ANNO NONO

GEORGII IV. REGIS.

Cap. xliv.

An Act for making and maintaining a Road from *Beck Fen Lane*, in the Parish of *Mildenhall* in the County of *Suffolk*, to the South-east End of the Bridge over the River *Ouze*, in the Parish of *Littleport* in the *Isle of Ely* and County of *Cambridge*, and other Roads therein mentioned, in the Counties of *Norfolk* and *Suffolk*.

[13th *May* 1828.]

WHEREAS the making and maintaining of a Road from a certain Place called *Beck Fen Lane* otherwise *Fen Lane*, adjoining or near to a Messuage or Tenement now in the Occupation of *Jacob Wing*, situate at *Beck Row* in the Parish of *Mildenhall* in the County of *Suffolk*, through the several Parishes of *Mildenhall* aforesaid, *Ely Trinity*, and *Littleport*, in the *Isle of Ely* and County of *Cambridge*, to the South-east End of the Bridge over the River *Ouze* in the said Parish of *Littleport*; and also the making and maintaining another Road from the Pound at the Entrance of the Town of *Mildenhall* aforesaid to the Church of *Lakenheath* in the said County of *Suffolk*, and from thence to the Church of *Hockwold* in the County of *Norfolk*, and from thence to the Turnpike Road leading from the *Devil's Ditch* to *Stoke Ferry* in the said County of *Norfolk*, at or near a certain Inn or Public House in the Parish of *Methwold* in the said County of *Norfolk*, called or known by the Name or Sign of

of the *Cock;* and also the making, improving, and maintaining another Road branching from the said last-mentioned Road at or near a certain Piece of Land called or known by the Name of *Mutford Green*, in the Parish of *Lakenheath* aforesaid, to join the first-mentioned Road at or near a certain Inn or Public House in the Parish of *Mildenhall* aforesaid, called the *Plough and Duck;* will be a great Public Benefit, and attended with much Convenience and Accommodation to the Owners and Occupiers of Estates, and Inhabitants, within or near the aforesaid Parishes and Places; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present
3 G. 4. c. 126. Majesty King *George* the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth
4 G. 4. c. 95. Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of His
5 G. 4. c. 69. said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads:* And whereas an Act was passed in the Seventh and Eighth Years of the Reign of His said present Majesty,
7 & 8 G. 4. c. 24. intituled *An Act to amend the Acts for regulating Turnpike Roads in* England: 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

This Act to be put in execution for repairing the Roads herein mentioned.

by the Authority of the same, That this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of making, maintaining, improving, and keeping in repair the Roads herein-after mentioned; (that is to say,) a Road from a certain Place called *Beck Fen Lane* otherwise *Fen Lane*, adjoining or near to a Messuage or Tenement now in the Occupation of *Jacob Wing*, situate at *Beck Row* in the Parish of *Mildenhall* in the County of *Suffolk*, through the several Parishes of *Mildenhall* aforesaid, *Ely Trinity*, *Ely Saint Mary*, and *Littleport*, in the *Isle of Ely* and County of *Cambridge*, to the South-east End of the Bridge over the River *Ouze* in the said Parish of *Littleport*, which said Road shall form one District of Road, and be called and known by the Name of "The *Mildenhall Burnt Fen* Road;" and also another Road from the Pound at the Entrance of the Town of *Mildenhall* aforesaid to the Church of *Lakenheath* in the said County of *Suffolk*, and from thence to the Church of *Hockwold* in the County of *Norfolk*, and from thence to the Turnpike Road leading from the *Devil's Ditch* to *Stoke Ferry* in the said County of *Norfolk*, at or near a certain Inn or Public House in the Parish of *Methwold* in the said County of *Norfolk*, called or known by the Name or Sign of the *Cock;* and also a Branch Road from the said last-mentioned Road at or near a certain Piece of Land called or known by the Name of *Mutford Green*, in the Parish of *Lakenheath* aforesaid, to join the first-mentioned Road at or near a certain Inn or Public House in the Parish of *Mildenhall* aforesaid, called the *Plough and Duck;* and in the Place where the said second-described Road

will cross the *Little Ouze* River, to make and erect a good and substantial Bridge of Stone, Brick, Wood, or Iron, over the said River, with proper Approaches thereto; and which said Roads shall form one other District of Roads, and be called and known by the Name of "The *Lakenheath* and *Hockwold* Roads."

Trustees of Mildenhall Burnt Fen Road.

II. And be it further enacted, That all His Majesty's Justices of the Peace acting for the said Counties of *Suffolk* and *Cambridge*, and for the said *Isle of Ely* respectively, together with Sir *Henry Edward Bunbury* Baronet, Sir *John Bayley*, *Edward Richard Adams*, *Thomas Allen*, *John Bayley*, *Robert Bevan*, *Charles Boucher*, *Francis King Eagle*, *Henry Francis*, *George Hall*, *George Hogg*, *Timothy Richard Holmes*, *Hugh Jackson*, *William Jecks*, *Charles Jecks*, *James Lee*, *Joseph Little*, *John Grimsby Lenny*, *George Moor*, *Henry James Nicholls*, *Jonathan Page*, *Christopher Pemberton*, the Reverend *Algernon Peyton*, *Jonathan Peckover*, *William Peckover*, *Thomas Robinson*, *Thomas Henry Robinson*, *Thomas Spooner*, *John Seaber*, *Stephen Shillito*, the Reverend *William Gale Townley*, *Richard Greaves Townley*, *James Usill*, *Harley Matthew Usill*, *Harry Spencer Waddington*, *William Watson*, *John Wing*, *George Wing*, and *Henry Wing*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His said present Majesty, shall be and they are hereby appointed Trustees for putting this Act and the said recited Acts in execution, so far as relates to the making, maintaining, widening, turning, altering, and keeping in repair the Road called the *Mildenhall Burnt Fen* Road.

Trustees of Lakenheath and Hockwold Roads.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the said Counties of *Suffolk* and *Norfolk* respectively, together with *John Angerstein*, *Francis King Eagle*, *Anthony Etheridge*, *Edward Etheridge*, *Daniel Gurney*, *Wotton Isaacson*, the Reverend *William Newcome*, the Reverend *John Anthony Partridge*, *Henry Samuel Partridge*, *Robert Palmer*, *William Henry Roberts*, *Thomas Rolph*, *John Smith*, the Reverend *Henry Tilney*, the Reverend *George Waddington*, *Thomas Willett*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His said present Majesty, shall be and they are hereby appointed Trustees for putting this Act and the said recited Acts in execution, so far as relates to the making, maintaining, widening, turning, altering, repairing, and keeping in repair the Roads called the *Lakenheath* and *Hockwold* Roads.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees of the said Two Districts respectively, and they are hereby respectively authorized and empowered, at their First or Second Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Five in the whole for each District, to be Trustees for the Purposes of this Act and the said recited Acts, in addition to the respective Trustees hereby nominated and appointed; and such Trustees so elected, and being qualified according to the Directions of the said recited Acts, shall be and they are hereby invested

vested with the same Powers and Authorities for executing this and the said recited Acts as if they had been hereby nominated and appointed.

Powers of the General Turnpike Acts to extend to this Act.

V. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His said present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed by the said recited Acts of the Fourth, Fifth, and Seventh and Eighth Years of the Reign of His said present Majesty, or otherwise varied, altered, or repealed,) and also the said recited Act passed in the Fourth Year of the Reign of His said present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, repealed, or otherwise provided for by the said recited Acts of the Fifth and Seventh and Eighth Years of the Reign of His said present Majesty, or otherwise varied, altered, or repealed,) and also the said recited Acts passed in the Fifth and Seventh and Eighth Years of the Reign of His said present Majesty, and the Powers or Provisions therein contained, (save and except such Parts thereof as are varied, altered, repealed, or otherwise provided for by this Act,) shall respectively be as good, valid, and effectual, for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

First Meeting of Trustees of each District.

VI. And be it further enacted, That the said Trustees for the said *Mildenhall Burnt Fen* Road shall hold their First Meeting at the House known by the Name or Sign of the *Crown*, in the Town of *Littleport*, or at some other convenient Place in the said Town, on the Second *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, and proceed to the Execution of this Act so far as respects the said *Mildenhall Burnt Fen* Road; and the said Trustees for the said *Lakenheath* and *Hockwold* Roads shall hold their First Meeting at the House known by the Name or Sign of the *Cock*, in the Town of *Feltwell*, or at some other convenient Place in the said Town, on the Third *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, and proceed to the Execution of this Act so far as respects the said *Lakenheath* and *Hockwold* Roads; and the said Trustees for the said Two Districts respectively shall and may from Time to Time afterwards adjourn themselves to meet at such Time and Place and Times and Places upon or near their said respective Districts as they shall respectively think proper.

Trustees to make and set out Roads.

VII. And be it further enacted, That it shall be lawful for the said Trustees of the said Two Districts respectively, or for such Person or Persons as they shall respectively employ for that Purpose, and they are hereby respectively fully authorized and empowered to enter into and upon the Lands, Grounds, Hereditaments, and Premises of any Person or Persons, into or through which the said respective Roads, or any of them, are intended to pass, to set out, form, make, and complete the

the same respectively, and to cut and make such Ditches, Drains, Gutters, and Tunnels in and upon the Lands and Grounds adjoining and near the said respective Roads, as shall be by them the said respective Trustees thought necessary for draining the Water from such respective Roads, according to the Intent and Meaning of this Act and of the said recited Acts, doing as little Damage as may be in the Execution of the Powers to them hereby granted, and subject to the Powers, Regulations, and Provisions of the said recited Act of the Third Year of the Reign of His present Majesty, in case of widening, diverting, altering, and improving any Turnpike Road.

Plans deposited with the Clerks of the Peace to remain there, and Roads not to deviate therefrom without Consent.

VIII. And whereas Maps or Plans, describing the Line of the said respective Roads, and the Lands, Hereditaments, and Premises through or over which the same are to be made or carried, together with Books of Reference, containing Lists of the Names of the Owners and Occupiers or reputed Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Offices of the Clerks of the Peace of the said Counties of *Suffolk*, *Norfolk*, *Cambridge*, and *Isle of Ely* respectively; be it therefore further enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the Clerks of the Peace for the said Counties and Isle, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and to take Copies of or Extracts therefrom at their Will and Pleasure, paying the Clerk of the Peace One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Maps or Plans and Books of Reference; and the said respective Trustees in making the said respective Roads shall not deviate more than One hundred Yards from the Lines described in the said Maps or Plans respectively, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation or Deviations shall be made.

No Branch Road to be made upon the Bank of Commissioners of Burnt Fen First District.

IX. Provided always, and be it further enrcted, That no Part of the Line of the aforesaid Branch Road shall be taken or carried upon or along any Bank belonging to the Commissioners of Drainage of *Burnt Fen* First District, or within Fifteen Feet of the Centre thereof; and where the said *Mildenhall Burnt Fen* Road shall be made over and across a Bank called the *Cross Bank*, belonging to the said Commissioners of *Burnt Fen* First District, the said Trustees shall maintain and keep the said Bank and Road, at the Place aforesaid, of the same Height and Dimensions as the adjoining Parts of the said Bank.

Misnomers not to prevent the Execution of this Act.

X. Provided always, and be it further enacted, That if any of the Lands, Grounds, Buildings, and other Premises to be taken or used for the Purposes of this Act, shall happen not to be described in the said Maps or Plans, or any of the Owners or Occupiers of the same, or any of the Lands, Grounds, Buildings, or other Premises described in the said Maps or Plans, or any Part thereof, shall happen to be omitted, misnamed, or inaccurately described in the said Books of Reference, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of the said recited Acts and this

Act, but the several Lands, Grounds, Buildings, and other Premises, and every Part thereof, shall and may be taken and used for the Purposes of this Act, as fully and effectually as if the same had been accurately described in the said Maps or Plans and Books of Refefence respectively, and as if the Owners and Occupiers of the same had not been omitted, or were properly and accurately named; provided that it shall appear to Two or more Justices of the Peace of the County or Isle where such Lands, Grounds, Buildings, and other Premises shall be situate, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real or reputed Owners or Occupiers of such Lands, Grounds, Buildings, or other Premises, had Notice that the same would be wanted for the Purposes thereof.

Trustees restrained from pulling down Dwelling Houses, &c. without Consent of Owners, except those named in the Schedule.

XI. And be it further enacted, That the Powers and Authorities given by this Act for making the said respective Roads, or given by the said recited Acts, or either of them, for amending, altering, turning, widening, and improving the same, shall not extend or be construed to extend to empower or authorize the said respective Trustees to take or pull down 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 in the Schedule to this Act annexed.

Limitation of Time for purchasing Lands.

XII. And be it further enacted, That in case the said respective Trustees shall not purchase the Lands, Buildings, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, within the Space of Five Years from the passing of this Act, all the Powers granted by this Act for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being respectively.

For erecting Toll Gates, Turnpikes, Side Bars, Weighing Machines, &c.

XIII. And be it further enacted, That it shall be lawful for the said Trustees of the said Roads respectively to erect and set up or build, upon, in, or across the said Roads respectively, or on the Sides thereof, or any Part thereof, when, where, and as they shall respectively judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, or Chain or Chains, and any Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Toll Gate and Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for such Toll House or Toll Houses, not exceeding One Eighth Part of a Statute Acre each, as they shall respectively think necessary; and from Time to Time to take down and improve, or alter or discontinue the same or any Part of them, as they the said Trustees respectively shall think proper and direct or appoint.

Power to take Tolls on the Mildenhall Burnt Fen Road.

XIV. And be it further enacted, That it shall be lawful for the said Trustees of the said *Mildenhall Burnt Fen* Road, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken on the said Road by virtue of this Act, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which shall be erected or placed on the said Road by virtue of this Act, or in, upon, across, or on the Side or Sides of the said Road, or any Part thereof, and on every Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); that is to say,

Tolls.

For every Horse or other Beast of Draught drawing any Four-wheeled or Three-wheeled Carriage, as follows; (that is to say,) where there is only One such Horse or Beast of Draught, the Sum of Ten-pence; where there are Two such Horses or Beasts of Draught, the Sum of Sixpence; where there are Three such Horses or Beasts of Draught, the Sum of Five-pence; where there are Four or more such Horses or Beasts of Draught, the Sum of Four-pence:

For every Horse or other Beast of Draught drawing any Two-wheeled Carriage, as follows; (that is to say,) where there are Four or more such Horses or Beasts of Draught, the Sum of Three-pence; where there are Three such Horses or Beasts of Draught, the Sum of Three-pence; where there are Two such Horses or Beasts of Draught, the Sum of Four-pence; where there is only One such Horse or Beast of Draught, the Sum of Sixpence:

For every Horse or other Beast, laden or unladen, and not drawing, the Sum of Two-pence:

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

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for any less Number:

For every Four-wheeled Carriage, not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of One Shilling and Sixpence:

And for every Two-wheeled Carriage not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of Nine-pence:

Which said Tolls shall be and are hereby vested in the said Trustees of the said *Mildenhall Burnt Fen* Road, and shall be paid, levied, applied, disposed of, and assigned in manner directed by the said recited Acts and this Act.

Power to take Tolls on the Lakenheath and Hockwold Roads.

XV. And be it further enacted, That it shall be lawful for the said Trustees of the said Roads called the *Lakenheath* and *Hockwold* Roads, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken on the said Roads by virtue of this Act, to demand and take the Tolls herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which shall be erected or placed on the said Roads by virtue of this Act, in, upon, across, or on the Side

Side or Sides of the said Roads, or any Part thereof, on every Day, such Day to be computed as aforesaid; that is to say,

Tolls.

For every Horse or other Beast of Draught, drawing any Description of Carriage, the Sum of Sixpence:

For every Horse or other Beast, not drawing, the Sum of Two-pence:

For every Drove of Oxen, Cows, or Neat Cattle, Calves, Hogs, Sheep, or Lambs, the Sum of Eight-pence *per* Score, and One Halfpenny *per* Head for any less Number than a Score:

For every Four-wheeled Carriage not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of One Shilling and Sixpence:

And for every Two-wheeled Carriage, not drawn by any Horse or Beast of Draught, but propelled by Machinery, the Sum of Nine-pence:

Which said Tolls shall be and are hereby vested in the said Trustees of the said *Lakenheath* and *Hockwold* Roads, and shall be paid, levied, applied, disposed of, and assigned in manner directed by the said recited Acts and this Act.

Fractional Part of a Halfpenny in Tolls.

XVI. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls by this Act granted and authorized to be collected, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Persons having paid the Tolls to return Toll-free.

XVII. Provided always, and be it further enacted, That no Toll shall be demanded or taken for or in respect of any Horse or other Beast, or for or in respect of any Waggon, Wain, Cart, or other Carriage propelled by Machinery, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Turnpike or Turnpikes, Toll Gate or Toll Gates, on any Part of the said respective Districts of Roads, upon a Note or Ticket, Notes or Tickets, denoting such Payment, being produced, for passing or repassing on the same Day (such Day to be computed as aforesaid) through the same Turnpike or Turnpikes, Toll Gate or Toll Gates, at which such Toll shall have been paid, and also through any other Turnpike or Toll Gate which such Ticket or Tickets shall free, except as herein-after mentioned.

Limiting the Number of Tolls to be taken on the same Day.

XVIII. 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) on any or either of the said Districts of Roads respectively, for or in respect of the passing and repassing of the same Horse, Beast, or Cattle, through all the Turnpikes or Toll Gates to be erected upon either of such Districts of Roads, (except as herein-after mentioned,) but on a Note or Ticket or Notes or Tickets being produced, denoting such Payment, the same Horse, Beast, or Cattle shall be permitted to pass and repass Toll-free through all the said Turnpikes or Toll Gates of the said respective Districts of Roads at which such Tolls shall have been paid on the same Day.

Persons having paid One full Toll

XIX. And be it further enacted, That after One full Toll shall have been paid at any Gate, Turnpike, Side Gate, Side Bar, or Chain to

to be erected or placed under the Authority of this Act upon either of the said Districts of Roads, no Toll shall be demanded or taken on the same Day, for the passing or repassing of the same Horses, Beast, Cattle, Waggon, Cart, Chaise, or other Carriage, through any other Gate, Turnpike, Side Gate, Side Bar, or Chain to be erected or placed within Six Miles of the Place where such Toll shall have been paid; provided that it be upon the same District of Roads upon which Toll shall previously have been paid.

upon either District, to pass free on that District for the same Day.

XX. And be it further enacted, That all the Tolls by this Act directed or authorized to be taken within the said Two Districts respectively shall be paid and payable, and shall be demanded and taken, over and above the Tolls which by the said recited Acts, or any or either of them, are directed to be demanded and taken for Carriages therein described, having the Fellies of the Wheels of the Breadth therein described, and also over and above all Penalties directed by the said recited Acts, or any or either of them, to be taken and demanded for Overweight.

Tolls granted by this Act to be over and above the Tolls for narrow Wheels.

XXI. And be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan or other Stage Carriage conveying Passengers or Goods for Pay or Reward, or any Stage Coach, Diligence, Van, or Caravan or other Stage Carriage propelled by Machinery, used for the same Purpose, shall be payable and paid every Time of passing or repassing along the said Roads.

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

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

Post Chaises, &c. on every new Hiring.

XXIII. And be it further enacted, That out of the Monies already subscribed or to be subscribed or advanced for the Purpose of making the Roads in the said respective Districts, which shall be borrowed on the Credit of this Act and the said recited Acts, any or either of them, or out of the Money which shall arise or be received from the Tolls by this Act granted, the said Trustees of the said Districts of Roads respectively shall, in the first place, and in preference to all other Payments whatsoever, pay and satisfy all the Costs, Charges, and Expences incident or in anywise relating to the obtaining and passing of this Act, in the Proportions herein-after mentioned, with lawful Interest for the same from the Time of advancing or disbursing the same; and then apply the same for and towards the Payment of Salaries and Allowances to the Treasurers, Clerks, Surveyors, and other Officers and Persons for the Time being employed by the said respective Trustees, and also in defraying the Expences incurred or to be incurred in making the said respective Districts of Roads, and in purchasing Lands and Hereditaments, and in purchasing and raising Materials for that Purpose, and in erecting, making, or providing Toll Gates, Turnpikes, Bars, Gates, Chains,

Application of the Tolls and Money borrowed.

Weighing Machines, Toll Houses, with Outhouses and Conveniences, also Footpaths, Causeways for Foot Passengers, Bridges, Ditches, Fences, Rails, Posts, Boards, Lamps, Books, and other Matters and Things necessary or requisite for carrying this Act into Execution; and after Payment of all such Expences the Remainder of such Monies shall from Time to Time be applied in keeping down the Interest of the Monies subscribed or advanced for the Purposes of the said respective Districts of Roads, and which may be borrowed on the Credit of this Act, and in amending and keeping in repair the same, and the Toll Gates and Outhouses, and in otherwise putting this Act into Execution; and lastly, in repaying the Principal Monies subscribed or advanced for the Purposes of the said respective Districts of Roads, or which shall be borrowed on the Credit of this Act.

Tolls not to be applied in the Repair of the Branch Road, unless Tolls are taken thereon.

XXIV. And be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money to be borrowed upon the Credit thereof, shall be laid out or expended in the Amendment, Repair, or Improvement of the Branch Road included in this Act, if there shall be no Toll Gate erected thereupon respectively, and Tolls taken thereat; nor shall any greater Sum of Money be expended in the Repair of such Branch Road than shall be collected at the Turnpikes or Toll Gates to be erected thereon.

Money raised under this Act not to be laid out in amending Streets.

XXV. Provided always, and be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money to be borrowed upon the Credit thereof respectively, shall be laid out or expended in the making, amending, repairing, or improving of any of the Highways, Roads, or Streets within the Town of *Mildenhall* aforesaid; any thing herein contained to the contrary thereof in anywise notwithstanding.

Power to take Toll of Foot Passengers passing over the Bridge to be erected across the Little Ouze River.

XXVI. And whereas the building of a Bridge across the *Little Ouze* River, as herein directed, will be of great Benefit and Convenience to Foot Passengers; be it therefore enacted, That when and as soon as the said Bridge shall be ready for the Passage of Foot Passengers it shall be lawful for the said Trustees of the said *Lakenheath* and *Hockwold* Roads, or any Person or Persons to be appointed Collector or Collectors by virtue of this Act, to demand and take, of and from every Foot Passenger who shall pass over the said Bridge, the Toll or Sum of One Penny; which said Toll shall be and is hereby vested in the said Trustees, and the same shall be recovered by such Means, and subject to such Penalties for Evasion, as any other Tolls by this Act granted can or may be recovered, and shall be paid and applied by the said Trustees of the *Lakenheath* and *Hockwold* District of Roads in such Manner as is by this Act directed concerning any other Tolls hereby granted.

Trustees to put Rails and Wings on Bridges for Safety, &c.

XXVII. And be it further enacted, That it shall be lawful for the Trustees of the said Districts respectively to put Rails and Wings upon and by the Sides of any of the Bridges, Tunnels, and Loftways within the said respective Districts, and also to widen the Passage over the same, and to repair and rebuild the same, for the Purpose

of making such Bridges, Tunnels, and Loftways more safe and commodious for the passing of Carriages over the same.

But not to be subjected to any further Charges than shall be necessary for the Purposes of this Act.

XXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to make the said respective Trustees liable to any further Charges or Expences in repairing or rebuilding the said Bridges, Tunnels, or Loftways, than shall be occasioned by any Repairs or Alterations which shall be rendered necessary for the Purposes of this Act, and which would not otherwise have been required; and all Persons who are now by Law liable to repair the said Bridges, Tunnels, or Loftways, shall continue liable to do all other Repairs to the same: Provided also, that it shall not be lawful for the said Trustees, in altering, repairing, or rebuilding the said Bridges, Tunnels, or Loftways, to contract the present Waterways or the Passage for Boats under the same.

Trustees may agree with Persons liable for the Repair of the Bridges.

XXIX. And be it further enacted, That it shall be lawful for the said Trustees of the said Districts respectively from Time to Time, as there shall be Occasion, to enter into any Composition and Agreement with all and every Persons and Person who by Law are or is now liable to the Repair of any of the said Bridges, Tunnels, or Loftways, for the repairing or rebuilding of the same or any Part thereof, and to pay the Proportion of the Expence of such repairing or rebuilding which shall be agreed to be borne by the said Trustees respectively, out of the Tolls arising within their said respective Districts, or out of any Monies which shall come to their Hands by virtue of this Act or of the said recited Acts, or any or either of them.

Providing for the future Repair of the said Bridges.

XXX. And be it further enacted, That where any Bridge, Tunnel, or Loftway on either of the said Districts of Roads shall require to be repaired or rebuilt, the same shall at all Times during the Continuance of this Act be repaired or rebuilt by and at the Expence of the said respective Trustees and of the Person or Persons who was or were liable by Law to repair the same, in such Proportions as they the said respective Trustees and such last-mentioned Person and Persons respectively shall agree upon; and in case of any Difference between them in the Matter, then it shall be lawful for the Justices of the Peace acting for the said Counties or the said *Isle of Ely*, within their respective Jurisdictions, and they are hereby required, in their General or Quarter Sessions of the Peace assembled, upon Application to them made in Writing by either of the said Parties for that Purpose, and on Fourteen Days Notice in Writing being given by either Party to the other, of such intended Application, from Time to Time to settle, adjudge, and finally determine, according to the Provisions herein-before contained for repairing or rebuilding the said Bridges, Tunnels, or Loftways, the Proportion which shall be borne by the said Trustees and by such last-mentioned Person and Persons respectively.

Persons heretofore liable to the Repair of Bridges to remain so.

XXXI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to exonerate or discharge any Person or Persons from the Liability to repair any such Bridge, Tunnel, or Loftway, after the Expiration of this Act, but

but all Persons whosoever shall continue liable to such Repairs in such and the like Manner as they were before the passing of this Act, or would or might be liable in case this Act had not been passed.

Corporation of Bedford Level not liable to repair certain Bridges, &c.

XXXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to render or make liable the Governor, Bailiffs, and Commonalty of the Company of Conservators, or the Governor, Bailiffs, and Conservators of the Great Level of the Fens called the *Bedford Level*, to repair, amend, rebuild, or maintain any Bridges, Tunnels, or Loftways that hereafter may be erected and built by virtue of any Provision or Authority vested in the said Trustees in and by this Act.

Inhabitants of Mildenhall, Ely Trinity, Ely Saint Mary, Littleport, Eriswell, Lakenheath, Hockwold-cum-Wilton, Feltwell, and Methwold, not to be liable to Repair Roads until completed.

XXXIII. Provided always, and be it further enacted, That nothing herein or in the said recited Acts contained shall extend or be construed to extend to make the Inhabitants, Owners, or Occupiers of Lands or Grounds within the several Parishes of *Mildenhall*, *Ely Trinity*, *Littleport*, *Ely Saint Mary*, *Eriswell*, *Lakenheath*, *Hockwold cum Wilton*, *Feltwell*, and *Methwold*, any or either of them, in any Manner liable to the Repair of any Part or Parts of the said respective Roads by this Act authorized to be made within the said respective Districts, until the said Roads shall have been respectively formed and completed to the Width of Fourteen Feet at the least, with proper Materials, and until Two of His Majesty's Justices of the Peace acting for the said Counties or Isle in which the said respective Roads shall be situate (and not interested in the Roads) shall, by Certificate under their Hands and Seals, from Time to Time have certified that the said Roads, or Part or Parts thereof respectively, are sufficiently formed and completed, and such Certificates shall have been filed of Record by the Clerks of the Peace for the said Counties or Isle in which the said respective Roads shall be so situate as aforesaid, at the General or Quarter Sessions of the Peace to be holden for the said Counties or Isle in which the said respective Roads shall be so situate as aforesaid next after the Date thereof, (save and except such Part or Parts of the said respective Roads as have been deemed and taken as Highways and public Roads within the said respective Parishes previous to the passing of this Act.)

For proportioning the Expences of obtaining this Act between the Two Divisions.

XXXIV. And in order to prevent any Disputes touching the Proportion of the Expences of obtaining and passing this Act which ought to be paid by the Trustees of the said Districts respectively, towards defraying the Expences of obtaining and passing this Act, be it further enacted, That Two Third Parts thereof shall be paid by the Trustees of the said *Mildenhall Burnt Fen* Road, and the remaining One Third Part thereof by the Trustees of the said *Lakenheath* and *Hockwold* Roads.

Rights of Corporation of Bedford Level and Commissioners of Burnt Fen First District reserved.

XXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, affect, or prejudice any of the Rights, Powers, or Authorities vested in the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, or in the said Governor, Bailiffs, and Conservators, by

by virtue of an Act passed in the Fifteenth Year of the Reign of King *Charles* the Second, intituled *An Act for settling the Drainage of the Great Level of the Fens called* Bedford Level; or by virtue of any other Act or Statute whatsoever; or in the aforesaid Commissioners of Drainage of *Burnt Fen* First District, by virtue of an Act passed in the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repealing several Acts of the Thirty-third Year of King* George *the Second, and the Thirteenth and Thirty-seventh Years of His present Majesty, for draining certain Fen Lands in the* Isle of Ely *and Counties of* Suffolk *and* Norfolk, *near* Mildenhall *River, so far as relates to the several Lands in the First District therein described, and for making better Provision for draining and preserving the said Lands;* or of an Act passed in the Fourth Year of His present Majesty's Reign, intituled *An Act to amend and render more effectual an Act passed in the Forty-seventh Year of the Reign of His late Majesty King* George *the Third, for repealing several Acts therein mentioned, for draining certain Fen Lands in the* Isle of Ely *and Counties of* Suffolk *and* Norfolk, *near* Mildenhall *River, so far as relates to the Lands in the First District therein described, and for making better Provision for draining and preserving the said Lands;* or by virtue of any other Act or Statute whatsoever; but that all Rights, Powers, and Authorities whatsoever which are now vested in the said Governor, Bailiffs, and Commonalty, or in the said Governor, Bailiffs, and Conservators, or the said Commissioners of Drainage, or any of them, shall for ever hereafter remain, continue, and be in them and every of them, as fully and amply to all Intents and Purposes as if this Act had never been made.

Public Act.

XXXVI. 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.

XXXVII. And be it further enacted, That this Act shall commence and take effect from and immediately after the passing thereof, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which the aforegoing Act refers.

No. on Plan.	Description of Property.	Parish.	Owners or reputed Owners.	Occupiers.
		Mildenhall Burnt Fen Road.		
1	Arable Land inclosed and Plantation -	Mildenhall, Suffolk -	Sir Henry Edward Bunbury, Baronet - -	Isaac Hanslip Godfrey.
2	Pasture Land inclosed	Mildenhall, Suffolk -	Anthony Willett and Anthony Newby Willett -	Themselves.
4	Drove or Road -	Ely Trinity, Ely Saint Mary, Littleport, and Mildenhall -	Bedford Level Corporation	Isaac Meers and William Thompson.
		Lakenheath and Hockwold Road.		
1	Stack Yard - -	Mildenhall, Suffolk -	Sir Henry Edward Bunbury, Baronet - -	Jonathan Childerstone.
2	Dolver, or Pasture Land	Mildenhall, Suffolk -	Sir Henry Edward Bunbury, Baronet - -	Richard Haylock.
3	Dolver, or Pasture Land	Mildenhall, Suffolk -	Sir Henry Edward Bunbury, Baronet - -	William Goat.
4	Dolver, or Pasture Land	Mildenhall, Suffolk -	New England Company -	Thomas Manning.
5	Pasture Land - -	Lakenheath, Suffolk -	Robert Eagle, Esquire -	William Hensby.
6	Arable Land - -	Lakenheath, Suffolk	Robert Eagle, Esquire -	John Aves.
7	Arable Land - -		William Taylor - -	William Taylor.
8	Arable Land - -		William Taylor - -	William Taylor.
9	Arable Land - -		George Cash - - -	George Cash.
10	Arable Land - -		John Caldecott, Esquire -	William Place.
11	Arable Land - -		Robert Eagle, Esquire -	Richard Gathercole.
12	Arable Land - -		William Taylor - -	William Taylor.
13	Arable Land - -		Robert Eagle, Esquire -	Richard Gathercole.
14	Arable Land - -		George Cash - -	George Cash.
15	Arable Land - -		William Taylor - -	William Taylor.
16	Arable Land - -		George Cash - -	George Cash.
17	Arable Land - -		Robert Eagle, Esquire -	Richard Gathercole.
18	Arable Land - -		John Caldecott, Esquire -	William Place.
19	Arable Land - -		Thomas Payne - -	Thomas Payne.
20	Arable Land - -		Richard Gathercole -	Richard Gathercole.
21	Arable Land - -		John Caldecott, Esquire -	William Place.
22	Arable Land - -		Robert Eagle, Esquire -	George Cash.
23	Arable Land - -		George Cash - -	George Cash.
24	Arable Land - -		Robert Eagle, Esquire -	George Cash.
25	Arable Land - -		William Taylor - -	William Taylor.
26	Arable Land - -		Robert Eagle, Esquire -	Richard Gathercole.
27	Arable Land - -		William Taylor - -	William Taylor.
28	Arable Land - -		Thomas Payne - -	Thomas Payne.
29	Arable Land - -		Robert Eagle, Esquire -	William Palmer.
30	Arable Land - -		Thomas Payne - -	Thomas Payne.
31	Arable Land - -		Robert Eagle, Esquire -	Samuel Capp.
32	Arable Land - -		Anthony Willett and Anthony Newby Willett	John Rolph.
33	Arable Land - -		George Cash - -	George Cash.
34	Arable Land - -		Robert Eagle, Esquire -	Samuel Capp.
35	Arable Land - -		The Reverend John William Butt - -	Francis King Eagle, Esquire.
36	Arable Land - -		Robert Eagle, Esquire -	John Aves.

No. on Plan.	Description of Property.	Parish.	Owners or reputed Owners.	Occupiers.
37	Arable Land - -	Lakenheath, Suffolk	William Taylor - -	William Taylor.
38	Arable Land - -		Robert Eagle, Esquire -	John Trudgett.
39	Arable Land - -		Richard Gathercole -	Richard Gathercole.
40	Arable Land - -		William Taylor - -	William Taylor.
41	Arable Land - -		Robert Eagle, Esquire -	William Palmer.
42	Arable Land - -		William Taylor - -	William Taylor.
43	Arable Land - -		Robert Eagle, Esquire -	John Trudgett.
44	Arable Land - -		John Caldecott, Esquire -	William Place.
45	Arable Land - -		Robert Eagle, Esquire -	John Trudgett.
46	Arable Land - -		Anthony Willett and Anthony Newby Willett -	John Rolph, senior.
47	Arable Land - -		Thomas Payne - -	Thomas Payne.
48	Arable Land - -		Robert Eagle, Esquire -	William Palmer.
49	Arable Land - -		Robert Eagle, Esquire -	Edmund Turrington.
50	Pasture Land - -	Lakenheath, Suffolk	Evans Rolph - -	Evans Rolph.
51	Pasture Land - -		—— Coates - -	Robert Gayton.
52	Pasture Land - -		John Taylor - -	John Taylor.
53	Pasture Land - -		Sarah Gathercole - -	Sarah Gathercole.
54	Pasture Land - -		Thomas Rolph - -	Thomas Rolph.
55	Pasture Land - -		Thomas Payne - -	Thomas Payne.
56	Pasture Land - -		Francis King Eagle, Esquire - -	Francis King Eagle, Esquire.
57	Pasture Land - -	Brandon - -	Francis King Eagle, Esquire - -	Francis King Eagle, Esquire.
58	Drove or Way - -	Brandon - -	The Commissioners of Lakenheath and Brandon Fens.	
59	Four Pieces of Pasture Land - -	Brandon - -	John Angerstein, Esquire -	Thomas Rolph.
60	South Bank of Little Ouze - -	Brandon - -	The Commissioners of Lakenheath and Brandon Fens.	
61	Marsh Land - -	Brandon - -	John Brewster - -	William Lamb.
62	Wash Land - -	Brandon - -	John Angerstein, Esquire -	Thomas Rolph.
63	North Bank of Little Ouze - -	Hockwold, Norfolk	The Commissioners of Hockwold cum Wilton Fen - - -	Joseph Cock, senior.
64	Wash Land - -	Hockwold, Norfolk -	Common Land.	
65	Pasture Land - -	Hockwold, Norfolk	The Reverend George Waddington - -	George Jacob.
66	Pasture Land - -	Hockwold, Norfolk	Glebe belonging to the Reverend Henry Tilney, as Rector of Hockwold, and Vicar of Wilton -	James Johnson.
67	Pasture Land - -	Hockwold, Norfolk	Glebe belonging to the Master and Fellows of Caius College, Cambridge, as Owners of the Lay Rectory of Wilton in Norfolk -	James Johnson.
68	Two Pieces of Pasture Land - -	Hockwold, Norfolk	The Reverend William Newcome - -	Joseph Cock, junior.
69	Garden - -	Hockwold, Norfolk	The Reverend William Newcome - -	Thomas Cooper.
70	Garden and Shed -	Hockwold, Norfolk -	William Lamb - -	Benjamin Rudderham.
71	Garden and Shed -	Hockwold, Norfolk -	William Lamb - -	Samuel Bullock.
72	Yard and Garden -	Hockwold, Norfolk	—— Heading, Trustee for Thomas Newton, deceased	William Johnson.
73	Yard and Garden -	Hockwold, Norfolk -	William Lamb - -	Himself.
74	Close and Trees -	Hockwold, Norfolk	The Reverend William Newcome - -	Himself.
75	Plantation - -	Hockwold, Norfolk	The Reverend William Newcome - -	Himself.

No. on Plan.	Description of Property.	Parish.	Owners or reputed Owners.	Occupiers.	
76	Cottage and Garden -	Hockwold, Norfolk -	Mrs. West - - -	Elsegood.	
77	Plantation - -	Hockwold, Norfolk	The Reverend William Newcome - -	Himself.	
78	Yard - - -	Feltwell, Norfolk -	John Richardson - -	John Richardson.	
		Branch Road.			
1	Drove or Way - -	Mildenhall, Suffolk	Commissioners of Burnt Fen.		
2	Marsh Land - -	Mildenhall, Suffolk, or Lakenheath, Suffolk	The Executors of Doctor Wollaston - -	George Wiseman.	
3	Foreland of Bank -	Mildenhall, Suffolk, and Lakenheath, Suffolk	Commissioners of Burnt Fen.		
4	Bank - - -	Lakenheath, Suffolk	Commissioners of Lakenheath and Brandon Fens.		

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