



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. lxx.

An Act for more effectually repairing and improving the Roads from *Tunbridge Wells* in the County of *Kent* to the Cross Ways at or near *Maresfield Street*, and from *Florence Farm* to *Forest Row* in the County of *Sussex*.

[22d April 1831.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing, widening, and keeping in repair the Road leading from Tunbridge Wells in the County of Kent to the Cross Ways near Maresfield Street in the County of Sussex*: And whereas another Act was passed in the Twenty-eighth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for continuing the Term and varying the Powers of an Act of the Sixth Year of His present Majesty, for repairing, widening, and keeping in repair the Road leading from Tunbridge Wells in the County of Kent to the Cross Ways near Maresfield Street in the County of Sussex; and for amending the Road from Florence Farm in the Parish of Withyam to Forest Row in the Parish of East Grinstead in the County of Sussex*: And whereas another Act was passed in the Forty-ninth 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 Tun-*

6 G.3. c. 56.
28 G.3. c.85.
49 G.3. c.95.

[Local.] 13 E bridge

bridge Wells in the County of Kent to the Cross Ways near Maresfield Street, and from Florence Farm to Forest Row in the County of Sussex: And whereas the Trustees acting under and by virtue of the said several Acts have proceeded in the Execution thereof, and have borrowed considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, which still remain due and owing, and cannot be repaid, nor can the said Roads be effectually amended and kept in repair, unless the Term of the said Acts are continued, and the several Powers and Provisions thereof are altered, amended, and enlarged; and it would be more expedient that the said several Acts should be repealed, and a new Act, with further and other Powers, should be granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it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 passing of this Act the said several recited Acts of the Sixth, Twenty-eighth, and Forty-ninth Years of the Reign of His said late Majesty King George the Third shall be and the same are hereby repealed.

Recited Acts repealed.

Description of Roads.

II. And be it further enacted, That this Act shall commence and take effect and be put in execution for more effectually repairing, widening, altering, diverting, improving, and keeping in repair the Road from Tunbridge Wells in the County of Kent to Maresfield Street in the County of Sussex, and the Road from Florence Farm in the Parish of Withyham to Forest Row in the Parish of East Grinstead in the said County of Sussex.

New Piece of Road to be made.

III. And whereas, in consequence of certain Alterations and Improvements now in progress, the Road leading from the Cliff near Lewes, through Uckfield, to Witchcross in the said County of Sussex, will pass in a new Line from Maresfield Street to Lampool Green in the Parish of Maresfield, and it would be advantageous to the Public that a Communication should be made and opened from and out of the said last-mentioned Road into the said new Line of the Road leading from the Cliff near Lewes, through Uckfield, to Witchcross aforesaid, on the Completion thereof, at the nearest Point of Junction between the said Roads at or near Lampool Green aforesaid, whereby the present Road from Lampool Green aforesaid to Maresfield Street, which is hilly and circuitous, will become useless and unnecessary, and may then be abandoned; be it therefore enacted, That when and so soon as the said new Line of Road leading from the Cliff near Lewes, through Uckfield, to Witchcross aforesaid, from Maresfield Street to Horny Common, shall have been made and completed, and fit and used for the Passage of Horses, Cattle, and Carriages, it shall and may be lawful for the Trustees hereinafter named and appointed, and they are hereby authorized and empowered, to make and open a Communication from and out of the said Road from Tunbridge Wells to Maresfield Street hereinbefore mentioned, into the said intended new Line of the Road from the Cliff near Lewes, through Uckfield, to Witchcross aforesaid, at the nearest Point of Junction of the said Two Roads at or near to Lampool Green aforesaid; and from

thenceforth the said Trustees shall be discharged from the Care and Maintenance of so much of the present Road from *Tunbridge Wells* to the *Cross Ways* near *Maresfield Street* aforesaid as lies between *Lampool Green* and *Maresfield Street* aforesaid.

IV. And whereas a Map or Plan describing the Line of the said new Piece of Road, and the Land through or over which the same is to be made or carried, together with a Book of Reference containing the Name of the Owner and Occupier of such Land, has been deposited at the Office of the Clerk of the Peace for the County of *Sussex*; be it therefore enacted, That the said Map or Plan and the Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said Roads shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands such Deviation shall be made.

Plan deposited at the Office of the Clerk of the Peace to be open to Inspection.

Road to be made according to the Plan.

V. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said new Cut or Pieces of Road, and Widenings and Improvements, into, through, across, or over the Lands and Premises of any Person who is or may be Owner of the Land and Premises over which the same is set out and described in the said Map or Plan, although the Name of such Person may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Lands marked in the Plan may be used notwithstanding Errors in the Book of Reference.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting in and for the Counties of *Kent* and *Sussex*, or either of them, together with the Honourable *George John Frederick West* commonly called Viscount *Cantilupe*, the Honourable *John Nevil* commonly called Lord Viscount *Nevil*, the Honourable *George Henry Nevil*, the Honourable *William Nevil*, Sir *John Shelly* Baronet, *Aretas Akers*, *Philip Bremridge*, *Sackville Stephens Bale* Clerk, *George Bale* Clerk, *Charles Sackville Bale*, *Richard Crawley* Clerk, *William Camfield*, *John Carruthers*, *Edward Cranston*, *William Day*, *James Dean*, *Thomas Delves*, *Augustus Elliott Fuller*, *Thomas Fulcher*, *Thomas Christopher Gardiner*, Captain *Greenland*, *Thomas Harvey*, *Thomas Harvey junior*, *Charles Nairn Hastie*, Captain *Henniker*, *John Jowitt* Clerk, *William Fowler Jones*, *William Fowler Jones junior*, *Henry Humphery Jackson*, *Robert Mayne* Clerk, *Magens Dorriens Magens*, *John Magens*, *Thomas Mayo M. D.*, General *Frederick Maitland*, *Baden Powell*, *William Law Pope* Clerk, *Bingham Richards*, *David Jean Robertson*, *John Villiers Shelly*, *John Saint*, *John Saint junior*, Clerk, *John Stenning*,

Trustees.

Stenning, Thomas Osborne Stock, William Scoones, John Stone the elder, Richard Taylor Clerk, Thomas Thomson M.D., William Wells, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for putting this Act in execution.

Additional
Trustees.

VII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting or Meetings to be holden for that Purpose pursuant to the Directions of the Acts now in force for regulating Turnpike Roads in *England*, to elect and appoint any Number of Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so to be elected and appointed, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

First Meet-
ing of
Trustees.

VIII. And be it further enacted, That the said Trustees shall hold their First Meeting for executing this Act at the *Star Inn* or at some other convenient Place in *Withyam* on the *Second Monday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may adjourn such Meeting, and all subsequent Meetings, from Time to Time, and from Place to Place, in such Manner as is directed by any of the Acts in force for regulating Turnpike Roads in *England*.

Tolls.

IX. And be it further enacted, That from and after the *Second Monday* after the passing of this Act the respective Tolls following shall be demanded and taken at every Toll Gate, Turnpike, Side Gate or Bar, continued or erected, or to be erected, upon or on the Side of the said Road, before any Horse, Beast, Cattle or Carriage shall be permitted to pass through the same; that is to say,

For every Horse or other Beast drawing any Hearse, Coach, Chariot, Chaise, Gig, or other such like Carriage, the Sum of Four-pence:
For every Horse or other Beast drawing any Waggon, Dray, Cart, Caravan, or other such like Carriage, having the Soles or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, Two-pence:

For every Horse or other Beast drawing any Waggon, Dray, Cart, Caravan, or other such like Carriage, having the Soles or Bottom of the Fellies of the Wheels thereof of a less Breadth than Six Inches and not less than Four and a Half Inches, the Sum of Three-pence:

For every Horse or other Beast drawing any Waggon, Dray, Cart, Caravan, or other such like Carriage, having the Soles or Bottom of the Fellies of the Wheels thereof of a less Breadth than Four and a Half Inches, the Sum of Four-pence Halfpenny:

For every other Carriage propelled or drawn by any other Means than by animal Power, the Sum of One Shilling per Ton Weight; and so in proportion:

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

For

For every Score of Oxen or other Neat Cattle, the Sum of Ten-pence ; and so in proportion for any greater or less Quantity :
For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence ; and so in proportion for any greater or less Quantity.

X. And be it further enacted, That Double the respective Tolls granted by this Act shall be demanded and taken between the Twentieth Day of *October* and the Fifth Day of *May* in every Year, for all Horses or other Beasts drawing any Carriage laden with Timber, Plank, Boards, Wood, Charcoal, Faggots, Hop Poles, Bricks, Tiles, Flints, Iron, Gravel, Coals, Marl, Chalk, Sand, or Stone.

Double
Tolls on
Carriages
with certain
Materials.

XI. Provided always, and be it further enacted, That in case the Tolls hereby granted shall have been paid for the passing of any Horse, Beast, or Cattle through any of the Toll Gates, Turnpikes, or Side Gates now erected or to be erected upon, across, or on the Side or Sides of the said Roads, such Horse, Beast, Cattle, or Carriage (except Horses or Beasts drawing any Stage Coach, Post Chaise, Fly, or other such Carriage for Hire) shall, on a Ticket being produced denoting such Payment, be permitted to return through the same Toll Gate, Turnpike, or Side Gate, on the same Day, before Twelve of the Clock at Night, Toll-free, but no such Horse, Beast, Cattle, or Carriage shall be permitted to pass a Third Time on the same Day through any such Toll Gate, Turnpike, or Side Gate until such and the same Toll shall have been paid as may be demanded and taken under and by virtue of this Act for the same respectively upon first passing, and so *toties quoties* every Third Time that the same Horse or other Beast shall pass.

Horses, &c.
having once
passed to
pass Toll-
free on Pro-
duction of
Ticket.

XII. Provided also, and be it further enacted, That no Horse, Beast, or other Cattle, passing on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, through all or any of the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, shall be charged or chargeable with or liable to pay the Tolls hereby granted at any greater Number of Gates upon either of the said Roads than are hereinafter mentioned ; (that is to say,) upon the whole Length of the said Road from *Tunbridge Wells* to the *Cross Ways* at *Maresfield Street*, as aforesaid, at Three Gates only, and no more ; and upon the whole Length of the said Road from *Florence Farm* to *Forest Row* at Two Gates only, and no more.

Limiting
Number of
Tolls.

XIII. Provided also, and be it further enacted, That the Payment of Toll upon the said Road leading from *Tunbridge Wells* to the *Cross Ways* at *Maresfield Street* aforesaid shall not exempt such Horse, Beast, or Cattle from the Payment of Toll upon the said Road leading from *Florence Farm* to *Forest Row* aforesaid ; and that the Payment of Toll upon the said Road leading from *Florence Farm* to *Forest Row* aforesaid, for any Horse, Beast, or Cattle, shall not exempt such Horse, Beast, or Cattle from the Payment of Toll upon the said Road leading from *Tunbridge Wells* to the *Cross Ways* at *Maresfield Street* aforesaid ; any thing herein contained to the contrary notwithstanding.

Payment of
Toll on one
of the Lines
of Road not
to exempt
from Pay-
ment on the
other.

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XIV. Pro-

Stage
Coaches to
pay each
Time of
passing.

XIV. Provided also, and be it further enacted, That the Toll hereby made payable for or in respect of all Horses or other Beasts drawing any Stage Coach, Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, shall be payable and paid for every Time of passing or re-passing through every such Toll Gate, Turnpike, or Side Gate, whether the Horses or other Beasts drawing the same shall have been changed, or not: Provided also, that no further or additional Toll shall be payable in respect of any Stage Coach or Caravan, or other Carriage carrying Passengers or Goods for Hire or Reward, on account only of the Horses drawing the same having been changed.

Post Chaises
to pay on
each fresh
Hiring.

XV. Provided also, and be it further enacted, That all and every the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts of Draught travelling for Hire, drawing any Post Chaise, Fly, or other such Carriage, for every Time of passing and re-passing along the said Roads on the same Day, as often as a fresh Hiring thereof shall take place.

Trustees
may agree
with Inha-
bitants of
Tunbridge
Wells for
Repair of
Parts of the
Road under
their Care.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, if they think fit, to compound and agree with the Inhabitants of the Town of *Tunbridge Wells*, or with any Person or Persons whomsoever, with relation to the Repair and Maintenance of any Part or Parts of the said Road, or the Situation of the Toll Gates thereon: Provided always, that Notice of the Intention to enter into any such Composition or Agreement shall be affixed on all the Turnpikes erected or to be erected in the said Roads Fourteen Days previous to the Meeting to be held for that Purpose.

Toll not to
be taken for
Peat during
certain Pe-
riods.

XVII. Provided also, and be it further enacted, That no Toll shall be demanded or taken by virtue of this Act between the Fifth Day of *May* and the Twentieth Day of *October*, for any Horse, Beast, or other Cattle drawing any Carriage, or otherwise employed in carrying any Turf or Peat to be used for Fuel by any poor Persons residing within the Parishes of *Speldhurst*, *Withyham*, *Hartfield*, *East Grinstead*, *Buxted*, and *Maresfield*, or either of them, and not sold or disposed of, or going to be sold or disposed of.

Forest Litter
not ex-
empted.

XVIII. Provided also, and be it further enacted, That nothing in this Act, or in the several Acts now in force for regulating Turnpike Roads, or any or either of them, shall extend or be construed to extend to exempt from the Payment of Tolls hereby imposed any Horse or other Beast drawing any Carriage employed in carrying or conveying any Forest or other Litter, although the same may have been taken from the Forest or any other waste or commonable Grounds upon which the Owner thereof shall or may have or claim some commonable Right attached to the Farm or Land to which the same shall or may be carrying or conveying, nor to any Horse or other Beast drawing any Carriage employed in carrying or conveying any Lime or Chalk, notwithstanding such Chalk may afterwards be burnt into Lime, or that such Lime may afterwards be employed in the Improvement of Land.

XIX. And

XIX. And be it further enacted, That a separate Account shall be kept of the Tolls to be collected upon that Part of the said Road which is called the *Old Road*, extending from *Tunbridge Wells* to *Maresfield Street*, and of the Money now due or which may hereafter become due on the Credit thereof, which shall be applied to the Purposes of that Road only, and also that a separate Account shall be kept of the Tolls to be collected upon that Part of the said Road which is called the *New Road*, extending from *Florence Farm* to *Forest Row*, and of the Money now due or which may hereafter become due on the Credit thereof, which shall be paid and applied to the Purposes of that Road, except only that the Salaries or Allowances to be paid to the Clerk, Surveyor, and other Officers that shall be employed by the said Trustees in the Management of both the said Roads shall be paid in equal Moieties out of the Money collected, raised, or borrowed upon each of the said Roads respectively.

Separate
Accounts to
be kept.

XX. And be it further enacted, That from and after the passing of this Act the Sum of Two Pounds *per Centum per Annum* on the Amount of all the Principal Monies now due and secured on the Tolls of the said Road leading from *Tunbridge* to the *Cross Ways* at or near *Maresfield*, called the *Old Road*, and on the Amount of every further Sum of Money which shall be afterwards borrowed or taken up at Interest on the Credit or Security of the Tolls of the same Road, shall be charged on, and during the Continuance of this Act be appropriated and paid out of, the said Tolls, in order to form a Sinking Fund for the gradual Payment of all and every the said Monies; and that the Sum of Two Pounds *per Centum per Annum* on the Amount of all the Principal Monies now due and secured on the Tolls of the said Road leading from *Florence Farm* to *Forest Row*, called the *New Road*, and on the Amount of every further Sum of Money which shall be afterwards borrowed or taken up at Interest on the Credit or Security of the Tolls on the same Road, shall be charged, and during the Continuance of this Act be appropriated and paid out of, the said Tolls, in order to form a Sinking Fund; and that after the Payment of any such Principal Monies the full Interest which would have been otherwise payable for or in respect of the same, to the Creditor or respective Creditors, shall from thenceforth and during the Continuance of this Act be charged on and appropriated and paid out of the said respective Tolls, in aid of the said several Sinking Funds; and that as often as either of the said Sinking Funds shall amount to the Sum of Fifty Pounds, that Sum, or any further Part of the Balance thereof, if the Trustees shall think proper, shall be applied in Payment of an equal Amount of the Principal Monies then remaining due or owing on the Credit or Security of the Tolls of the Road from which such Sinking Fund shall have arisen, rateably or by Lot among the said Creditors, as the said Trustees shall think proper.

Sinking
Fund.

XXI. And be it further enacted, That as well all the Monies which before the Commencement of this Act shall have been raised or produced by virtue of the said Acts hereby repealed, and which shall remain undisposed of, as also all other Monies which shall arise or be produced by virtue of this Act, shall, with reference to the Provisions

Application
of Monies.

sions herein before contained, as to the Application of the different Funds, be applied to and for the several Purposes, and in the Order and Manner following; that is to say, in the first place, in the Payment of all the Expences which shall have been incurred in applying for and obtaining and passing this Act; and in the second place, with such Reference to the Application of the several Funds, as aforesaid, in paying all Arrears of Interest on any Sums of Money which have been already borrowed and shall be due and owing on the Credit of the said Acts hereby repealed, and also the Interest which shall from Time to Time become due in respect of every Sum of Money already due or which shall hereafter be borrowed or taken up at Interest on the Security of the said Tolls, annually, without any Preference on account of the Priority of such Securities in point of Time or otherwise; in the third place, in defraying the Expences of making, erecting, and keeping in repair the Toll Gates, Toll Bars, Toll Houses, and other Buildings already built or hereafter to be erected, and of widening, repairing, and improving the said Roads, and of erecting and making necessary and convenient Bridges, Arches, and other Works upon and near the same; and the Residue thereof to be applied, with such Reference as aforesaid, in paying off the Money now due and owing or hereafter to be advanced upon the Security of such Tolls.

Public Act.

XXII. 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 Act.

XXIII. And be it further enacted, That this Act shall commence upon and have Continuance from the Second Monday next after the passing thereof, for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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