



ANNO DECIMO

GEORGII IV. REGIS.

Cap. lvi.

An Act for more effectually repairing the Road from the Brick Kilns on *East Malling Heath* to *Pembury Green*, and from *Brandbridges* to the *Four Wents* near *Matfield Green*, and from the said Road into the *Mereworth* and *Hadlow Road*, in the County of *Kent*. [14th May 1829.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and widening the Road from the Brick Kilns on East Malling Heath to the Turnpike Road on Pembury Green, and from Brandbridges to the Four Wents near Matfield Green, in the County of Kent*: And whereas an Act was passed in the Twenty-ninth Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act passed in the Seventh Year of the Reign of His present Majesty, for repairing and widening the Road from the Brick Kilns on East Malling Heath to the Turnpike Road on Pembury Green, and from Brandbridges to the Four Wents near Matfield Green, in the County of Kent*: And whereas an Act was passed in the Fifty-first Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the Brick Kilns on East Malling Heath to Pembury Green, and from Brandbridges to the Four Wents, in the County of Kent; and for making a Road therefrom into the Mereworth and Hadlow Road in the same County*: And

[Local.] 16 R whereas

whereas the Trustees for executing the said recited Acts have proceeded in putting the same in execution, and have made considerable Progress in repairing and improving the Roads therein mentioned, and have borrowed and taken up at Interest several considerable Sums of Money upon the Credit of the Tolls thereby granted: And whereas it would be more convenient if the said recited Acts of the Seventh, Twenty-ninth, and Fifty-first Years of the Reign of His late Majesty King *George* the Third were repealed, and further and more effectual Powers granted for repairing and maintaining the Roads which have been made and maintained by virtue of the said Acts; but the beneficial Purposes aforesaid cannot be effected without the Aid and 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 from and after the First Day of *June* One thousand eight hundred and twenty-nine the said recited Acts passed in the Seventh, Twenty-ninth, and Fifty-first Years of the Reign of His said late Majesty King *George* the Third shall be and the same are hereby repealed.

Recited Acts repealed.

This Act to be put in force for repairing the Roads herein mentioned.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing and maintaining the Road from the Brick Kilns on *East Malling Heath* to *Pembury Green*, and from *Brandbridges* to the *Four Wents* near *Matfield Green*, in the County of *Kent*, and from the said Road into the *Mereworth* and *Hadlow Road* in the same County, and for otherwise putting this Act into execution.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the said County of *Kent*, together with the Honourable and Reverend *Miles John Stapleton*, Sir *John Gregory Shaw* Baronet, *Thomas Allen*, *William Allen*, *Thomas Ash*, *Thomas Hugh Boorman*, *Thomas Boorman*, *William Cheeseman*, *Charles Comerford*, *John Dudlow*, *Thomas Fowle*, *John Fuggle*, *William Golding*, *Thomas Henham*, *Stephen Hooker*, *George Thomas Langridge*, *Matthias Prime Lucas*, *Thomas Bold Marchant*, *Thomas Martin*, *John Miller of Bow Hill*, *Stephen Monckton*, *Edward Monckton*, *John Monckton of Brenchley*, *George Edward Graham*, *Foster Pigott*, *Richard Stanford*, the Reverend *Richard Warde*, *George Whittaker*, *John Willes*, *James Woodbridge*, and the Reverend *Stephen Woodgate*, and their Successors, being duly qualified according to the Directions of the several Acts in force for regulating Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying this Act into execution.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting to be held for that Purpose, (of which Meeting and of the Purpose whereof Fourteen Days Notice shall be given as directed by an Act of the Third Year of the Reign of His present Majesty, for regulating Turnpike Roads in *England*, with respect to Meetings for

the Appointment of Trustees on Vacancies,) to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so elected and appointed, and being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed in and by this Act.

V. And be it further enacted, That the said Trustees shall meet at the *Rose and Crown* at *Brandbridges* aforesaid, or at some other convenient Place near to the said Roads, upon the first *Wednesday* in the Month next after the passing of this Act, at Eleven o'Clock in the Forenoon, or as soon after as conveniently may be, for the Purpose of carrying this Act into execution.

First Meeting
of Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or any Collector or Collectors, or other Person or Persons acting under the Authority of the said Trustees, to demand and take at each and every the Toll Gates or Turnpikes which are or shall be standing and being, or which shall be erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Roads, or any of them respectively, the several Tolls following; that is to say,

Power to
take Tolls.

For every Horse or Beast of Draught drawing any Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Chair, Caravan, Hearse, or Litter, or other such Carriage, the Sum of Sixpence:

Tolls.

For every Horse or Beast of Draught drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Sixpence:

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

For every Horse or Beast of Draught drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or more at the Bottom or Soles thereof, the Sum of Four-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence:

For every Dog drawing any low Cart, Truck, or other such like Carriage, the Sum of Two-pence:

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

And for every Score of Swine, Sheep, or Lambs, the Sum of Five-pence, and so in proportion for any greater or less Number:

Which said respective Sums of Money shall be demanded and taken before any Horse, Dog, Beast, or other Cattle whatsoever shall be permitted to pass through any such Toll Gate or Turnpike.

VII. And be it further enacted, That between the Tenth Day of *October* and the Fifth Day of *April* in every Year Double the Tolls herein-before made payable shall be paid at each Gate in respect of every

Double Tolls
for Stones,
&c. between
10th Oct. and
5th April.

every Horse or other Beast drawing any Carriage laden with Stones, Timber, Wood, Hop Poles, or Iron.

Tolls to be paid for Stones or Bricks used for Roads not situate in Kent.

VIII. And whereas the said Roads lead from divers Parts of the Counties of *Kent* and *Sussex* to certain Quarries adjoining and contiguous, where great Quantities of Stones are obtained for repairing Roads situate at a considerable Distance therefrom, and embarked on board of Vessels, and become a Species of Merchandize; and much of the heaviest Traffic upon the said Roads, at all Seasons of the Year, and especially in Winter, in consequence, consists of Waggon and Carts laden with the Matters and Things aforesaid, to the great Injury of the said Roads; be it therefore further enacted, That from and after the passing of this Act the Tolls hereby made payable shall be demanded and taken at every Toll Gate on the said Roads for every Horse or other Beast drawing any Carriage laden with Stones and Bricks to be used in making or repairing any Turnpike Road or any public Highway not situate within the said County of *Kent*; any thing in any Act or Acts contained to the contrary thereof in anywise notwithstanding.

Limiting Time during which Exemption for agricultural Produce may be claimed.

IX. And be it further enacted, That from and after the passing of this Act no Person shall claim to be exempted from the Payment of Toll for or in respect of any Carriage laden with Dung, Soil, Compost, or Manure, not being made or produced on any Farms or Lands situate in any of the Parishes in which the Roads comprised in this Act, or any Part thereof, do lie, unless the same shall be carried or conveyed between the First Day of *April* and the First Day of *November*, or in the Time of hard Frost in the Winter Season, nor for or in respect of any Carriage, at any Period of the Year, laden with Hop Poles or Faggots; any thing in any Act or Acts to the contrary thereof in anywise notwithstanding.

Limiting the Number of Tolls.

X. And be it further enacted, That no more than Five full Tolls shall be demanded or taken on the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) for passing through all the Turnpikes or Toll Gates on the said Road between *East Malling Heath* and *Pembury Green* with the same Horses, Cattle, or Beasts; nor more than Three full Tolls on the same Day (to be computed as aforesaid) for passing through all the Turnpikes or Toll Gates on the said Road between *Brandbridges* and the *Four Wents* with the same Horses, Cattle, or Beasts; nor more than Three full Tolls on the same Day (to be computed as aforesaid) for passing through all the Turnpikes or Toll Gates on the said Road leading therefrom into the *Mereworth* and *Hadlow* Road with the same Horses, Cattle, or Beasts.

Tolls not to be paid on returning.

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 Turnpikes, Toll Gates, or Side Gates on the said Road, no Toll shall be demanded or taken for or in respect of such Horse, Beast, or Cattle for returning Once through the same Turnpike, Toll Gate, or Side Gate, the same Day, before Twelve of the Clock a Night; and every Person, on producing a Note or Ticket denoting the

the Payment of such Toll, shall, except in the Cases herein-after mentioned, be permitted to return Once through such Turnpike, Toll Gate, or Side Gate, with such Horse, Beast, or Cattle, Toll-free; and so on for every Time of Once passing and repassing.

XII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid 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 Roads, whenever any new Hiring thereof shall take place.

Post Chaises, &c. to be subject to Toll on every new Hiring.

XIII. Provided also, and be it further enacted, That the said Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, or any other Stage Carriage conveying Passengers or Goods for Pay, Hire, or Reward, for every Time of passing or repassing along the said Roads.

Stage Coaches to pay on every Time of passing.

XIV. And be it further enacted, That from and after the passing of this Act the Sum of One Pound *per Centum per Annum* on the Amount of all Principal Monies now due on the Tolls of the said Roads, and on the Amount of every further Sum of Money hereafter to be borrowed at Interest upon the Credit of the Tolls thereof, shall be charged on and paid out of the said Tolls, in order to form a Sinking Fund for the gradual Payment of the said Monies; and after Payment of any such Principal Monies the full Interest which would have been otherwise payable in respect of the same to the Creditors respectively shall from thenceforth be charged on and paid out of the said Tolls in aid of the said Sinking Fund; and as often as the said Sinking Fund shall amount to the Sum of One hundred Pounds, that Sum shall be applied in Payment of an equal Amount of the Principal Monies already owing or hereafter to be borrowed, and then remaining due on Security of the said Tolls, such Payment to be made to One of the said Creditors by Lot.

Sinking Fund.

XV. And be it further enacted, That all the Tolls and other Monies and Effects which the said Trustees, or any of them, or any Treasurer or other Person on their Behalf, are or is possessed of or entitled to by virtue of the said recited Acts hereby repealed, or otherwise, and all Monies which shall arise or be received by virtue of this Act, or which shall come to the Hands of the said Trustees, shall be applied, in the first place, in paying the Expences incident to and attending the procuring and passing this Act; in the second place, in paying the Interest of all Monies now due and owing on the Credit of the Tolls granted by the said Acts hereby repealed, or which may hereafter become due and owing on the Credit of this Act or the Tolls hereby granted; in the third place, in repairing, widening, altering, diverting, and otherwise improving the said Roads, and in otherwise defraying the Expences attending the Execution of this Act; and lastly, in paying off and discharging the Principal Sum or Sums now due and owing or hereafter to become due and owing on the Credit of the Tolls by the said Acts or this Act granted.

Application of Tolls and other Monies.

Public Act.

XVI. 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.

Commence-
ment and
Term of Act.

XVII. And be it further enacted, That this Act shall commence upon the Second Day of *June* One thousand eight hundred and twenty-nine, 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.

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