



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. xliii.

An Act for more effectually repairing the Road
from *Lewes* to *Brighthelmston* in the County of
Sussex. [6th May 1833.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and widening the Road from Lewes to Brighthelmston in the County of Sussex*: And whereas another Act was passed in the Thirty-first Year of the Reign of His said late Majesty, intituled *An Act to continue the Term and Powers of an Act passed in the Tenth Year of the Reign of His present Majesty King George the Third, for repairing and widening the Road from Lewes to Brighthelmston in the County of Sussex*: And whereas another Act was passed in the Fifty-third Year of the Reign of His said late Majesty, intituled *An Act for continuing and amending Two Acts of His present Majesty, for repairing and widening the Road from Lewes to Brighthelmston in the County of Sussex*: And whereas the Trustees appointed by the said recited Acts have proceeded to put the same in execution, and have for that Purpose borrowed divers Sums of Money on the Credit of the Tolls thereby authorized to be collected, a considerable Part of which Money still remains due and cannot be paid off, nor can the said Road be effectually improved and kept in good Repair, unless the said Term granted and continued by the said recited Acts be further continued, the Powers and Provisions thereof altered, varied, and enlarged, and the Tolls arising on the said Road varied and altered: And whereas it is expedient that the said recited Acts should be repealed: May it therefore please Your Majesty

[Local.] 11 D that

Recited Acts
repealed;

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and after the Third *Tuesday* next after the passing of this Act the said recited Acts shall be and the same are hereby repealed.

and this Act
to take effect.

II. And be it further enacted, That instead thereof this Act shall commence and take effect, and be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, making more commodious, and from Time to Time repairing and otherwise improving the Road from *Ireland's Lane* in the Town and Borough of *Lewes* to a Point beyond *Brighthelmston* Barracks, nearly opposite to the *Bear* Public House there, being the Point of Junction of the Parishes of *Preston* and *Brighthelmston*, all in the County of *Sussex*, to be called and distinguished by the Name of "The *Lewes* to *Brighton* Road," but not including any Part of the said Parish of *Bright-helmston*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Sussex*, together with *Thomas Attree*, the Reverend *Robert Allen* Clerk, *Thomas Beard*, *John Boys*, *John Blaker*, *Henry Blackman*, *Thomas Blair* Doctor of Medicine, *Henry Brooker*, Sir *Charles Merrik Burrell* Baronet, *Joseph Baker* Sir *Charles Richard Blunt* Baronet, *Edward Beard*, *Francis Barchard*, *George Courthope*, *Henry Champion*, *Thomas Cheesman*, *Thomas Chatfield*, *Chrusophilus Chitty*, the Reverend *William Henry Cooper* Clerk, *Thomas Cooper*, the Reverend *John Constable* Clerk, the Reverend *Peter Guerin Crofts* Clerk, *John Martin Cripps*, *William Cotton*, *Thomas Dennett*, *John George Dalbiac*, *Samuel Woodgate Durrant*, *Alexander Donovan*, *William Day*, *Thomas Day*, *Warburton Davies*, *John Day*, *Edward Egles*, *John Eldridge*, *John Ellman*, *John Fuller*, *William Fuller*, *Samuel Flint*, the Reverend *William Anthony Fitzbush* Clerk, *John Farnes*, *Francis Harding Gell*, *George Grantham*, *George Grantham* the younger, *George Gwynne*, *James Gill*, *Samuel Gwynne*, Colonel *Henry Goldfinch*, *Robert Gear*, *Adam Harvey*, *Benjamin Hall*, *Richard Hart*, *Nathaniel Hall*, *William Franklin Hick*, *John Hoper*, *George Hoper*, *Thomas Hodson*, *Henry Hurly*, *John Hoper* the younger, *John Holroyd*, *William Hughes*, *Thomas Johnston*, *James Ingram*, *Henry Humphrey Jackson*, *Thomas Read Kemp*, *Nathaniel Kemp*, *Christopher Kell*, *Thomas King*, *William Balcombe Langridge*, *Benjamin Cooper Langford*, *John Langford*, *Stephen Lowdell*, the Reverend *John Lupton* Clerk, *John Luxford*, *Henry Thomas Lane*, *William Henry Lidbetter*, *Philip Mighell*, *William Madgwick*, *William Courthope Mabbott*, *George Molineux*, *Edward Olive*, *Thomas Partington*, *James Powell*, *John Paine*, the Reverend *George Proctor* Clerk, Doctor of Divinity, *Thomas Rogers*, the Reverend *Edward Raynes* Clerk, the Reverend *Thomas Raynes* Clerk, *Benjamin Ridge*, *John Rice*, *Thomas Richardson*, *Henry Rogers*, *John Rickman*, Sir *John Shelley* Baronet, *John Smith*, the Reverend *Thomas Scutt* Clerk, *William Stamford*, Sir *George Shiffner* Baronet, the Reverend *John Scobell* Clerk, the Reverend *George Shiffner* Clerk, *William Smith*, *William Thomas Stone*, *John Smith* of *Lewes*, *Richard Shuttleworth Streatfield*, *Thomas Tourle*, Sir *Matthew John Tierney* Baronet,

Baronet, Doctor of Medicine, *William Thompson, John Vallance, Plumer Verrall, William Verrall, Harry Verrall*, the Reverend *William Peckham Woodward* Clerk, Sir *Godfrey Webster* Baronet, *Thomas Whitfield, Frederick Willard, William Wigney, John Woodward*, the Reverend *Henry West* Clerk, *Thomas Wood, John Webb Woollgar*, and their Successors, duly qualified to act as Trustees according to the Laws respecting Trustees of Turnpike Roads in *England*, shall be, and they, and their Successors to be duly elected according to such Laws, are hereby appointed the Trustees for carrying this Act and the several Acts for regulating Turnpike Roads in *England* into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any Meeting to be holden in pursuance of this Act, to elect, nominate, and appoint any Number of Persons not exceeding Three in the whole, duly qualified to act as Trustees of Turnpike Roads in *England*, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so to be elected and appointed shall be and they are hereby invested with the same Powers and Authorities for executing this Act and the several Acts for regulating Turnpike Roads in *England* as if they had been hereby expressly named and appointed.

Power to
appoint ad-
ditional
Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting at the County Hall or some other convenient Place in *Lewes* on the Third *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, and shall then and there proceed to put this Act in execution, and shall then and from Time to Time adjourn to and meet at such Time or Times, and at the same or such other Place or Places, at or near the said Road, as the said Trustees, or the major Part of them present at any such Meeting, shall think proper.

First Meeting
of Trustees.

VI. And be it further enacted, That notwithstanding the Repeal of the said recited Acts the several Tolls thereby granted shall continue to be demanded, paid, and received at the several and respective Turnpikes or Toll Gates or Side Gates continued and erected on the said Road until Twelve of the Clock at Noon on the First Day of *September* One thousand eight hundred and thirty-three, when the Term of the existing Contract of letting the said Tolls will expire.

Existing
Tolls to
continue till
1st Septem-
ber 1833.

VII. And be it further enacted, That from and after Twelve of the Clock at Noon on the First Day of *September* One thousand eight hundred and thirty-three there shall be demanded and taken at each and every Turnpike, Toll Gate, Side Gate, Bar, or Chain continued, or which shall hereafter be set up, upon, across, or by the Side of the said Road, before any Horse, Mule, Ass, Beast, or other Cattle, or any Carriage, shall be permitted to pass through any such Turnpike, Toll Gate, Side Gate, Bar, or Chain, the respective Tolls following; (that is to say,)

Power to
take Tolls.

For the first Horse or other Beast of Draught (other than an Ass), drawing any Chaise Marine, Coach, Stage Coach, Sociable, Berlin, Landau, Chariot, Barouche, Phaeton, Calash, Curricule, Post Chaise, Van,

Tolls.

Van, Caravan, Hearse, Break, Litter, or other Four or Three wheeled Carriage of the like Kind, by whatsoever Name the same may be called, any Sum not exceeding Three-pence ; and for every additional Horse or Horses, or other Beast or Beasts of Draught (other than an Ass or Asses), drawing the same, any Sum not exceeding One Penny :

For the Horse or Horses, or other Beast or Beasts of Draught (other than an Ass or Asses), drawing any Chaise, Chair, Curricule, Gig, Break, Cart upon Springs of any Kind, or other Two-wheeled Carriage of the like Kind, by whatsoever Name the same may be called, any Sum not exceeding Two-pence :

For the Horse or Horses, or other Beast or Beasts of Draught (other than an Ass or Asses), drawing any Waggon, Wain, or other Four or Three wheeled Carriage of the like Kind, having the Fellies of the Wheels thereof at the Bottom or Soles thereof of the Breadth of Six Inches and upwards, any Sum not exceeding Four-pence ; and having such Fellies of the Breadth of Four Inches and a Half and less than Six Inches, any Sum not exceeding Five-pence ; and having such Fellies of less Breadth than Four Inches and a Half, any Sum not exceeding Sixpence :

For the Horse or Horses, or other Beast or Beasts of Draught (other than an Ass or Asses), drawing any Cart or other Two-wheeled Carriage of the like Kind, having the Fellies of the Wheels thereof at the Bottom or Soles thereof of the Breadth of Six Inches and upwards, any Sum not exceeding Two-pence ; and having such Fellies of the Breadth of Four Inches and a Half, and less than Six Inches, any Sum not exceeding Two-pence Halfpenny ; and having such Fellies of less Breadth than Four Inches and a Half, any Sum not exceeding Three-pence :

For every Ass drawing any Carriage whatsoever, any Sum not exceeding One Penny :

For every Dog, Goat, or other Animal not usually employed as a Beast of Draught, drawing any Carriage whatsoever, any Sum not exceeding One Halfpenny :

For every Coach, Waggon, Vehicle, or other Carriage, of whatever Description, propelled or moved by Steam, Gas, or Mechanism, any Sum not exceeding Two Shillings :

For every Horse or Mule, laden or unladen, and not drawing, any Sum not exceeding One Penny :

For every Ass, laden or unladen, and not drawing, One Halfpenny :

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding Two-pence *per* Score, and so in proportion for any less Number :

And for every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding One Penny *per* Score, and so in proportion for any less Number.

As to the fractional Part of a Halfpenny in Tolls.

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 thereby granted and authorized to be taken, or any of them, the Sum of One Halfpenny shall be demanded, paid, and taken in lieu of such fractional Part.

IX. And

IX. And be it further enacted, That in case the Toll hereby imposed shall have been paid for passing through any Toll Gate upon the said Road for or in respect of any Horse or other Beast or Cattle, laden or unladen, and not drawing, no such Horse, Beast, 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, but shall pass and repass Toll-free; and in case the Toll hereby imposed shall have been paid for passing through any such Toll Gate for or in respect of any Horse or other Beast drawing any Carriage whatsoever, or for or in respect of any Carriage of any Description propelled by Steam, Gas, or Machinery, no such Horse or other Beast drawing the same Carriage, nor any Carriage so propelled as aforesaid, 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, but shall return Toll-free with the same; but no such Horse or other Beast drawing any Carriage, nor any such Carriage so propelled as aforesaid, shall be permitted to pass a Third time in any One Day, to be computed as aforesaid, through any Toll Gate, until such and the same Toll shall have been paid as may be demanded and taken, under and by virtue of this Act, for the same respectively upon first passing, and so *toties quoties* for every Third Time that the same Horse or other Beast drawing the same Carriage, or any such Carriage so propelled as aforesaid, shall pass; and the said Tolls shall be demanded and be paid for such Horse or other Beast, or Carriage, in such and the like Manner as if it had been the first Time that such Horse or other Beast drawing such Carriage, or such Carriage so propelled as aforesaid, had passed through such Toll Gate.

Tolls to be paid but once in the same Day for passing and re-passing.

But a new Toll shall be paid for Horses drawing Carriages on the Third Time of passing.

X. And be it further enacted, That for or in respect of all Horses or other Beasts of Draught drawing any Stage Coach, Diligence, Stage Waggon, Van, Caravan, Cart, or other Carriage, travelling regular Stages, and employed in conveying Passengers or Goods for Payment, Hire, or Reward, or for or in respect of any Carriage propelled or moved by Steam, Gas, or Machinery, travelling and being employed in like Manner, for which Toll 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 both of passing and repassing through every such Toll Gate, Turnpike, Side Gate, or Bar, in like Manner as if no Toll had been before paid thereat: Provided always, that no further or additional Toll shall be payable for or in respect only of the Horses drawing any such Carriage having been changed.

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

XI. 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 travelling for Hire, and drawing any Post Chaise or other Carriage, for every Time of passing and repassing along the said Road, as often as another or fresh Hiring thereof shall take place.

Post Chaises on every new Hiring.

XII. Provided always, and be it further enacted, That no more than Two full Tolls shall be demanded or taken in any One Day for or in respect of

Limiting the Number of Tolls on the whole Line.

[Local.]

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of the same Horses, Cattle, Beasts, or Carriage which shall pass through all the Turnpikes or Toll Gates on the whole Line of the said Road.

Application
of Monies.

XIII. And be it further enacted, That all Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said recited Acts, and which on the Day of the Commencement of this Act shall be remaining undisposed of, and also all Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit of such Tolls, and all other Monies which shall arise or be produced by virtue of this Act, shall be applied to and for and be subject to the several Uses, Intents, and Purposes, and in order and in manner following; that is to say, in the first place, in Payment of all Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, or otherwise relating thereto; secondly, in paying and discharging all the Interest which shall from Time to Time become due and owing upon any Sum or Sums of Money already lent and advanced and secured on the Tolls or Duties payable under the said recited Acts or any of them, or hereafter to be lent and advanced and secured on the Tolls or Duties payable by this present Act; thirdly, in defraying the Expences of improving and repairing the same Road, and of erecting, obtaining, and repairing Toll Gates, Turnpikes, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of such Road, and otherwise in executing the Purposes of this Act; and lastly, in repaying the Principal Sums of Money already borrowed by virtue of the said recited Acts, or to be borrowed by virtue of this Act.

No Priority
of Mortgages.

XIV. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any Sum or Sums of Money on the Credit of the Tolls granted by the said recited Acts, or who shall hereafter advance any Sum or Sums of Money on the Credit of the Tolls granted by this Act, or to his or their Assignee or Assignees, in respect of the Priority of the Mortgage or Assignment, or of advancing such Sum or Sums of Money; but that as well all Persons to whom any such Mortgage or Assignment shall hereafter be made or given, his, her, or their Assignee or Assignees, as all Persons to whom any such Mortgage or Assignment hath heretofore been made or given, shall (in proportion to the Sum or Sums therein mentioned) be Creditors under this Act, and in equal Degree one with another.

Footpaths to
be deemed
Part of Road.

XV. And be it further enacted, That all and every the Footpaths now made or hereafter to be made by the Direction and Authority of the said Trustees on the Side of and adjoining the said Road by this Act directed to be maintained, improved, and kept in repair, shall be and the same are hereby declared to be subject to the Regulations of this Act and to be Part of the same Road, and shall be repaired and amended by the said Trustees by such Ways and Means and in manner as such Road is and shall be repaired and amended.

No Money to
be expended
in repairing
Streets.

XVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said

said Trustees to lay out or apply any Money in paving or repairing, lighting or watching, any Street, Highway, or Place in any Town through which the said Road will pass, or to collect any Tolls by virtue of this Act therein.

XVII. 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.

XVIII. And be it further enacted, That this Act shall continue in force for the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament. Duration of the Act.

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