ANNO SECUNDO

GULIELMI IV. REGIS.

Cap. lxiii.

An Act for more effectually repairing the Road from the City of *Norwich* to *Fakenham* in the County of *Norfolk*. [23d *May* 1832.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making and maintaining a Road from* Norwich *to* Fakenham *in the County of* Norfolk: And whereas the Trustees for putting the said Act into execution have completed the Road thereby directed to be made, and the same is of great Utility to the Public and His Majesty's Subjects travelling along the same: And whereas the making and completing of such Road has been attended with very considerable Expence, and a large Sum of Money has been borrowed upon the Credit of the Tolls granted by the said Act, all of which remains due to the several Persons who advanced the same, with an Arrear of Interest thereon, such Tolls not being sufficient to pay the Costs of keeping the said Road in repair and the Interest upon the Sum of Money so borrowed: And whereas it is expedient, for the due Maintenance and Repair of the said Road, and the Payment of the Interest upon the Money so borrowed, that the said recited Act should be repealed, and in lieu thereof other and additional Powers granted, and that greater Tolls should be taken than are thereby authorized: May it therefore please Your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 tne Advice and Consent of the Lords

4 G. 4. c. 80.

Recited Act repealed;

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Second *Tuesday* after the passing of this Act the said recited Act shall be and the same is hereby repealed.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, altering, improving, and keeping in repair the Road leading from the City of *Norwich* to the Town of *Fakenham* in the said County.

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 *Edward Astley*, *Francis Astley*, *Robert Bircham*, *Samuel Bircham*, *William Bircham*, *Henry Berners* Clerk, *Thomas William Coke* the younger, *William Clayton* Clerk, *Philip Mallett Case*, *Hamilton Custance*, Sir *Charles Chad*, *George Chad*, *Samuel Culley*, *John Culley*, *Henry Utting Culley*, *Edward Dewing* Clerk, *John Francis*, Lord *Henry Fitzroy*, *William Foster*, *Peter Le Neve Foster*, *Anthony Gwyn*, *Richard Gwyn*, *Joseph John Gurney*, *Hudson Gurney*, *Richard Hanbury Gurney*, *Robert Hammond* Clerk, *John T. Jones*, *Thomas Leeds*, *Stephen Leeds*, *Robert Leeds*, *Guy Lloyd*, *William Money*, *Nathaniel Micklethwaite* the younger, *George Morse*, *John Mills* Clerk, *George Norris* Clerk, *Charles Norris* Clerk, *Jermyn Pratt* Clerk, *Robert Pratt*, *John Pike*, *Joseph Peckover*, *John Robson*, *Nathaniel Rapier Raikes* Clerk, *Aquila Robins*, *James Stoughton* Clerk, *Charles Tompson*, Lord *James Townshend*, Lord *Charles Townshend*, *Philip Edmund Wodehouse*, *James Lee Warner* Clerk, *Charles Weston*, *Miles Weston*, *Edmund Bartell*, *John Middleton*, *William Bircham* the younger, *William Emerson Rix*, *Charles Campbell*, and *John Parmeter Leeds*, and their Successors, being duly qualified according to the Laws respecting Trustees of Turnpike Roads in *England*, shall be, and they and their Successors, to be duly elected according to the Laws respecting Trustees of Turnpike Roads in *England*, are hereby appointed Trustees for carrying into execution this Act and the several Acts in force relating to Turnpike Roads in *England*.

For electing additional Trustees.

IV. And be it further enacted, That it shall 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.

First Meeting of Trustees.

V. And be it further enacted, That the said Trustees shall meet at the *Bell* Inn in the Parish of *Bawdeswell*, or at some other convenient

Place, on the Second Day of *July* next after the Commencement of this Act, between the Hours of Eleven in the Morning and One in the Afternoon, or as soon after as conveniently may be, and proceed to carry this Act into execution.

VI. And be it further enacted, That the respective Tolls following shall (subject to the Provisoes, Restrictions, and Exemptions contained in this Act and in 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 by the Side of the said Road or any Part thereof, before any Horse, Mule, Ass, Beast, or other Cattle whatsoever, Coach, Chariot, Chaise, Waggon, 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 Beast, drawing any Coach, Landau, Barouche, Chariot, Curricle, Berlin, Phaeton, Chaise, Calash, Hearse, Gig, Chair, or other such like Carriage, the Sum of Sixpence:

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Dray, Cart, or Caravan or other such like Carriage having the Fellies of the Wheels of the Breadth of Six Inches or upwards, the Sum of Four-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, the Sum of Four-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Four Inches and a Half, the Sum of Sixpence:

For every Horse, Mule, or Beast, drawing any Van, Caravan, or other such Four-wheeled Carriage used for the Conveyance of Goods for Hire, Pay, or Reward, and built and constructed with Springs, the Sum of Sixpence:

For every Horse, Mule, or other Beast, drawing any Van, Caravan, or other such Four-wheeled Carriage used for the Conveyance of Goods for Hire, Pay, or Reward, and built and constructed with Springs, the Fellies of which Wheels shall roll upon a Surface of not less than Six Inches, so constructed as not to deviate more than One Quarter of an Inch from a flat or level Surface, the Sum of Four-pence:

For every Ass, drawing any Cart, Car, or other such Carriage, the Sum of Two-pence:

For every Horse or Mule, laden or unladen, and not drawing, the Sum of One Penny:

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

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

And for every Drove of Calves, Sheep, Lambs, or Swine, 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 or Machinery, the Sum of Five Shillings.

VII. And

Tolls to be paid but once a Day.

VII. And be it further enacted, That in case the Toll hereby imposed for or in respect of any Horse, Mule, Ass, Beast, or Cattle shall have been paid on passing through any of the Turnpikes, Toll Gates, or Side Gates, Chain or Chains, now erected and continued or hereafter to be erected upon, across, or on the Sides of the Roads by this Act directed to be improved and kept in repair, no such Horse, Mule, Ass, Beast, or Cattle shall be subject or liable to any Toll for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Gate on the same Day before Twelve o'Clock at Night, but upon the Production of a Note or Ticket denoting the Payment of such Toll shall (except in the Cases hereinafter mentioned) be permitted to pass through such Turnpike, Toll Gate, or Side Gate, Chain or Chains, Toll-free; which Note or Ticket (such Tickets to specify the Gate freed by such Payment) the Collectors of the Tolls are hereby respectively required to give *gratis* on the Receipt of the Toll.

Limiting Number of Tolls to be taken.

VIII. And be it further enacted, That no more than Three 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 on the whole Line of the said Road.

Horses drawing different Carriages to pay each Time of passing.

IX. Provided always, and be it further enacted, That no Horse, Mule, Ass, or 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 repass 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 Carriage of any Description propelled by Steam or Machinery, 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 like Manner as if no Toll had before been paid thereat: Provided always, that no further or additional Toll shall be payable for or in respect only of the Horses drawing such Carriage having been changed.

Post Chaises on every fresh Hiring.

XI. And be it further enacted, That the respective Tolls herein-before mentioned and made payable shall be paid for and 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.

XII. And

Fractional part of a Halfpenny in Tolls.

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.

Application of Tolls and other Monies.

XIII. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said recited Acts, and which, on the Day of the Commencement of this Act, shall be remaining undisposed of, and also the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit of such 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 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 Act 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 Roads; fourthly, in defraying the Expences of diverting, 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 Sides of such Roads, 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 said recited Act hereby repealed, and all Principal Monies advanced and lent for the Purposes of the said recited Act, 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 or for the Purposes of this Act.

No Money to be laid out in repairing Streets.

XIV. Provided always, and be it further enacted, That no Part of the Money received or to be received by virtue of this Act shall be laid out in cleansing, paving, lighting, watering, or repairing any Street, Road, or Highway within the City of *Norwich* and Town of *Fakenham* aforesaid.

Public Act.

XV. 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.

XVI. And be it further enacted, That this Act shall commence upon the Second *Tuesday* after 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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