



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. xliv.

An Act for more effectually repairing the Roads from *Hodges to Beadles Hill* and *Cuckfield*, and from *Beadles Hill* to *Lindfield*, all in the County of *Sussex*. [6th May 1833.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and widening the Road from Hodges to Beadles Hill, and from thence to the Town of Cuckfield, and from Beadles Hill aforesaid to the Town of Lindfield, and from the Turnpike Road between Cuckfield and Crawley to the Town of Horsham, and also the Road from Swingate in the Parish of Burwash to Shover Green in the Parish of Ticehurst, all in the County of Sussex:* 11G.3.c.98. And whereas another Act was passed in the Thirty-second Year of the Reign of His said late Majesty, intituled *An Act to enlarge the Term and Powers of an Act passed in the Eleventh Year of the Reign of His present Majesty King George the Third, for repairing and widening the Road from Hodges to Beadles Hill, and from thence to the Town of Cuckfield, and from Beadles Hill aforesaid to the Town of Lindfield, and from the Turnpike Road between Cuckfield and Crawley to the Town of Horsham, and also the Road from Swingate in the Parish of Burwash to Shover Green in the Parish of Ticehurst, all in the County of Sussex:* 32G.3.c.138. And whereas another Act was passed in the Fifty-third Year of the Reign of His said late Majesty, intituled *An Act for amending the Roads from Hodges to Beadles Hill and Cuckfield, and from Beadles Hill to Lindfield, and from the Cuckfield and Crawley Road* 53G.3.c.208.

[Local.] 11 F

Road to Horsham, and from Swingate to Shover Green, all in the County of Sussex: And whereas the said Roads from Hodges to Beadles Hill and Cuckfield, and from Beadles Hill to the Town of Lindfield, are unconnected with the other Roads in the said Acts mentioned, and separate Meetings for the same first-mentioned Roads have for a long Time past been held by a separate Body of the Trustees, without any Communication with the Trustees acting for such other Roads; and it is expedient that the said Roads from Hodges to Beadles Hill and Cuckfield, and from Beadles Hill to the Town of Lindfield, should be comprised in a separate Act: And whereas the Trustees appointed by the said recited Acts acting for the said Roads from Hodges to Beadles Hill and Cuckfield, and from Beadles Hill to the Town of Lindfield, have proceeded to put the same in execution so far as respects the said last-mentioned Roads, and have for that Purpose borrowed several Sums of Money on the Credit of the Tolls thereby authorized to be collected upon those Roads, a considerable Part of which Money is still due, and cannot be paid off, nor can the same Roads be effectually improved and kept in good Repair, unless the said Term granted and continued by the said recited Acts be further continued so far as respects the said last-mentioned Roads, and the Powers and Provisions thereof altered, varied, and enlarged, and the Tolls arising on the last-mentioned Roads be varied, altered, and increased: And whereas it is expedient that the said recited Acts as far as respects the said last-mentioned Roads should be repealed: 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 Third Tuesday next after the passing of this Act the said recited Acts, and all and every the Clauses, Powers, Authorities, Trusts, Provisions, Penalties, Remedies, Matters, and Things whatsoever therein respectively contained, shall, so far as relates to the said Road from Hodges to Beadles Hill and Cuckfield, and from Beadles Hill aforesaid to the Town of Lindfield, be and the same are hereby repealed.

Recited Acts
repealed;

and this Act
to be put in
execution for
the Purposes
herein men-
tioned.

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 leading from Hodges in the Parish of *Mayfield*, through the several Parishes of *Buxted*, *Maresfield*, *Fletching*, *Newick*, *Chailey*, *Lindfield*, *Wivelsfield*, and *Cuckfield*, to the Entrance into or Point of Junction with the Road from *London* to *Brighthelmston* in the Town of *Cuckfield*, all in the County of *Sussex*, (which said Road is called and distinguished by the Name of the *Hodges* and *Cuckfield* Road,) together with a Branch Road from a Place called *Beadles Hill*, in the Parish of *Lindfield*, on the before-mentioned Road, along and over the said Parish of *Lindfield*, to the Point of Junction with the Roads from *London* to *Brighthelmston* through *Lindfield*, being the Southern Entrance to the said Town of *Lindfield*.

III. And

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 *Joseph Baker*, Sir *Charles Richard Blunt* Baronet, *Thomas Compton*, *William Clutton*, *Gibbs Craufurd*, *John Marten Cripps*, the Reverend *George D'Oyley D.D.*, *William Day*, *Warburton Davies*, *John Attree Fuller*, *George Grantham* the younger, *William Franklin Hick*, *Benjamin Hall*, *Richard Hart*, *John Hoper*, *John Hoper* the younger, *Elijah Barwell Impey*, *James Ingram*, *John Luxford*, *Benjamin Cooper Langford*, *William Courthorpe Mabbott*, *William Madgwick*, *John Pilfold*, *Thomas Partington*, *James Powell*, the Reverend *Thomas Baden Powell* Clerk, the Reverend *Joseph Plimley* Clerk, the Reverend *William Sergison* Clerk, Sir *George Shiffner* Baronet, Sir *John Shelley* Baronet, *John Henry Slater*, *William Thomas Stone*, *Henry Shiffner*, *John Villiers Shelley*, *Thomas Tourle*, the Reverend *Thomas Trebeek* Clerk, *William Verrall*, *John Champion Waller*, the Reverend *George Woodward* Clerk, *John Woodward*, *William Wildish*, *Samuel Wickens*, the Reverend *William Peckham Woodward* Clerk, 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 in *Lewes*, or some other convenient Place in *Lewes*, on the Third *Tuesday* 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 Roads, as the said Trustees or the major Part of them present at any such Meeting shall think proper.

First Meet-
ing of Trus-
tees.

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

Present
Tolls to con-
tinue until
1st July 1833.

VII. And

Power to
take Tolls.

VII. And be it further enacted, That from and after Twelve of the Clock at Noon on the First Day of *July* 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 to be continued or which shall hereafter be erected or set up upon, across, or by the Side of the said Roads, before any Horse, Mule, Ass, Beast, or other Cattle, or any Carriage, shall be permitted to pass through the same, the respective Tolls following ; (that is to say,)

Tolls.

For every Horse or other Beast (other than an Ass) drawing any Chaise Marine, Coach, Stage Coach, Sociable, Berlin, Landau, Chariot, Barouche, Phaeton, Calash, Curricule, Chair, Chaise, Van, Caravan, Gig, Hearse, Break, Litter, Cart upon Springs of any kind, or other Four, Three, or Two-wheeled Carriage of the like kind, any Sum not exceeding Sixpence :

For the First Horse or other Beast (other than an Ass) drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like kind, having the Fellies of the Wheels thereof of the Breadth of Six Inches and upwards at the Bottom or Soles thereof, any Sum not exceeding Sixpence ; and for every other Horse or other Beast (other than an Ass) drawing any such Carriage, any Sum not exceeding Four-pence :

For the First Horse or other Beast (other than an Ass) drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like kind, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half and less than Six Inches at the Bottom or Soles thereof, any Sum not exceeding Seven-pence Halfpenny ; and for every other Horse or other Beast (other than an Ass) drawing any such Carriage, any Sum not exceeding Five-pence :

For the First Horse or other Beast (other than an Ass) drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like kind, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, any Sum not exceeding Nine-pence ; and for every other Horse or other Beast (other than an Ass) drawing any such Carriage, any Sum not exceeding Sixpence :

For every Ass drawing any Carriage whatever, any Sum not exceeding Two-pence :

For every Dog, Goat, or other Animal not usually employed as a Beast of Burthen, drawing any Carriage whatever, any Sum not exceeding One Penny :

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

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

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

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

For every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding Five-pence *per* Score, and so in proportion for any less Number :

And for every Horse or other Beast drawing any Carriage, and for every Carriage impelled or set or moved by Steam, Gas, or Mechanism, which, between the Tenth Day of *October* and the Twentieth Day of *March*, shall be laden with Timber, Boards, Plank, Scantling, Hop Poles, or other Poles, Cord Wood, Faggots, or other Fire Wood, Iron, Bricks, Tiles, Sand, Stone, Gravel, Chalk, Lime, Marl, or Coals, Double the Tolls herein-before enacted in respect of such Horse or other Beast or Carriage; provided that such additional Tolls shall not be taken on account merely of any small Quantities not exceeding Three Hundred Weight of any of the Articles aforesaid in such Carriage.

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

As to the fractional Part of a Halfpenny in Tolls.

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 Roads 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 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 propelled by Steam or Gas or Mechanism, no such Horse or other Beast drawing the same Carriage, or any such 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, or no 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 so propelled as aforesaid, in such and the like Manner as if it had been the First Time that such Horse or other Beast drawing such Carriage, or Carriage so propelled as aforesaid, had passed through such Toll Gate.

Tolls to be paid but once a Day for riding Horses; and in other Cases but once for passing and returning.

X. Provided always, and be it further enacted, That no more than Three full Tolls, except as herein provided to the contrary, shall be taken for or in respect of the same Horses, Beasts, Cattle, or Carriage, in any One Day, for passing and repassing through all the Toll Gates or Turnpikes to be continued or erected by virtue of this Act

Limitation of Tolls.

[*Local.*]

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upon

upon the whole Length of the Road between *Hodges* and *Cuckfield*, nor more than One Half Toll on the Branch Road from *Beadles Hill* to *Lindfield*, nor shall Toll be taken at more than Two successive Gates on the said Roads or any Part thereof, so long as there shall be more than Three Gates erected upon the said Road.

Stage
Coaches, &c.
to pay every
Time of pass-
ing ;

XI. 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 Mechanism, 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 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.

Post Chaises
on every new
Hiring.

XII. 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 Roads, as often as a fresh Hiring thereof shall take place.

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 upon the said Road from *Hodges* to *Beadles Hill* and *Cuckfield*, and from *Beadles Hill* to *Lindfield*, by virtue of the said recited Acts hereby repealed, and which shall then be remaining undisposed of, and also the 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 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 Sums of Money now due and owing for the maintaining and repairing the said Roads, or lent and advanced by the Treasurer of the said Roads, or by any other Person or Persons, for the discharging of any Expence so incurred, without any Security having been given for the same, together with Interest for the Sums so lent and advanced ; thirdly, in paying and discharging all the Interest now due, or which shall hereafter become due, upon any of the Principal Monies which have been borrowed on the Credit of the Tolls arising on the said Roads by virtue of the said recited Acts, or which may hereafter be borrowed on the Credit of this Act ; fourthly, in defraying the Expences of diverting, improving, and repairing the said Roads, and of erecting, obtaining, and repairing

repairing Toll Gates, Turnpike Gates, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of such Roads, and otherwise in executing the Purposes of this Act; and lastly, in repaying the Principal Monies already borrowed by virtue of the said recited Acts hereby repealed, or which shall or may be hereafter borrowed by virtue of this Act.

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. No Priority of Mortgages.

XV. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Branch Road comprised in this Act unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Branch Road than shall be collected thereon, or borrowed on the Credit of the Tolls collected thereon. Expence of Repairs of Branch Roads.

XVI. 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.

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

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