



ANNO TERTIO

# GULIELMI IV. REGIS.

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## Cap. xv.

An Act for more effectually repairing the Road from the City of *Norwich* to the Windmill in the Town of *Watton* in the County of *Norfolk*, and for making a new Branch of Road to communicate therewith. [29th *March* 1833.]

**W**HEREAS an Act was passed in the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending and widening the Road from Saint Stephen's Gate in the County of the City of Norwich to the Windmill in the Town of Watton in the County of Norfolk*: And whereas an Act was passed in the Thirtieth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for continuing and amending an Act of the Tenth Year of His present Majesty, for amending and widening the Road from Saint Stephen's Gate in the County of the City of Norwich to the Windmill in the Town of Watton in the County of Norfolk*: And whereas an Act was passed in the Fifty-second Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to continue and amend Two Acts, of the Tenth and Thirtieth Years of His present Majesty, for amending and widening the Road from Saint Stephen's Gate in the County of the City of Norwich to the Windmill in the Town of Watton in the County of Norfolk*: And whereas an Act was passed in the Second Year of the Reign of His present Majesty King *William* the Fourth, intituled *An Act to amend the Acts for regulating Turnpike Roads in England, so far as they relate to certain Exemptions from Toll*: And whereas the Trustees acting under or by virtue of the said first Three recited

[Local.] 3 E Acts

10 G. 3. c. 77.  
30 G. 3. c. 104.  
52 G. 3. c. 3.  
2 W. 4. c. 25.



Acts have proceeded to put the same in execution, and have from Time to Time borrowed considerable Sums of Money upon the Credit of the Tolls thereby granted, of which Money a considerable Part still remains due and cannot be repaid, nor can the said Road nor the new Line of Road herein-after mentioned be effectually made, amended, diverted, improved, and kept in repair, unless the Term granted and continued by the said Acts be further continued, and the Tolls varied, altered, or 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 Plasterer's Shop in the Occupation of *Samuel Blyth* in the Parish of *Saint Giles* in the County of the City of *Norwich*, to pass in an Easterly Direction by and through certain Yards or Parcels of Land, Part of the City Moat, and belonging to the Corporation of the City of *Norwich*, or *Elizabeth Strickland* and *Sarah Rogerson*, as joint Lessees of the said Corporation, and in the Occupations of the said *Samuel Blyth* and *Sherringham Pank* respectively, and also along or through the City Wall in the said Parish of *Saint Giles*, to terminate at or near the North-west Corner of *Chapel Field* in the said Parish of *Saint Giles* where the said new Line of Road will join a public Road called *Chapel Field Road*: And whereas it will be expedient that when the said new Line of Road is completed that the present Turnpike Road, leading from the North-east Corner of a Garden in the Occupation of *Walter Worth*, in the Hamlet of *Heigham* in the said County of the City of *Norwich*, to *Saint Stephen's Gate* aforesaid, should no longer be a Turnpike Road, and that the Trustees for executing this Act should thenceforth be discharged from the future Care, Repair, and Management thereof: And whereas it would be more convenient if the said first Three 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 Road comprised in the said recited Acts, as for making and maintaining the new Line of Road herein-before 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 passing of this Act the said recited Acts passed in the Tenth, Thirtieth, and Fifty-second Years of the Reign of His said Majesty King *George* the Third shall be and the same are hereby declared to be repealed.

Recited Acts  
repealed.

This Act to  
be put in exe-  
cution in-  
stead thereof.

II. And be it further enacted, That this Act shall from thenceforth commence, take effect, and be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, altering, and from Time to Time repairing and otherwise improving, the Road leading from *Saint Stephen's Gate* in the County of the City of *Norwich* to the Windmill in the Town of *Watton* in the County of *Norfolk*, and also for the Purpose of making and maintaining the said new Line or Branch of Road through



through the said Two several Yards or Parcels of Land, Part of the City Moat, in the several Occupations of the said *Samuel Blyth* and *Sherringham Pank*, and also through Part of the said City Wall, to join a public Road called *Chapel Field Road* at the North-west Corner of the said Field called *Chapel Field*.

III. And be it further enacted, That the Trustees for executing this Act shall be discharged from the Care and Management of such Part of the present Turnpike Road as lies between the North-east Corner of the Garden in the Occupation of the said *Walter Worth*, in the Hamlet of *Heigham* in the County of the City of *Norwich*, and *Saint Stephen's Gate* aforesaid, when the said new Piece or 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 any Two of His Majesty's Justices of the Peace acting for the County of *Norfolk*: Provided always, that until such Certificate shall be made by the said Justices the said Trustees shall maintain and keep in repair the said Part of the Turnpike Road as lies between the North-east Corner of the said Garden in the Occupation of *Walter Worth* and *Saint Stephen's Gate* aforesaid.

Trustees discharged from the Care of a Part of the old Road when the new Piece shall be completed ;

until then the old Road to continue.

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 *John Barker*, *Benjamin Barker* Clerk, *Wyrly Birch*, *Charles Bringloe*, *William Lyde Wiggett Chute*, *Samuel Colby* Clerk, *John Stevenson Cann* Clerk, *Edward Dewing*, *Bartholomew Edwards* Clerk, *Thomas L'Estrange Ewen*, *John Evans* Clerk, *Thomas Farrer*, *Theophilus Thornhagh Gurdon*, *Brampton Gurdon*, *Philip Gurdon* Clerk, *Sir Henry Goodricke* Baronet, *John Joseph Gurney*, *Richard Hanbury Gurney*, *Samuel Heyhoe Le Neve Gilman*, *Edward Case Gilman*, *Robert Hurnard*, *John Harvey*, *Sir Robert John Harvey* Knight, *Edward Lombe*, *Thomas Mann* Clerk, *John Morse*, *John Bayfield Nettleship*, *Jehosophat Postle*, *Edward Postle* Clerk, *Richard Priest*, *John Patterson*, *Henry Partridge*, *Robert Swallow*, *Sir Richard Sutton* Baronet, *John Basely Tooke*, *Robert Thorne*, *Richard Bohun Tomkyns* Clerk, the Honourable *John Wodehouse*, *Henry Wodehouse*, the Honourable *Philip Wodehouse*, the Honourable *Armine Wodehouse* Clerk, the Honourable *William Wodehouse* Clerk, *Edmond Wodehouse*, *Charles Nource Wodehouse* Clerk, *John Weyland*, *James Willins* Clerk, 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 amending, widening, altering, and otherwise improving and keeping in repair the said Road, and for making and maintaining the said new Line or Branch of Road, and for otherwise carrying this Act into full and complete Execution.

Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered from Time to Time, at any Meeting to be held for that Purpose, (of which Meeting and of the Purpose thereof Ten Days Notice shall be given as is directed by the Acts in force relating to Turnpike Roads in *England* respecting the Appointment of Trustees on Vacancies,) to elect, nominate,

Power to appoint additional Trustees.



nominate, and appoint any Number of fit Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees, when so elected and appointed, shall have the same Powers and Authorities as if they had been named and appointed Trustees in or by this Act.

First Meeting of the Trustees.

VI. And be it further enacted, That the said Trustees shall hold their First Meeting at the *White Hart Inn*, or some other convenient Place in *Hingham* in the said County of *Norfolk*, on the First *Tuesday* in the Month of *April* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven 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 and may then and from Time to Time afterwards adjourn to and meet at such Times and Places in *Hingham* aforesaid, or elsewhere in the Neighbourhood of the said Road, as the said Trustees, or the major Part of them present at such respective Meetings, shall think proper and appoint.

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

VII. And whereas a Map or Plan describing the new Line or Branch 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 Owners or reputed Owners and the 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 City and County of the City of *Norwich*; 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 and Extracts thereof, at their Will and Pleasure, paying to the Clerk of the Peace for the said City and 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 or Branch of Road shall be made.

Limiting Deviation from Plan.

Power to make new Line of Road.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered, to set out, make, and complete the said new Line and Piece of Road herein-before described in such Manner and Form and of such Width as the said Trustees may think proper, not exceeding the Width of Forty-five Feet; and from and after the making and Execution thereof the same shall be and be deemed to be a public Highway to all Intents and Purposes, and shall be deemed and taken to



to be a Part of the Turnpike Road from the City of *Norwich* to the Windmill in the Town of *Watton* in the County of *Norfolk*; and for which Purpose the said Trustees are hereby authorized and empowered to make the same in, upon, over, or along any Lands, Grounds, Tenements, or Hereditaments described in the Map or Plan and Book of Reference herein-before mentioned, together with such Footpaths, Causeways, Bridges, Culverts, Arches, Ditches, Drains, Fences, and other necessary Works as they shall think necessary or expedient, and to take, pull down, or remove, and take and use, any Dwelling Houses, Outhouses, Edifices, Buildings, Yards, Gardens, Orchards, or other Hereditaments mentioned and set forth in the Schedule to this Act annexed, upon making Satisfaction for the same to the Owners of the said Hereditaments and Premises and other Persons interested therein, or for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyor or Surveyors, and Workmen, from Time to Time to enter upon the said several Lands and Premises, and to stake out the same for the Purposes of this Act, at such Time or Times and in such Manner as the said Trustees shall think necessary or expedient, without such Trustees, Surveyor or Surveyors, or Workmen, being deemed Trespassers or a Trespasser for or by reason of such Entry, or being subject or liable to any Fine, Penalty, or Punishment for or by reason of such Entry; and if any Person shall displace, remove, or take away or destroy any Stake or Stakes used in such staking aforesaid, or any Marks used for that Purpose, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

IX. Provided always, and be it further enacted, That if any of the Lands and other Hereditaments and Premises to be taken or used for the Purposes of this Act have happened not to be described in the said Map or Plan, or any Part or Parts thereof shall happen to be omitted, misnamed, or inaccurately described in the said Book of Reference, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of this Act, but the several Lands and other Hereditaments and Premises, and every Part thereof, shall and may be taken and used for the Purposes of this Act as fully and effectually to all Intents and Purposes as if the Names of the Owners and Occupiers of the same had not been omitted, or such Owners or Occupiers had been properly and accurately named, provided it shall appear to any Two or more Justices of the Peace for the County of *Norfolk*, and be certified under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only.

Misnomer not to prevent the Execution of the Act.

X. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for making, maintaining, widening, diverting, altering, or improving the Road comprised in this Act, and making the said new Line or Branch of Road, shall not extend or be construed to extend to authorize or empower the said Trustees to take or pull down, injure or damage, any Dwelling House or

Trustees restrained from pulling down Dwelling Houses, &c. without Consent, except those speci-

[*Local.*]

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other



fied in the  
Schedule.

other Building, or to take or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, Plantation, 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 and specified in the Schedule to this Act annexed.

Limiting the  
Period of pur-  
chasing the  
Property.

XI. And be it further enacted, That if the said Trustees shall not within the Space of Three Years from and after the passing of this Act agree for and cause to be valued and paid for the Lands, Tenements, and Hereditaments wanted for the Purposes of this Act, and mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers to them granted for such Purpose only shall cease, determine, and be utterly void and of no Effect, (save and except with the Consent of the Owners and Occupiers of such Lands, Tenements, and Hereditaments,) any thing herein contained to the contrary thereof in anywise notwithstanding.

Power to take  
Tolls.

XII. And be it further enacted, That there shall be demanded and taken at each and every Turnpike, Toll House, or Toll Gate, Bar or Chain, now erected, set up, and continued, or which shall hereafter be erected or set up, upon or across or by the Side of the said Road, 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, Mule, or other Beast (except an Ass) drawing any Coach, Stage Coach, Landau, Barouche, Chariot, Curricle, Berlin, Phaeton, Chaise, Calash, Hearse, Gig, Chair, Caravan, Van, or other Carriage of the like Description, by whatsoever Name called or known, not exceeding the Sum of Four-pence :  
For every Ass drawing any Carriage of any Description, not exceeding the Sum of Two-pence :  
For every Horse, Mule, or other Beast drawing any Waggon, Wain, Dray, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, not exceeding the Sum of Three-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches and not more than Four Inches and a Half at the Bottom or Soles thereof, not exceeding the Sum of Four-pence; and in case the Fellies of the Wheels are of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, not exceeding the Sum of Five-pence :  
For every Horse or Mule, laden or unladen, and not drawing, not exceeding the Sum of One Penny :  
For every Ass, laden or unladen, and not drawing, not exceeding the Sum of One Halfpenny :  
For every Drove of Oxen, Cows, or Neat Cattle, not exceeding the Sum of Ten-pence *per* Score, and so in proportion for any greater or less Number :

For



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

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

Which said several and 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 the Manner herein-after directed.

XIII. Provided always, and be it further enacted, That when the Toll authorized to be taken by virtue of this Act shall have been paid for or in respect of any Horse, Beast, or other Cattle passing through any of the Toll Gates erected or to be erected on the said Road or on the Sides thereof, no Toll shall be demanded or taken for or in respect of the same Horse, Beast, or other Cattle, (except in the Cases herein-after mentioned,) on a Note or Ticket being produced denoting the Payment, but such Horse, Beast, or other Cattle shall be permitted to pass Toll-free through the same Toll Gate at any Time or Times during the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night; which Note or Ticket the Collectors of the Tolls are hereby respectively required to give *gratis* on the Receipt of the Tolls.

Tolls to be paid but once a Day

XIV. Provided always, and be it further enacted, That no Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, Animal or Animals, drawing any Waggon, Wain, Dray, Cart, Caravan, or other Carriage, shall be exempt from Toll on passing through any of the said Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains, or any of them, by reason of any previous Payment of Toll during the same Day, unless such Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, shall at the Time of such previous Payment of Toll have been drawing the same Waggon, Wain, Cart, Caravan, or other Carriage as that which such Horse or Horses, Mule or Mules, Ass or Asses, or other Beast or Beasts, shall be drawing at the Time when such Exemption shall be claimed.

Limiting Exemption from Toll, &c.

XV. And be it further enacted, That no more than Two full Tolls shall be demanded or taken on the same Day, (to be computed as aforesaid,) except in the Cases herein-after mentioned, for or in respect of the passing or repassing of the same Horse or Horses, Beast, Cattle, or Carriages, upon the whole Line of Road comprised in this Act.

Limiting the Number of Tolls to be taken on the whole Line of Road.

XVI. 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 Road, 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 to be taken for Trucks, &c.

by



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 One Penny at each Toll Gate, Side Bar, or Chain on the said Road.

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

XVII. And be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or other Beast drawing any Stage Coach, Caravan, Stage Waggon, or other Carriage conveying Passengers or Goods for Hire or Reward, each Time of passing through any of the said Gates : Provided nevertheless, that no further or additional Toll shall be payable in respect of the Horses or other Beasts drawing any such Stage Coach, Caravan, Stage Waggon, or other Stage Carriage, on account only of the Horses or other Beasts drawing the same having been changed.

Post Chaises  
on every  
fresh Hiring.

XVIII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or other Beast let out to Hire, and drawing any Post Chaise or other Carriage, for each Time of passing along the said Road whenever any new or fresh Hiring thereof shall take place.

Tolls to be  
paid for  
Carriages  
propelled by  
Steam.

XIX. 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, Machinery, or any other like Means, shall be paid every Time of passing and repassing of such Carriage along the said Road.

As to a frac-  
tional Part  
of a Half-  
penny in  
Tolls.

XX. And be it further enacted, That in all Cases where there shall be a fractional Part of One Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized, or any of them, the Sum of One Halfpenny shall be demanded, paid, and taken in lieu of such fractional Part.

Application  
of Tolls.

XXI. And be it further enacted, That as well all the Monies which shall have been raised and produced by virtue of the said recited Acts of the Tenth, Thirtieth, and Fifty-second Years of the Reign of His said Majesty King *George* the Third hereby repealed, and which shall remain undisposed of, and also all the Monies which shall arise and be produced under or by virtue of this Act, shall be applied, in the first place, in Payment of all the Costs, Charges, and Expences which shall have been incurred in or incidental to the applying for and obtaining and passing this Act ; in the second place, in paying and discharging the Interest now in arrear, and accruing and becoming due, upon the several Mortgages and Securities which have been already made and granted, or which shall be at any Time hereafter made or granted, upon the said Tolls, in pursuance of this Act ; and, in the next place, in defraying the Expences of making, erecting, and keeping in repair Toll Gates, Weighing Machines, Toll Houses, and other Buildings upon the said Road, and of widening, repairing, preserving, and otherwise improving the said Road, and in putting this Act in execution in all other respects ; and, lastly, in reducing, paying off, and discharging all the Monies now due and owing on the Credit or on account of the said several recited Acts hereby



hereby repealed, or any or either of them, and all Monies to become due on Security of the Tolls and Duties granted by this Act, and to or for no other Use or Purpose whatsoever.

XXII. And be it further enacted, That this Act shall be deemed Public Act. and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

XXIII. And be further enacted, That this Act shall commence and Term take effect upon the passing thereof, and shall continue and be in of the Act. force 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.	Description of Premises.	Absolute Owners.	Reputed Owners.	Occupiers.
(A.)	Plasterer's Shop, Workshed, Stable, and Yard.	Corporation of the City of Norwich.	Elizabeth Strickland and Sarah Rogerson, as joint Lessees of the Corporation of the City of Norwich.	Samuel Blyth.
(B.)	Stonemason's Shop and Yard.	Same - -	Same - - -	Sherringham Pank.

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