A 4458

ANNO QUINQUAGESIMO NONO

# GEORGII III. REGIS.

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## *Cap.* x.

An Act for more effectually making, straightening, repairing, and improving the Road from near the Town of *Lewes* to *Polegate*, in the Parish of *Hailsham*, and from thence to *Eastbourne*, and from *Polegate* to *Hailsham Common*, in the County of *Sussex*. [23d *March* 1819.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the Road from the South End of the South Street, in the Parish of* Southmalling, *near the Town of* Lewes, *to* Glyndbridge, *and from thence through* Firle Street, *under the Hill, to* Longbridge, *in the Parish of* Alfriston, *in the County of* Sussex: And whereas another Act was passed in the Twentieth Year of the Reign of His present Majesty, intituled *An Act to continue the Term, and enlarge the Powers of an Act made in the Thirty-second Year of the Reign of His late Majesty King* George *the Second, for repairing the Road from the South End of the South Street, in the Parish of* Southmalling, *near the Town of* Lewes, *to* Glyndbridge, *and from thence through* Firle Street, *under the Hill, to* Longbridge, *in the Parish of* Alfriston, *in the County of* Sussex: And whereas another Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act to enlarge the Term, and alter and amend the Powers of Two several Acts passed in the Thirty-second Year of the Reign of King* George *the Second, and the Twentieth Year of the Reign of His present Majesty, for repairing the Road from the South End of the South Street, in* the

32 G. 2. c. 67.

20 G. 3. c. 83.

32 G. 3. c. 147.

*the Parish of* Southmalling, *near the Town of* Lewes, *to* Glyndbridge, *and from thence through* Firle Street, *under the Hill, to* Longbridge, *in the Parish of* Alfriston, *in the County of* Sussex, *except so far as the said Acts relate to that Part of the said Road which lies between a Place commonly called* Bopeep, *in the Parish of* Alciston, *and* Longbridge *aforesaid; and for amending and keeping in Repair several other Roads therein mentioned, in the said County of* Sussex: And whereas the Trustees appointed in or by virtue of the said several recited Acts proceeded to put the same in Execution, and borrowed divers Sums of Money, amounting in the whole to the Sum of Four thousand nine hundred and fifty Pounds, on the Credit of the Tolls granted by the said Acts, which said Sum still remains due and owing; but several Miles of the Roads comprized in the last of the said recited Acts have not been repaired, and are now in a very bad State; and the said Trustees have not any Funds wherewith to repair the same, or any Means of borrowing any further Sum of Money upon the Credit of the Tolls granted by the said Acts of Parliament: And whereas the Line of Road directed and intended to be made and kept in Repair in and by the said several Acts of Parliament is circuitous, and in many Respects inconvenient, and it will be more advantageous for the Public, and for the Inhabitants of the Country adjacent, that so much of the said Line of Road as is not comprehended in the Line of Road hereafter mentioned should be abandoned, and that a new Turnpike Road should be made from the South End of the South Street of the Parish of *Saint Thomas in the Cliff*, near the Town of *Lewes*, to *Polegate*, in the Parish of *Hailsham*, and from thence to *Eastbourne*, and from *Polegate* aforesaid to the Point of Junction with the *Langney* Turnpike Road on *Hailsham Common*: And whereas the said Trustees have consented to surrender and give up all their Interest and Concern in the Management of the said Roads, and have approved of an Application being made to Parliament for the Repeal of the said recited Acts, upon such Compensation being made and secured as has been agreed upon with the Creditor or Creditors on the said Trust: And whereas *Davies Gilbert* Esquire is, by virtue of various Assignments which have been made to him, now legally entitled to the whole of the said Sum of Four thousand nine hundred and fifty Pounds due as aforesaid on the Credit of the said Tolls, and has agreed to accept the Sum of Two thousand and twenty-two Pounds Eleven Shillings and Four-pence, as a Compensation for and Satisfaction of the same, together with such Interest, and to be paid in such Manner as is herein-after mentioned: And whereas it is expedient for the Causes aforesaid that the said several Acts should be repealed, and that a new Act should be passed for the making, amending, widening, diverting, altering, straightening, improving, and keeping in Repair the new Turnpike Road so proposed to be made as aforesaid, instead of the said present Roads, and of such other Roads adjacent or near thereto, as are or shall become useless to the Public by making the said intended new Turnpike Road: 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 Twenty-fifth Day of *March* One thousand eight hundred and nineteen, the said Acts of the Thirty-second Year of the Reign of His late Majesty King *George* the Second, and of the Twentieth and Thirty-second Years of the Reign of His present Majesty, shall be and the same are hereby declared

Former Acts repealed.





to be repealed, and instead thereof this Act shall from thenceforth commence and take Effect, and be put into Execution for and during the Term herein-after mentioned, for the Purpose of more effectually making, amending, widening, diverting, altering, straightening, improving, and keeping in Repair a Turnpike Road from the Southern End of the South Street of the Parish of *Saint Thomas in the Cliff*, near the Town of *Lewes*, to *Polegate*, in the Parish of *Hailsham*, and from thence to *Eastbourne*, and from *Polegate* aforesaid to the Point of Junction with the *Langney* Turnpike Road on *Hailsham Common*, in the County of *Sussex*.

Power to continue former Toll Houses and receive Tolls.

II. Provided always, and be it further enacted, That until the new Line of Road proposed to be made by virtue hereof shall be made fit for the Passage of Cattle and Carriages, and shall be certified so to be by Two Justices of the Peace for the said County of *Sussex*, and until Toll Gates shall be erected and set up at the several Places herein-after particularly described for that Purpose, it shall and may be lawful for the Trustees appointed, or to be appointed in or by virtue of this Act, to continue and make use of the present Course of the said Roads directed and intended by the said several recited Acts, or any of them, to be made and kept in Repair, and of the several Toll Gates now standing upon the said Roads, and to demand, receive, and take such Tolls and Duties at each and every of the said Toll Gates, as by the said Acts are authorized to be demanded, received, or taken at any of the Toll Gates erected in pursuance thereof.

Trustees.

III. And be it further enacted, That the Right Honourable *George Henry Cavendish*, commonly called *Lord George Henry Cavendish*, *Henry Frederick Compton Cavendish*, *Charles Compton Cavendish*, the Reverend *James Capper*, *Henry Campion*, *John George Dalbiac*, *Samuel Woodgate Durrant*, *John Elliman*, *Edward Egles*, *John Fuller* of *Rose Hill*, the Honourable *Thomas William Gage*, *John Gage*, *William Hall Gage*, *Davies Gilbert*, the Reverend *Henry Thomas Grace*, *Charles Harison*, *William Harison*, *John Hoper*, *George Hoper*, *William Franklin Hick*, the Honourable *Charles Cecil Cope Jenkinson*, *John King*, *John Mynn*, *William Courthorpe Mabbott*, *Thomas Partington*, *James Powell*, *William Ridge*, the Reverend *Edward Rebert Raynes*, *John Spratt Rainier*, Sir *John Shelley* Baronet, Sir *George Shiffner* Baronet, the Reverend *George Shiffner*, *Matthias Slye*, *Inigo Thomas*, *George Thomas Thomas*, the Right Honourable *John Trevor*, *Thomas Tourle*, *John Harry Willard*, *Nicholas Willard* of *Eastbourne*, *Thomas Woodward*, the Reverend *Harry West*, *George Wilmot*, and their Successors, to be elected in Manner herein-after mentioned, shall be and are hereby appointed Trustees for making, amending, widening, diverting, altering, straightening, improving, and keeping in Repair the said Turnpike Road by this Act intended to be made, amended, widened, diverted, altered, straightened, improved, and kept in Repair, and for otherwise putting this Act in Execution.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees or any Five or more of them, at their First Meeting herein-after directed, or at any subsequent Meeting to be held for that Purpose (of which subsequent Meeting, and of the Purpose thereof, Twenty Days Notice shall be given as is herein-after directed), to elect and appoint any Number of Persons, not exceeding Five in the whole, to be Trustees for executing

executing this Act, in addition to the Truſtees hereby appointed; and ſuch Truſtees ſo to be elected and appointed ſhall be and are hereby inveſted with the ſame Powers and Authorities for executing this Act as if they had been named and appointed by this Act.

For electing new Truſtees.

V. And be it further enacted, That when and as often as any of the Truſtees hereby appointed, or to be appointed by virtue hereof, ſhall die, or by Bankruptcy, Inſolvency, or otherwiſe, become diſqualified to act, or refuſe to act, it ſhall be lawful for the remaining or ſurviving Truſtees or any Five or more of them, at any Meeting of which, and of the Purpoſe whereof, Twenty Days Notice ſhall be given as is herein-after directed, to elect and appoint One or more Perſon or Perſons to be a Truſtee or Truſtees in the Room of the Truſtee or Truſtees ſo dying, becoming diſqualified, or refuſing to act as aforeſaid; and every Perſon ſo elected and appointed ſhall be inveſted with the ſame Powers and Authorities for executing this Act as if he had been hereby named and appointed a Truſtee.

Qualifications of Truſtees.

VI. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act (except in adminiſtering the Oath or Affirmation following), unleſs he ſhall at the Time of his acting be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment, or Receipt of the Rents and Profits of a Real Eſtate in Lands, Tenements, or Hereditaments, in the County of *Suſſex*, of the clear yearly Value of One hundred Pounds above Reprizes, or ſhall be Heir Apparent of a Perſon ſo poſſeſſed or receiving the Rents and Profits of a like Real Eſtate of the clear yearly Value of Three hundred Pounds above Reprizes, nor before he ſhall have taken, and alſo ſubſcribed in a Book to be kept for that Purpoſe, the Oath or Affirmation herein-after mentioned before any Three or more of the ſaid Truſtees, who are hereby authorized and empowered to adminiſter the ſame; (that is to ſay),

Oath.

'I *A. B.* do ſwear (*or, being one of the People called Quakers*, do ſolemnly affirm), That I am truly and *bona fide* in my own Right (*or* in the Right of my Wife) in the actual Poſſeſſion or Receipt of the Rents and Profits of a Real Eſtate in Law or Equity, in Lands, Tenements, or Hereditaments, in the County of *Suſſex*, of the clear yearly Value of One hundred Pounds above Reprizes. (*And in caſe of an Heir Apparent*), I *A. B.* do ſwear, That I am Heir Apparent of *C. D.* who, to the beſt of my Knowledge and Belief, is truly and *bona fide* in the actual Poſſeſſion or Receipt of the Rents and Profits of a Real Eſtate in Law or Equity, in Lands, Tenements, or Hereditaments, in the County of *Suſſex*, of the clear yearly Value of Three hundred Pounds above Reprizes; and that I will truly, faithfully, and impartially execute the Powers and Truſts repoſed in me, by an Act paſſed in the Fifty-ninth Year of the Reign of His Majeſty King *George* the Third, intituled (*here ſet forth the Title of this Act*). So help me GOD.'

Truſtees intereſted or holding Places of Profit, or

VII. Provided always, and be it further enacted, That no Perſon appointed or to be appointed a Truſtee for putting this Act in Execution, ſhall be capable of acting as ſuch during the Time he ſhall hold any Place or Employment of Profit under this Act, or under the Truſtees acting in Execution



Execution thereof, and that no Perſon ſhall be capable of being appointed a Truſtee, or of acting as ſuch, during the Time he ſhall keep a Victualing Houſe or other Houſe of public Entertainment, or who ſhall ſell Wine, Cider, Beer, Ale, Spirituous or other Strong Liquors by Retail, or who ſhall be intereſted or concerned in any Contract under this Act, or who ſhall be a Leſſee or Farmer of the Tolls, or of any Part or Parts thereof under this Act; and if any Perſon or Perſons not being qualified as aforeſaid, or being diſqualified by any of the Cauſes aforeſaid, ſhall nevertheleſs act as a Truſtee in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, with full Coſts of Suit, by Action of Debt, or on the Caſe, or by Bill, Plaint, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and it ſhall be incumbent on the Perſon ſo ſued or proſecuted to prove that he is qualified, and not diſqualified by any of the Cauſes aforeſaid, or otherwiſe to pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act: Provided nevertheleſs, that all Acts and Proceedings touching the Execution of this Act, which ſhall be done or performed by any ſuch Perſon previous to his being convicted of the Offence before mentioned, ſhall be as valid and effectual as if ſuch Perſon had been qualified according to the Directions of this Act: Provided always, that no Mortgagee or Aſſignee of any Mortgage, or other Security, or any Lender of Money upon the Credit of the Tolls hereby granted, or receiving Intereſt thereout for the ſame, ſhall on that Account be deemed diſqualified to act as a Truſtee in the Execution of this Act: Provided alſo, that any Truſtee appointed, or to be appointed by or under this Act, who is or ſhall be a Juſtice of the Peace, may act as ſuch in the Execution of this Act, except only in Caſes in which he ſhall be perſonally intereſted, otherwiſe than as a Mortgagee of the Tolls granted by this Act.

keeping Victualling Houſes, &c. not to act.

Truſtees may act as Juſtices.

VIII. And be it further enacted, That the ſaid Truſtees ſhall meet at the County Hall in *Lewes* aforeſaid on the Second *Tueſday* next after the paſſing of this Act, between the Hours of Eleven in the Forenoon and Two in the Afternoon, or as ſoon after as conveniently may be, and ſhall then proceed to carry this Act into Execution; and the ſaid Truſtees ſhall then, and from Time to Time afterwards, adjourn themſelves and meet at the ſame Place, or at ſuch other Place either in the ſaid Town of *Lewes*, or in the ſaid Pariſh of *Saint Thomas in the Cliff*, or in ſome one of the Pariſhes in which the ſaid Turnpike Road or any Part thereof lies, and at ſuch Times as the ſaid Truſtees ſhall from Time to Time order and direct, provided that no Adjournment ſhall be made for a longer Time than Three Calendar Months; and if at any Meeting appointed to be held by virtue of this Act there ſhall not appear a ſufficient Number of Truſtees to act, or in caſe the Truſtees at any Meeting aſſembled ſhall not adjourn themſelves, the Clerk to the ſaid Truſtees ſhall from Time to Time, as often as ſuch Caſe ſhall happen, by Notice in Writing, to be affixed on all the Toll Gates then ſtanding in, upon, or acroſs the ſaid Turnpike Road, and to be inſerted in one or more of the Newſpapers publiſhed within the ſaid County of *Suſſex*, appoint the ſaid Truſtees to meet at ſome one of the Places aforeſaid on ſome convenient Day, at leaſt Ten Days after

General Meetings.

after the Publication of such Notice in Manner aforesaid: Provided always, that no Business shall be done or proceeded upon by the said Trustees at any Meeting (except the First Meeting to be held under this Act) before the Hour of Eleven in the Forenoon, nor shall any Meeting be appointed to be held at any later Hour than Two in the Afternoon.

General Meetings on Emergencies.

IX. And be it further enacted, That if, after any Adjournment of the said Trustees, it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk to the said Trustees, upon an Order in Writing, signed by any Three or more of the said Trustees, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees (such Meeting not being less than Ten Days after such Notice), and such earlier Meeting shall and may be held accordingly; and all the Orders and Determinations of the said Trustees at all such Meetings shall be as valid and effectual, as they would have been in case such Meetings had been held in pursuance of Adjournments; and the said Trustees, or the Majority of them, at all Meetings to be held in pursuance of this Act, are hereby empowered to make all necessary Orders, Agreements, and Determinations in the Execution of this Act, and no such Order, Agreement, or Determination shall be made, unless the Majority of the Trustees present at such Meeting shall concur therein, such Majority not being less than the Number of Trustees by this Act authorized to make any such Order, Agreement, or Determination; and no such Order, Agreement, or Determination shall be revoked or altered at any subsequent Meeting, unless Special Notice shall be given at least Ten Days before, in the Manner herein-before directed, nor unless a greater Number of the Trustees shall concur in the Revocation or Alteration thereof than concurred in the making of any such Order, Agreement, or Determination; and the said Trustees at all their Meetings shall defray their own Expences, and at every Meeting of the said Trustees a Chairman shall and may be appointed; and when and as often as it shall happen that there shall be an Equality of Votes at any such Meeting upon any Question, including the Vote of the Chairman, then and in every such Case it shall and may be lawful to and for the Chairman to give the decisive or casting Vote.

Orders and Proceedings may be made by Three Trustees.

X. And be it further enacted, That all Acts, Proceedings, Matters, and Things in or relative to the Execution of this Act, may be done and executed by any Three or more of the Trustees appointed, or to be appointed by or under this Act, except only in Cases herein particularly directed to be done and executed by any greater or less Number of them.

For appointing Clerks, Treasurers, and other Officers.

XI. And be it further enacted, That the said Trustees may, and they are hereby empowered from Time to Time, by Writing under their respective Hands, to appoint one or more Collector or Collectors of the said Tolls, and Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors of the said Turnpike Road, and such other Officers as they the said Trustees shall think necessary, and from Time to Time to remove such Collectors, Clerks, Treasurers, Surveyors, and other Officers, or any of them; and on the Removal, Death, or Resignation of any such Collectors,





tors, Clerks, Treasurers, Surveyors, or other Officers, to appoint others in their Stead, and may and are hereby authorized and empowered, out of any of the Monies arising by virtue of this Act, to allow and pay to the several Collectors, Clerks, Treasurers, Surveyors, and other Officers, and to such other Person or Persons as shall be assisting them, or any of them, in or about the Execution of this Act, such Salaries, Rewards, and Allowances for their Attendance, Care, Labour, and Services, as the said Trustees shall deem reasonable; and all such Officers and Persons shall from Time to Time, when thereunto required by the said Trustees, deliver to such Trustees, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts, in Writing under their respective Hands, of all Monies which they and every of them respectively shall have received to that Time by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, and not otherwise; and if any such Officer or Person shall refuse or neglect to produce or deliver up such Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Account in Manner aforesaid, or if any such Officer or Person shall refuse or neglect to deliver up to the said Trustees, or to such Person or Persons as they shall appoint, within Three Days after being thereunto required by the said Trustees, all the Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act, then in every or any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the County, Town, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, upon Complaint made to them by Two or more of the said Trustees; and such Justices are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to cause such Officer or Officers, Person or Persons, to be brought before them; and upon his, her, or their appearing, or not being found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts if produced; and if upon the Confession of the Officer or Officers, Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses (which Oath or Oaths such Justices are hereby empowered and required to administer); or upon Inspection of the said Accounts, if produced, it shall appear to such Justices that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may, and they are hereby authorized and required, upon Nonpayment thereof, by Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if such Officer or Officers, or other Person or Persons, shall not appear before the said Justices, unless for some sufficient Excuse alleged, at the Time and Place by them appointed for that Purpose, or if appearing shall refuse or neglect to give and deliver to such Justices an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justices the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her,

her, or their Custody or Power, relating to the Execution of this Act, or to the said Turnpike Road, then and in either of the Cases aforesaid such Justices may, and they are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction of the County, Town, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given and made a true and perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Trustees, and shall have paid such Composition in such Manner as the said Trustees shall appoint (which Composition the said Trustees are hereby empowered to make), or until he shall have delivered up such Books, Papers, and Writings as aforesaid, or made Satisfaction in respect thereof to the said Trustees: Provided always, that no Person who shall be so committed for want of sufficient Distress shall be detained in Prison by virtue of this Act for a longer Space of Time than Six Calendar Months.

Orders and Proceedings to be entered in a Book.

XII. And be it further enacted, That all Orders and Proceedings of the Trustees shall be entered in a Book or Books to be kept by the Clerk to the said Trustees for that Purpose, and be signed by the Trustees present at the Meeting or Meetings at which such Orders or Proceedings shall be from Time to Time made or had, or the major Part of such Trustees, or by their Chairman, and that such Book or Books shall be open at all seasonable Times to the Inspection of any of the Trustees appointed or to be appointed by or under this Act, without Fee or Reward; and such Orders and Proceedings, so entered and signed by such Number of the said Trustees as are empowered by this Act to make such Orders, or carry on such Proceedings, or by the Chairman at any Meeting at which a sufficient Number of the said Trustees attended to make such Orders or carry on such Proceedings, shall be deemed and taken to be original Orders and Proceedings; which said Book or Books, as well as the Book or Books in which the Oath or Affirmation herein-before directed to be taken by the said Trustees shall be entered, and also the Book or Books directed to be kept for registering the Mortgages and Assignments herein-after mentioned; and all Entries in such Books respectively shall and may be read in Evidence in all Courts whatsoever in all Cases of Appeal, and in all Prosecutions, Suits, and Actions, touching any Thing done or to be done by virtue or in pursuance of this Act.

Old Officers may continue till others appointed.

XIII. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers nominated and appointed under or by virtue of the said Acts hereby repealed, or any of them, shall hold and enjoy their several and respective Offices and Employments, until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations, in all Respects whatsoever, as if he or they had been nominated or appointed under or by virtue of this Act.

Treasurers, &c. to give Security.

XIV. And be it further enacted, That the said Trustees shall, and they are hereby required to take sufficient Security from the Treasurer or Treasurers,



surers, Receiver or Receivers, Collector or Collectors, or other Officers to be appointed for the Purposes of this Act, for the faithful Execution of their respective Offices, and no such Treasurer, Receiver, Collector, or other Officer, shall be permitted to enter upon his Office until he shall have given such Security.

Trustees may appoint temporary Collectors.

XV. And be it further enacted, That upon the Death, Incapacity, Absconding, Misbehaving, or Absence, of any Collector or Receiver of Tolls, it shall and may be lawful for any Two or more of the Trustees, though not assembled at any Meeting of the said Trustees, to be held in pursuance of this Act, by Writing under their Hands, to discharge such Collector or Receiver who shall abscond, misbehave, or become incapable, or absent himself, as aforesaid, and to nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue in the Stead of such Collector or Receiver so dying or being discharged; and the Person so appointed, shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all respects, as the Person who shall so die, or be discharged, would have had or been subject to, until the said Trustees, or any Three or more of them, shall, at a Meeting to be holden by virtue of this Act, appoint a Collector of the said Tolls; and if any Collector or Receiver of the said Tolls, who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Children, Family, or Representatives of any Collector or Receiver who shall die, abscond, absent himself, or be discharged, or any other Person or Persons having the Possession of any Toll House or Building, to be erected or continued by virtue of this Act, shall neglect or refuse to deliver up such Possession, for the Space of Fourteen Days after Demand thereof made, and Notice in Writing given for that Purpose by the said Trustees, or by their Clerk or Treasurer, then and in any of the said Cases, it shall and may be lawful for any Justice or Justices of the Peace for the said County of *Sussex*, by Warrant under his or their Hand and Seal, or Hands or Seals, to order any Constable or other Peace Officer for the same County, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and to put the said Trustees, or any Person appointed by any Two or more of them, in Possession thereof.

Books, &c. relative to former Acts to be delivered to Trustees.

XVI. And be it further enacted, That all Persons who are or have been employed, or who have received or shall receive any Tolls or other Money by virtue or on account of the said Acts hereby repealed, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or any Things relating to the said Roads, by the same Acts directed to be improved and repaired, shall account for and pay, and deliver over the same and every Part thereof to the Trustees hereby appointed, in like Manner, and under the like Penalties, as the several Collectors and other Persons receiving any Money by virtue of this Act, are herein-before required to pay or account for the same.

Accounts to be kept of Receipts and Disbursements.

XVII. And be it further enacted, That the said Trustees shall, and they are hereby required, from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such

such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended, for or on Account of the said Turnpike Road, and of the several Articles, Matters, and Things, for which such Sums of Money shall have been disburſed, laid out, and paid, which Book or Books shall at all ſeaſonable Times be open to the Inſpection of the ſaid Truſtees, or any of them, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward, and the ſaid Truſtees and Creditors ſhall and may take Copies of or Extracts from the ſaid Book or Books, or any Part or Parts thereof, without paying any Thing for the ſame; and in caſe the ſaid Clerk ſhall refuſe to permit the ſaid Truſtees or ſuch Creditors, or any of them, to inſpect the ſame, or take ſuch Copies or Extracts as aforeſaid, ſuch Clerk ſhall forfeit and pay any Sum of Money not exceeding the Sum of Five Pounds, to be levied and recovered in Manner herein-after mentioned.

Clerk not to act as Treaſurer, and vice verſâ.

XVIII. And be it further enacted, That it ſhall not be lawful for the ſaid Truſtees to appoint the Perſon who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any ſuch Clerk, the Treaſurer for the Purpoſes of this Act, or to appoint the Perſon who may be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Truſtees; and if any Perſon ſhall act in both the Capacities of Clerk and Treaſurer for the Purpoſes of this Act; or if any Perſon, being the Partner of any ſuch Clerk, ſhall act as Treaſurer, or being the Partner of any ſuch Treaſurer, ſhall act as Clerk in the Execution of this Act, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds, to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed.

Truſtees may ſue and be ſued in the Name of their Clerk.

XIX. And be it further enacted, That the Truſtees appointed, or to be appointed, by or under this Act, may ſue and be ſued in the Name of their Clerk for the Time being, and that no Action which ſhall be brought or commenced by the Direction of or againſt the ſaid Truſtees, or any of them, by virtue or on account of this Act, in the Name of their Clerk, ſhall abate or be diſcontinued by the Death, Incapacity, or Removal, of any ſuch Clerk, or by the Act of ſuch Clerk, without the Conſent of the ſaid Truſtees, or Three of them at the leaſt, at a public Meeting to be held for that Purpoſe; but the Clerk to the ſaid Truſtees for the Time being ſhall be deemed to be Plaintiff or Defendant, as the Caſe may be, in every ſuch Action: Provided always, that every ſuch Clerk, in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended, in purſuance of this Act, ſhall always be reimburſed and paid out of the Monies to be raiſed by virtue of this Act, all ſuch Coſts and Charges as by the Event of any ſuch Proceedings he ſhall be put unto, or become chargeable with, by reaſon of his being made Plaintiff or Defendant therein as aforeſaid.

Toll Gates to be erected.

XX. And be it further enacted, That for the Purpoſe of collecting and receiving the Tolls hereby granted, the Truſtees appointed or to be appointed in or by virtue of this Act, ſhall and may, and they are hereby authorized and required to erect, or cauſe to be erected, Toll Gates in, upon,



upon, or acroſs the ſaid Turnpike Road, at the ſeveral Places herein-after mentioned and deſcribed (that is to ſay), One Toll Gate at *Southram Corner*, in *Southmalling*; One other Toll Gate at the *Beddingham* Croſs-way, in *Beddingham*; One other Toll Gate at *Selmeſton* Fair Place, in *Selmeſton*; One other Toll Gate at the *Cuckmare* River; One other Toll Gate at *Polegate*, where that Part of the ſaid Turnpike Road which leads through the ſeveral Toll Gates aforeſaid, will join the other Part of the ſaid Turnpike Road which leads from *Hailſham* Common to *Eaſtbourne*; and One other Toll Gate at or near *Polegate* aforeſaid, acroſs that Part of the ſaid Turnpike Road which leads from *Hailſham* Common to *Eaſtbourne*; and alſo One Side Gate at *Weſtfirle*, at the Entrance of the Lane commonly called *Ripe Lane*, leading from the Croſs-way at *Stanford* Pound to *Ripe*; and alſo ſuch and ſo many other Toll Gates in, upon, or acroſs ſuch Parts of the ſaid Turnpike Road, and alſo ſuch and ſo many Toll Gates on the Sides of the ſaid Turnpike Road, and in, upon, or acroſs any Lane or Highway that does or ſhall lead into or out of the ſame reſpectively, as they the ſaid Truſtees ſhall think proper and expedient (ſubject nevertheleſs to ſuch Reſtrictions and Directions as are herein-after mentioned or contained concerning the ſame); and alſo ſhall and may erect and provide a Toll Houſe, with ſuitable Buildings, a Garden and other Conveniences, not exceeding Ten Perches of Land, at or near each of the ſaid Toll Gates.

Toll Gates, &c. veſted in Truſtees.

XXI. And be it further enacted, That the Right and Property of and in all and every the Toll Gates, Toll Houſes, and Buildings, erected by virtue of the ſaid recited Acts hereby repealed, or any of them, or to be erected by virtue of this Act, and of and in all the Materials for building the ſame; and alſo of and in all Rails, Poſts, and Fences, which ſhall be provided or uſed for the Purpoſes of this Act; and alſo of and in all Tools, Implements, Stones, Gravel, and other Materials purchaſed, gotten, or had, or to be purchaſed, gotten, or had, for making or repairing the ſaid Turnpike Road, ſhall be, and the ſame are hereby veſted in the ſaid Truſtees, and they are hereby authorized and empowered to apply and diſpoſe of the ſame as they ſhall think fit, for the Benefit of the ſaid Turnpike Road, and to bring, or cauſe to be brought, any Action or Actions, and to prefer and proſecute, or order and direct the preferring and proſecuting of any Information or Informations, Bill or Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, take, carry away, or injure the ſame, or ſhall interrupt them the ſaid Truſtees, or any of their Officers, in the Poſſeſſion thereof; in all which ſaid Proceedings it ſhall be ſufficient to ſtate generally ſuch Toll Gates, Toll Houſes, Buildings, Rails, Poſts, Fences, Materials, Tools, Implements, and other Matters and Things aforeſaid, to be the Property of the Clerk for the Time being to the ſaid Truſtees.

Power to remove Toll Gates, &c.

XXII. 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 as often as they ſhall think proper, to cauſe any of the Toll Gates erected by Authority of the ſaid ſeveral Acts hereby repealed, or any of them, or which ſhall be erected by virtue of this Act, in, upon, or acroſs, or on the Side of the ſaid Turnpike Road, at the ſeveral Places herein-before deſcribed and appointed for that Purpoſe, or any other Toll Gates which ſhall be erected by virtue of this Act, in,

in, upon, or acroſs the ſaid Turnpike Road, or on the Side or Sides of any Part thereof, 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 Turnpike Road as the ſaid Truſtees, or any Five or more of them ſhall, from Time to Time, order and direct; provided that none of the ſaid Toll Gates ſhall be removed as aforeſaid, unleſs Notice in Writing of the Intention to remove the ſame ſhall have been affixed upon all the Toll Gates then ſtanding upon the ſaid Turnpike Road, nor unleſs ſuch Notice ſhall have been advertiſed in ſome Newſpaper, publiſhed in the ſaid County of *Suſſex*, Twenty Days at the leaſt previous to ſuch Order being made.

Power to ſell the preſent or any future Toll Houſes, &c.

XXIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees abſolutely to ſell and diſpoſe of any Toll Houſe or Toll Houſes, erected by virtue of the ſaid Acts hereby repealed, or any of them, or hereafter to be erected by virtue of this Act, and the Ground whereon the ſame may ſtand, with the Outhouſes, Gardens, and Appurtenances thereunto belonging, when they ſhall be conſidered by the ſaid Truſtees uſeleſs and 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 they the ſaid Truſtees can obtain for the ſame; and to convey the ſaid Toll Houſes, Gardens, and Appurtenances, to the Perſon or Perſons who ſhall purchaſe the ſame, as an Eſtate or Eſtates of Inheritance in Fee Simple; and the Perſon or Perſons who ſhall purchaſe the ſame, his, her, or their Heirs or Aſſigns, ſhall, upon Payment of his, her, or their Purchaſe Money to the ſaid Truſtees, or to their Treaſurer or Treaſurers for the Time being, hold and enjoy the Premiſes by him, her, or them ſo purchaſed, diſcharged from all Truſts, and free from all Incumbrances whatſoever, and ſhall not be anſwerable for the Application of his, her, or their Purchaſe Money: Provided always, that ſuch Preference of purchaſing ſhall be given to the Perſon or Perſons from whom any Land on which any ſuch Toll Houſes may have been erected, was purchaſed or taken in Exchange, as is herein-after directed to be given where any Piece or Pieces of Ground, or old Roads not wanted for the Purpoſes of this Act, is authorized to be ſold and diſpoſed of.

Power to take Tolls.

XXIV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Perſon or Perſons to be appointed by virtue of this Act Collector or Collectors as aforeſaid, and they are hereby authorized and required to demand and take (ſubject to the Reſtrictions herein-after mentioned), at each and every of the reſpective Toll Gates and Side Gates, which ſhall be erected by virtue of this Act, in, upon, or acroſs the ſaid Turnpike Road, or any Lane or Highway leading into the ſame, before any Horſe, Beaſt, or other Cattle, or any Coach, Chaiſe, Waggon, Cart, or other Carriage, ſhall be permitted to paſs through the ſame, the ſeveral Tolls and Duties following; (that is to ſay),

For every Coach, Chariot, Landau, Chaiſe, Phaeton, Caravan, Hearſe, or other ſuch like Four-wheel Carriage, the Sum of One Shilling:

For every Horſe or other Beaſt drawing the ſame, the Sum of Three-pence:

For every Chaiſe, Curricle, Gig, Taxed Cart, or other ſuch like Two-wheel Carriage, the Sum of Sixpence:

For





For every Horſe or other Beaſt drawing the ſame, the Sum of Three-pence:

For every Waggon or other ſuch like Four-wheel Carriage, having the Soles or Bottoms of the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Eight-pence:

For every Cart or other ſuch like Two-wheel Carriage, having the Soles or Bottoms of the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Four-pence:

For every Bull, Ox, or Aſs, drawing any ſuch Waggon or other ſuch like Four-wheel Carriage, or any ſuch Cart or other ſuch like Two-wheel Carriage, the Sum of One Penny:

For every Horſe or other Beaſt (except Bulls, Oxen, and Aſſes) drawing the ſame, the Sum of Two-pence:

For every Waggon or other ſuch like Four-wheel Carriage, having the Soles or Bottoms of the Fellies of the Wheels thereof of leſs Breadth than Six Inches, the Sum of One Shilling:

For every Cart or other ſuch like Two-wheel Carriage, having the Soles or Bottoms of the Fellies of the Wheels thereof of leſs Breadth than Six Inches, the Sum of Sixpence:

For every Bull, Ox, or Aſs, drawing any ſuch laſt-mentioned Waggon, or other ſuch like Four-wheel Carriage, or any ſuch laſt-mentioned Cart, or other ſuch like Two-wheel Carriage, the Sum of One Penny Half-penny:

For every Horſe or other Beaſt (except Bulls, Oxen, and Aſſes) drawing the ſame, the Sum of Three-pence:

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 or Neat Cattle, the Sum of Ten-pence *per* Score, and in that Proportion for any leſs Number:

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

For every Horſe or other Beaſt drawing, between the Tenth Day of *October* and the Tenth Day of *April*, any Waggon, Cart, or other Carriage, laden with any Kind of Timber, Plank, Boards, Wood, Bricks, or Tiles, Flints, Iron, Gravel, Coals, Marle, Chalk, or Sand, double the Tolls herein-before enacted in reſpect of ſuch Horſe or other Beaſt; provided that ſuch double Toll 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.

Tolls veſted in Truſtees.

XXV. And be it further enacted, That all and every the Tolls by this Act authorized to be taken, and all and every Sum and Sums of Money which ſhall ariſe and be produced therefrom, ſhall be veſted in the ſaid Truſtees for the Time being, and the ſame and every Part thereof ſhall be paid, applied, diſpoſed of, and aſſigned in ſuch Manner as is herein-after mentioned; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls, ſhall, after Demand thereof made by the Perſon or Perſons ſo authorized to receive the ſame, neglect or refuſe the Payment thereof, or any Part or Parts thereof, it ſhall be lawful for the Perſon or Perſons ſo authorized to ſeize and diſtrain any Horſe or other Cattle, together with their Bridles, Saddles, Harneſs, or Accoutrements, or any Carriage,

together with its Lading, upon which any Toll is by this Act imposed, (but no such Bridle, Saddle, Harness, or Accoutrements, shall be so seized, without detaining and seizing the Horse or other Beast bearing the same), or any of the Goods and Chattels of the Person or Persons neglecting or refusing to pay the same; and if such Tolls, and the reasonable Charges of such Distress and Keeping the same, shall not be paid within the Space of Five Days after the Day of making such Distress, the Person or Persons so distraining shall and may, at any Time or Times thereafter, sell the Horse, Cattle, Beast, Carriage, Goods and Chattels so distrained, and out of the Money which shall arise by such Sale, pay such Tolls, and all reasonable Charges incurred by such Distress and Sale, returning the Overplus of the Money which shall arise by such Sale, and what shall remain unsold (if any), upon Demand, to the Owner or Owners thereof.

and may be levied by Distress.

Additional Toll where Nails not countersunk.

XXVI. Provided always, and be it further enacted, That from and after the Twenty-fifth Day of *March* One thousand eight hundred and twenty-one, if any of the Nails of the Tire of any Wheel of any Waggon, Cart, or other such like Carriage, shall not be countersunk therein, so as not to rise or project above the Surface of such Tire, One-half more than the Tolls herein-before enacted shall be paid for every such Waggon, Cart, or other such like Carriage.

Reduced Tolls on Cylindrical Wheels.

XXVII. Provided also, and be it further enacted, That from and after the Twenty-fifth Day of *March* One thousand eight hundred and twenty-one, the same Tolls as are herein-before enacted in respect of Waggons, Carts, and other such like Carriages having the Soles or Bottoms of the Fellies of the Wheels thereof of less Breadth than Six Inches, and for Horses and other Beasts drawing the same, shall be paid for all Waggons, Carts, and other such like Carriages, and for the Horses and other Beasts drawing the same, of whatsoever Breadth the Soles or Bottoms of the Fellies of the Wheels thereof may be, unless such Soles or Bottoms of the Fellies of such Wheels shall be Cylindrical, (that is to say), of the same Diameter on the Inside next the Carriage as on the Outside, so that when rolling on a flat Surface the whole Breadth thereof shall bear equally on such flat Surface, and that the opposite Ends of the Axletrees of such Carriage, so far as the same shall be inserted in the Naves of the Wheels thereof, shall not form an Angle with each other, but shall be in the Continuance of one straight Line, so that in each Pair of Wheels belonging to such Carriage, the lower Parts which shall rest on the Ground, shall be at the same Distance from each other as the upper Parts of such Pair of Wheels, and that the Heads of the Nails shall be sunk level with the Surface of the Tire of the Wheels.

Gauge to be kept.

XXVIII. And be it further enacted, That an Iron Gauge shall be kept at each of the Toll Gates to be erected upon the said Road, to ascertain the Shape of the said Cylindrical Wheels.

No additional Toll for Overweight on Carriages with Cylindrical Wheels.

XXIX. Provided always, and be it further enacted, That no additional Toll shall be taken or payable for or in respect of any Overweight not exceeding One Ton, with which any Waggon, Cart, or other Carriage may be loaded, the Wheels of which shall be Cylindrical, and formed in the Manner herein-before described, and the Sole or Bottom of the Fellies of which Wheels shall be of the Breadth of Nine Inches.



XXX. And



XXX. And be it further enacted, That every Person paying the said Tolls at the Toll Gate to be erected at *Southram Corner* shall have, and the Collector or Receiver shall and he is hereby required to deliver to him *gratis*, a Note or Ticket denoting such Payment, and the Collector or Receiver of the Tolls at the Toll Gate to be erected at *Beddingham Cross-way* shall, on Production of such Note or Ticket, permit such Person on the same Day to pass through the Toll Gate there with the same Horse or Horses, Beast, or other Cattle, Coach, Chaise, Waggon, Cart, or other Carriage, Toll-free; and in like Manner every Person paying the said Tolls at the *Beddingham Cross-way* Gate shall have, and the Collector or Receiver shall and he is hereby required to deliver to him *gratis*, a similar Note or Ticket, and the Collector or Receiver of the Tolls at *Southram* Gate shall, on Production of such Ticket, permit such Person on the same Day in like Manner to pass through the Toll Gate there Toll-free.

Southram Gate to clear Beddingham Gate, and vice versâ.

XXXI. And be it further enacted, That no Person, who shall have paid Toll for passing through any Toll Gate or Toll Gates upon the said Turnpike Road, 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 with the same Cattle or Carriage, but shall return Toll-free; but no Person shall be permitted to pass a Third Time in any One Day, to be computed as aforesaid, with the same Cattle or Carriage, through any Toll Gate, until he shall pay such and the same Toll as may be demanded and taken from him under and by virtue of this Act upon his first passing, and so *toties quoties* for every Third Time that any Person shall so pass in one and the same Day with the same Cattle or Carriage, the said Tolls shall be demanded of and paid by such Person in such and the like Manner as if it had been the First Time that he had passed through such Toll Gate: Provided always, that no Coach, Waggon, Cart, or other Carriage, nor any Horse or other Beast, passing on the same Day to or from the said Southern End of the South Street of the Parish of *Saint Thomas in the Cliff* to or from *Polegate*, and to or from thence either to or from *Hailsham Common* or *Eastbourne*, shall be charged or chargeable with or liable to pay the Tolls hereby granted at more than Four Toll Gates.

Tolls to be paid but once on the same Day for passing and returning.

Limiting the Number of Tolls.

XXXII. And be it further enacted, That all and every Toll Collector appointed either by the said Trustees, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll Gate erected under or by virtue of the said several Acts hereby repealed, or to be erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front, or on some other conspicuous Part of the Toll House or Toll Gate, immediately upon his coming upon Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty, each of the Letters of such Name or Names to be at least Two Inches in Length and of a Breadth in proportion, and painted in White Letters on a Black Ground or Black Letters on a White Ground; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of this Act, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption;

Penalty on Toll Collectors not putting up their Names, or misbehaving.

Exemption; or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls, or any of them; or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket (where by this Act required so to do) denoting the Payment of the Toll, and naming and specifying the several Gate or Gates freed by such Payment, or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said Road, or shall without sufficient Cause detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to reduce the Tolls at the Toll Gate between East bourne and Hailsham Common.

XXXIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to reduce or lower all or any Part or Parts of the several Tolls hereby granted and directed to be taken at the Toll Gate to be erected at or near *Polegate* aforesaid, across that Part of the said Turnpike Road which leads from *Hailsham Common* to *Eastbourne*, and to raise the same again, not exceeding the Tolls hereby granted: Provided nevertheless, that no such Reduction shall be made unless the Person or Persons who shall be entitled to Five-sixth Parts of the Money which shall then be owing on the Credit of the Tolls hereby granted, shall consent thereto in Writing; and that such Reduction shall not be made unless Notice in Writing of the Meeting to be holden for that Purpose be given, by affixing the same on all the Toll Gates which shall then be standing on the said Turnpike Road, and also by inserting the same in some Newspaper published and circulated in the said County of *Sussex*, Twenty-one Days at least previous to such Meeting, nor unless a Majority (consisting of at least Five) of the Trustees present at such Meeting shall concur in such Reduction.

Exempting Royal Family from Toll.

XXXIV. And be it enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages belonging to His Majesty or any of the Royal Family, or any Horses or Carriages attending His Majesty or any of the Royal Family.

Exemptions from Tolls.

XXXV. And be it further enacted, That no Tolls shall be demanded or taken by virtue of this Act for any Waggon, Cart, or other Carriage, nor for any Horse or other Cattle drawing the same, which shall be employed only in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying and conveying on the same Day, any Stones, Bricks, Lime, Timber, Wood, Gravel, or other Materials to be used for making, building, or repairing the said Turnpike Road, or making or repairing any Bridges, Drains, or Fences thereon; or any Hay not having been stacked, or any Corn in the Straw only, not sold or disposed of, but intended to be laid up in Houses, Outhouses, Barns, or Yards of the Owners thereof, in any of the Parishes in which any Part of the said Turnpike Road lies; or any Ploughs, Harrows, or other Implements of Husbandry to be used in any of the same Parishes, or to any Place for the Purpose of Repair, or from any Place after such Repair; nor for any Waggon, Cart, or other Carriage, nor for any Horse or other Cattle, which



which shall, between the Tenth Day of *March* and the First Day of *November*, be employed only in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Materials for repairing any Highways in any of the Parishes in which any Part of the said Turnpike Road lies: Provided always, that no Exemption from Payment of the said Tolls shall be allowed for any Waggon, Cart, or other Carriage, nor for any Horses or other Cattle drawing the same, which shall, from and after the Twenty-fifth Day of *March* One thousand eight hundred and twenty-one, be employed for any of the Purposes aforesaid, except in carrying Hay or Corn in the Straw, or Ploughs, Harrows, or other Implements of Husbandry, in Manner as aforesaid, unless the Wheels of such Waggon, Cart, or other Carriage, shall be cylindrical, and formed in the Manner before described; and that no Toll shall be demanded or taken by virtue of this Act from any Rector, Vicar, or Curate, residing in any of the Parishes in which any Part of the said Turnpike Road lies, going to or returning from his own Parish Church or Chapel, or visiting his sick Parishioners; nor from any Person or Persons residing in any of the Parishes in which any Part of the said Turnpike Road lies when passing through any Toll Gate to or from his, her, or their proper Parochial Church or Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Worship is ordered by Authority to be celebrated, or to attend the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes; nor for any Horses, Mules, Asses, or Oxen kept within such respective Parishes going to or returning from Work in cultivating Lands therein; nor for any Horses or other Cattle going to or returning from Water or Pasture, or going to or returning from being shod; nor for any Horses or other Cattle towing any Boat, Barge, or Vessel, or any Raft up or down the River *Ouse*, or going in order to tow or returning after having towed the same; nor for any Horses or Carriages of whatever Description employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding the same, or in returning back from conveying the same; nor for Horses of Officers or Soldiers on their March or on Duty; nor for Carriages or Horses, or other Beasts employed in carrying the Arms or Baggage of such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers; nor for any Horse, Mare, or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, or to any Field Officer, Adjutant, or other mounted Officer of Volunteer Infantry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise, provided that all and every such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption, and not otherwise; nor for any Waggon, Cart, or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance, or Barrack, or other Public or Commissariat Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor for any Horses or Carriages travelling with Vagrants sent by legal Passes, or returning after having been so employed; nor for any Horse or Carriage going to or returning from any Election of any Knight or Knights of the Shire to serve in Parliament for the County of *Sussex* on the Day or

or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid (not being entitled thereto), every Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and in all Cases the Proof of the Exemption shall lie on the Person claiming the same: Provided always, that no Toll shall be demanded or taken for any Horse or other Cattle, or for any Coach, Waggon, Cart, or other Carriage, which shall not go or pass more than One hundred Yards upon the said Turnpike Road.

Waggons, &c. conveying Military Stores, not subject to Penalties for Overweight.

XXXVI. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen in any such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways and Turnpike Roads, or in this Act contained to the contrary thereof notwithstanding.

Power to compound for Tolls.

XXXVII. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time, as they shall see convenient, to compound and agree for any Term, not exceeding One Year at any one Time, with any of the Inhabitants of the several Parishes in which any Part of the said Turnpike Road lies, for the passing of all or any Description of their Horses, Cattle, or Carriages through all or any of the Toll Gates to be erected by virtue of this Act; which Composition shall be paid yearly in advance; and in default thereof the Composition or Agreement with the Person or Persons making such Default shall thenceforth be void, and all such Composition Money shall be paid and applied in such Manner as the Tolls are hereby directed to be paid and applied; but no such Composition or Agreement shall be made by less than Five Trustees, nor otherwise than at a public Meeting.

For settling Disputes concerning Tolls.

XXXVIII. And be it further enacted, That if any Dispute shall happen concerning any Toll due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Person distraining to retain such Distress, or the Money arising from the Sale thereof, till the Amount of the Tolls, and the Charges of such Distress, shall be ascertained by some Justice of the Peace for the County of *Sussex*, who, on Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties, or of a Witness or Witnesses, and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as he the said Justice shall think proper; all which Costs and Charges shall and may be forthwith levied and recovered in case of Nonpayment thereof on the Goods and Chattels of the Person or Persons from whom the same shall be due, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) on Demand, after Payment of such Costs and Charges, and the Costs and Charges of making such



such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Toll Gate Keepers not incompetent Witnesses.

XXXIX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise relative to the said Tolls, all and every Person and Persons collecting and managing the same, under the Authority of the said Trustees, or of any Lessee or Lessees of the said Tolls, shall be competent to give Evidence in any such Dispute, Suit, or Litigation, notwithstanding his or their collecting or managing the same as aforesaid.

Penalty on evading Tolls.

XL. And be it further enacted, That if any Person shall, with any Horse, Cattle, Beast, or Carriage, go or pass into the said Turnpike Road, through or over any Land or Ground adjoining thereto (not being a public Highway, and such Person not being the Owner or Occupier, or Servant, or One of the Family of the Owner or Occupier of such Land or Ground) with an Intent to evade the Payment of any of the Tolls by this Act granted; or if any Owner or Occupier of any such Land or Ground shall knowingly or willingly permit or suffer any Person (except as aforesaid) with any Horse, Cattle, Beast, or Carriage whatsoever, to go or pass through or over such Land or Ground, with Intent to evade any of the said Tolls; or if any Person shall give to or receive from any Person, other than the Collectors of the said Tolls, or forge, counterfeit, or alter, any Note or Ticket by this Act directed to be given, with Intent to evade the Payment of the said Tolls or any Part thereof; or if any Person shall forcibly pass through any such Toll Gate with any Horse, Cattle, Beast, or Carriage; or shall unload or cause to be unloaded, any Goods, Wares, or Merchandize, or take off, or cause to be taken off, any Horse or other Beast or Cattle from any Carriage either before or after having passed through any Toll Gate, or having passed through any Toll Gate, shall afterwards add or put any Horse or other Beast to any such Carriage, and draw therewith upon any Part of the said Turnpike Road, so as to increase the Number of Horses or other Beasts drawing the said Carriage, after the same shall have passed through the said Toll Gate, whereby the Payment of all or any of the said Tolls shall or may be evaded; every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Power to lease Tolls.

XLI. And be it further enacted, That the said Trustees shall be, and are hereby empowered, after giving Twenty Days Notice thereof in One of the public Newspapers of the said County of *Sussex*, and also in Writing to be affixed on the Toll Gate, or respective Toll Gates, the Tolls whereof shall be intended to be leased, from Time to Time to lease and demise the Tolls granted by this Act, or any Part or Parts of such Tolls, by public Auction, for any Term not exceeding Three Years at a Time, for the best Price that can be gotten for the same; and to put up and offer the said Tolls to be let at such annual Sum or Sums of Money, and under such Conditions, Covenants, Reservations, and Agreements as they the said Trustees shall think fit, taking such Security for the Payment of such Rents and Performance of the Covenants to be comprised in such Lease or Leases as the said Trustees shall think fit, and the Money arising thereby shall be applied in such Manner as the Tolls so leased are by this Act directed to be applied; and if the said Trustees, at any Meeting for letting the said Tolls, shall be of Opinion that a Combination exists among the Bidders