

owing, with a considerable Arrear of Interest, and the same cannot be repaid, nor can the said Road be effectually amended and kept in repair, unless the Term of the said Acts be further extended, and the Powers thereof altered and enlarged, and the Tolls increased: And whereas it would facilitate the Execution of the Purposes aforesaid if the said recited Acts were repealed, and if further and other Powers and Provisions were granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by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 upon the Fifteenth Day of *June* next after the passing of this Act the said recited Acts, passed in the Sixth, Twenty-fifth, and Forty-eighth Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby declared to be repealed.

Recited Acts repealed.

This Act to be put in execution for the Repair of the Road.

II. And be it further enacted, That this Act shall commence and be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, improving, and keeping in repair the present Turnpike Road leading from *Biddenden* in the Weald of *Kent*, through the Towns of *Smarden* and *Charing*, to join the Turnpike Road which leads from *Ashford* to *Faversham* at a Place called *Boundgate*, in the County of *Kent*, and which Road lies in and passes from, through, and into the several Parishes of *Biddenden*, *Smarden*, *Pluckley*, *Little Chart*, *Charing*, *Westwell*, and *Throwley*, in the said County of *Kent*.

Appointment of Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Kent*, together with Sir *Edward Cholmeley Dering* Baronet, Sir *Edward Knatchbull* Baronet, Sir *John Courtnay Honeywood* Baronet, *Gabriel Allen*, *Richard Ashbee*, *John Barwick* Clerk, *Richard Beale*, *Richard Beale* the younger, *Seaman Beale*, *John Billington* Clerk, *Thomas Brandon Brett*, *Edward Cage* Clerk, *Charles Cage* Clerk, *Edward Cheesman*, *Charles Chisholm* Clerk, *Benjamin Cobb* of *Lydd*, *Benjamin Cobb* of *New Romney*, *Smith Cobb*, *Whitfeld Curteis* Clerk, *Edward Darell*, *Edward Henry Darell*, *David Denne*, *Cholmeley Dering* of *Brighton*, *Cholmeley Edward John Dering* Clerk, *Thomas Dodd*, *George Douglas*, *Henry Egerton*, *Richard Fitch*, *Neppeker Fitch*, *George Dinely Goodyar* Clerk, *Jenkin Hague*, *William Hawker*, *James Haydock Haydock*, *Giles Hilton* of *Sheldwich*, *Thomas Hinds*, *Thomas Law Hodges*, *John Huckstepp*, *George Elwick Jemmett*, *Norton Joseph Knatchbull*, *Edward Knight*, *Edward Knight* the younger, *Thomas Manclark*, *John Manley* Clerk, *Thomas Marshall*, *Charles Wykeham Martin*, *Edward Nares* Doctor in Divinity, *John Neame*, *John Neve*, *Charles Parkin* Clerk, *Cooke Tylden Pattenson*, *Edward Rice*, *William Rigden*, *Samuel Elias Sawbridge*, *John Samuel Wanley Sawbridge*, *George Edward Sayer*, *Barling Sharpe*, *Jesse Spicer*, *John Stevens*, *Thomas Manners Sutton* Clerk, *Nicolas Roundell Toke*, *Nicolas Toke* Clerk, *Richard Osborne Tylden* Clerk, *James Beckford Wildman*, *John Wightwick*, *George Witherden*, *William Wood*, and *Thomas Prescott Wilks*, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for maintaining Turnpike Roads in *England*, shall be and they

are hereby appointed Trustees for amending, widening, improving, and keeping in repair the said Road, and for otherwise carrying this Act into execution.

IV. And be it further enacted, That the said Trustees shall meet together on the Sixteenth Day of *June* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, at the House called or known by the Name or Sign of the *Swan*, in the Town of *Charing* in the said County of *Kent*, or at some other convenient Place near to the said Road, and shall then and there proceed to carry this Act into execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times, and at such Place or Places on or near to the said Road, as the said Trustees or the major Part of them present at any such Meetings shall think proper and appoint.

Meetings of Trustees.

V. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings to be holden in pursuance of this Act, to elect and appoint any Number of Persons being duly qualified, not exceeding Three in the whole in addition to the Number of Trustees herein named and appointed, to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to appoint additional Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls or Sums of Money following at the several and respective Turnpikes or Toll Gates or Toll Houses, or Side Bars or Side Gates or Chains, which are or shall be standing and being or continued or erected by virtue of this Act in, upon, across, or on the Side or Sides of the said Road or any Part thereof, on every Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); that is to say,

Power to take Tolls.

For every Horse, Mule, or Ass drawing any Coach, Sociable, Berlin, Landau, Barouche, Chariot, Vis-a-vis, Chaise, Chaise Marine, Calash, Landauet, Phaeton, Curricule, Chair, Gig, Whiskey, Hearse, Litter, Stage Coach, Diligence, Caravan, Van, or other Carriage of the like Description, the Sum of Four-pence :

Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Tug, Wain, Cart, Dray, Tumbril, or other Carriage of the like Description, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Four-pence; and having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half, and less than Six Inches, at the Bottom or Soles thereof, the Sum of Five-pence; and having the

the Fellies of the Wheels thereof of the Breadth of Three Inches, and less than Four Inches and a Half, at the Bottom or Soles thereof, the Sum of Sixpence:

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

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

For every Score of Oxen, Cows, or Neat Cattle, the Sum of Tenpence, and so in proportion for any greater or less Number:

For every Score of Calves, Sheep, Lambs, or Swine, the Sum of Fivepence, and so in proportion for any greater or less Number: And

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Tug, Wain, Cart, or other Carriage of the like Description, laden with any Tree or Trees, or Timber, between the First Day of *October* and the First Day of *May* in every Year, Double the Tolls herein-before imposed on Horses, Mules, Asses, or other Beasts drawing Carriages of that Description:

And in case of Oxen drawing any Carriage, Two Oxen shall be considered and paid for as One Horse:

Which said respective Tolls or Sums of Money shall be demanded and taken before any Horse, Mule, Ass, Beast, or other Cattle whatsoever, drawing or not drawing, shall be permitted to pass through any Turnpike or Toll Gate, or Side Gate or Side Bar or Chain, which shall be continued, erected, or placed by virtue of this Act in, upon, across, or on the Side or Sides of the said Road or any Part thereof; and which said respective Tolls or Sums of Money 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.

Tolls not to be paid on returning.

VII. Provided always, and be it further enacted, That if any Person shall at any Time or Times, in any One Day (to be computed as aforesaid) have paid the Toll hereby authorized to be taken for the passing of any Horse, Mule, Ass, Beast, or other Cattle or Carriage through any One of the said Turnpikes or Toll Gates continued or erected or to be erected by virtue of this Act, such Horse, Mule, Ass, Beast, or other Cattle or Carriage shall, upon a Ticket denoting the Payment thereof being produced, be permitted to return or repass Once on the same Day (to be computed as aforesaid) Toll-free through the same Turnpike or Toll Gate, and through such other Gate or Gates as the Ticket for such Payment shall free; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Respecting Carts drawn by One Horse or Two Oxen.

VIII. Provided also, and be it further enacted, That nothing in this Act contained relating to the Breadth of the Wheels of Carts shall extend or be construed to extend to empower the said Trustees to demand or take a higher Toll than Fourpence for or in respect of any Cart not drawn by more than One Horse or Two Oxen.

Limiting the Number of Tolls.

IX. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees to cause more than Five full Tolls to be demanded or taken for

for or in respect of the same Horses, Beasts, Cattle, and Carriages for Once passing and repassing in any One Day (to be computed as aforesaid) through all the Turnpikes or Toll Gates, Side Bars or Side Gates or Chains, erected or to be erected on or along the whole Line of the said Road.

X. And be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Beast, Cattle, or Carriage through any Turnpike or Toll Gate standing and being or continued or erected by virtue of this Act in, upon, or across the said Road or any Part thereof; such Horse, Beast, Cattle, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through any Side Bar or Side Gate or Chain standing and being or continued or erected by virtue of this Act on the Side or Sides of the said Road, which shall be situate between such Place of Payment and the next Turnpike or Toll Gate in, upon, or across the said Road, at any Time during the same Day; to be computed as aforesaid; and if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Beast, Cattle, or Carriage through any Side Bar or Side Gate or Chain standing and being or continued or erected by virtue of this Act on the Side or Sides of the said Road, such Horse, Beast, Cattle, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through the next Turnpike or Toll Gate standing and being or continued or erected in, upon, or across the said Road, or any Part thereof, at any Time during the same Day, to be computed as aforesaid.

Payment of Toll at a Main Gate to free the next Side Gate, and vice versa.

XI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, and they are hereby authorized, to demand and take for every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, Tumbril, or other Carriage of the like Description, employed in carrying or conveying any Chalk or Lime for improving Land or for any other Purpose, the Tolls herein-before imposed on Horses, Mules, Asses, or other Beasts drawing Carriages of that Description; any Act of Parliament or Statute now in force, or any Clause or Clauses or Provisions exempting Chalk and Lime or either of them from Toll therein contained, to the contrary thereof in anywise notwithstanding.

Tolls to be payable in respect of Chalk and Lime.

XII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Cattle drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage or Cart, conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Road; and also for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Road, whenever a new Hiring of such Post Chaise or other Carriage shall have taken place.

Tolls on Stage Coaches and Post Chaises.

[Local.]

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XIII. And

Application
of Tolls.

XIII. And be it further enacted, That out of any Monies already received by virtue of the said Three recited Acts hereby repealed, or out of the first Monies which shall be produced or received by virtue of this Act, the said Trustees shall in the first place pay and discharge all the Expences and Costs relative to the procuring and passing of this Act; and the Remainder of such Monies shall from Time to Time be employed in erecting Turnpikes, Toll Houses, and Weighing Machines, or in purchasing a House or Houses for the Use of the Collector or Collectors of the Tolls, and in amending, widening, altering, and improving the said Road, and in keeping the same in repair, and in defraying all the Charges and Expences of carrying this Act into execution, and in repaying the Principal Monies by this Act or by any former Act or Acts charged or to be borrowed, and the Interest due and to grow due thereon.

Public Act.

XIV. 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.

Term of Act.

XV. And be it further enacted, That this Act shall commence on the Fifteenth Day of *June* next after the passing thereof, and shall continue and be in force for the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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