

Sums of Money upon the Credit of the Tolls thereby authorized to be collected, which Money, together with an Arrear of Interest thereon, still remains due and owing, and cannot be repaid, nor can the said Road be properly maintained and improved, or kept in repair, unless the Powers and Provisions of the said Acts are altered and enlarged, and additional Tolls granted for those Purposes: And whereas it is expedient that the said recited Acts should be repealed, and other Powers granted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent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of the same, That from and after the Commencement of this Act the said recited Acts shall be and the same are hereby repealed.

Recited Acts repealed.

This Act to be put in execution instead thereof.

II. And be it further enacted, That instead thereof this Act shall be put in execution for the Purpose of more effectually repairing, altering, improving, and keeping in repair the present Turnpike Road leading from the Town and Port of *Dover* in the County of *Kent*, through the Town and Borough of *Deal*, to the Town and Port of *Sandwich* in the said County.

Trustees.

III. And be it further enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the County of *Kent*, together with Captain *Edward Boys* R. N., *William Bridger*, *John Bridges*, *Thomas Castle*, *Edmund Charles*, *Richard Chitty*, *Richard May Christian*, *William Cocke*, *Thomas Collett*, *Thomas Collett the younger*, *William Coleman of Salton*, *John Coleman of Dover*, *William Spicer Colyer*, *Rogers Stephen Court*, *George Curling*, *John Cutfield*, *Thomas De Bock*, *James Dorman*, *William Philpot Elsted*, *Michael Elwin*, *Richard Emmerson*, *Charles Emmerson*, *Captain Peter Fisher* R. N., *John Minet Fector*, *John Gaunt*, *Thomas Gillow*, *John Godfrey*, *Charles Benjamin Gorely*, *Richard Goulland*, *John Gregory Clerk*, *Edward Hallands*, *Henry Pett Hannam*, *William Harris*, *Richard Harrison*, *Vice Admiral Sir Thomas Harvey* K. C. B., *William Maundy Harvey Clerk*, *Captain John Harvey* R. N., *Henry Wise Harvey*, *Henry Wise Harvey the younger*, *William Henderson*, *Daniel Hodgson*, *John Hoile*, *George Hooper*, *George Hooper the younger*, *William Huntley*, *Edward Iggulden*, *John Iggulden*, *George Knollis Jarvis*, *James Jeken of Martin*, *John Jeken*, *George Finch Jennings*, *Gilbert John Karney*, *Matthew Kennett*, *William Kingsford of Dover*, *Comfort Kingsmill*, *William Knocker*, *Lane Clerk*, *Henshaw Latham*, *Samuel Metcalf Latham*, *George William Ledger*, *Richard Shockledge Leggatt*, *James Leith*, *George Leith*, *George Hatton Loud*, *Isaac Minet*, *William Nethersole*, *William Nethersole the younger*, *William Noakes*, *Vice Admiral Sir Edward William Campbell Rich Owen* K. C. B., G. C. H., *Henry Pemble Clerk*, *Montague Pennington Clerk*, *Joseph Webb Pilcher*, *Charles Eaton Plater Clerk*, *Edward Poole*, *Stephen Pritchard*, *James Rae*, *Harrison Ralph*, *Edward Francis Stratton Reader*, *Roffey*, *William Rouse*, *Hills Rowe the younger*, *Henshaw Russell*, *Edward Rutley the younger*, *George Sayer*, *Edward Seward*, *William Sheppard*, *John Baker Sladen*, *George Solly*, *Smithey Spain*, *Thomas Dilnot Stewart*, *George Stringer*, *Thomas Lyddon*

Lyddon Surrage, James Temple, Edward Pett Thompson, Harry Norris Watson, William Watt, Israel Wellard, John Willis, John Wood, and their Successors, being duly qualified to act as Trustees of Turnpike Roads, according to the Laws for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying into execution this Act, and the several Acts in force relating to Turnpike Roads in *England*.

IV. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, at any Meeting from Time to Time to be held for that Purpose (of which Meeting and of the Purpose thereof, Fourteen Days Notice shall be given, as is directed by the Acts in force relating to Turnpike Roads in *England* respecting the Appointment of Trustees on Vacancies), to elect, nominate, and appoint any Number of fit Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, 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 as if they had been named and appointed by this Act.

Power to appoint additional Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting after the Commencement of this Act at the Guildhall in *Deal* aforesaid, or at some convenient House or Place on or near the said Road, on the Third *Friday* next after the Commencement of this Act, or as soon after as conveniently may be, between the Hours of Eleven in the Forenoon and Four in the Afternoon, and shall then and there proceed to put 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 Places either upon or near to the said Road, as the said Trustees, or the major Part of them present at any of such Meetings, shall think proper and appoint.

Place of First Meeting.

VI. And be it further enacted, That in all Cases in which the said Trustees now are or shall at any Time hereafter become absolutely possessed or entitled, by Purchase or Exchange, or by any other legal Means, of or to any Piece or Parcel of Ground upon which any Toll House, with or without Outhouses and Appurtenances thereto belonging, shall have been erected, it shall be lawful for the Trustees absolutely to sell and dispose of the same or any Part thereof, together with the Ground whereupon the same may stand, and all Outhouses, Gardens, and Appurtenances belonging thereto, whenever the same shall be considered by the said Trustees to be useless or unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as the said Trustees can obtain for the same; and in case of any such Sale being made as aforesaid it shall be lawful for the said Trustees to convey the said Toll Houses, Gardens, and Premises to the Purchaser or Purchasers thereof; and upon Payment of the Purchase Money to the Treasurer of the Trustees for the Time being, and upon and from and after the Execution of the Conveyance, such Purchaser or Purchasers shall hold and enjoy the Premises

Power to sell Toll Houses which may become unnecessary.

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in Fee Simple, discharged from all Trusts, and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of the Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such and the like Preference and Priority of purchasing the Premises so to be sold shall always be given to the Owner or Owners of the next adjoining Land as is by the Statute for regulating Turnpike Roads in that Part of *Great Britain* called *England* directed to be given in case of the Sale of any Piece or Pieces of Ground not wanted for the Purposes of a Turnpike Road.

Power to
take Tolls.

VII. And be it further enacted, That the said Trustees, from and after the Commencement of this Act, shall and may cause to be demanded and taken at each and every Turnpike, Toll House, Toll Bar, or Chain now erected, set up, and continued, or which shall hereafter be erected or set up, upon or across or on the Side of the said Road, by each and every such Person as the said Trustees shall from Time to Time appoint for that Purpose, or their Lessees, and 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; before any Horse, Mule, Ass, Beast, or other Cattle, or any Coach, Cart, or other Carriage, shall be permitted to pass through the same, any Sum not exceeding the respective Tolls following; (that is to say,)

For every Horse, Mule, or other Beast (except an Ass), drawing any Coach, Chariot, Phaeton, Calash, Car, Curricule, Vis à Vis, Chaise Marine, Chaise Diligence, Van, Caravan, Sociable, Berlin, Landau, Barouche, Chair, Gig, Whiskey, Hearse, Litter, Cart, or other Carriage, the Sum of Three-pence:

For every Horse, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, where the Fellies of the Wheels are of a less Breadth than Four and a Half Inches, the Sum of Three-pence:

For every Horse, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, where the Fellies of the Wheels are of the Breadth of Four and a Half Inches and of less Breadth than Six Inches, the Sum of Two-pence Halfpenny:

For every Horse, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, where the Fellies of the Wheels are of the Breadth of Six Inches or upwards, the Sum of Two-pence:

For every Four-wheeled Carriage fixed in any Manner to any Waggon, Wain, Dray, Cart, or other Carriage, the Sum of Sixpence:

For every Two-wheeled Carriage so fixed, the Sum of Three-pence:

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

For every Ass drawing any Carriage, the Sum of Two-pence:

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

For

For every Carriage of any Description whatever, propelled by Steam, Gas, Machinery, or any other like Means, the Sum of One Shilling:

And for every Dog drawing any Cart, Carriage, or other Vehicle, the Sum of One Penny:

Which said several and respective Tolls shall be and the same are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in the Manner herein-after directed. Tolls vested in Trustees.

VIII. And be it further enacted, That in all Cases where there shall be a fractional Part of One Halfpenny in the Calculation or Amount of the Tolls hereby granted, or any of them, the Sum of One Halfpenny shall be demanded, paid, and taken in lieu of such fractional Part. As to fractional Parts in Tolls.

IX. And be it further enacted, That if the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any One of the Turnpikes, Toll Gates, Bars, or Chains to be continued or erected upon, across, or on the Side of the said Road, such Horse, Cattle, Beast, or Carriage, except as herein-after mentioned, shall (upon a Ticket being produced denoting such Payment) be permitted to pass and repass Toll-free through the same Turnpike, Toll Gate, Bar, or Chain, and also through such Turnpike, Toll Gate, Bar, Chain, or Side Gate as the Ticket for such Payment shall free, at any Time during the same Day. Tolls to be paid but once for passing and repassing the same Day.

X. And be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach, Stage Waggon, Cart, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Tolls shall have been paid at any such Toll Gate, Turnpike, Side Gate, or Chain as aforesaid, and which shall return through the same on the same Day, the respective Tolls herein-before mentioned and made payable shall be paid for every Time of passing and repassing on the same Day through every such Toll Gate, Turnpike, Side Gate, and Chain, in the like Manner as if no Toll had before been paid thereat. Tolls to be paid for Stage Coaches every Time of passing and repassing on the same Day;

XI. And be it further enacted, That the respective Tolls hereby made payable shall be paid for and in respect of all Horses and other Beasts of Draught travelling for Hire, and drawing any Post Chaise or other Carriage, for every Time of passing or repassing along the said Road as often as a fresh Hiring thereof shall take place. on Post Chaises for each fresh Hiring;

XII. And be it further enacted, That the Tolls hereby made payable for or in respect of any Carriage propelled or moved by Steam, Gas, Machinery, or any other like Means, shall be paid every Time of passing and repassing of such Carriage through each Toll Gate, Turnpike, Side Gate, or Chain on the said Road. on Steam Carriages, every Time of passing.

[Local.]

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XIII. And

Present Toll
Gates con-
tinued, and
Power given
to erect ad-
ditional Toll
Gates.

XIII. And be it further enacted, That all and every the Toll Gates, Toll Bars, Turnpikes, and Toll Houses and Weighing Machines, now standing and being upon the said Road or upon the Sides thereof, shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees, or any Five or more of them, at a public Meeting of the said Trustees, to order and cause to be erected, set up, and built, upon, in, or across the said Road or any Part thereof, or upon the Sides thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, and also from Time to Time to order and cause to be taken down and removed, or altered or discontinued, the present Toll Gates, Turnpikes, and Side Gates, and such future Gates, Turnpikes, Side Gates, Side Bars, and Chains as they the said Trustees shall think proper.

Power to
remove Toll
Gates.

XIV. And be it further enacted, That it shall be lawful for the said Trustees or any Five or more of them, and they are hereby empowered, from Time to Time, when and so often as they shall think proper, to cause any of the Turnpikes or Toll Gates or Toll Houses which are already erected in, upon, or across or on the Side or Sides of the said Road, by virtue of the said recited Acts, and continued by this Act, and all and every or any Toll Gate and Toll House to be erected on the said Road by virtue of this Act, to be removed to and erected in, upon, or across, or on the Side or Sides of such other Part or Parts of the said Road as the said Trustees shall from Time to Time at any Meeting order and direct, provided that none of the said Toll Gates or Turnpikes shall be removed as aforesaid unless Fourteen Days previous Notice of the Intention to remove the same shall have been given in One or more of the Newspapers published in the County of *Kent*.

Limiting the
Number of
Gates.

XV. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees, or any Collector of the said Tolls, to demand or take such Tolls for or in respect of the same Horse, Cattle, Beast, or Carriage in any One Day at any greater Number of the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains now erected and continued, or which shall hereafter be erected or set up, upon or across or on the Side of the whole Line of the said Road, than is herein-after mentioned, notwithstanding there may be a greater Number erected or placed thereon; (that is to say,) at no more than Two Toll Gates or Turnpikes, or Side Gates or Side Bars, or Chains, on such Part of the said Road as lies between the said Towns of *Dover* and *Deal*; nor at more than Two Toll Gates or Turnpikes, or Side Gates or Side Bars, or Chains, on such Part of the said Road as lies between the said Towns of *Deal* and *Sandwich*.

Application
of Tolls.

XVI. And be it further enacted, That the Tolls and all other Monies to be received by virtue of the said recited Acts and of this Act, as also all the Monies which at the Time of the Commencement of this Act shall have been raised or produced under the said recited Acts, and shall then be undisposed of, shall be applied and disposed of as herein-after mentioned; (that is to say,) in the first place, in paying
and

and defraying all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest for Money advanced by any Person or Persons for that Purpose; in the second place, in paying the Interest now due and which shall become due upon the several Principal Sums from Time to Time remaining due and owing on Mortgage or Security of the Tolls by the said recited Acts or this Act granted; and in the third place, in defraying the Expences of amending, repairing, widening, altering, improving, and keeping in repair the said Road, and of executing the several other Powers, Intents, and Purposes of this Act; and lastly, in reducing, paying off, and discharging the said several Principal Sums due on such Mortgages or Securities as aforesaid.

XVII. And be it further enacted, That none of the Tolls authorized by this Act to be taken upon the said Road, nor any of the Monies raised by virtue of the said recited Acts, or to be raised by virtue of this Act, shall be laid out or expended in the Repair, Lighting, or Improvement of any Part of the said Road in any Town the Streets whereof are repaired or lighted under the Authority of any Local Act of Parliament.

No Part of Tolls to be laid out in repairing Streets.

XVIII. 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.

Public Act.

XIX. And be it further enacted, That this Act shall commence upon the Twelfth Day of *July* One thousand eight hundred and thirty-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.

Commencement and Continuance of Act.

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