ANNO NONO

GEORGII IV. REGIS.

Cap. ci.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act for making a Turnpike Road from *Wells next the Sea* to *Fakenham* in the County of *Norfolk*, and other Roads connected therewith. [19th *June* 1828.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for making a Turnpike Road from* Wells next the Sea *to* Fakenham, *with a Branch therefrom, all in the County of* Norfolk: And whereas the extending the Line of the said Road by making Turnpike the present Highway from the present Commencement of the said Turnpike Road in the Parish of *Wells*, to the Bottom of a Lane called the *Glebe Lane*, running into the Road from *Wells* to *Holkham*, and from the said Commencement of the said Turnpike Road to and to join the Branch made in pursuance of the said Act, at or near the Rectory adjoining such Branch; and by making Turnpike a certain Highway or Road leading from and out of the said *Wells* and *Fakenham* Turnpike Road, at or near the South-east Corner of an Inclosure of Land in the Parish of *Fakenham*, belonging to and in the Occupation of *George Baldwin*, and passing through the several Parishes, Townships, Hamlets, or Places of *Fakenham*, *Sculthorpe*, *Dunton*, *Tattersett* or *Gatesend*, *East Rudham*, *West Rudham*, *Houghton*, *Great Bircham* or *Bircham Tofts*, *Harpley*, *Flitcham*, 7 G. 4. c. 136.

Flitcham, and *Hillington*, and to join a certain Turnpike Road called the *Lynn* East Gate Turnpike Road, at or near the West Corner of an Inclosure of Land belonging to Sir *William Browne Folkes* Baronet, in the Occupation of *Elizabeth Wade*, in the Parish of *Hillington*; and also by making Turnpike a certain Highway or Road leading out of the before-mentioned Branch, at or near the *Exchange Inn* in the Parish of *Little Walsingham*, and passing through the several Townships, Hamlets, or Places of *Little Walsingham*, *Houghton-in-the-Dale*, and *East Basham*, into the said Main Turnpike Road leading from *Wells* to *Fakenham*, at or near the South-east Corner of an Inclosure of Land belonging to Sir *Jacob Henry Astley* Baronet, in the Occupation of *George Rodwell*, in the Parish of *East Basham*; would be of great Advantage and Convenience to the Inhabitants of *Wells*, *Little Walsingham*, *Fakenham*, and *Lynn*, and other Places lying near the said Road, and to the Public in general: And whereas it is expedient that the said recited Act should be repealed, and that the said Extension of Road, and the Road comprised in the said recited Act, should be comprised in One Act: And whereas an Act was passed in the Third Year of the Reign of His present Majesty
3 G. 4. c. 126. 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 another Act was passed in the
4 G. 4. c. 95. Fourth Year of the Reign of His 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 another Act was passed in the Fourth Year
4 G. 4. c. 16. of the Reign of His present Majesty, intituled *An Act to explain so much of the General Turnpike Act as relates to the Toll payable on Carriages laden with Lime for the Improvement of Land*: And whereas an Act was passed in the Fifth Year of the Reign of His present
5 G. 4. c. 69. 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 another Act was passed in the Seventh
7 & 8 G. 4. c. 24. and Eighth Years of His present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in* England: And whereas the several beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after

Recited Act of 7 G. 4. repealed, and this Act to be put in execution for maintaining and improving the Roads herein-after mentioned.

the Third *Monday* after the passing of this Act the said recited Act of the Seventh Year of the Reign of His present Majesty shall be and the same is hereby repealed, and this Act shall from thenceforth commence and take effect and be put in execution for and during the Term herein-after mentioned, for the Purpose of maintaining, widening, and improving the several Roads herein-after mentioned; (that is to say,) the said Main Road from *Wells* to *Fakenham*, and the Branch therefrom to *Langor Bridge*, the said Road from the Commencement of the said Main Road to the Bottom of the said *Glebe Lane*, the said Road from the said Commencement of the said Main Road to the said Branch therefrom at or near the Rectory

aforesaid, the said Road to *Hillington* aforesaid, and the said Road to *East Basham* aforesaid.

New Term and Tolls liable to the former Debts, &c.

II. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and the same are hereby made subject and liable to the Payment of all Monies which have been subscribed or advanced, or which are now due and owing on the Credit of the Tolls by the said first-recited Act authorized to be taken, and of all Interest due and to grow due thereon; and all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said first-recited Act shall be liable to the Payment thereof to the Trustees herein-after appointed or directed to be appointed for executing this Act.

Bonds, Contracts, &c. to remain in full Force.

III. And be it further enacted, That all Conveyances, Mortgages, Deeds, Bonds, Covenants, Agreements, Contracts, and Securities made to or by, or entered into, on account of the said Road from *Wells* to *Fakenham* and the Branch therefrom to *Langor Bridge*, by any Person or Persons to or with the Trustees for executing the said first-recited Act, or to or with any Person or Persons on behalf of the said Trustees, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, or before all or any of His Majesty's Justices of the Peace having Jurisdiction, (as the Case may require,) until the same shall be fully satisfied and performed on account of the Trusts under this Act; and all Lettings of Tolls, Bargains, Contracts, Agreements, or Notices made, entered into, or given by the Trustees for executing the said first-recited Act, or by any Person or Persons on their Behalf as aforesaid, with or to any Person or Persons, for any Purpose relating to the said Road and Branch, or to the Execution of the said Act, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said first-recited Act.

Books used under former Act to be Evidence.

IV. And be it further enacted, That all Books of Proceedings of the said Trustees in the Execution of the said first-recited Act, kept according to the Directions or the Provisions thereof, or of any Act then in force, and made Evidence thereby, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and also Books of Accounts of Receipts and Disbursements made under the said first-recited Act, and all Books for registering Mortgages or Assignments made in pursuance thereof, shall be preserved and kept by the Clerk for the Time being to the Trustees for executing this Act, and shall at all seasonable Times be open to the Inspection of the said Trustees and of any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the said

Book

Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Powers of General Turnpike Acts extended to this Act.

V. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His 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,) and also the said recited Act passed in the Fourth Year of the Reign of His 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,) and also the said recited Acts passed in the Fifth and in the Seventh and Eighth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Directions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, shall respectively, so far as the same are not hereby varied, altered, or otherwise provided for, be as good, valid, and effectual for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Appointment of Trustees.

VI. And be it further enacted, That the Right Honourable Lord *John Townshend*, the Right Honourable Lord *Charles Vere Ferrars Townshend*, the Right Honourable Lord *James Nugent Boyle Bernardo Townshend*, *Henry Lee Warner*, *James Lee Warner* Clerk, *John Thomas Jones*, *Thomas Beeston*, *William Loads Rix*, *Peter Le Neve Forster*, *William Brooke*, *Joseph Peckover*, *Francis Blaikie*, *Anthony Gwynn*, *John Middleton*, *John Dugmore*, *Nicholas Henry Astley* Clerk, *Charles Norris* Clerk, *William Bolton* Clerk, *Thomas Bolton*, *Henry Blyth*, *Richard Dewing* senior of *Burnham Overy*, *Richard England* senior, *John Hall*, *Robert Orris*, *John Bloom*, *Robert Hamond*, *Charles William Hill*, *John Reeve* senior, *Peter Hudson* senior, *Peter Hudson* junior, *John Sandys*, *George Crofts*, *Edward Manby*, *John Drage*, *Richard Dewing* of *East Rudham*, *Robert Sillett* the elder, *William Green*, *Stephen Read*, Commander *John Townshend* Royal Navy, *George Osborne Townshend* Clerk, *Richard Dewing* junior, *Edward Dewing* Clerk, *John Overton*, *Robert Campbell*, and their Successors, being duly qualified according to the Provisions and Directions contained in the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for carrying this Act into Execution.

Power to appoint additional Trustees.

VII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting from Time Time to be held for that Purpose (of which Meeting and of the Purpose thereof Ten Days Notice shall be given in manner by the said recited Act of the Third Year of the Reign of His present Majesty directed with respect to Meetings for the Appointment of Trustees on Vacancies), to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for

for executing this Act, in addition to the Trustees herein named and appointed; and such additional Trustees so elected and appointed (being duly qualified according to the Provisions of the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty,) shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named in this Act.

Meetings of Trustees.

VIII. And be it further enacted, That the Trustees for executing this Act shall meet together at the *Fleece Inn* in *Wells* on the Third *Monday* after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time after adjourn to and meet at such Times and Places upon or near to the said Roads as they shall think proper.

Former Officers to continue.

IX. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Act of the Seventh and Eighth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under and by virtue of the said first-recited Act, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if he had been appointed by virtue of this Act.

New Roads may be made.

X. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to make the said Roads in, upon, over, or through any private Lands or Grounds, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, or for any Damage they may sustain thereby, of such Width as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains as they shall think necessary or expedient; and it shall also be lawful for the said Trustees, and for their Surveyors or Surveyor and Workmen, from Time to Time to enter upon the Lands and Premises through which or whereupon such Roads, Footpaths, Causeways, Fences, Ditches, and Drains is or are intended to be made or pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think necessary or expedient, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon such Lands and Premises respectively for any of the Purposes of this Act; and if any Person shall pick up, remove, or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Roads not to deviate more than 100 Yards from Plan deposited with the Clerk of the Peace.

XI. And whereas a Map or Plan, describing the Line of the said Turnpike Road from *Wells* to *Fakenham*, and the Branch therefrom to *Langor Bridge*, and also the Line of the intended new Branches therefrom, and the Lands through or over which the same are to be made or carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of the Lands through or over which the said intended Branches are to be made or carried, have been deposited in the Office of the Clerk of the Peace for the said County of *Norfolk*; be it therefore enacted, That the said Trustees in making the said intended Roads or Branches shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands such Deviation shall be made; and the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace as aforesaid, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies thereof or Extracts therefrom at their Will and Pleasure, paying to such Clerk of the Peace One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies of or Extracts from such Map or Plan or Book of Reference, and so in proportion for any greater or less Number of Words; and the said Map or Plan and Book of Reference, or any Copy thereof, certified by the Clerk of the Peace to be a true Copy thereof, shall and is hereby declared to be good Evidence in all Courts of Law.

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

Lands marked in the Plan may be used notwithstanding Errors in the Book of Reference.

XII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said intended Roads or Branches into, through, across, or over the several Lands of any Person or Persons who is or are set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the Book of Reference herein-before mentioned, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake and not from Design; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

No Houses, &c. to be taken without the Owner's Consent, except such as are mentioned in the Schedule.

XIII. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Roads or Branches shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Buildings, or to take in or to 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, (other than and except such as are mentioned in the Schedule to this Act annexed,) without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained.

XIV. Pro-

Certain Lands not to be used without Consent of the Owners.

XIV. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Roads or Branches shall not extend or be construed to extend to empower or authorize the said Trustees or their Successors, in making Turnpike the said Road from the *Exchange Inn*, in the Parish of *Little Walsingham*, to the said Main Turnpike Road leading from *Wells* to *Fakenham*, to take or make use of any Part of the Lands or Grounds of Sir *Jacob Astley* Baronet, or of the Reverend *Henry Nicholas Astley* Clerk, or of any Part of the Glebe Lands belonging to the Rectory and Parish Church of *East Basham* in the said County of *Norfolk*, which lie in the Parish of *East Basham* aforesaid, without the Consent in Writing of the said Sir *Jacob Astley* and *Henry Nicholas Astley* respectively, or their respective Heirs and Assigns, and of the Patron and Incumbent for the Time being of the said Rectory and Parish Church of *East Basham* aforesaid, for that Purpose first had and obtained, any thing herein contained to the contrary notwithstanding.

If Lands, &c. are not purchased within 5 Years, Power for that Purpose to cease.

XV. Provided always, and be it further enacted, That if the said Trustees shall not, within the Space of Five Years next after the passing of this Act, agree for or cause to be valued as in and by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty is directed, and purchase, the Buildings, Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers to them hereby and thereby granted for such Purpose shall cease, determine, and be void and of no Effect, any thing herein contained to the contrary thereof in anywise notwithstanding.

Power to continue, remove, or erect Turnpikes, &c.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue all and every or any of the Toll Gates or Turnpikes and Toll Houses now standing and being in, upon, or across the said Road or Branch, or on the Sides thereof; and also to erect and set up and build, or cause to be erected, set up, and built, in lieu thereof or in addition thereto, upon, in, or across the several Extensions and Branches hereby directed to be made and maintained, or upon any Part thereof respectively, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and from Time to Time to alter, take down, remove, or discontinue the same or any of them, as the said Trustees shall think proper and expedient; and also to erect and provide One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Road suitable Garden Spots for the same respectively, not exceeding One Eighth Part of a Statute Acre, as they shall think necessary.

Gates to be erected on each of the Branches and Tolls taken thereat.

XVII. And be it further enacted, That the said Trustees shall and they are hereby required to erect and set up and continue upon each and every Branch of Road comprised in this Act One or more Toll Gate or Toll Gates, Toll Bar or Toll Bars, or Turnpike or Turnpikes, and to demand and take thereat the Tolls by this Act granted,

As to the Repairs of Branch Roads.

granted, subject to the Provisions in this Act and the said recited Acts contained: Provided also, that no Money arising from any of the Tolls hereby authorized to be collected and taken shall be applied in or towards the Repair of any Branch Road upon which there shall not be a Toll Gate or Bar erected or put up and continued under the Authority of the Trustees for carrying this Act into Execution: Provided also, that no more of the Monies arising by virtue of this Act shall be laid out or expended upon any of the said Branch Roads than shall be actually raised or received upon or in respect of such respective Branch Roads, any thing in this Act or the said recited Acts contained to the contrary thereof in anywise notwithstanding.

Power to take Tolls.

XVIII. And be it further enacted, That from and after the Third *Monday* after the passing of this Act it shall be lawful for the said Trustees, or for any Person under their Authority, to demand and take the following Tolls at every Turnpike, Toll Gate, Side Bar, or Chain to be continued, placed, or erected, by virtue of this Act, in, upon, across, or on the Sides of the said Road and Branches herein-before directed to be made and maintained, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same respectively; (that is to say,)

Tolls.

For every Horse or Beast of Draught drawing any Coach, Chariot, Landau, Berlin, Sociable, Chaise, Curricle, Whisky, Car, Calash, Chair, Caravan, Hearse, or Litter, or other such Carriage, the Sum of Sixpence:

For every Horse or Beast of Draught drawing any Waggon, Wain, Van, Cart, or other such Carriage, the Fellies of the Wheels whereof shall be of a less Breadth than Four and a Half Inches at the Bottom or Sole thereof, the Sum of Sixpence:

For every Horse or Beast of Draught drawing any Waggon, Wain, Van, Cart, or other such like Carriage, the Fellies of the Wheels whereof shall be of a less Breadth than Six Inches on the Bottom or Sole thereof and not less than Four and a Half Inches, the Sum of Five-pence:

For every Horse or Beast of Draught drawing any Waggon, Wain, Van, Cart, or other such like Carriage, the Fellies of the Wheels whereof shall be of the Breadth of Six Inches or more at the Bottom or Sole thereof, the Sum of Four-pence:

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

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

And for every Score of Calves, Sheep, Lambs, or Swine, the Sum of Five-pence, and so in proportion for any greater or less Number:

Which said several Tolls or Sums of Money hereby authorized to be demanded and taken as aforesaid shall be and are hereby vested in the said Trustees, and shall be applied and disposed of in manner herein-after mentioned.

Exemption of Agricultural Produce.

XIX. Provided always, and be it further enacted, That no Toll shall be demanded or taken by virtue of this Act, at any Toll Gate or Turnpike which shall be erected by virtue of this Act, for any

Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage employed only 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 Dung, Soil, Compost, or Manure for improving Lands, or any Ploughs, Harrows, or other Implements of Husbandry, or any Hay, Straw, Fodder for Cattle, and Corn in the Straw, which has grown or arisen on Land or Ground in the Occupation of the Owner of any such Hay, Straw, Fodder, or Corn in the Straw, Potatoes or other Agricultural Produce, and which has not been bought, sold, or disposed of, nor is going to be bought, sold, or disposed of, nor for any Horse or other Beast employed in Husbandry, in going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, such Horses or other Beasts not going or returning on those Occasions more than Two Miles on the said Roads; and if any Person shall claim or take the Benefit of any of the said Exemptions, not being entitled thereto, every such Person for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds, and the Proof of Exemption shall be on the Person claiming the same.

Tolls to be paid only Once a Day.

XX. *Provided always*, and be it further enacted, That if the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Ass, or other Beast through any of such Toll Gates, Turnpikes, Side Gates, Bars, or Chains, such Horse, Ass, or other Beast shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free (except as herein-after particularly mentioned) through the same Toll Gate, Turnpike, Side Gate, Bar, or Chain, and also through such other Gate or Gates (if any) as the Ticket for such Payment (such Ticket to be made out according to the Requisitions and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty) shall free, at any Time during the same Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; any thing herein contained to the contrary thereof in anywise notwithstanding.

Limiting the Number of Tolls in One Day.

XXI. Provided also, and be it further enacted, That no more than Two full Tolls shall be demanded or taken of or from any Person or Persons for or in respect of the same Horse or Horses or other Beasts or Cattle, or Carriage or Carriages, in any one Day (to be computed in manner herein-before mentioned), for passing and repassing through all or any of the said Toll Gates or Toll Bars to be erected under the Powers of this Act.

No Part of the Money to be laid out in repairing Streets of Wells.

XXII. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of the said recited Act or this Act shall be laid out in the repairing any Street in any Part of the said Town of *Wells*, any thing herein contained to the contrary in anywise notwithstanding.

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

XXIII. Provided also, and be it further enacted, That for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage,

Carriage, conveying Passengers or Goods for Pay or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Gate, the Tolls hereby made payable shall be paid for every Time of passing or repassing.

Post Chaises, &c. on every new Hiring.

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

Not to use Lands, &c. of Lord John Townshend without his Consent.

XXV. Provided always, and be it further enacted, That nothing in this Act contained shall authorize and empower the said Trustees for the Purposes of this Act to take or make use of any Part of the Lands, Grounds, or Hereditaments, or take down any Trees belonging to the Right Honourable Lord *John Townshend*, in the several Parishes or Places of *East Rudham* and *West Rudham*, without the Consent in Writing of the said Lord *John Townshend*, his Heirs and Assigns, first had and obtained, any thing in this Act contained to the contrary notwithstanding.

Application of the Tolls and Money borrowed.

XXVI. And be it further enacted, That out of the Tolls and other Monies already received or raised, or which shall be received or raised by virtue of the said first-recited Act, and which shall be raised by virtue of this Act, the said Trustees shall in the first place, and in preference to all other Disbursements whatsoever, pay and discharge all Costs and Expences relative to the procuring and passing of this Act, and of all Surveys, Plans, Estimates, and other Expences incident thereto; and the Remainder of such Monies shall from Time to Time be applied in repaying as well the Money which has been borrowed on the Credit of the said first-recited Act, as the Money which may be borrowed on the Credit of this Act, and the Interest due and to grow due thereon respectively, and in making, rendering commodious, improving, and maintaining in repair the said Roads and Branches respectively, and in otherwise carrying this Act into Execution.

Term of Act.

XXVII. And be it further enacted, That this Act shall commence upon the Third *Monday* next 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.

Public Act.

XXVIII. 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.

The

The SCHEDULE referred to by the foregoing Act.

PART of a Blacksmith's Shop, and of a Yard or Garden, in the Parish of East Rudham, belonging to and in the Occupation of John Powell, marked on the Plan of the said Road No. 34.

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