



ANNO QUINTO

GEORGIIV. REGIS.

Cap. xci.

An Act for making and maintaining a Road from *Brighthelmstone* to *Newhaven* in the County of *Sussex*.
[28th May 1824.]

WHEREAS the present Road leading from the Town of *Brighthelmston* in the County of *Sussex*, through the Village of *Rottingdean*, to a certain Part of *Newhaven Street* in the Town of *Newhaven* in the said County, is in many Places extremely inconvenient and dangerous to Persons travelling thereon: And whereas it would be very convenient and tend to the Safety and Benefit of the Public if a new and improved Road was made and maintained from the present Road at the Eastern Extremity of the Parish of *Brighthelmston* in the County of *Sussex*, through the Village of *Rottingdean*, into and over Part of *Newhaven Street* aforesaid; and that the said new and improved Road, including such Parts of the present Road as shall be continued and made Part of the new and improved Road, should be made Turnpike, but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George the Fourth*, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fourth Year of the Reign of His Majesty King *George the Fourth*, intituled *An Act to explain and amend an Act passed in the Third Year of His present Majesty, to amend the general Laws now in being for regulating Turnpike* 3 G.4. c.126.
4 G.4. c. 95.
[Local.] 23 R Turnpike

Turnpike Roads in that Part of Great Britain called England; 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 all His Majesty's Justices of the Peace for the Time being, acting for the County of *Sussex*, together with *John Hamlin Borrer, William Boxall, William Blaber, William Borrer, Henry Brooker*, the Reverend *George Miles Cooper* Clerk; *William Catt, Thomas Grosweller* the elder, *Edward Dean, William Elphick* the younger, *Thomas Chippen Faulconer, Thomas Hill, Thomas Harrington*, the Reverend Doctor *Thomas Redman Hooker* Clerk, the Reverend *H Halliwell* Clerk, *James Ingram, Nathaniel Kemp, George Molineux, Frederick Perkins, Henry Rogers*, the Reverend *John Smith* Clerk, *Joseph Tompsett, William Wansey, Thomas West, John Wood* of *Chestham*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts, to be elected in Manner herein-after described, shall be and they are hereby appointed Trustees for making, constructing, amending, widening, turning, varying, altering, supporting, maintaining, and keeping in Repair the said Road, and for otherwise putting into Execution this Act, and such of the Powers and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty as are not expressly altered, varied, or otherwise provided by this Act.

Powers of recited Acts of 3 & 4 G.4. extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Parts thereof, as are expressly varied, altered, or otherwise provided for by the said recited Act passed in the Fourth Year of His Majesty's Reign, and by this Act, and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Parts thereof as are expressly altered, varied, or otherwise provided for by this Act, shall be as good, valid, and effectual for carrying this Act into Execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

Power to appoint additional Trustees.

III. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at their First Meeting herein-after directed, or at any subsequent Meeting to be held for that Purpose (of which subsequent Meeting, and of the Purpose thereof, Fourteen Days Notice shall be given, by Insertion in some public Newspaper usually circulated in the County of *Sussex*), 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, being duly qualified in Manner directed by the said recited Acts, so to be elected and appointed, shall be and are hereby invested with the same Powers and Authorities for executing the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, as if they had been named and appointed by this Act.

IV. And be it further enacted; That the said Road shall begin and commence at that Point upon the Sea Cliff, where the said Parish of *Brightbelmston* terminates, and the Parish of *Rottingdean* commences, and shall be made, continued, and lead from thence over and through certain uninclosed Lands near the Sea Cliff, in the Parish of *Rottingdean*, to certain inclosed Lands or Premises in the Village of *Rottingdean* particularly described in the Schedule hereunto annexed, and from thence over and through certain other uninclosed Lands in the said Parish of *Rottingdean*, unto, through, and over certain other uninclosed Lands in the Parishes of *Telscomb*, *Piddinghoe*, and *Newhaven*, unto, through, and over an inclosed Field called the *Hedge Croft* belonging to *William Elphick*, at the upper End of *Newhaven Street*, and shall terminate at the Eastern Extremity of the said Field.

Description
of Road.

V. And be it further enacted, That the said Trustees shall meet at the House of *Leonard Shuckard* known by the Sign of the *Old Ship*, or at some other convenient Place at *Brightbelmston* aforesaid, on the Second *Monday* next after passing of this Act, or as soon after as conveniently may be, between the Hours of Twelve of the Clock at Noon and Two of the Clock in the Afternoon, and shall then proceed to carry the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act into Execution.

First Meet-
ing of
Trustees.

VI. And be it further enacted, That the said Trustees may and they are hereby required, at their First Meeting to be held under this Act, and afterwards as Occasion may require, from Time to Time, by Writing under their respective Hands, to appoint a Clerk and a Treasurer, and such Surveyors, Collectors of the Tolls, and other Officers as they the said Trustees shall think necessary, and from Time to Time remove such Clerks, Treasurers, Surveyors, Collectors, and other Officers, or any of them, and on the Removal, Death, or Resignation of such Clerk, Treasurer, or any of such Surveyors, Collectors, or other Officers, to appoint others in their Stead; and may and are hereby authorized and empowered, out of any Monies arising by virtue of the said recited Acts and this Act, to allow and pay to the Clerk, Treasurer, and Surveyors, and other Officers, and to such Person or Persons as shall be assisting them or any of them in or about the Execution of this Act, such Salaries and Rewards, and Allowances, for their Attendance, Care, Labour, and Services, as the said Trustees shall from Time to Time deem reasonable and direct.

For appoint-
ing Clerks,
Treasurers,
and other
Officers.

VII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or any Person in the Service or Employ of such Clerk; the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or any Person in the Service or Employ of such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of or any Person in the Service and Employ of such Clerk, shall act as Treasurer, or being the Partner of such Treasurer, or being in the Service or Employ of any such Treasurer, shall act as Clerk in the Execution of this Act, or if any Treasur-

Same Person
not to act as
Clerk and
Treasurer.

surer

surer shall hold any Place of Profit or Trust under the said Trustees, other than that of Treasurer, every Person shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than one Imparlance shall be allowed.

Trustees may purchase Lands for making the Road.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, in the Manner provided and directed in and by the said recited Acts, to treat for and contract and agree with the Owners of and Persons interested in any Lands, Houses, Buildings, Tenements, Hereditaments, and Premises which it may be necessary to purchase for making, widening, diverting, altering, and improving the said Road, and also for making all necessary Fences on the Sides of the said Road, and for the Erection of Toll Houses, with Gardens thereto, not exceeding One-eighth Part of an Acre for each Toll House and Garden, for the Purchase thereof, and for the Loss or Damage such Owners or Persons may otherwise sustain.

Plan deposited to remain.

IX. And whereas a Map or Plan, describing the Line of Road hereinbefore mentioned, and the Lands through which the same lead, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Sussex*, be it therefore enacted, That the said Map and Plan and 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, paying the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every 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 Road, shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Mistakes may be corrected.

X. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees to make the said Road into, through, across, or over the several Lands or Grounds of any Person or Persons who is or are or may be the Owner or Owners of Land over which the same is set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or misnamed 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.

Power to erect Banks towards the Cliff.

XI. And be it further enacted, That the said Trustees shall, and they are hereby authorized and required, to erect and cast up sufficient Walls or Banks of Earth, of at least Four and a Half Feet in Height, on the South Side of and parallel to all such Parts of the said intended Turnpike Road

Road as do or shall lie open or uninclosed on the South Side thereof, towards the Cliff or Sea Shore, for the Purpose of preventing Danger from Passengers approaching too near the Cliff, and to maintain and keep in Repair the said Walls and Banks for and during the Term of this Act.

XII. And be it further enacted, That for the Purpose of collecting and receiving the Tolls hereby granted, the Trustees appointed or to be appointed in or by virtue of this Act, shall and may, and they are hereby authorized and empowered, to erect or cause to be erected such Toll Gates and Weighing Engines in, upon, or across such Parts of the said Turnpike Road by this Act directed to be made, maintained, and kept in Repair; and also such Toll Gates on the Side of the said Turnpike Road, and in, upon, or across any Lane or Highway that does or shall lead into or out of the same, and from Time to Time to remove such Toll Gates or Weighing Engines, or any of them, and to erect another or others instead thereof, as they the said Trustees shall think proper and expedient, subject nevertheless to such Regulations, Restrictions, and Directions as in this Act and the said Acts of the Third and Fourth Years of the Reign of His present Majesty, are laid down, mentioned, or contained concerning the Placing or Erection of such Toll Gates or Weighing Engines; and also shall and may erect and provide a Toll House, with suitable Buildings, a Garden, and other Conveniences, at or near each of the said Toll Gates.

Power to erect Toll Gates, Toll Houses, &c.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Times to order and direct one or more Lamp or Lamps to be placed and erected on or against or in front of each and every of the Toll Houses to be erected by virtue of this Act, as they the said Trustees shall think proper; and also to order and direct at what Time of the Year, and during what Hours, such Lamps shall be kept lighted; and the Collectors or Collector of the Tolls, to be employed at such Gates or Gate respectively, neglecting or omitting to observe and fulfil the Orders of the said Trustees in respect to keeping and lighting of such Lamps, shall forfeit and pay any Sum not exceeding Forty Shillings for every Neglect or Omission; and if any Person shall wilfully break, throw down, or destroy any of the said Lamps, or of the Lamp Posts or Irons, or take the Oil from or extinguish the Lamps, or either of them, every Person so offending shall, over and above the Damages occasioned thereby, forfeit and pay Forty Shillings, One Moiety whereof shall be paid to the Treasurer to the said Trustees.

Lamps to be lighted at Toll Houses.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed by virtue of this Act Collector or Collectors as aforesaid, to demand and take, at each and every Turnpike or Toll Gate erected by virtue of this Act, before any Horse, Beast, Cattle, or Carriage, shall be permitted to pass through the same (subject to the Provisions and Restrictions herein-after contained) the following Sums or Tolls; that is to say,

Power to take Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Coach, Berlin, Landau, Hearse, Machine, Chariot, Chaise, Caravan, Calash, Chaise Marine, Car, Fly, Chair, or other such Carriage, the Sum of Sixpence:

Tolls.

[Local.]

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For

For every Horse, Mule, Ass, or Pair of Oxen, Bullocks, or other Neat Cattle, drawing any Waggon, Wain, or Cart, or other such Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, the Sum of Four-pence :

For every Horse, Mule, Ass, or Pair of Oxen, Bullocks, or other Neat Cattle, drawing any Waggon, Wain, or Cart, or other such Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and a Half, but less than Six Inches at the Bottom or Sole thereof, the Sum of Five-pence :

For every Horse, Mule, Ass, or Pair of Oxen, Bullocks, or other Neat Cattle, drawing any Waggon, Wain, or Cart, or other such Carriage, having the Fellies of Wheels of less Breadth than Four Inches and a Half at the Bottom or Sole thereof, the Sum of Sixpence :

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

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

For every Drove of Sheep, Lambs, or Swine, the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number :

And upon Payment of any of the said Tolls, the Collector or Receiver shall deliver *gratis*, to the Person paying such Toll, a Note or Ticket denoting such Payment.

Limiting
Number of
Tolls.

XV. Provided always, and be it enacted, That no more than Two full Tolls shall be paid for or in respect of the same Horse, Beast, or Cattle for passing and repassing on the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) through all the Turnpikes or Toll Gates to be erected on the said Road.

Tolls vested
in Trustees.

XVI. And be it further enacted, That all and every the Tolls by the said recited Acts and this Act authorized to be taken, and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be vested in the said Trustees for the Time being, and the same, and every Part thereof, shall be levied, collected, paid, applied, disposed of, and assigned in manner directed by the said recited Acts and this Act.

Tolls to be
paid but
Once in the
same Day
for riding
Horses, and
in other
Cases for
passing and
returning.

XVII. And be it further enacted, That no Person who shall have paid Toll for passing through any Toll Gate upon the said Turnpike Road with any Horse, or other Beast or Beasts, or Cattle, laden or unladen, and not drawing, shall be subject or liable to the Payment of any Toll for passing and repassing through the same Toll Gate on the same Day before Twelve of the Clock at Night, with the same Horse, Beast or Beasts, or Cattle, not drawing, but shall pass and repass Toll-free; and no Person who shall have paid Toll for passing through any such Toll Gate with any Horse or Horses, or other Beast or Beasts, drawing any Carriage or Carriages whatever, shall be subject or liable to the Payment of any Toll for returning through such Toll Gate or Toll Gates on the same Day, before Twelve of the Clock at Night, with the same Horse or Horses, or other Beast or Beasts drawing the same Carriage, or not drawing any Carriage, but shall return Toll-free with the same; but no Person shall

shall be permitted to pass a Third Time in any One Day, to be computed as aforesaid, with any Horse or Horses, or other Beast or Beasts, drawing any Carriage whatever through any Toll Gate, until he shall pay such and the same Toll as may be demanded and taken from him under and by virtue of the said last-mentioned Acts and this Act for the same respectively upon his first passing, and so *toties quoties* for every Third Time that any Person shall so pass in one and the same Day with the same Horse and Horses, or other Beast or Beasts, drawing the same Carriage, the said Tolls shall be demanded of and paid by such Person for such Horse or Horses, or other Beast or Beasts so drawing respectively, in such and the like Manner as if it had been the First Time that he had passed with such Horses or other Beasts so drawing such Carriage respectively through such Toll Gate: Provided that nothing herein contained shall extend, or be construed to extend, to take away or reduce the Exemption given by the said last-mentioned Acts in respect to Horses travelling for Hire under the Post Horse Duties Act, and returning within certain Hours, with the same Carriage empty, or without a Carriage.

XVIII. Provided always, and be it further enacted, That all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, shall be again chargeable with Toll for repassing through such Toll Gate, in like Manner as if no Toll had been before paid thereat; and that the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day, as often as a fresh Hiring thereof shall take place.

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

XIX. Provided always, and be it further enacted, That no more than One-half of the Toll hereby granted shall be demanded or taken by virtue of this Act at any Toll Gate or Turnpike which shall be erected across or on the Sides of the said Road, for any Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage employed only in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, on the same Day, any Hay, Straw, Corn, Fodder, Turnips, Potatoes, Flour, or Bran, being the Growth and Produce of any Lands within the Parishes of *Ovingdean, Rottingdean, Telscomb, Piddinghoe, and Newhaven*; and if any Person shall claim or take the Benefit of any of the said Exemptions, not being legally entitled thereto, every such Person, for every such Offence, shall forfeit and pay any Sum not exceeding Five Pounds, and the Proof of Exemption shall lie on the Person claiming the same.

Exemption of
agricultural
Produce.

XX. Provided always, and be it enacted, That no Toll shall be demanded or taken by virtue of this Act for any Horse, Beast, or other Cattle or Carriage employed only in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Dung, Soil,

Exemption of
Manure.

Soil, Compost, or Manure for improving Lands; and that no Toll shall be demanded or taken by virtue of this Act, or of the said recited Acts; or either of them, for any Drove of Oxen, Cows, or Neat Cattle, nor for any Drove of Sheep, Lambs, or Swine, which shall belong to and be driven from one Part to another of the Lands occupied by the Owner of such Oxen, Cows, or Neat Cattle, Sheep, Lambs, or Swine, within the said Parishes of *Ovingdean, Rottingdean, Telscomb, Piddinghoe, and Newhaven*, nor for any Horse, Mule, or Ass, on which any Occupier of Lands in the said Parishes, or any of them, shall ride for the Purpose only of going from one Part of such Lands to another Part thereof; and if any Person shall claim or take the Benefit of the said Exemption, not being legally entitled to the same, every such Person shall forfeit and pay any Sum not exceeding Five Pounds, and the Proof of Exemption shall lie on the Person claiming the same.

Power to enforce Payment of Subscriptions.

XXI. And whereas considerable Sums of Money have already been subscribed for the Purpose of making and maintaining the said Road, and for the Purposes of this Act; be it therefore further enacted, That the several and respective Persons who shall have so subscribed, or engaged to subscribe Money for the Purposes aforesaid, shall and are hereby required to pay the Sum or Sums of Money so subscribed within such Time and Times, and in such Parts and Proportions, as the said Trustees shall order and direct; and the same shall be paid to such Person or Persons as the Trustees shall, by Writing, signed by Three or more of them, order to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or any Part thereof, the same shall and may be recovered in such Manner as is directed by the said recited Acts: Provided always, that the said Trustees shall, and they are hereby required to give Mortgages on the Tolls hereby granted, to the several Persons paying their Subscriptions, in such and the like Manner as if the same had been Money borrowed under the Authority of the said Acts and this Act.

Trustees may borrow Money.

XXII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to borrow and take up at Interest, upon the Credit of the Tolls arising by virtue of this Act, such Sum or Sums of Money as they, or any Five or more of them, shall think fit; and they may and are hereby empowered to demise or mortgage the said Tolls, and the Turnpike and Toll Houses for collecting the same, in such Manner as is mentioned and contained in the said recited Act of the Third Year of His Majesty's Reign, and may be transferred in Manner therein also mentioned.

Sinking Fund.

XXIII. 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 aggregate Amount of all the Principal Monies which shall be borrowed or taken up at Interest on the Credit or Security of the Tolls hereby granted and imposed, shall (subject to the Application herein-after directed to be made) be charged on, and during the Continuance of this Act be appropriated and paid out of the Tolls hereby granted and imposed, in order to form a Sinking Fund for the gradual Payment of all and every the said Monies in Manner herein-after directed; 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,

tors, shall from thenceforth, and during the Continuance of this Act, be charged on, and appropriated and paid out of the said Tolls, in Aid of the said Sinking Fund; and that as often as the said Sinking Fund shall amount to the Sum of Two hundred Pounds, then and in such Case that such or any further Part of the Balance in the Hands of the Treasurer, if the Trustees shall think proper, shall be applied in Payment of an equal Amount of the Principal Monies borrowed upon the Credit or Security of the Tolls arising from the said Road, and then remaining due and owing, to or amongst the said Creditors, and either rateably or by Lot, as the said Trustees shall think proper.

XXIV. And be it further enacted, That all the Monies which shall be subscribed, or arise or be produced by virtue of this Act, shall 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 have been incurred in applying for and obtaining and passing this Act; in the Second Place, in the Purchase of Lands, Tenements, and Hereditaments necessary for making the said Road, and in making, maintaining, repairing, widening, altering, and keeping in Repair the same, and the Toll Gates, Toll Bars, Toll Houses, and other Buildings and Works thereon; in the Third Place, in paying the Interest which shall from Time to Time become due, in respect of every Sum of Money which shall be borrowed or taken up at Interest on Security of the Tolls by the said Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, granted and imposed, equally and without Preference, on account of the Priority of such Securities in point of Time or otherwise, and which Interest shall be paid annually either to the Creditor or Creditors, or in Aid of the Sinking Fund herein-before mentioned, as the Case may happen; and in the Fourth Place, in paying the said Amount of One Pound *per Centum per Annum* for providing such Sinking Fund as is herein-before directed; and the Residue thereof to be employed in Aid of the said Sinking Fund, for the more speedy and effectual Reduction and discharging of the Principal Sums of Money to be advanced upon the Security of such Tolls and Duties, in the Course and Manner herein-before directed of and concerning the same, or otherwise to be carried as a Balance to the Account of the succeeding Year, as the said Trustees shall from Time to Time order and direct.

Application
of Monies:

XXV. And in order to secure the due Application of the Tolls hereby granted, to the several Purposes, and in the Order and Manner aforesaid, be it further enacted, That all and every the said Tolls shall always be paid by the several Collectors or Lessees thereof, into the Hands of the Treasurer for the Time being to be appointed by the said Trustees, who shall keep a separate Account thereof, and such Treasurer shall not pay, disburse, or expend any Sum or Sums of Money without an Order or Authority in Writing under the Hands of Three or more Trustees, but that all and every Sum or Sums of Money so paid, disbursed, or expended, without such Order or Authority, shall be disallowed in his Account.

Tolls to be
paid to the
Treasurer.

XXVI. And whereas by the making of the new Turnpike Road herein-before mentioned, and hereby authorized to be made, the several Parts herein-after described of the present Road leading from *Brightelmston*
[Local.]

Stopping up
old Roads.

to *Newhaven* will become useless, and will, if not stopped up, be the Means of enabling Persons to evade the Tolls hereby granted; be it further enacted, That immediately after the said Turnpike Road shall be opened, and well and sufficiently made for the passing of Cattle and Carriages, and shall be certified so to be by any Two Justices of the Peace for the said County of *Sussex*, the several Parts herein-after described of the said present Road shall be stopped up, and the same are hereby declared to be stopped up and discontinued; (that is to say) the First Part, commencing at the Eastern Extremity of the Parish of *Brighthelmston*, and ending at a Point to be hereafter fixed by the Trustees for executing this Act on the Western Side of the Village of *Rottingdean*; the Second Part, commencing at the Lower End of the Eastern Side of the Village of *Rottingdean*, and ending at the Eastern Extremity of the Parish of *Telscombe*; and the Third Part, commencing at that Point on the Tenantry Down of the Manor of *Plompton Piddinghoe*, from which the new Turnpike Road will branch off, to the upper End of *Newhaven Street*, and ending at the Point opposite to the Western Extremity of the Plantation above the Parsonage House of *Newhaven*; and that the said First and Second Parts shall be, and the same are hereby declared to be vested in the several Proprietors of the Lands adjoining thereto on the North Side, in such Portions and Manner as that each Proprietor shall have and take in Severalty the Portion adjoining to each Piece of such Lands, in exchange (*pro tanto*) for his Lands which shall be taken for the Purposes of this Act, and that the Value shall be settled or ascertained in the same Manner as the Value of such last-mentioned Lands; and that so much of the said Third Part as extends over the said Tenantry Down of the Manor of *Plompton Piddinghoe* shall be deemed Part of the same Down, and be vested in the Lord of that Manor for the Time being, subject to the same or the like Rights of Pasturage, and other Rights of Common, as the said Down is now subject to, in exchange for the Portion of the same Down which shall be taken for the Purposes of this Act; and that so much of the said Third Part as extends over the Tenantry Down of the Manor of *Meeching*, otherwise *Newhaven*, shall be deemed Part of the same Down, and be vested in the Lord of that Manor for the Time being, subject to the same or the like Rights of Pasturage, and other Rights of Common, as the last-mentioned Down is now subject to in exchange for the Portion of the same Down which shall be taken for the Purposes of this Act; and that the Residue of the said Third Part, commencing at the Eastern Extremity of the last-mentioned Down, and ending at the said Point, opposite to the Western Extremity of the Plantation above the Parsonage House of *Newhaven*, shall be vested in the Owner of the Lands on each Side thereof, in exchange (*pro tanto*) for his or her Lands which shall be taken for the Purposes of this Act, and that the Value shall be settled or ascertained in the same Manner as the Value of such last-mentioned Lands: Provided always, that nothing herein contained shall prevent the Owner or Occupier for the Time being of the *Newhaven* Windmill, and of the small Piece of Ground thereto adjoining, from passing or repassing as heretofore from thence to and from the Town of *Newhaven*, with or without Carts and other Carriages, Horses and other Cattle, for the Purposes of Husbandry, or of the Business carried on at the said Windmill; Provided always, that the said Pieces of Road shall not be stopped up unless the Concurrence and Approbation in Writing of any Two or more of His Majesty's Justices of the Peace for the County or Place in which the same shall be situate

situate shall be first had and obtained, and their Determination in the Premises shall be subject to appeal in the Manner and Form directed and prescribed by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend an Act of the Thirteenth Year of the Reign of His present Majesty, for the Amendment and Preservation of the public Highways, in so far as the same relates to Notice of Appeal against turning or diverting a public Highway, and to extend the Provisions of the same Act to the stopping up of unnecessary Roads.* 55 G. 3. c. 68.

XXVII. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward, and shall, when so paid in, remain until the same shall, by Order of the said Court, made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrances affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, or capable of taking effect; and in the meantime and until such Order can be made, the said Money shall, by Order of the said Court, upon Application thereto, be*

Application
of Compen-
sation Money
amounting to
200/.

1 G. 4. c. 35.

be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Application
of Compensation
Money when less
than 200*l.*
and not less
than 20*l.*

XXVIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, to be purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them (to be signified in Writing under their respective Hands), be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same may be paid at the like Option, and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act; such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid, and the Dividends and Produce arising thereon and therefrom, shall be applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Application
of Compensation
Money when
less than 20*l.*

XXIX. Provided also, and be it further enacted, That where such Money so agreed to be paid as last herein-before mentioned, shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, for his, her, or their own Use and benefit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees,

Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

XXX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be agreed to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be agreed to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank of *England* as aforesaid.

In case of not making out Titles, &c. Money to be paid into the Bank.

XXXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, for the Purposes aforesaid, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless

Persons presumptively entitled.

it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

XXXII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Public Act.

XXXIII. 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 Duration of Act.

XXXIV. And be it further enacted, That this Act shall commence and have Continuance from 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.

The SCHEDULE to which this Act refers.

A SCHEDULE of PREMISES to be taken in the Village of
ROTTINGDEAN.

Description.	Owner.	Occupier.
Cottage and Yard Yard and Premises	Diones Geere George Molineux	James Hide. Untenanted.
Two Houses	Thomas Richardson	— Holland, Widow, and Stephen Welfare.
Garden, Yard, and Premises	John Stevens	Himself.
Garden and Premises	Thomas Beard	Himself.

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1914

THE STATE OF OHIO

IN SENATE, JANUARY 13, 1914.

REPORT OF THE COMMISSIONERS OF THE LAND OFFICE

1913

1914

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 COLUMBUS, OHIO

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