



ANNO PRIMO & SECUNDO

# GULIELMI IV. REGIS.

\*\*\*\*\*

## Cap. xx.

An Act for more effectually repairing and otherwise improving the several Roads from the South Gate in the Borough of *King's Lynn* into the Parishes of *East Walton*, *Narborough*, *Stoke Ferry*, and *Downham Market*, in the County of *Norfolk*.  
[30th July 1831.]

**W**HEREAS an Act was passed in the Tenth Year of the Reign of His Majesty King George the Third, intituled *An Act for repairing and widening the several Roads from the South Gate in the Borough of King's Lynn into the Parishes of East Walton, Narborough, Stoke Ferry, and Downham Market, in the County of Norfolk*: And whereas an Act was passed in the Thirty-first Year of His said Majesty's Reign, intituled *An Act for continuing and amending an Act of the Tenth Year of His present Majesty, for repairing and widening the several Roads from the South Gate in the Borough of King's Lynn into the Parishes of East Walton, Narborough, Stoke Ferry, and Downham Market, in the County of Norfolk*: And whereas an Act was passed in the Fifty-first Year of His said Majesty's Reign, intituled *An Act to enlarge the Term and Powers of Two Acts of His present Majesty, for repairing the Roads from the South Gate of King's Lynn into the Parishes of East Walton, Narborough, Stoke Ferry, and Downham Market, in the County of Norfolk*: And

[Local.] 4 B whereas

10 G. 3. c. 85.  
31 G. 3. c. 112.  
51 G. 3. c. 16.

whereas the Trustees for executing the said recited Acts have proceeded to put the same into execution, and great Improvements have been made in the said Roads; but several large Sums of Money have been borrowed on the Credit of the Tolls authorized to be collected upon the said Roads by virtue of the said recited Acts, great Part of which Money still remains due and owing and cannot be paid off, nor can the said several and respective Roads mentioned in the said recited Acts be effectually amended, widened, altered, improved, and kept in good Repair, unless the Term granted and continued by the said recited Acts be further continued, and the Tolls arising on the said Roads be altered and increased: And whereas it would be more convenient if the said recited Acts were repealed, and further, better, and more effectual Powers and Provisions made and granted for repairing, maintaining, and otherwise improving the said Roads; but the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: 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 First *Wednesday* next after the passing of this Act the said recited Acts shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Recited Acts  
repealed.

This Act to  
take effect  
for the Pur-  
poses herein  
mentioned.

II. And be it further enacted, That 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 commodious, and from Time to Time repairing and otherwise improving the several Roads herein-after described; (that is to say,) the Road from the South Gate in the Borough of *King's Lynn* to the Milestone on *Hardwick Common*, and from thence, through the Parishes or Hamlets of *Hardwick*, *North Runc-ton*, and *Middleton*, to *Walton Fallgate* in *East Winch*, and from thence through the Parish of *Bilney* to the House formerly in the Use of *Thomas Baker*, and now of *John Youngman*, in *East Walton*, in the said County of *Norfolk*; and from the said *Walton Fallgate* to the West End of *Bilney Bridge* in *Bilney* aforesaid, and from the East End of the same Bridge, through the Parish of *Pentney*, to the West End of a certain other Bridge across the Navigable River called the *Narr*, in *Narborough*, in the said County; and from the said Milestone on *Hardwick Common*, through the Parish of *West Winch*, to the North End of a certain Bridge in *Setchey* called the *Setchey Bridge*, and from the South End of the same Bridge to the Cross Ways in *Tottenhill*, leading to *Downham Market*, in the said County; and from thence, through the Parishes or Hamlets of *Wormegay*, *Foddeston*, *Shouldham Thorpe*, *Stradset*, *West Dereham*, *Wareham*, and *Wretton*, to the Bell in *Stoke Ferry*, in the said County; and from the said Cross Ways in *Tottenhill*, leading to *Downham Market* aforesaid, to the North End of a certain Bridge called *Thieves Bridge*, in *Tottenhill*, and from the South End of the same Bridge, through the Parishes of *Wattlington*, *Runc-ton-with-Holme*, *Wattlington*, *Stow Bardolph*, and *Wimbottisham*, to the Chequers in *Downham Market* aforesaid.

III. And

III. And be it further enacted, That nothing herein contained shall extend to prevent the suing for and recovering any Penalty incurred or to be incurred by any Offence against the Provisions of the said Acts hereby repealed, or any of them, previously to the Commencement of this Act, or to prevent or defeat any Prosecution commenced or to be brought for such Offence; but all Penalties already incurred, or which may be incurred before the passing of this Act, under the Provisions of the said hereby repealed Acts or any of them, may be sued for, and all Encroachments, Nuisances, and other Offences already made or committed, or which may be made or committed before the passing of this Act, against the Provisions of the said hereby repealed Acts or any of them, may be abated or prosecuted, in the same Manner to all Intents and Purposes as if this Act had not been passed.

Nothing herein to prevent the Recovery of Penalties incurred previously to this Act coming into operation.

IV. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Norfolk*, together with Sir *Jacob Astley* Baronet, *Stephen Allen* Clerk, *Stephen Allen* the younger, Clerk, *Thomas Allen*, the Right Honourable *William Cavendish Bentinck* commonly called Lord *William Cavendish Bentinck*, the Right Honourable *George Henry Bentinck* commonly called Lord *George Henry Bentinck*, *Philip Bell* Clerk, *William Bagge*, *Henry Birkbeck*, *William Bagge* the younger, *Richard Bagge*, *Edward Bagge*, *John Prescott Blencowe*, *John Prescott Blencowe* the younger, *Alexander Bowker*, *John Brett* Clerk, *George Barnes* Clerk, *George Brown*, *Henry Waller Coldham*, *John Coldham* Clerk, *John Davy*, *James Dillingham*, *Edward Everard*, *Scarlet Everard*, *William Everard*, *James Elsdon Everard*, *Edward Browne Everard* Clerk, *Salisbury Everard*, *Wallen Everard*, *Edward Edwards* Clerk, *George Edwards*, *Francis Edwards*, *Henry Elsdon*, *Edmund Elsdon*, Sir *William John Henry Browne Folkes* Baronet, *Martin William Browne Folkes*, *William John Browne Folkes*, *Henry Edward Browne Folkes*, *Andrew Fountaine*, *Andrew Fountaine* the younger, *Daniel Gurney*, *Robert Green*, *Frederick William Goldfrap* Clerk, *Ambrose Goode* Clerk, *Ambrose Goode* the younger, Clerk, Sir *Graham Eden Hamond* Baronet, Sir *Thomas Hare* Baronet, *Thomas Hoseason*, *Thomas Pellew Hoseason*, *John Cochrane Hoseason*, *George Hogge*, *George Hogge* the younger, *Martin Hogge* Clerk, *Richard Hamond*, *Anthony Hamond*, *Henry Hoste Henley*, *Henry John Henley*, *Cornish Henley*, *John Turner Hales*, *George Harwood*, *Robert Hales* Clerk, *Derick Hoste*, *Robert Hankinson* Clerk, *Robert Edwards Hankinson* Clerk, *Thomas Hulton* Clerk, *Francis Hulton*, *Henry Helsham*, *Cornelius Pateman Herbert*, *William Hardyman* Clerk, *Hugh Jackson*, *Arthur Iveson* Clerk, *Saint Andrew Saint John*, *Samuel Lane*, *Frederic Lane*, *John Lloyd*, *James Edward Rose Nelson* Clerk, *Edward Roger Pratt*, *Edward Roger Pratt* the younger, *Charles Berners Plestow*, *Algernon Peyton* Clerk, *Edmund Rolfe*, *William Seppings*, *Thomas Johnson Seppings*, *Jonathan Townley* Clerk, *Gale Townley* Clerk, *Thomas Upwood*, *Thomas Thoroughood Upwood* Clerk, *Edmund Wodehouse*, the Honourable *John Walpole*, *William Wilson Lee Warner*, and *John Wing*, and their Successors, being duly qualified to act as Trustees according to the Provisions of the several Acts in force for regulating Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying this Act and the several Acts in force for regulating Turnpike Roads in *England* into full and complete Execution.

Trustees.

V. And

Power to  
appoint ad-  
ditional Trus-  
tees.

V. And be it further enacted, That it shall be lawful for the said Trustees, at their First Meeting to be holden in pursuance of this Act, to elect, nominate, and appoint any Number of fit and proper Persons, (not exceeding Three in the whole,) being duly qualified, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been hereby expressly named and appointed.

First Meet-  
ing of the  
Trustees.

VI. And be it further enacted, That the said Trustees shall hold their First Meeting at the Guildhall or at some other convenient House or Place in the Borough of *King's Lynn* aforesaid, on the First Day of *August* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then and there proceed to put this Act in execution, and shall then and from Time to Time adjourn to meet at such Times and Places at or near the said Roads as the said Trustees or the major Part of them present at any such Meetings shall think proper.

Power to  
take Tolls.

VII. And be it further enacted, That there shall be demanded and taken at each and every Turnpike, Toll Gate, Bar, or Chain now set up and continued or which shall hereafter be set up upon or across or by the Side of the said Roads, by each and every such Person and Persons as the said Trustees shall from Time to Time appoint for that Purpose, or their Lessees, 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, Caravan, Gig, Hearse, Break, Litter, Cart upon Springs of any Kind, or other Four or Two wheeled Carriage of the like Kind, any Sum not exceeding Four-pence :

For every Coach, Waggon, Vehicle, or other Carriage of whatever Description, propelled or drawn by Steam, Gas, or any other like Means, any Sum not exceeding Two Shillings and Sixpence :

For every 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 Three-pence :

For every 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 and a Half Inches and less than Six Inches at the Bottoms or Soles thereof, any Sum not exceeding Three-pence Three Farthings :

For every 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 and a Half Inches at the Bottoms or Soles thereof, any Sum not exceeding Four-pence Halfpenny :

For every Ass drawing any Chaise, Gig, or other Two or Four wheeled Carriage, any Sum not exceeding Two-pence :

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 One Shilling and Eight-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 Five-pence *per* Score, and so in proportion for any less Number :

Which said respective Tolls or Sums of Money shall be and the same are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein mentioned. Tolls vested in Trustees.

VIII. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for any Sheep or Lambs passing through any Toll Gate or Toll Gates or Side Bar or Side Bars erected or to be erected in pursuance of this Act in going to a Place of washing previously to their being sheared, or in returning therefrom after being washed, or for any Sheep going to or returning from any Place used for the clipping of Sheep near the said Roads, or within the said District of Roads or Toll Gates; and if any Person shall in any fraudulent or collusive Manner whatsoever claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, one Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act. Certain Exemptions from Toll.

IX. And be it further enacted, That in case the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Mule, Ass, Beast, or other Cattle through any One of such Toll Gates, Turnpikes, or Side Gates or Chains, by the Person or Persons attending such Horse, Mule, Ass, Beast, or other Cattle, such Horse, Mule, Ass, Beast, or other Cattle shall, upon a Ticket denoting the Payment of Toll on that Day being produced by such Person or Persons attending such Horse, Mule, Ass, Beast, or other Cattle, be permitted to pass Toll-free during the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night) through the same Toll Gate, Turnpike, or Side Gate or Chain, or through such other Toll Gate, Turnpike, or Side Gate or Chain as the Ticket for such Payment shall denote to be free; any thing in this Act contained to the contrary notwithstanding. Tolls to be paid but once a Day.

X. Provided always, and be it further enacted, That no more than Two full Tolls (except as herein provided to the contrary) shall be taken for or in respect of the same Horses, Beasts, or Cattle, or Carriages, in any One Day, for passing and repassing through all the several Toll Gates or Toll Bars upon the said Roads. Limiting the Number of Tolls.

[*Local.*]

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XI. And

Tolls to be  
taken for  
Trucks, &c.

XI. And whereas it has of late become a Practice for low Carts, Trucks, or Carriages with narrow Wheels, and drawn by a Dog or Dogs, and heavily laden, to pass and repass along the said Roads, to the Injury of the same, and to the great Inconvenience and Danger of Persons travelling along the same, it is therefore reasonable and expedient that the same should be subject to the Payment of the Tolls by this Act granted; be it therefore further enacted, That for every Dog drawing any low Cart, Truck, or other Carriage, there shall be paid the Sum of Two-pence at each Toll Gate, Side Bar, or Chain on the said Road.

Stage  
Coaches to  
pay Toll each  
Time of  
passing ;

XII. Provided always, and be it further enacted, That for and in respect of the Horses or other Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Carriage for the Conveyance of Passengers for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike Gate or Bar, the Tolls hereby made payable shall be paid for every Time of passing and repassing through any such 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 in respect of any Stage Coach or Caravan or other Carriage carrying Passengers or Goods for Hire or Reward, on account only of the Horses drawing the same having been changed.

Post Chaises  
on every new  
Hiring ;

XIII. And be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle let out to Hire, and drawing any Post Chaise or other Carriage, for every Time of passing along the said Roads, whenever any new Hiring thereof shall take place.

Steam Car-  
riages every  
Time.

XIV. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of any Carriage propelled or moved by Steam, Gas, or any other like Means, shall be paid every Time of passing and repassing of such Carriage along the said Roads.

Application  
of the Tolls  
and other  
Monies.

XV. And be it further enacted, That out of the Monies already received, by virtue of the said several Acts hereby repealed, on account of the said Roads, and now in the Treasurer's Hands, or out of the first Money which shall arise or be received from the Tolls by this Act granted, or otherwise, the said Trustees shall, in the first place, and in preference to all other Payments whatsoever, pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act ; and the Remainder of all such Monies shall (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Weighing Engines, and other Buildings, Mile Stones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act,) be applied, in the next place, in keeping down the Interest of the Principal Monies advanced or borrowed on the Credit of the Tolls arising on the said Roads by virtue of the said Acts hereby repealed, in preference to the Interest of any Monies to be borrowed on the Credit of this Act ; in the next place, in keeping down the Interest of the Principal Monies which may hereafter

be borrowed on the Credit of this Act; and afterwards in amending, widening, improving, repairing, and preserving the said Roads, and in otherwise putting this and the General Turnpike Acts into execution; and then in repaying the Principal Monies already borrowed on the Credit of the Tolls arising on the said Roads by virtue of the said Acts hereby repealed; and lastly, in repaying the Principal Monies to be borrowed on the Credit of this Act, and to and for no other Use or Purpose whatsoever.

XVI. And be it further enacted, That nothing in this Act contained shall be deemed or taken to prejudice, lessen, or in any way defeat the Powers of the Court of Sewers over such Drains or Works as have been heretofore subject to the Laws of the said Court of Sewers.

Power of  
Court of  
Sewers re-  
served.

XVII. Provided always, and be it further enacted, That nothing herein contained shall empower the said Trustees to apply any of the said Tolls in repairing, widening, altering, or improving any Street within any Town through which the said Road passes, nor shall any Tolls be collected therein by virtue of this Act.

No Money  
to be laid out  
in repair of  
Streets, &c.

XVIII. And be it further enacted, That if any Person or Persons shall exercise Three Horses at the same Time upon any Part of the said Roads, by riding one of them and leading the others abreast, or if any Person shall hang out any Linen or other Clothes within Forty Feet from the Centre of the said Roads or any of them, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for  
exercising  
Three Horses  
abreast, or  
hanging  
Clothes near  
the Road.

XIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

XX. And be it further enacted, That this Act shall commence upon the First *Wednesday* next after the passing thereof, and shall continue and be in force and be executed 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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THE  
OFFICE OF THE  
SECRETARY OF THE  
NAVY  
WASHINGTON, D. C.  
JANUARY 10, 1900

TO THE  
HONORABLE  
MEMBERS OF THE  
NAVY  
DEPARTMENT  
WASHINGTON, D. C.

THE  
OFFICE OF THE  
SECRETARY OF THE  
NAVY  
WASHINGTON, D. C.  
JANUARY 10, 1900

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