



ANNO DECIMO

GEORGII IV. REGIS.

Cap. lxxxviii.

An Act for more effectually repairing the Roads from the White Post on *Haselden's Wood* in the Parish of *Cranbrooke* to *Appledore Heath*, and from *Milkhouse Street* in the same Parish to *Castleden's Oak* in the Parish of *Biddenden*, and from the Turnpike Road in the Parish of *Tenterden*, through *Rolvenden*, to the Turnpike Road in the Parish of *Newenden*, all in the County of *Kent*.

[22d May 1829.]

WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and widening the Roads from the White Post on Haselden's Wood in the Parish of Cranbrooke to Appledore Heath, and from Milkhouse Street in the same Parish to Castleden's Oak in the Parish of Biddenden, and from Golford Green in the said Parish of Cranbrooke to Tanner's Vent in the Parish of Benenden, all in the County of Kent*: And whereas another Act was passed in the Ninth Year of the Reign of His said Majesty King George the Third, intituled *An Act to repeal so much of an Act passed in the Second Year of His present Majesty, for repairing and widening the Roads from the White Post on Haselden's Wood in the Parish of Cranbrooke to Appledore Heath, and other Roads in the County of*

[Local.] 23 Q Kent,

Kent, as relates to the Road from Gelford Green to Tanner's Vent; for enlarging the Term and Powers of the said Act with respect to the other Roads therein contained; and for amending the Road from the Turnpike Road in the Parish of Tenterden, through Rolvenden, to the Turnpike Road in the Parish of Newenden in the said County:

25G.3.c.112. *And whereas another Act was passed in the Twenty-fifth Year of the*

Reign of His said Majesty King George the Third, intituled An Act for continuing the Term and altering and enlarging the Powers of Two Acts of the Second and Ninth Years of His present Majesty, for repairing and widening the Roads from the White Post on Haselden's Wood in the Parish of Cranbrooke to Appledore Heath, and from Milkhouse Street in the same Parish to Castleden's Oak in the Parish of Biddenden, and from the Turnpike Road in the Parish of Tenterden, through Rolvenden, to the Turnpike Road in the Parish of Newenden in the County of Kent:

47 G. 3.
Sess. 2. c. 94.

And whereas an Act was passed in the Forty-seventh Year of the Reign of His said Majesty King George the Third, intituled An Act for continuing the Term and altering and enlarging the Powers of several Acts passed for repairing the Roads from the White Post on Haselden's Wood in the Parish of Cranbrooke to Appledore Heath, and several other Roads in the County of Kent:

And whereas the Trustees acting under the said recited Acts have proceeded to put the said Acts into execution, and for that Purpose have, in pursuance of the Powers to them thereby given, borrowed several considerable Sums of Money upon the Credit of the Tolls by the said Acts granted and authorized to be collected upon the said Roads from the White Post on Haselden's Wood in the Parish of Cranbrooke to Appledore Heath, and from Milkhouse Street in the same Parish to Castleden's Oak in the Parish of Biddenden, and from the Turnpike Road in the Parish of Tenterden, through Rolvenden, to the Turnpike Road in the Parish of Newenden in the said County, and great Progress hath been made in repairing, widening, diverting, and making commodious the said last-mentioned Roads; which said Money so borrowed, or the greater Part thereof, still remains due, and cannot be repaid, nor can the same Roads be effectually amended, improved, and kept in repair, unless the Term and Powers of the said Acts are repealed, and a further Term and more effectual Powers are granted for those Purposes: 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 Second Monday after the passing of this Act the said recited Acts of the Second, Ninth, Twenty-fifth, and Forty-seventh Years of the Reign of His 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 re-
pairing the
Roads herein
mentioned.

II. And be it further enacted, That this Act shall upon the said Second Monday after the passing of this Act commence and take effect and be put in execution for and during the Term herein-after mentioned, for the Purpose of amending, maintaining, and keeping in repair the said Roads from the White Post on Haselden's Wood in the Parish of Cranbrooke to Appledore Heath, and from Milkhouse Street in the same Parish to Castleden's Oak in the Parish of Biddenden,

and from the Turnpike Road in the Parish of *Tenterden*, through *Rotenden*, to the Turnpike Road in the Parish of *Newenden* in the said County of *Kent*.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Kent* for the Time being, together with *Frederick Adams*, *Richard Beale*, *Richard Beale* the younger, *Seaman Beale* the younger, *Thomas Beale*, *Thomas Bishop*, *Samuel Bishop*, *William Bishop*, *Nicholas Bishop*, *John Blackman*, *William Blackman*, *Stanes Brocket Chamberlayne*, the Reverend *John Riche Coombe* Clerk, *William Peel Croughton*, the Reverend *Thomas Curteis* Clerk, *Robert Curteis*, *Robert Curteis* the younger, *Francis Curteis*, *Walter Curteis*, *William Curteis*, *William Dixon*, *Robert Dunk*, *William Dunk*, *Walter Elphicke*, *Thomas Elphicke*, *David Espenett*, *Richard Walter Forbes*, *George Goble*, *Henry Godden*, *James Haffenden*, *Jenkin Hague*, *John Hague*, *Isaac Hague*, *John Henry*, *William Hilder*, *Thomas Law Hodges*, *Thomas Twisden Hodges*, *John Hope*, *Thomas Hope*, *Richard Jones*, *Stephen Kirkbank*, *Richard Knight*, *Richard Knight* the younger, *William Knight*, *John Mace*, *Joseph Mace*, *John Ellis Mace*, *Thomas Manclark*, *Vanderhure Mills*, *Frederick Mills*, the Reverend *Phillips Monypenny* Clerk, *Robert Monypenny*, *Thomas Monypenny*, the Reverend *James Isaac Monypenny* Clerk, *Robert Joseph Monypenny*, *Phillips Dunn Monypenny*, *George Morphet* of *Knockwood*, *George Morphet* of *Wittersham*, *John Munn*, *Henry Munn*, the Reverend *Edward Nares* Doctor in Divinity, *John Neve*, *Thomas Neve*, *Thomas Paine* the younger, *Cooke Tylden Pattenson*, *Charles Phillips*, *John Pix*, *John Butler Pomfret*, *Virgil Pomfret*, *Richard Curteis Pomfret*, *William Roberts*, *Schreiber*, *Samuel Shepherd*, *John Shepherd*, *Thomas Buss Shoobridge*, *Francis Tress*, *John Tempest Weston*, *John Pix Weston*, *Thomas Weston* of *Kench-hill*, *Robert Weller*, *George Willmot*, *Carey Witherden*, *William Witherden*, *Thomas Witherden*, and *Benjamin Witherden*, and their Successors, being duly qualified according to the Provisions and Directions of several Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for maintaining and keeping in repair the said Roads, and for carrying this Act into execution.

Appointment
of Trustees.

IV. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, at a Meeting to be held for that Purpose, of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given, as is directed by an Act of the Third Year of the Reign of His present Majesty for regulating Turnpike Roads, respecting the Appointment of new Trustees on Vacancies; to elect, nominate, and appoint any Number of fit Persons, (not exceeding Three in the whole,) to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been nominated and appointed in and by this Act.

Power to
appoint ad-
ditional
Trustees.

V. And

First Meeting of Trustees.

V. And be it further enacted, That the said Trustees shall meet at the *White Lion Inn*, or at some other convenient House in the Town of *Tenterden* aforesaid, on the Second *Monday* after the passing of this Act, or as soon after as conveniently may be, and shall and may afterwards adjourn themselves and meet at such other Times and Places on the said Roads as they shall think most convenient, and shall then and there proceed to put this Act into execution.

Power to take Tolls.

VI. And be it further enacted, That the respective Tolls following may be demanded and taken at each and every Turnpike and Side Gate which is now or which shall hereafter be set up or continued upon, across, or on the Sides of the said Roads by this Act directed to be maintained and kept in repair, by each and every Person who shall be authorized or continued by the said Trustees to receive the same, before any Horse, Beast, or other Cattle, Calves, Swine, Sheep, or Lambs, Coach, Waggon, Chaise, Cart, or other Carriage shall be permitted to pass through any such Turnpike or Side Gate; that is to say,

Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Berlin, Landau, Chaise, Chaise Marine, Calash, Chair, Car, Gig, Hearse, or other such like Carriage, if drawn by Three or more Horses or Beasts of Draught, the Sum of Four-pence Halfpenny; and if drawn by less than Three Horses or Beasts of Draught, the Sum of Sixpence:

For every Horse or other Beast drawing any Caravan, Waggon, Wain, Cart, Dray, or other such like Carriage, (except such as between the First Day of *September* and the Thirty-first Day of *March*, both inclusive, shall be laden with Timber or Plank,) if drawn by Two or more Horses or Beasts of Draught, the Sum of Three-pence; and if drawn by One Horse or Beast of Draught, the Sum of Four-pence Halfpenny:

For the Horses or Beasts drawing any Carriage laden with Timber or Plank, and passing through any such Turnpike between the First Day of *September* and the Thirty-first Day of *March*, both inclusive, the Sum of Four Shillings:

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

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

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

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Three-pence *per* Score, and so in proportion for any greater or less Number.

Double Tolls in Winter.

VII. Provided always, and be it further enacted, That Double the respective Tolls herein-before granted shall be demanded, taken, and paid at every such Turnpike and Side Gate as aforesaid, for every Horse drawing any Caravan, Waggon, Wain, Cart, Dray, or other such like Carriage passing through the same between the First Day of

of *September* and the Thirty-first Day of *March*, both inclusive, except Carriages laden with Corn or other Grain or Timber, and also except Carriages drawn by One Horse only.

VIII. Provided always, and be it further enacted, That no more than Four Tolls shall be due and payable for any Horse, Beast, or Cattle passing on the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) along the whole Line of the said Road leading from the White Post on *Haselden's Wood* to *Appledore Heath* aforesaid; that is to say, One Toll between the said White Post and a certain House called the *King's Head Inn* at *Fosten Green*, One other Toll between the said *King's Head Inn* and a certain Mill called *Parton's Water Mill*, One other Toll between *Parton's Water Mill* aforesaid and *Finchden House* at *Leigh Green*, and One other Toll between *Finchden House* aforesaid and *Appledore Heath* aforesaid; and that no more than Two Tolls shall be due and payable for any Horse, Beast, or Cattle passing on the same Day (to be computed as aforesaid) along the whole Line of the said Road leading from *Milkhouse Street* aforesaid to *Castleden's Oak* aforesaid; that is to say, One Toll between the *Bull Inn* at *Milkhouse Street* and the Site where the Market House in the Town of *Biddenden* lately stood, and One other Toll between the Site of the said Market House and *Castleden's Oak* aforesaid; and that no more than Two Tolls shall be due and payable for any Horse, Beast, or Cattle passing on the same Day (to be computed as aforesaid) along the whole Line of the said Road leading from the Turnpike Road in the Parish of *Tenterden* aforesaid to the Turnpike Road in the Parish of *Newenden* aforesaid; (that is to say,) One Toll between the said Turnpike Road in *Tenterden* and *Rolvenden Church*, and One other Toll between *Rolvenden Church* and the Turnpike Road in *Newenden* aforesaid.

Four Tolls only to be taken on the Main Road.

Two on Biddenden Branch.

Two on Rolvenden Branch.

IX. Provided also, and be it further enacted, That when any of the Tolls hereby granted shall have been paid for or in respect of any Horse or Beast drawing any Carriage passing through any Turnpike or Side Gate in either of the said Eight several Divisions of the said Roads herein-before mentioned, every such Horse or Beast so drawing shall, upon a Note or Ticket denoting such Payment being produced, be allowed to return or repass Once Toll-free on the same Day (to be computed as aforesaid) through the same Turnpike or Side Gate, and also to pass and repass Once through every other Turnpike and Side Gate which shall be then standing in the same Division of the said Roads within which such Toll shall have been so paid; but if any such Horse or Beast so drawing shall again return, then and in such Case the Tolls hereby granted shall be again due and payable, and so in like manner for every Third Time of passing through any such Turnpike or Side Gate (except as herein-after mentioned).

Horses drawing Carriages to return Toll-free, but to pay every Third Time of passing.

X. Provided always, and be it further enacted, That no Toll shall be payable more than Once on the same Day (to be computed as aforesaid) for any Horse or Beast drawing any Carriage passing or repassing any Number of Times through all or any of the Turnpikes or

Toll between Parton's Mill and Finchden.

[*Local.*]

23 R

Side

Side Gates now erected or hereafter to be erected in the Division of the said Roads lying between *Parton's Water Mill* aforesaid and *Finchden House* aforesaid, (except for any Horse or Beast let out to Hire drawing any Carriage, and repassing upon any fresh Hiring thereof.)

Tolls to be paid but Once a Day for Horses and Cattle not drawing.

XI. Provided also, and be it further enacted, That when any of the said Tolls hereby granted shall have been paid for or in respect of any Horse, Beast, or Cattle not drawing passing through any Turnpike or Side Gate in either of the said several Divisions, such Horse, Beast, or Cattle not drawing shall on the same Day (to be computed as aforesaid) be allowed to pass and repass Toll-free any Number of Times through the same Turnpike or Side Gate, and also through every other Turnpike and Side Gate which shall be then standing in the same Division of the said Roads within which such Toll shall have been so paid.

Tolls vested in Trustees.

XII. And be it further enacted, That all and every the Tolls by this Act authorized to be taken shall be vested in the said Trustees, and the same and every Part thereof shall be levied, collected, paid, applied, and disposed of in the Manner directed by this Act.

Stones, &c. exempted from Toll between 1st April and 1st November.

XIII. And be it further enacted, That no Horse or Beast drawing any Carriage shall, by virtue of any of the Acts for regulating Turnpike Roads in *England*, or this Act, be exempt from the Payment of Toll, for or in respect of such Carriage being laden with Stones, Gravel, or other Materials for making or repairing any Road or public Highway, in any other Parish than those through or into which the said Road shall pass, unless the same shall be removed from the Place where they shall be found, dug, or deposited 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 any Horse or Beast drawing Carriage laden with Sleetch, Marsh, Mould, or Chalk for improving Lands, unless the same shall pass through the Turnpike at which Exemption shall be so claimed between the First Day of *May* and the Thirty-first Day of *August*, both inclusive.

Chalk, &c. between 1st May and 31st August.

Carriages with Lime for Manure.

XIV. Provided always, and be it further enacted, That every Horse or Beast drawing any Carriage empty and unladen, which shall pass through any One or more of the said Turnpikes or Side Gates for Lime for the manuring of Land, and the Tolls hereby granted shall be paid for the same, shall be permitted to return with such Carriage laden with Lime for the manuring of Land Toll-free, through the same Turnpikes or Side Gates, at any Time within the Space of Twenty-four Hours next after such Tolls shall have been paid.

Watering Carts, &c. exempted.

XV. Provided always, and be it further enacted, That no Toll shall be demanded or taken for or in respect of any Horse or Beast drawing any Carriage, commonly called Watering Carts or Water Bidges, going or returning through any of the Turnpikes or Side Gates on the said Roads from the White Post on *Haselden's Wood* to *Appledore Heath* for or with Water for the Use of the Inhabitants of the Parish of *Tenterden*.

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

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

XVII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or Beast let out to Hire, and drawing any Post Chaise or other Carriage, for each Time of passing or repassing along the said Roads, as often as any fresh Hiring thereof shall take place.

Post Chaises on every new Hiring.

XVIII. And be it further enacted, That all Monies which shall have been raised and produced by virtue of the said Four recited Acts, or either of them, hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls granted and made payable by this Act, together with the Monies which shall be borrowed on the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; that is to say, in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto; secondly, in paying and discharging the Interest now due or hereafter to accrue or become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls and Duties heretofore payable on the said Roads or any of them, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties granted and made payable by this Act or any of them; thirdly, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the said several Roads, and of erecting and providing, altering and repairing Turnpikes, Toll Gates, Toll Bars, and Toll Houses upon, across, and by the Sides of the said Roads, in such Manner, Parts, Divisions, and Proportions as the said Trustees shall in that Behalf direct, and otherwise executing the Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed or are secured in pursuance of and for the Purposes of the said recited Acts hereby as aforesaid repealed, and all the Principal Sums of Money which may hereafter be borrowed and secured by virtue of the said Acts of the Third and Fourth Years of His present Majesty's Reign and of this Act, and of all other Debts and Sums of Money now owing or which may hereafter become due and owing by or on account of the said Roads.

Application of Tolls and Money borrowed.

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

Public Act.

XX. And

Term of Act. XX. And be it further enacted, That this Act shall commence upon the Second *Monday* after the passing thereof, and shall from thenceforth continue 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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