums of Money on the Credit of the Tolls granted by the said recited Acts, or who shall hereafter advance any Sum or Sums of Money on the Credit of the Tolls granted by this Act, or to his or their Assignee or Assignees, in respect of the Priority of the Mortgage or Assignment, or of advancing such Sum or Sums of Money; but that as well all Persons to whom any such Mortgage or Assignment shall hereafter be made or given, his, her, or their Assignee or Assignees, as all Persons to whom any such Mortgage or Assignment hath heretofore been made or given, shall (in proportion to the Sum or

Sums

Sums therein mentioned) be Creditors under this Act, and in equal Degree one with another.

Trustees may pay off Creditors by Lot.

XVII. Provided always, and be it further enacted, That in case the said Trustees shall at any Time be desirous of paying off any Portion of the Principal Monies due and owing on the said Roads, it shall and may be lawful for them at any Meeting, (Notice of such intended Meeting, and of the Purpose thereof, being first given at least Thirty Days preceding the same by Advertisement in some Newspaper published in the said County of *Sussex*,) if they shall think fit, instead of paying the same rateably amongst all the Creditors, to determine by Lot to which of such Creditors the whole or any Portion thereof shall be so paid, and to pay the same to such Creditor or Creditors only, or to any of the Creditors, with the Consent of all the other Creditors.

Preventing Nuisances on the Road.

XVIII. Provided always, and be it further enacted, That if any Person shall hang out, put, or place any Linen, Woollen, or Cotton Cloth or Cloths, for the Purpose of drying or otherwise, within Thirty Feet of the Centre of the said Roads, or shall drive any Waggon, Cart, or other Carriage laden with Hay, Straw, or Corn in the Straw, Timber, Wood, Faggots, or Bushes on the said Roads, the Lading whereof shall be of greater Width than Twelve Feet, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and the Owner or Owners of any Hog or Hogs which shall at any Time be found straying or lying on the said Road or the Sides thereof shall for every Time such Hog or Hogs may be so found forfeit and pay the Sum of Two Shillings and Sixpence for every such Hog; which said Penalties shall be recovered and applied in the Manner directed by the said recited Act of the Third Year of the Reign of His late Majesty King *George* the Fourth.

Public Act.

XIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of this Act.

XX. And be it further enacted, That this Act shall commence upon the First Day of *July* One thousand eight hundred and thirty-two, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1832.