



ANNO PRIMO

# GULIELMI IV. REGIS.

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## *Cap. xlii.*

An Act for more effectually repairing and maintaining the Road over *Horley Common* in the County of *Surrey* to a Place called *Black Corner*, and from thence to the *Brighthelmston Turnpike Road* at *Cuckfield* in the County of *Sussex*.

[30th March 1831.]

**W**HEREAS an Act was passed in the Forty-ninth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for making and maintaining a Road over Horley Common in the County of Surrey to a Place called Black Corner, and from thence to join the Brighthelmston Turnpike Road at Cuckfield in the County of Sussex*: And whereas the Trustees appointed by or in pursuance of the said recited Act have proceeded in the Execution thereof, and have borrowed several considerable Sums of Money upon the Credit of the Tolls thereby granted, which Money still remains due, and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term granted by the said Act be continued: And whereas it would be more convenient that the said recited Act should be repealed, and other and more effectual Powers granted and Provisions made, for repairing, widening, and improving the Road from the *Chequers Inn*

[Local.] 5 Z on

49 G. 3. c. 94.



Recited Act  
repealed.

on *Horley Common* in the County of *Surrey*, over *Horley Common*, to a certain Place called *Black Corner*, and from thence through the several Parishes of *Worth* and *Balcombe* to the *Brighthelmston* and *Cuckfield Turnpike Road* at *Whiteman's Green* in the Parish of *Cuckfield* in the County of *Sussex*; and it is expedient that the present Tolls should be altered and increased: 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 passing of this Act the said recited Act of the Forty-ninth Year of the Reign of His late Majesty King *George the Third* shall be and the same is hereby repealed, and that instead thereof this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually improving and keeping in repair the present Turnpike Road from the *Chequers Inn* on *Horley Common* in the County of *Surrey*, over *Horley Common*, to a certain Place called *Black Corner*, and from thence through the several Parishes of *Worth* and *Balcombe* to the *Brighthelmston* and *Cuckfield Turnpike Road* at *Whiteman's Green* in the Parish of *Cuckfield* in the County of *Sussex*.

Trustees.

II. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said Counties of *Sussex* and *Surrey*, or either of them, together with the Right Honourable *Edward Charles Cocks* commonly called Lord Viscount *Eastnor*, the Right Honourable *Charles Philip Yorke*, the Honourable *William Frederic Elliot Eden*, Sir *Charles Merric Burrell* Baronet, Sir *Thomas Turton* Baronet, Sir *Timothy Shelley* Baronet, Sir *Joseph Sydney Yorke* Knight, *George Adams*, *Walter Burrell* Member of Parliament, *Francis Searwen Blunt*, *Henry Blunt*, the Reverend *George Maximilian Bethune* LL.D., the Reverend *Bethune*, *William Bray*, *Reginald Bray*, *Benjamin Birkhead*, *William Bryant*, *Charles William Bryant*, *Bridges*, *Thomas Jones Bellamy*, *Nathaniel Barwell*, *John Ivatt Briscoe*, *James Cocks* M.P., *William Clutton*, *William Clutton* the younger, *Robert Clutton*, *Isaac Clutton*, *John Peter Cherry*, *James Clitherow*, *Jacob Caffyn*, *Peter Caffyn*, the Reverend *Horace Salisbury Cotton*, *Hubert B. Curteis*, *John Dennett*, *William Joseph Dennison*, *Alexander Dixie*, *John Manship Ewart*, *John Fox*, *Thomas Fulcher*, the Reverend *Henry Fearon*, *Thomas Cecil Grainger*, *John Grantham*, *Graham*, *Robert Hurst*, *Robert Henry Hurst*, *John Harris*, *John Humble*, *Richard Hodd*, the Reverend *Hand*, *Harris*, *Gilbert East Jolliffe* M.P., *Thomas Read Kemp* M.P., *James Martin Lloyd*, *George Matcham*, *William Newnham*, *John Oury*, *James Palmer*, the Reverend *Edward Peyton*, *Thomas Poynder junior*, the Reverend *William Sergison*, the Reverend *Jeffery Snelson*, the Reverend *Sparrow*, *James Cranbourne Strobe*, *John Sharp*, *William Sewell*, *William Seymour*, *William Sanders*, *Robert Trotter*, *Benjamin Tucker*, *Dymoke Wells*, the Reverend *William Peckham Woodward*, and their Successors, duly qualified to Act as Trustees for repairing Turnpike Roads in *England*, shall be Trustees for the Purpose of putting this Act into execution.

III. And



III. And be it further enacted, That it shall be lawful for the said Trustees, at their First or any subsequent Meeting or Meetings to be holden in pursuance of this Act, 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 Persons so elected and appointed, being duly qualified as aforesaid, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to  
appoint  
additional  
Trustees.

IV. And be it further enacted, That the said Trustees shall meet at the *Talbot Inn* in *Cuckfield* in the County of *Sussex*, or at some other convenient Place on or near the said Road, on the First *Monday* next after the Commencement of this Act, or as soon after as conveniently may be, between the Hours of Eleven in the Forenoon and Three in the Afternoon, and shall then and there proceed to carry this Act into execution.

First Meet-  
ing of the  
Trustees.

V. And be it further enacted, That from and after the passing of this Act the several Tolls following shall be demanded and taken, collected and paid, at each and every Turnpike or Toll Gate, Side Bar or Side Gate, now erected or set up, or which shall be hereafter erected or set up, upon, across, or by the Side of the said Road, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through any such Turnpike or Toll Gate, Side Bar or Side Gate; (that is to say,)

Power to take  
Tolls.

For every Horse, Mule, or other Beast, drawing any Coach, Landau, Chariot, Berlin, Chaise, Calash, Barouche, Curricule, Phaeton, Gig, Car, Taxed Cart, Van, Caravan, or other such Carriage, the Sum of Sixpence :

Tolls.

For every Horse, Mule, or Ass, and for every Pair of Oxen, Bullocks, or other Neat Cattle, drawing any Waggon, Cart, or other such Carriage with Wheels of less Breadth than Six Inches from Side to Side at the Bottom or Sole thereof, the Sum of Sixpence :

For every Horse, Mule, or Ass, and for every Pair of Oxen, Bullocks, or other Neat Cattle, drawing any Waggon, Cart, or other such Carriage with Wheels of the Breadth of Six Inches or upwards from Side to Side at the Bottom or Sole 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 Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any less Number :

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

For every Beast of Draught employed in drawing any Waggon, Cart, or other such Carriage laden with Timber, Plank, Boards, Wood, Bricks or Tiles, Gun or any other Iron, Hop Poles, Marl, Chalk, Sand, Stone, Gravel, or Coals, between the First Day of *November* in each Year and the First Day of *April* in every succeeding Year, during the Continuance of this Act, Double the Tolls or Duties which would be hereby payable in respect of every such



such Beast of Draught if drawing any Waggon, Wain, Cart, or other such Carriage laden with any other Article or Articles, or at any other Period of the Year.

No Exemption from Toll in respect of Chalk, Lime, Marl or Chalk Marl.

VI. And be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for or in respect of any Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage laden with any Chalk, Lime, Marl, or Chalk, Marl, for manuring or improving Land; any thing in this Act, or in any other Act or Acts of Parliament relating to Turnpike Roads in *England*, to the contrary notwithstanding.

A Ticket delivered at the Northern-most Gate to clear all the other Gates except the Southern-most.

VII. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for or in respect of any Horse, Beast, or Cattle, at the Turnpike or Toll Gate which now is or for the Time being shall be erected across the said Road nearest to the Northern Extremity thereof at *Horley Common* aforesaid, such Horse, Beast, or other Cattle shall, upon a Note or Ticket denoting such Payment being produced, be permitted to pass and repass Once on the same Day Toll-free through the same and all and every other the Turnpikes and Toll Gates, Side Bars and Side Gates, erected or to be erected across or on the Sides of the said Road; save only the Turnpike or Toll Gate which now is or for the Time being shall be erected across the said Road nearest to the Southern Extremity thereof at *Whiteman's Green* aforesaid.

A Ticket delivered at the Southern-most Gate to clear all the other Gates except the Northern-most.

VIII. Provided also, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for or in respect of any Horse, Beast, or Cattle, at the Turnpike or Toll Gate which now is or for the Time being shall be erected across the said Road nearest to the Southern Extremity thereof at *Whiteman's Green* aforesaid, such Horse, Beast, or other Cattle shall, upon a Note or Ticket denoting such Payment being produced, be permitted to pass and repass Once on the same Day Toll-free through the same and all and every other the Turnpikes and Toll Gates, Side Bars and Side Gates, erected or to be erected across or on the Sides of the said Road; save only the Turnpike or Toll Gate which now is or for the Time being shall be erected across the said Road nearest to the Northern Extremity thereof at *Horley Common* aforesaid.

A Ticket delivered at any intermediate Gate to clear all the other Gates.

IX. Provided also, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for or in respect of any Horse, Beast, or Cattle, at any or either of the Turnpikes or Toll Gates, Side Bars or Side Gates, erected or to be erected across or on the Sides of the said Road between the Turnpike or Toll Gate which now is or for the Time being shall be erected across the said Road nearest to the Northern Extremity thereof at *Horley Common* aforesaid, and the Turnpike or Toll Gate which now is or for the Time being shall be erected across the said Road nearest to the Southern Extremity thereof at *Whiteman's Green* aforesaid, such Horse, Beast, or other Cattle shall, upon a Note or Ticket denoting such Payment being produced, be permitted to pass and repass Once on the same Day Toll-free through the same and all and every the



other Turnpikes and Toll Gates, Side Bars and Side Gates, erected or to be erected across or on the Sides of the said Road.

X. Provided always, and be it further enacted, That the Tolls payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage conveying any Passengers or Goods for Pay or Reward, shall be payable and paid each Time of passing along the Road: Provided always, that no further or additional Toll shall be payable in respect of any Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage, on account only of the Horses or Beasts drawing the same having been changed.

Stage Coaches, &c. to pay every Time of passing;

XI. Provided also, and be it further enacted, That the Tolls payable for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid each Time of passing along the said Road whenever any fresh Hiring shall take place.

Post Chaises, &c. on every fresh Hiring.

XII. And be it further enacted, That as well all the Monies which before the Commencement of this Act shall have been raised by virtue of the said recited Act hereby repealed, as aforesaid, and which shall then remain undisposed of, as also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, shall be applied to and for the several Uses, Intents, and Purposes, and in Order and Manner following; (that is to say,) in the first place, in Payment of all Expences which shall have been incurred in applying for and obtaining and passing this Act, and otherwise relating thereto; and, in the second place, in paying all Arrears of Interest which shall from Time to Time be owing to any Mortgagee or Mortgagees of any of the Tolls or Duties payable on the Road by this Act directed to be widened, improved, and kept in repair; in the third place, in defraying the Expences of widening, repairing, and preserving the Road by this Act directed to be widened, improved, and kept in repair as aforesaid, and of erecting, altering, and repairing the Toll Gates, Toll Bars, Toll Houses, and other Buildings erected or to be erected upon, across, or at the Sides of the said Road; and the Residue thereof to be applied in and towards the Reduction and discharging of the several Principal Sums of Money now due and owing or hereafter to be borrowed upon the Security of the said last-mentioned Tolls or Duties, 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 or direct.

Application of Monies.

XIII. 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.

[Local.]

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XIV. And

1° GULIELMI IV. *Cap. xlii.*

XIV. And be it further enacted, That this Act shall commence and take effect upon the passing thereof, 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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LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1831.