



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. xxxix.

An Act for more effectually repairing, altering, widening, and otherwise improving the Road from *Ber Street Gates* in the City of *Norwich* to *New Buckenham* in the County of *Norfolk*.

[6th May 1833.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for repairing and amending the Road from Ber Street Gates in the City of Norwich to New Buckenham in the County of Norfolk*: And whereas another Act was passed in the Thirtieth Year of His said late Majesty's Reign, intituled *An Act for continuing an Act of the Twelfth Year of His present Majesty, for repairing and amending the Road from Ber Street Gates in the City of Norwich to New Buckenham in the County of Norfolk*: And whereas another Act was passed in the Fifty-second Year of His said late Majesty's Reign, intituled *An Act for amending and continuing Two Acts of His present Majesty, for repairing the Road from Ber Street Gates in the City of Norwich to New Buckenham in the County of Norfolk*: And whereas the Trustees appointed by virtue of the said Acts have proceeded to put the same into execution, and have for that Purpose from Time to Time borrowed several considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, Part of which still remains due, but there is now

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12 G. 3. c. 95.
30 G. 3. c. 87..
52 G. 3. c. 58.

in the Hands of the Treasurer appointed under the said Acts a Balance more than sufficient to satisfy the same and the Interest thereon : And whereas the said Road is in certain Parts narrow and inconvenient, and it is expedient that the same should be widened, and also shortened and rendered more commodious, according to the Powers and Provisions contained in the Acts now in force for regulating Turnpike Roads in *England* : And whereas the said Balance now remaining in the Treasurer's Hands, after Payment of the said Debt and Interest, will not be sufficient for effecting the said Purposes, and the said Road cannot be properly maintained and kept in repair unless the Powers and Provisions of the said recited Acts are altered, and the Term thereby granted extended and enlarged : And whereas it is expedient that the said recited Acts should be repealed, and other Powers granted in lieu thereof ; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament : May it therefore please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 shall be and the same are hereby repealed.

Recited Acts
repealed ;

and this Act
to take effect.

II. And be it further enacted, That, instead thereof, this Act shall be put into execution, for the Purpose of more effectually repairing and altering, widening, and otherwise improving the Road leading from *Ber Street Gates* in the City of *Norwich* to *New Buckenham* in the County of *Norfolk*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Norfolk* for the Time being, together with the Honourable *George Thomas Keppel*, the Honourable and Reverend *Edward Southwell Keppel*, the Honourable *John Wodehouse*, the Reverend Sir *William Robert Kemp* Baronet, Sir *Thomas Branthwayt Beavor* Baronet, Sir *Robert John Buxton* Baronet, the Reverend *Miles Beavor* Doctor in Divinity, *William Bellairs*, *Thomas Trench Berney*, the Reverend *Frederick Bevan*, *William Boileau*, *John Peter Boileau*, *Graver Browne*, *William Ottey Burton*, *John Jacob Buxton*, *Thomas Corbould*, the Reverend *William Corbould*, the Reverend *Dawson*, the Reverend *Thomas Dixon*, the Reverend *John Fellowes*, *Robert Fellowes*, *Henry Francis*, the Reverend *Fairfax Francklin*, *John Gall*, *Hudson Gurney*, *Richard Hanbury Gurney*, the Reverend *Thomas Howes*, *Ferdinand Ives*, the Reverend *Thomas Jack*, *Edward Lombe*, the Reverend *Robert Churchman Long*, *Robert Kellet Long*, *Nathaniel William Peach*, the Reverend *George Preston*, *Isaac Preston*, *William Simpson*, the Reverend *Thomas Peyton Slapp*, the Reverend *Richard Spurgeon*, the Reverend *John Henry Steward*, the Reverend *John Surtees*, *Edward Trafford*, *Charles Weston*, *Milles Weston*, *Henry Wilson* the younger, and the Reverend *Robert Wilson*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying this Act into execution.

IV. And be it further enacted, That it shall and may be lawful for the Trustees appointed by this Act, at any Meeting from Time to Time 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, 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, so elected and appointed, shall be and they are hereby invested with the same Powers and Authorities as if they had been named and appointed by this Act.

For electing
additional
Trustees.

V. And be it further enacted, That the said Trustees shall meet at *Ashwelthorpe*, or at some other convenient Place, on the Thirteenth Day of *October* next after the passing of this Act, between the Hours of Eleven in the Forenoon and Four in the Afternoon, or as soon after as conveniently may be, and proceed to carry this Act into execution.

First Meeting
of Trustees.

VI. And be it further enacted, That the respective Tolls following shall (subject to the Provisoos, Restrictions, and Exemptions contained in this Act and the several Acts in force relating to Turnpike Roads in *England*) be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate, Chain or Chains, now set up and continued, or which shall hereafter be set up, across or on the Side of the said Road or any Part thereof, before any Horse, Mule, Ass, Beast, or other Cattle whatsoever, Coach, Chariot, Chaise, Waggon, Cart, Wain, or other Carriage, shall be permitted to pass through any such Turnpike, Toll Gate, Side Gate, Side Bar, or Chain; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast (except an Ass), laden or unladen, and not drawing, the Sum of One Penny:

For every Horse, Mule, or other Beast (except an Ass) drawing any Coach, Landau, Chariot, Berlin, Chaise, Calash, Barouche, Curricule, Phaeton, Hearse, Gig, Post Van, or any other like Carriage, the Sum of Three-pence:

For every Horse, Mule, or other Beast (except an Ass), Pair of Oxen or Bullocks or other Neat Cattle, drawing any Waggon, Wain, Timber Carriage, Dray, Cart, or other Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of not less than Six Inches at the Bottom or Sole thereof, the Sum of Two-pence:

For every Horse, Mule, or other Beast (except an Ass), or Pair of Oxen, Bullocks, or other Neat Cattle, drawing any Waggon, Wain, Timber Carriage, Dray, Cart, or other such Carriage, having the Fellies of the Wheels of the Breadth or Gauge of Four Inches and a Half and less than Six Inches at the Bottom or Sole thereof, the Sum of Two-pence Halfpenny:

For every Horse, Mule, or other Beast (except an Ass), or Pair of Oxen, Bullocks, or other Neat Cattle, drawing any Waggon, Wain, Timber Carriage, Dray, Cart, or other such Carriage, having the Fellies of the Wheels of less Breadth or Gauge than Four Inches and a Half, the Sum of Three-pence:

For

For every Ass, laden or unladen, and not drawing, the Sum of One Halfpenny :

For every Ass drawing any Cart, Car, or other such Carriage, the Sum of One Penny :

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for every greater or less Number :

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for every greater or less Number :

For every Carriage of any Description whatever, propelled by Steam or Machinery, the Sum of Two Shillings :

Tolls vested
in Trustees.

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 the Manner herein-after directed.

Tolls to be
paid but
once a Day.

VII. And be it further enacted, That (except as herein-after mentioned) no Person or Persons shall be subject or liable to the Payment of any of the Tolls hereby granted more than once in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, for passing with the same Horse, Cattle, Beast, or Carriage through all or any Turnpike or Turnpikes which now is or are or hereafter shall be erected upon any Part of the said Road, or the Side or Sides thereof, between the said City of *Norwich* and *Ashwelthorpe* in the said County of *Norfolk*, nor more than once in any One Day, to be computed as aforesaid, for passing with the same Horse, Cattle, Beast, or Carriage through all or any Turnpike or Turnpikes which now is or are or shall hereafter be erected upon any Part of the Road, or the Side or Sides thereof, between *New Buckenham* aforesaid and within One Furlong of the Bridges called *Harford Bridges*, such Person or Persons producing a Ticket denoting that such Toll hath been paid on that Day upon that Part of the Road; all which Tickets the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of such Tolls.

Limiting
Number of
Tolls to be
taken.

VIII. And be it further enacted, That no more than Two full Tolls shall be demanded or taken in any One Day for or in respect of the same Horse, Cattle, Beast, or Carriage which shall pass through all the Turnpikes or Toll Gates which now are or hereafter shall be on the whole Line of the said Road.

Horses draw-
ing different
Carriages
to pay each
Time of
passing.

IX. Provided always, and be it further enacted, That no Horse, Mule, Ass, or other Beast for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, or Side Gates, returning the same Day through the same Turnpikes, Toll Gates, or Side Gates, or any of them, drawing any other or different Waggon, Wain, Cart, or Carriage, shall be permitted to pass Toll-free.

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

X. And be it further enacted, That for and in respect of all Horses and other Beasts of Draught drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Carriage, or for or in respect of any Description of Carriages propelled by Steam or Machinery, carrying

carrying Passengers or Goods for Payment, Hire, or Reward, for which Tolls shall have been paid at any such Toll Gate, Turnpike, Side Gate, or Chain as aforesaid, and which shall return to the same on the same Day, the respective Tolls herein-before mentioned and made payable shall be paid for every Time both of passing and repassing through every such Toll Gate, Turnpike, Side Gate, and Chain, in the like Manner as if no Toll had before been paid thereat : Provided always, that no further or additional Tolls shall be payable for or in respect only of the Horses drawing such Carriage having been changed.

XI. And be it further enacted, That the respective Tolls herein-before mentioned and made payable shall be paid for or in respect of all Horses and other Beasts of Draught travelling for Hire and drawing any Post Chaise or other Carriage, for every Time of passing and repassing along the said Road, as often as a fresh Hiring thereof shall take place.

Post Chaises
on every
fresh Hiring.

XII. 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.

Fractional
Part of a
Halfpenny in
Tolls.

XIII. And be it further enacted, That all Monies which before the passing of this Act shall have been raised and produced by virtue of the said Acts hereby repealed, and which on such Day shall remain undisposed of, and also the Monies which shall arise from and be produced by the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit of the said Tolls, and all other Monies which shall arise or be produced by virtue of this Act, shall be applied to and for and be subject to the several Uses, Intents, and Purposes, and in order and manner following ; (that is to say,) in the first place, in the Payment of all Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, or otherwise relating thereto ; secondly, in paying and discharging all Sums of Money which have been borrowed by the Trustees under the said recited Acts for the making and maintaining the said Road, and not secured by Mortgage of the Tolls thereby granted ; thirdly, in paying and discharging all the Interest which shall from Time to Time be owing to any Mortgagee or Mortgagees of the Tolls or Duties payable on the same Road by this Act directed to be improved and kept in repair, and the Interest of all other Monies advanced and lent for the Purposes of the said recited Acts, and now due and owing on account of the said Road ; fourthly, in defraying the Expences of diverting, widening, improving, and repairing the same Road, and of erecting, obtaining, and repairing Toll Gates, Turnpikes, and Toll Houses, with suitable Outbuildings, upon, across, and by the Side of such Road, and otherwise in executing the Purposes of this Act ; and lastly, in reducing, paying off, and discharging the several Principal Sums which have or shall have been borrowed and secured in pursuance of and for the Purposes of the

Application
of Monies.

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said

said recited Acts hereby repealed, and all Principal Monies advanced and lent for the Purposes of the said recited Acts, and now due and owing on account of the said Road, and also the several Principal Sums of Money which shall or may be hereafter borrowed and secured by virtue of or for the Purposes of this Act.

No Money
to be laid out
on a Branch
Road but
what is col-
lected there-
on.

XIV. And be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Branch Road mentioned in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, or unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Monies shall be expended by the said Trustees in or towards the Repair of any such Branch Road than shall be collected thereon.

Tolls not to
be applied in
repairing
Pavements.

XV. Provided always, and be it further enacted, That no Part of the Monies arising from the said Tolls, or to be borrowed on the Credit thereof, shall be laid out in or applied to the paving any Streets or repairing any Pavements in the City of *Norwich*, or in any Town through, to, or from which any Part of the Road doth lead.

Public Act.

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

Term of Act.

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

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