ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. lxviii.

An Act for enlarging the Term and Powers of several Acts, for amending the Road from the End of the Town Close, in the County of the City of *Norwich*, to the Chalk Pits near *Thetford*, in the County of *Norfolk*. [20th *June* 1816.]

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of King *William* the Third, intituled *An Act for repairing the Highways between* Wymondham *and* Attleborough, *in the County of* Norfolk: And whereas another Act was passed in the Seventh Year of the Reign of Queen *Anne*, intituled *An Act for continuing an Act made in the Seventh and Eighth Years of the Reign of His late Majesty King* William, *intituled* 'An Act for the repairing the 'Highways *between* Wymondham *and* Attleborough, *in the County of* 'Norfolk,' *and for including therein the Road leading from* Wymondham *to* Hetherset, *over the Commons belonging to the said Towns*: And whereas another Act was passed in the Twelfth Year of the Reign of King *George* the First, intituled *An Act to continue Two Acts of Parliament for repairing the Highways between* Wymondham *and* Attleborough, *and from* Wymondham *to* Hetherset, *in the County of* Norfolk, *the one passed in the Seventh and Eighth Years of the Reign of His late Majesty King* William *the Third, and the other in the Seventh Year of the Reign of Her late Majesty Queen* Anne, *and for repairing the Road from the Mouth of* Wigmore Lane *to* Hall Walk Gate *in* Attleborough, *in the said County*: And whereas another Act was passed in the Twentieth Year of the Reign of King *George*

7 & 8 W. 3. c. 26.

7 Anne, c. 4.

12 G. 1. c. 22.

20 G. 3. c. 16. the Second, intituled *An Act for enlarging the Term and Powers granted by ſeveral Acts of Parliament, paſſed for repairing the Highways between* Wymondham *and* Attleborough, *and from* Wymondham *to* Hetherſet, *and from the Mouth of* Wigmore Lane *to* Hall Walk Gate *in* Attleborough, *in the County of* Norfolk, *and for amending the other Roads adjoining to the Highways directed to be repaired by the ſaid former Acts, and making the ſaid Acts more effectual:* And whereas another Act was paſſed in the

7 G. 3. Seventh Year of the Reign of His preſent Majeſty, intituled *An Act for continuing the Term of ſeveral Acts for repairing the Road between* Wymondham *and* Attleborough, *in the County of* Norfolk, *and for amending the Road from the End of the Town Cloſe in the County of the City of* Norwich *to the* Chalk Pits *near* Thetford, *in the ſaid County of* Norfolk: And whereas another Act was alſo paſſed in the Thirty-ſecond Year of the

32 G. 3. Reign of His preſent Majeſty, intituled *An Act for continuing and amending an Act of the Seventh Year of His preſent Majeſty, for amending the Road from the End of the Town Cloſe in the County of the City of* Norwich, *to the* Chalk Pits *near* Thetford, *in the County of* Norfolk: And whereas the Truſtees for executing the ſaid Acts have, for the Purpoſes of the ſaid Acts, from Time to Time borrowed ſeveral Sums of Money on the Credit thereof, and of the Tolls thereby directed and authorized to be taken, and the Term granted or continued by the ſaid recited Acts is near expiring, and the ſaid Road cannot be maintained and kept in good Repair, unleſs the ſaid Term be further continued, and unleſs the Powers given by the ſaid recited Acts, or ſome of them, be amended and enlarged: 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 the ſaid recited Acts, and all and every the Truſts, Authorities, Powers, and Tolls thereby granted and now in force, and the Proviſions, Proviſoes, and Clauſes therein reſpectively contained and now in force (except ſuch of them as relate to the Exemption from Stamp Duties, and ſuch of them as are varied, altered, or repealed), ſhall be and continue in full Force and Effect, and, together with this preſent Act, ſhall be put in Execution for the ſeveral Purpoſes thereby and hereby intended, for and during the Term hereinafter mentioned, in as full and ample Manner, and as effectually to all Intents and Purpoſes, as if the ſaid Truſts, Authorities, Powers, Tolls, Proviſions, Proviſoes, and Clauſes, were repeated and re-enacted in or by this preſent Act; and the additional Term hereby granted ſhall be and is hereby made ſubject and liable to the Payment of all Monies now due and owing, or hereafter to become due and owing, on the Credit or on account of the ſaid former Acts, or either of them, and of this Act, and all Intereſt due and to grow due for the ſame reſpectively.

Term and Powers of the former Acts continued and enlarged.

Books to be kept of Proceedings of Truſtees, and of Account of Receipts and Diſburſements, which ſhall be open to the Inſpection of the Truſtees and Creditors.

II. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk or Treaſurer for the Time being, in which Book or Books all Orders and Proceedings of the Truſtees ſhall be regularly entered, and ſuch Orders and Proceedings ſo entered ſhall be ſigned by the Truſtees making the ſame; and in which Book or Books ſuch Clerk or the Treaſurer ſhall enter or cauſe to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the ſaid Road, and of the ſeveral Articles, Matters, and Things

for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection (without Fee or Reward) of the said Trustees, or any Creditor or Creditors on the Tolls granted or authorized to be taken by the said recited Acts or this Act; and the said Trustees and Creditors shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the said Clerk or Treasurer, or the Person or Persons who shall have the Care and Custody of the said Book or Books, shall refuse to permit the said Trustees or such Creditors to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk or Treasurer, or Person or Persons, shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in the same Manner as any other Penalty may be levied and recovered by virtue of the said recited Acts or this Act; and the said Book and Books, and also any Book or Books kept for registering Mortgages and Assignments, or Transcripts thereof, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Recital of Power to erect Toll Gates.

III. And whereas it is by the said recited Act of the Seventh Year of the Reign of His present Majesty enacted, that the Trustees therein named, or such Person or Persons as they or any Five or more of them should appoint, should and might erect, or cause to be erected, a Turnpike or Gate upon or near to *Cringleford* Bridge, and one other Turnpike or Gate upon or near adjoining to *Frettle* Bridge, in the said Act named, with Toll-houses and suitable Out-buildings to each Turnpike or Gate, and to enclose convenient Garden Spots for such Toll-houses, in the Manner in the said Act mentioned: And whereas it is expedient, for better securing the Collection of the Tolls and Duties payable upon the said Road, that the said Trustees should be enabled to vary the Situation of the said Turnpikes or Gates, and to erect a Third Turnpike or Gate on the said Road, with a Toll House and suitable Out-buildings, and to enclose a Garden Spot for the same; be it therefore enacted, That it shall and may be lawful for the Trustees for executing the said recited Acts and this Act, or such Person or Persons as they or any Five or more of them shall appoint, and they are hereby authorized and empowered, to continue or vary the Situation of the Two several Turnpikes, Toll Houses, and Gates erected and now standing across the said Road at or near *Cringleford* Bridge and *Frettle* Bridge aforesaid; and that it shall and may be lawful to and for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, to cause to be built and erected one other additional Toll House and Toll Gate, with suitable Out-buildings, upon and across the said Road, and to enclose a suitable Garden Spot for the same, not exceeding One Eighth Part of an Acre, at such Place and Places as the said Trustees, or any Nine or more of them who shall be present at any Meeting to be held for that Purpose, or the major Part of such Nine or more Trustees, shall think fit; and that they the said Trustees shall and may continue all or any of the present or future Turnpikes, Toll Gates, Toll Houses, Out-buildings, and Conveniences, and also shall and may from Time to Time cause the same to be removed and placed elsewhere on the said Road, as the said Trustees in their Discretion shall at any such Meeting or Meetings, or at any other Meeting or Meetings to be held by them pursuant to the said recited Acts or this Act, direct and appoint; and that such and the same Tolls shall be collected, levied, and

Power to erect additional Toll Gate;

taken

taken at such respective Toll Gates as are already imposed by the said recited Acts, with the same Powers to compel and enforce the Payment thereof, and for Recovery thereof in case of Non-payment, as are provided and given by the said recited Acts: Provided nevertheless, that the erecting or building of any new Gate or Gates upon or across the said Road, or altering the Situation of the present or future Gates upon or across the said Road, shall not in any Case extend to create or impose any double Charge, or to subject any Person or Persons to the Payment of any higher or larger or greater Toll for passing along the whole Line of Road than is by the said recited Acts already appointed to be paid for passing through the Turnpikes or Toll Gates already erected and now standing upon or across the said Road; and such Tolls shall be applied for the Purposes of the said recited Acts and this Act.

but not to increase the present Tolls.

Tickets to be printed, &c.

IV. And be it further enacted, That upon Payment of any of the Tolls to be collected by virtue of the said recited Acts or this Act, the Collector or Receiver shall and he is hereby required to deliver *gratis* to the Person paying such Toll a Note or Ticket denoting such Payment, and which Notes or Tickets shall be provided by the said Trustees; and there shall be printed and specified thereon the Names of the several and respective Gates which such Tickets shall free, or which ought under the Provisions of the said recited Acts or this Act to be passed free for One Payment of Toll.

Penalty on Collectors for misbehaving.

V. And be it further enacted, That all and every Toll Collector being Lessee of the said Tolls, or appointed, either by the said Trustees or by any such Lessee or Lessees, to collect the Tolls payable at any Turnpike or Toll Gate erected by virtue of the said recited Acts, or to be continued or erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House or Toll Gate, immediately upon his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of the said recited Acts or this Act, or of the Orders and Resolutions of the Trustees made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in any ways hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them, or shall in Answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll, or, upon the legal Toll being paid or tendered, shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Trustee, Treasurer, Clerk, Surveyor,

Surveyor, or other Officer, or any Paſſenger or Paſſengers, then and in every ſuch Caſe every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be recovered and applied as other Penalties are by the ſaid recited Acts or this Act directed to be recovered and applied.

Diſputes concerning Tolls to be ſettled by a Juſtice.

VI. And be it further enacted, That in caſe any Diſpute ſhall happen about the Amount of Toll due, or the Charges of keeping any Diſtreſs, it ſhall be lawful for the Collector or Perſon diſtraining to retain the ſame, or the Money ariſing by the Sale thereof (as the Caſe may happen) until the Amount of ſuch Toll, and the Charges of making ſuch Diſtreſs, and of keeping and ſelling the ſame, ſhall be aſcertained by ſome Juſtice of the Peace of the ſaid County of *Norfolk*, or City and County of the City of *Norwich*, in their reſpective Juriſdictions, who, upon Application to him made for that Purpoſe, ſhall examine the Matter upon Oath of the Parties, or other Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby empowered to adminiſter), and determine the Diſpute reſpecting ſuch Tolls, and the Amount of the Tolls due; and ſhall alſo aſſeſs the Charges of ſuch Diſtreſs, Keeping, and Sale, and ſhall award ſuch Coſts to either Party, as to the ſaid Juſtice ſhall appear juſt and reaſonable; and ſuch Sums as ſhall be ſo determined or aſſeſſed to be paid to the Collector or other Perſon diſtraining, ſhall be paid to the ſaid Collector or other Perſon before he ſhall be obliged to return the Diſtreſs or the Overplus after the Sale thereof, or of any Part thereof; and the Coſts which ſhall be ſo awarded to any other Perſon or Party ſhall, in caſe of Non-payment within Four Days after the ſame ſhall be ſo awarded, be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons liable to pay the ſame, by Warrant under the Hand and Seal of ſuch Juſtice (which Warrant ſuch Juſtice is hereby empowered to grant); and the Overplus (if any), after Payment of ſuch Coſts, ſhall be returned upon Demand to the Owner or Owners of ſuch Goods and Chattels.

General Exemptions from Toll.

VII. And be it further enacted, That no Toll ſhall be demanded or taken of or from any Perſon or Perſons for any Horſe, Cattle, Beaſt, or Carriage, which ſhall not go more than One hundred Yards upon the ſaid Road; or for any Horſe or Horſes, or other Beaſt or Cattle, or for any Waggon, Wain, Catt, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Road lies, or with Seed for ſeeding the Ground, or Hay, Turnips, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns, Out-houſes, or Yards, or on the Lands of the Owners thereof; or for any Horſe, Beaſt, or other Cattle or Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Compoſt, or Manure, Chalk and Lime, employed in Huſbandry for manuring or improving Land; or for any Horſes or other Beaſts going to or returning

from Plough or Harrow, or to or from Paſture or Watering Place, or going to be, or returning from being ſhoed or farried; or for any Horſe, Cattle, or Carriage going to or returning from any Corn Mill or Malt Kiln, ſituate in any of the Townſhips or Pariſhes in which the ſaid Road lies; or with or for any Corn, Grain, Malt, Meal, or Flour, to be ground, made, or ſmelted, or when ſo done for the Owner's own Uſe and Conſumption, and not for Sale; or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church, Chapel, or other Place of Religious Worſhip on *Sundays*, or any other Day on which Divine Service is ordered to be celebrated; or going to or returning from attending the Funeral of any Perſon who ſhall die and be buried in any of the Pariſhes in which the ſaid Road lies; or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; or for any Horſes or Carriages of whatever Deſcription employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for the Horſe or Horſes of any Officers or Soldiers on their March or on Duty; or for any Horſe or Horſes or other Beaſt, or any Cart, Carriage, or Waggon employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying any ſick, wounded, or diſabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, employed in conveying any Ordnance, or Barrack, or Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or returning empty from having been ſo employed; or for any Horſe, Mare, or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exerciſe, Inſpection, or Review, provided that ſuch Perſon ſhall be dreſſed in the Uniform of his Corps, and ſhall have his Arms, Furniture, and Accoutrements, according to the Regulations of ſuch Corps, at the Time of claiming ſuch Exemption; or for Horſes, Carts, or Waggons travelling with Vagrants ſent by legal Paſſes, or returning empty after having been only ſo employed; or for any Horſe or Horſes, Coaches or other Carriages going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Norfolk*, or of any Citizen or Citizens to ſerve in Parliament for the City and County of the City of *Norwich*, on the Day or Days of ſuch Election, or the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall by any fraudulent or colluſive Means whatſoever claim or take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds, One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied to the Purpoſes of the ſaid recited Acts and this Act.

Exempting Carriages conveying

VIII. And be it further enacted, That no Perſon owning or driving or cauſing to be driven any Waggon, Wain, Cart, or other Carriage

provided for the Service of His Majesty's Forces, or conveying any Ordnance, or Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage, or the Horse or Horses drawing the same, while so employed, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for the Owner or Driver of any such Waggon, Wain, Cart or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the said recited Acts or this Act, contained to the contrary notwithstanding. King's Stores, &c. from Penalties for Overweight.

IX. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used, by virtue of the Powers of the said recited Acts or this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the said recited Acts and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrances affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements or Hereditaments, standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said High Court of Chancery shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said High Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Application of Compensation, if amounting to 200*l.*

ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends or Intereſt and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments ſo to be purchaſed, in caſe ſuch Purchaſe or Settlement was made.

Where leſs than 200l. and amounting to 20l.

X. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed or amount to the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, Lunacy, or other Incapacity, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner hereinbefore directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing the ſaid recited Acts and this Act, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends and Produce ariſing thereon and therefrom, may be applied in Manner hereinbefore directed, ſo far as the Caſe ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

Where under 20l.

XI. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next hereinbefore mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Acts and this Act, in ſuch Manner as the ſaid Truſtees or any Five or more of them ſhall think fit; or in caſe of Infancy, Idiotcy, Lunacy, or other Incapacity, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Truſtee or Truſtees, to and for the Uſe and Benefit of ſuch Perſon or Perſons reſpectively entitled thereto.

In caſe of not making out Titles.

XII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments to be purchaſed, taken, or uſed, under or by virtue of the Powers of the ſaid recited Acts and this Act for the Purpoſes aforeſaid, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees, or any Five or more of them; or in caſe the Perſon or Perſons to whom ſuch Sum or Sums

Sums of Money ſhall be ſo awarded as aforeſaid cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [deſcribing them], ſubject to the Order, Controul, and Diſpoſition of the ſaid High Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England* who ſhall receive ſuch Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying therein for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank of *England* as aforeſaid.

In caſe of diſputed Titles.

XIII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, in purſuance of the ſaid recited Acts and this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, Title, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Acts and this Act for the Purpoſes aforeſaid, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid High Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

Court may order reaſonable Expences to be paid by Truſtees.

XIV. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed, taken, or uſed under the Authority of the ſaid recited Acts and this Act for the Purpoſes aforeſaid, the Purchaſe Money for the ſame ſhall be required

quired to be paid into the High Court of Chancery, and be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Acts and this Act, or ſo much of ſuch Expences as to the ſaid Court ſhall ſeem reaſonable, to be paid by the ſaid Truſtees or any Five or more of them out of the Monies to be received by virtue of the ſaid recited Acts and this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

For getting Materials to repair the Road.

XV. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Road, and all ſuch Perſon or Perſons as he or they ſhall appoint, to ſearch for, dig, gather, get, and take away any Stones, Gravel, Chalk, Furze, Heath, Sand, or other Materials, for making, amending, altering, improving, or repairing the ſaid Road out of any Waſte or Common, or out of any common River or Brook, in any Pariſh, Hamlet, Townſhip, or Place in which any Part of the ſaid Road ſhall lie or be ſituate, or in any adjoining Pariſh, Hamlet, Townſhip, or Place, without paying any Thing for the ſame; they the ſaid Surveyor or Surveyors, or other Perſon or Perſons, filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks, where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and if a ſufficient Quantity of ſuch Materials cannot be had or found in or upon any ſuch Waſte or Common, or in any ſuch common River or Brook, then and in ſuch Caſe the Surveyor or Surveyors, or other Perſons as aforeſaid, may, by Order of any Juſtice or Juſtices of the Peace for the ſaid County, or the ſaid City and County, as the Caſe ſhall be, to be made upon the Application of the ſaid Truſtees, or any Five or more of them, ſearch for, dig, gather, get, and take away any ſuch Materials in and out of the Lands, Fields, or Grounds of any Perſon or Perſons, in any Pariſh, Hamlet, Townſhip, or Place in which any Part of the ſaid Road ſhall lie or be ſituate, where the ſame may be had or found, (ſuch Lands, Fields, or Grounds not being a Garden, Orchard, Yard, Park, Paddock, Walk or Walks, or Avenue to a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees), making or tendering ſuch Satisfaction for the Value of ſuch Materials, and alſo for the Damages done to the Owners and Occupiers of any ſuch Lands, Fields, or Grounds, where and from whence the ſame ſhall be dug, gathered, and carried away, or over which the ſame or any other Materials for amending, altering, improving, or repairing the ſaid Road ſhall be carried, as ſhall be agreed upon between them and ſuch Owner or Occupier; or in caſe of their not agreeing, then as any one or more Juſtice or Juſtices of the Peace acting in and for the ſaid County, or the ſaid City and County, as the Caſe ſhall be, ſhall and may adjudge and determine to be reaſonable; which Judgment or Order of ſuch Juſtice or Juſtices therein ſhall be final and concluſive to all Parties, any Thing in the ſaid recited Acts contained to the contrary notwithſtanding.

Notice to be given before Materials taken.

XVI. And be it further enacted, That it ſhall not be lawful for any Surveyor, or any Perſon or Perſons acting under the Authority of the ſaid recited Acts or this Act, to dig, gather, get, take, or carry away any

any Materials for repairing such Road out of or from any enclosed Land or Ground, until Notice in Writing signed by the Surveyor shall have been given to the Owners or Occupiers of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owners or Occupiers, to appear before any Justice or Justices of the Peace acting in and for the said County of *Norfolk*, or in and for the said City and County of the City of *Norwich*, in their respective Jurisdictions, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner or Occupier or his Agent shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, such Justice or Justices in their said respective Jurisdictions shall, if he or they think proper, authorize such Surveyor or other Persons to dig, gather, get, take, and carry away such Materials at such Time or Times as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or Agent, such Justice or Justices in their said respective Jurisdictions, may (upon Proof on Oath of the Service of such Notice, and which Oath they or any one of them are and is hereby empowered to administer) make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier or his Agent had attended.

Statute Labour.

XVII. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the said County of *Norfolk*, or for the said City of *Norwich* and County of the same City, in their respective Jurisdictions, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order), yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees or to their Treasurer; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in Force and Effect for the Repair of the Public Highways; and out of such Lists such Justices shall or may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable;

reaſonable; and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt), and on ſuch Parts of the ſaid Road, as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject or liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in default of Payment thereof, the ſame ſhall or may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts or this Act authorized to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid (after Notice in Writing given to or left for him, her, or them at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, ſigned by the Surveyor or Surveyors to the ſaid Truſtees) ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force and Effect for the Repair of the Public Highways; and if any Perſon who ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Truſtees may compound for Statute Work.

XVIII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees or any Five or more of them to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Repairs or Statute Work to be by them done on the ſaid Road or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments of and in all or any of the Pariſhes or Places in which the ſaid Road lies, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Road; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer or Treaſurers of the ſaid Truſtees, in Advance, on or before the Tenth Day of *October* in each and every Year, or otherwiſe the Inhabitants or Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

XIX. And

Gates to open inwards.

XIX. And be it further enacted, That no Gate of any Park, Paddock, Field or Encloſure whatſoever, ſhall be made to open into or towards the ſaid Road, or be ſuffered to continue ſo to open, except the Hanging Poſt thereof ſhall be Thirty Feet at leaſt from the Centre of the ſaid Road; and the Occupier or Occupiers of every Park, Paddock, Field, or Enclo-ſure, having any Gate opening contrary to the Directions of this Act, ſhall, within Fourteen Days after Notice to him, her, or them given, either perſonally or in Writing from the Surveyor of the ſaid Road, cauſe ſuch Gate to be hung in the Manner hereby directed, whenever the ſame ſhall be practicable, but in every Caſe in ſuch a Manner as that no Part of the Gate when open ſhall project over any Part of the ſaid Road or Foot-path belonging thereto; and in default thereof, the Surveyor of the ſaid Road is hereby authorized to cauſe ſuch Gate to be ſo hung; and the Perſon or Perſons guilty of ſuch Neglect or Default ſhall, upon Com-plaint made to any Juſtice or Juſtices of the Peace acting in and for the ſaid County of *Norfolk*, and upon Conviction thereof upon the Oath of One credible Witneſs, pay to ſuch Surveyor ſuch Sum as the ſaid Juſtice or Juſtices ſhall direct, to defray the Expence of making the Alteration and hanging ſuch Gates; and ſhall alſo forfeit and pay a further Sum, not exceeding Forty Shillings, for his, her, or their Neglect therein, to be fixed by and at the Diſcretion of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made as aforeſaid.

Penalty on damaging Footpaths, Cauſeways, or Lamps.

XX. And be it further enacted, That if any Perſon or Perſons ſhall ride upon any Cauſeway or Footpath now made, or hereafter to be made, on the Side of the ſaid Road, or any Part thereof, or ſhall drive any Cart or other Carriage, or lead or drive any Horſe or other Cattle, or any Swine thereon, or ſhall break, damage, or deſtroy any Lamp or Lamp-poſt which may be ſet up on or near the ſaid Road, or ſhall wilfully cauſe any Damage or Injury to be done to the ſaid Cauſeways or Footpaths, or any Part thereof, every ſuch Perſon ſo offending ſhall, upon Conviction for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings, at the Diſcretion of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of the ſaid recited Acts and this Act.

Power to detain Perſons guilty of Offences.

XXI. And whereas Perſons guilty of Offences againſt the ſaid recited Acts or this Act may be tranſient Perſons, unknown to the Collectors, Surveyors, or other Officers appointed under the ſaid recited Acts or this Act; be it therefore enacted, That it ſhall be lawful for the Collectors, Surveyors, or other Officers duly authorized by the ſaid Truſtees, in purſuance of the ſaid recited Acts or this Act, to ſeize and detain any un-known Perſon or Perſons guilty of any Offence as aforeſaid, and to convey him, her, or them before One or more Juſtice or Juſtices of the Peace for the County where any ſuch Offence or Offences ſhall be committed, without any other Warrant or Authority than this Act for ſo doing.

Recovery of Penalties.

XXII. And be it further enacted, That all Penalties and Forfeitures impoſed or inflicted by this Act or the ſaid recited Acts, or any of them, and all Charges and Sums of Money by the ſaid recited Acts directed to be paid by the Owners or Occupiers of Lands adjoining to the ſaid Road, for not removing Annoyances, or cutting down, lopping, or topping Trees

or Bushes or otherwise, and all Sums of Money, Charges, or Expences directed by this Act to be paid for making Alterations and hanging Gates or otherwise, shall, upon Proof of such Defaults, Neglects, or Offences respectively, before One or more Justice or Justices of the Peace for the County or Place where such Defaults, Neglects, or Offences shall happen, or be done, or committed, or where the Offender or Offenders shall be or reside, either upon the Confession of the Party or Parties respectively, or by the Oath of any credible Witness (which Oath such Justice is hereby empowered to administer), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending and becoming liable to pay such Penalties and Forfeitures, Charges, and Expences respectively, by Warrant under the Hand and Seal of such Justice or Justices, and the Overplus (after such Penalties and Forfeitures are recovered, and such Charges and Expences paid, and the Charges of levying and recovering the same, shall have been deducted) shall be returned on Demand to the Owners of such Goods and Chattels; and all such Penalties and Forfeitures, Charges, and Expences, to be so as aforesaid levied (where not otherwise directed to be applied by this Act or the said recited Acts) shall from Time to Time be paid to the Treasurer or Treasurers of the said Trustees, and applied for the Purposes of this Act and the said recited Acts; and in case sufficient Distress cannot be found, or any such Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for any such Justice or Justices, and he and they is and are hereby authorized and required by Warrant under his or their Hand and Seal, or Hands and Seals, to cause such Offender or Offenders to be committed to the House of Correction or Common Gaol for the County or Place where the Offence shall be committed, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture, Charges and Expences, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Form of Conviction.

XXIII. And for the more easy and speedy Conviction of Offenders against this Act and the said recited Acts, be it further enacted, That all and every the Justice and Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act or the said recited Acts, or any of them, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (*videlicet*),

'BE it remembered, That on the Day of in the Year of Our Lord One thousand eight hundred and *A. B.* of is convicted before me, One of His Majesty's Justices of the Peace for the County of *Norfolk* [*specifying the Offence and the Time and Place when and where the same was committed, as the Case shall be*]. Given under my Hand and Seal the Day and Year above written.'

For defraying the Expences of the Act.

XXIV. And be it further enacted, That the Expences of obtaining and passing of this Act shall be paid, as soon as conveniently may be after the passing thereof, out of the first Tolls or Duties arising or to arise by virtue of the said recited Acts or of this present Act, or any of them, upon the said Road, or out of any Money borrowed or to be borrowed upon the Credit thereof.

Public Act.

XXV. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

Continuance of this Act.

XXVI. And be it further enacted, That the ſaid ſeveral recited Acts (except ſuch Parts thereof as have been heretofore, or as are by this Act repealed, and ſubject to the Alterations and Amendments herein contained), and alſo this preſent Act, ſhall continue and be in Force and be executed for and during the Reſidue of the Term granted and continued by the ſaid recited Acts, or any of them, and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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