



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. xxi.

An Act for more effectually repairing the Roads from the Borough of *King's Lynn*, and other Roads therein mentioned, and for making a new Line of Road at *Castle Rising*, all in the County of *Norfolk*.
[30th *July* 1831.]

WHEREAS 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 Roads from the East Gate in the Borough of King's Lynn into the Parishes of Geyton and Grimstone, and to the Gate next Hillington on Congham Common, and to the North End of Babingley Lane, 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 an Act of the Tenth Year of His present Majesty, for repairing and widening the Roads from the East Gate in the Borough of King's Lynn into the Parishes of Geyton and Grimstone, and to the Gate next Hillington on Congham Common, and to the North End of Babingley Lane, 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 East Gate of King's Lynn, to the North End of Babingley Lane, and to extend the Road from thence to Darsingham, in the County of Norfolk*: And whereas the Trustees for executing the said recited Acts have proceeded to put the

10 G.3.c.86.
31 G.3.c.113.
51 G.3.c.17.

[*Local.*] 4 D same

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 and described in the said recited Acts, nor the new Line of Road herein-after mentioned, be effectually made, diverted, improved, and kept in good Repair, unless the Terms 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 a great Accommodation to the Neighbourhood, and of great public Utility, if Powers were granted to make and maintain a new Line of Road leading from the South-west Corner of a Blacksmith's Shop, near the Public House called the *Cholmondeley Arms*, in the Occupation of *Thomas Chamberlain*, in the Parish of *Castle Rising*, to pass by and through a Piece of Pasture Land belonging to the Right Honourable Lord *Henry Cholmondeley* commonly called Lord *Henry Cholmondeley*, containing about Three Roods, in the Occupation of the said *Thomas Chamberlain*, and along Part of a certain Lane called *Mill Lane* otherwise *School Lane*, adjoining the Piece of Land in the Occupation of the said *Thomas Chamberlain*, and also by and through a Piece of Arable Land belonging to the said Right Honourable Lord *Henry Cholmondeley*, containing about One Acre and a Half, in the Occupation of *Henry Wright*, in a south-easterly Direction, to join the present Turnpike Road at or near the Almshouses in *Castle Rising* aforesaid, and thereby avoiding several very dangerous Turnings on the present Turnpike Road : And whereas it would be expedient, that when the said new Line of Road is completed, that the present Turnpike Road leading from the South-east Corner of a Public House called the *Black Horse*, in *Castle Rising* aforesaid, to the South-east Corner of a Wall inclosing the Churchyard in *Castle Rising* aforesaid, should no longer be a Turnpike Road, and that Part of the said Road from the South-west Corner of the said Churchyard to the South-east Corner thereof should be given to the said Lord *Henry Cholmondeley* for and towards a Compensation for the Land to be taken for making the said new Line of Road, and that the Trustees for executing this Act should be discharged from the Care and Management thereof : And whereas it would be more convenient if the said recited Acts were repealed, and further, better, and more effectual Powers and Provisions granted instead thereof, as well for repairing, amending, widening, diverting, and otherwise improving the said Roads comprised in the said recited Acts, as for making and maintaining the new Line of Road herein mentioned ; 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.

II. And

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, altering, making more commodious, and from Time to Time repairing and otherwise improving the several Roads herein-after described; (that is to say,) the Road from the East End of a certain Bridge in the Borough of *King's Lynn* (whereon lately stood the East Gate) to the Corner House in *Gaywood*, and from thence through the Parishes of *Myntlin*, *Bawsey*, and *Leziate*, to the Guide Post where the Road from *Hillington* to *Swaffham* crosses this Road in the Field of the Parish of *Geyton* in the County of *Norfolk*, and from the said Corner House in *Gaywood* to the South-east End of a certain Bridge in *Gaywood* aforesaid, called *Double Bridge*, and from the North-west End of the same Bridge to *Wootton Gaps* in *South Wootton*, and from thence to *Rising Lodge* in *Castle Rising*, and from thence through the Parish of *Roydon* to the North-east Corner of a Close or Piece of Land called the *Saffron Close*, in *Grimstone* in the said County, and from the said *Rising Lodge* to the East End of a Piece of Land, late Part of the Common of *Congham* in the County aforesaid, and next and adjoining the Parish of *Hillington* in the said County, and from the said *Wootton Gaps*, through the Parish of *Castle Rising* aforesaid, to the South End of a certain other Bridge called *Babingley Bridge*, in *Babingley*, and from the North End of the same Bridge to the North End of *Babingley Lane* in *Babingley* in the said County, and from thence, through the Parishes of *Babingley*, *Woolferton*, and *Sandringham*, to the Sign of the *Dun Cow* in *Darsingham* in the said County; and also a new Line of Road at *Castle Rising* aforesaid, diverting out of the said Road, through the said Two several Pieces of Land in the several Occupations of the said *Thomas Chamberlain* and *Henry Wright*, and along Part of the said Lane called *Mill Lane* otherwise *School Lane*, adjoining the Piece of Land in the Occupation of the said *Thomas Chamberlain*, to join the present Turnpike Road at or near the Almshouses in *Castle Rising* aforesaid.

This Act to take effect for the Purposes herein mentioned.

III. Provided always, and be it further enacted, That until the new Line of Road hereby directed to be made Turnpike shall be made fit for the Passage of Cattle, Carts, and Carriages, and shall be certified so to be by Two of His Majesty's Justices of the Peace acting for the said County of *Norfolk*, it shall be lawful for the said Trustees to continue, maintain, and make use of the present Course of the said Road through *Castle Rising* aforesaid, directed by some or one of the said recited Acts to be made and kept in repair; and the Trustees for executing this Act shall be discharged from the Care and Management of the remaining Part of such old Road as is not given up to the said Lord *Henry Cholmondeley* in part Compensation for the Land and Premises to be taken for making the said new Line of Road, when the said new Line of Road is completed, and certified so to be as aforesaid.

Old Road now used as Turnpike to continue until the new one is completed.

IV. And be it further enacted, That when the said new Line of Road is completed, that Part of the said old Road from the South-west Corner of the said Churchyard in *Castle Rising* aforesaid to

Trustees may give up Part of old Turnpike Road the towards

Compensation for new Line of Road.

the South-east Corner thereof shall be given up by the said Trustees to the said Lord *Henry Cholmondeley* for and towards a Compensation for the Land and Premises which shall be taken for making the said new Line of Road.

Trustees.

V. 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 Brown 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*, *Frederic 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 Thorogood Upwood* Clerk, *Edmond 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.

Power to appoint additional Trustees.

VI. 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

appointed shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been hereby expressly named and appointed.

VII. 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.

First Meeting of the Trustees.

VIII. And whereas a Map or Plan describing the new Line of Road by this Act intended to be made, and of the Lands, Hereditaments, and Premises through or over which the same is intended to be carried or made, together with a Book of Reference containing a List of the Names of the Owner and Occupiers of such Lands, Hereditaments, and Premises through which the said new Line of Road is intended to pass, have been deposited at the Office of the Clerk of the Peace for the said County of *Norfolk*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at any seasonable Time or Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying to the Clerk of the Peace for the said County for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of such Map or Plan and Book of Reference; and the said Trustees, in making the Road described in such Map or Plan, shall not deviate more than One hundred Yards from the Lines described in such Map or Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such new Line of Road shall be made.

Plan deposited with the Clerk of the Peace to remain there, and be open to Inspection.

Trustees not to deviate from Plan.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make and maintain as Turnpike Road a new Line of Road leading from the South-west Corner of a Blacksmith's Shop near the Public House called the *Cholmondeley Arms*, in the Occupation of the said *Thomas Chamberlain*, in the Parish of *Castle Rising*, to pass through and across a Piece of Pasture Land belonging to the said Lord *Henry Cholmondeley*, in the Occupation of the said *Thomas Chamberlain*, and along Part of the said Lane called *Mill Lane* otherwise *School Lane*, adjoining the Piece of Land in the Occupation of the said *Thomas Chamberlain*, and also through and across a Piece of Arable Land belonging to the said Lord *Henry Cholmondeley*, in the Occupation of *Henry Wright*, in a south-easterly Direction, to join the present Turnpike Road at or near the Almshouses in *Castle Rising* aforesaid; and for the Purpose aforesaid it shall be lawful for

Trustees may make and maintain a new Line of Road.

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the Trustees for executing this Act, their Surveyor and Workmen; with or without Carriages and Cattle, from Time to Time to enter into and upon, purchase, take, and use, the Lands and Premises through which or whereupon the said new Line of Road hereinbefore described and hereby authorized to be made and kept in repair is intended to pass, and also any adjoining Lands or Grounds, and to stake out the Road or Alteration, and to make Drains or Ditches through or into any Lands or Grounds adjoining or lying contiguous to any Part thereof, in such Manner as the said Trustees shall think necessary or proper, first making Satisfaction to the Owners and Occupiers of such Lands and Grounds for the Damages that shall be thereby occasioned.

Lands marked in the Plan may be used, notwithstanding Errors in the Book of Reference.

X. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Branch Road into, through, across, or over the Lands, Buildings, Tenements, and Hereditaments described in the said Map or Plan and Book of Reference, or in the Schedule hereunto annexed, although the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may happen to be omitted or mis-stated in the said Book of Reference or in the Schedule to this Act annexed, in case it shall appear to any Two or more Justices of the Peace for the said County of *Norfolk*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake only, or that the real Owners or Occupiers of such Lands, Houses, Buildings, or Premises had Notice that the same would be wanted for the Purposes thereof.

Trustees restrained from pulling down Dwelling Houses, &c. without Con-

XI. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for making, maintaining, widening, diverting, improving, or altering the said Road and Branch Road, shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down, injure or damage, any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first had and obtained, except such as are mentioned or specified in the Schedule to this Act annexed: Provided always, that if the said Trustees shall not, within the Space of Five Years (to be computed from the passing of this Act), cause to be valued and paid for the several Messuages and other Buildings, Tenements, Gardens, Yards, Paddocks, and Plantations which they are hereby empowered to purchase, take, and use, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers which are hereby given them for such Purpose only shall cease, determine, and be utterly void, save and except with the Consent of the Owners or Proprietors and Occupiers thereof respectively.

Power to take Tolls.

XII. 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
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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,)

For every Horse or other Beast (other than an Ass) drawing any Tolls.

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 Bottoms 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 Tolls vested are hereby vested in the said Trustees, and shall be applied for the in Trustees. the Purposes of this Act in manner herein mentioned.

XIII. 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

Not to prevent the Recovery of Penalties incurred previously to

this Act
coming into
operation.

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.

Exemptions
from Toll.

XIV. 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.

Tolls to be
paid but once
a Day.

XV. 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.

Limiting the
Number of
Tolls for
passing all
the Gates.

XVI. 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.

Tolls to be
taken for
Trucks, &c.

XVII. 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

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.

XVIII. 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.

Stage
Coaches to
pay each
Time of pass-
ing;

XIX. 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.

Post Chaises,
on every new
Hiring.

XX. 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.

Steam Car-
riages to pay
every Time
of passing.

XXI. 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, Milestones 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, diverting, 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

Application
of the Tolls
and other
Monies.

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borrowed

borrowed on the Credit of this Act, and to and for no other Use or Purpose whatsoever.

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

XXII. 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.

Power of Court of Sewers reserved.

XXIII. Provided always, 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.

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

XXIV. 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.

Public Act.

XXV. 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.

Term of Act.

XXVI. 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.

The SCHEDULE to which the foregoing Act refers.

Mark on Map or Plan.	Description of the Premises.	Owner.	Occupiers.
A.	Blacksmith's Shop, Yard, Stable, and Pasture Land }	Lord Henry Cholmondeley }	Thomas Chamberlain.
B.	Arable Land - -	- - Ditto - -	Henry Wright.

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