



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. xxxix.

An Act for making a Turnpike Road from the Bridge over the River *Bure* at *Great Yarmouth* to *Acle* (with certain Branches therefrom), all in the County of *Norfolk*. [3d *May* 1830.]

WHEREAS the making a Turnpike Road from the Bridge belonging to *Robert Cory* the younger, Esquire, over the River *Bure* at *Great Yarmouth*, to and to terminate at the present Turnpike Road leading from *Acle* to *Great Yarmouth* aforesaid within the Parish of *Acle*, together with a Branch from such first-mentioned Road, commencing at or near the *Seven-mile House* in the Parish of *Tunstall*, to the Village of *Halvergate*, and another Branch from such Road, commencing at or near the North-west Side of *Tunstall Boat-dike*, to the River *Bure* opposite *Stokesby Ferry*, all within the County of *Norfolk*, would be of great Advantage to the Inhabitants of the several Parishes or Places on the Line and Neighbourhood of the said Road, and to the Public in general: And whereas an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for* 5 G. 4. c. 69.
Ridings, Divisions, or Sokes to act as Trustees for repairing and maintaining Turnpike Roads: And whereas the beneficial Purposes hereinbefore mentioned cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted;

[*Local.*] 8 N and

Powers of recited Act extended to this Act.

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same, That the said recited Act, and all the Powers and Provisions therein contained, shall, except so far as they are repealed or altered, be as valid and effectual for carrying this Act into execution as if they had been repeated and re-enacted in the Body of this Act.

Objects and Powers of the Act defined.

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned for the Purpose of making and maintaining a Turnpike Road from the Bridge over the River *Bure* at *Great Yarmouth* in a Northerly and Westerly Direction through the several Parishes of *Runham, Acle, Postwick, South Walsham, Burlingham Saint Andrew, Cantley, Tunstall*, and the Extra-parochial Lands of *Robert Fellowes Esquire*, to and into the present Turnpike Road leading from *Acle* aforesaid to *Great Yarmouth* aforesaid at the Village of *Acle*, together with a Branch therefrom at or near to the *Seven-mile House* in the Parish of *Tunstall* aforesaid, late in the Occupation of *John Read*, through the said Parishes of *Tunstall* and *Halvergate*, to the Village of *Halvergate* aforesaid, and another Branch therefrom at or near to the North-west Side of *Tunstall Boat-dike*, through the said Parishes of *Tunstall* and *Acle*, to the River *Bure* opposite *Stokesby Ferry*, all in the County of *Norfolk*.

Trustees.

III. And be it further enacted, That *Robert Alderson, Samuel Higham Aldred, George Bateman, William Barth, Thomas Horatio Batcheler, Robert Baas, Samuel Bell, John Brightwen, George Boulton, Samuel Burton, Charles Burton, James Boardman, George Burges Clerk, John Blake, John Browne, James Bessey, William Womack Branford, Henry Negus Burroughes, Robert Cory, Samuel Barnett Cory, Samuel Clayton, Simon Cobb, Samuel Crow, Charles Crow, Robert Cubitt, Benjamin Dowson, William Holmes Diver, Cufaude Davie, William Durrant, George Everitt, Andrew Fountain, William Fisher, James Fisher, Charles Fisher Clerk, John Goate Fisher, Robert Fellowes, Timothy Fellowes, Joseph Fyson, Robert Fenn, Robert Gilbert, William H. Gilbert, Thomas Fryar Garwood, Godfrey Goddard, Richard Gillett, William Horne, Philip Augustus Hanrott, Daniel Harmer, James Harman, David Hogarth, David Hogarth junior, Thomas Willcock Howes, Matthias Kerrison, John King, Sir Edmund Knowles Lacon Baronet, William Lartham, Gibson Lucas Clerk, William Lucas Clerk, Edwin Markland, William Meggy, Eli Williams Morgan, Charles Nicholls, John Penrice, Vice Admiral George Parker, Charles Penrice Clerk, John Preston, Edmund Preston, George Penrice M. B., George Danby Palmer, John Parson, Samuel Paget, James Pierson, Abraham Preston, Edmund Reeve Palmer, Samuel Read, Robert Rising, John Freme Ranney, Sir Edward Stracey Baronet, John Stracey, John Spooner Clerk, Edwin Sydney Clerk, William Steward, Thomas Fowler Steward, Charles Steward, Patrick Stead, Christopher Spanton, Abraham Sewell, John Joseph Scoles, Joseph Starling, Richard Turner Clerk, William Trivett Clerk, Dawson Turner, Samuel Tolver, John Tuthill,*

Press Turner, Joseph Tomlinson, Richard Tomlinson, Robert John Turner, Henry Wayne, Admiral William Windham, Charles Wodehouse Clerk, John Hanbury Williams, William Allison Woods, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying into execution this Act.

IV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, at any of their Meeting or Meetings to be held in pursuance of this Act, (of which Meeting and of the Purpose thereof at least Ten Days previous Notice shall be given in manner by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, directed with respect to Meetings for appointing Trustees on Vacancies,) to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected, and being duly qualified as herein-before mentioned, shall have the like Powers for executing this Act as if they had been herein named.

Power to appoint additional Trustees.

3 G.4. c. 126.

V. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *Angel Inn* in *Great Yarmouth*, or in some other convenient Place in *Great Yarmouth* or *Acle*, on the Second *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Nine and Twelve of the Clock in the Forenoon, and shall and may then, and from Time to Time afterwards, adjourn to and meet at such Times and Places in the Neighbourhood of the said Road as the said Trustees or the major Part of them present at such respective Meetings shall think proper and appoint.

First Meeting of Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees to make and maintain the Roads herein-before described of such Width as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Bridges, Mounds, Culverts, Fences, Ditches, Drains, and other Works as they shall think expedient, and for the Purposes aforesaid to pull down or take and use any Buildings, Lands, Tenements, or Hereditaments, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, and for the Damage they may sustain by the Execution of the Powers of this Act; and it shall be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon any Lands, Tenements, or Hereditaments upon, in, over, or through which such Roads, Footpaths, Bridges, Mounds, Culverts, Fences, Ditches, Drains, and other Works are intended to pass or be made, and also upon, in, over, or through any adjoining Lands, and to stake out the same in such Manner as the said Trustees shall think proper, without being deemed Trespassers, and without being

Power to make Roads.

being subject to any Penalty or Punishment for entering or continuing upon such Lands, Tenements, or Hereditaments for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used for the Purposes aforesaid, such Persons shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Plan and Book of Reference, deposited with the Clerk of the Peace, to remain open for Inspection, and the Roads not to deviate therefrom.

VII. And whereas a Map or Plan describing the said intended Roads, and the Lands, Tenements, and Hereditaments upon, in, over, or through which the same are intended to be carried, together with a Book of Reference thereto, containing the Names of the Owners and Occupiers of such Lands, Tenements, and Hereditaments, have been deposited at the Office of the Clerk of the Peace for the said County of *Norfolk*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect the same, and to take Copies thereof or Extracts therefrom, paying to the said Clerk the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or either of them, or any Copy thereof respectively, or of any Part thereof respectively, certified by the Clerk of the Peace for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law; and the said Trustees in making the said Roads shall not deviate more than One hundred Yards from the Line described in the said Map or Plan, without the Consent in Writing of the Party or Parties upon, in, or through whose Lands, Tenements, or Hereditaments such Deviation shall be made.

Houses, &c. not to be injured, except such as are mentioned in the Schedule.

VIII. Provided always, and be it further enacted, That the Powers and Authorities by this Act given for making the said Roads shall not authorize the said Trustees to pull down or take or use any Dwelling House or other Building, or take or use any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, Plantation, planted Walk or Avenue to a House, or any inclosed Grounds planted or set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owners or Proprietors thereof or other Persons interested therein first had and obtained, except such as are mentioned in the Schedule to this Act annexed.

Unintentional Errors in Act, or Plan, or Book of Reference, not to prevent Execution of Act.

IX. Provided also, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads upon, in, over, or through any Lands, Tenements, and Hereditaments upon, in, over, or through which such Roads are delineated on the said Map or Plan, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof respectively, or the Names of the Owners or of the Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule thereto, or in the said Book of Reference, if it shall appear to any Two or more Justices of the Peace for the said County, (in case of Dispute about the same,) and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded

ceeded from Mistake ; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace of the said County.

X. Provided also, 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 and paid for the Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, or so much thereof respectively as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers by this Act or by any other Act or Acts granted, in relation to the taking of Lands, Tenements, or Hereditaments for the Purpose of Turnpike Roads, shall, so far as relates to the Roads by this Act authorized, cease and be utterly void ; any thing in this Act or in any such Act or Acts as aforesaid contained to the contrary notwithstanding.

Limiting
Period for
purchasing
Property.

XI. And be it further enacted, That it shall be lawful for the said Trustees to erect or build upon the said Roads or any Part thereof, or upon the Sides thereof or any Part thereof, when and where and as they shall judge necessary, any Toll Gates or Toll Bars and Weighing Machines and Toll Houses, with Outhouses and Conveniences thereto, and to take in and inclose suitable Garden Spots for such Toll Houses, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to alter or take and rebuild or discontinue and remove the same or any of them as they shall think proper.

Power to
erect Toll
Gates, &c.

XII. And be it further enacted, That the said Trustees shall and they are hereby required to erect and continue, upon each and every Branch of Road comprised in this Act, a Toll Gate or Toll Gates, or Toll Bar or Toll Bars, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions of this Act and of the various Acts for regulating Turnpike Roads in *England* : Provided always, that no Money arising from any of the Tolls hereby authorized to be taken shall be applied in or towards the Repair of any Branch Road upon which there shall not be a Toll Gate or Toll Bar erected and continued under the Authority of this Act ; provided also, that no more Money 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 contained to the contrary in anywise notwithstanding.

Trustees to
erect Toll
Gates at each
Branch, and
to take Tolls
thereat.

XIII. And be it further enacted, That the Tolls to be taken by virtue of this Act shall not exceed the following ; (that is to say,) Tolls.

For every Horse or Mule, or other Beast or Cattle, drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Berlin, Landau, Chariot, Vis-a-vis, Barouche, Phaeton, Chaise Marine, Calash, Curricule, Chariot, Gig, Whiskey, Hearse, Litter, Chair, or other such like Carriage, the Sum of Four-pence :

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For

For every Horse, Ass, Mule, or other Beast or Cattle, drawing any Waggon or other Carriage laden with less than Twenty Coomb of Corn, or Two Tons of Muck, Dung, Mould, Marl, Manure, or Compost, Hay, Straw, or Fodder, the Sum of Four-pence; and laden with more than Twenty Coomb of Corn, or more than Two Tons of Muck, Dung, Mould, Marl, Manure, or Compost, Hay, Straw, or Fodder, the Sum of Sixpence:

For every Horse, Ass, Mule, or other Beast or Cattle, drawing any Gill or other such like Carriage having less than Four Wheels, laden with Timber, Deals, Trees, or Spars, the Sum of Eight-pence, and for such Gill or Carriage with Four Wheels the Sum of Sixpence:

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

For every Carriage of any Description whatever, propelled by Steam or Machinery, or any other Power than that of Horses, Beasts, or Cattle, the Sum of One Shilling:

For every Score of Oxen, Cows, or Neat Cattle, the Sum of Three Shillings and Four-pence, and so in proportion for any less Number than a Score:

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of One Shilling and Eight-pence, and so in proportion for any less Number than a Score:

And for every Waggon, Wain, Cart, or other such like Carriage, having the Nails of the Tire of the Wheels projecting more than a Quarter of an Inch above such Tire, the Sum of Ten Shillings:

4 G. 4. c. 95.

Such last-mentioned Toll to be in lieu of a Penalty to which by virtue of an Act passed in the 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*, the Owner or Driver of any such Waggon, Wain, Cart or other Carriage would be subject or liable to by reason or on account of the Nails of the Tire of the Wheels thereof projecting more than a Quarter of an Inch above such Tire.

No Exemptions allowed in respect of Carriages having the Nails of the Tire projecting more than a Quarter of an Inch.

XIV. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for or in respect of any Horse, Beast, or Cattle, drawing any Waggon, Cart, or other Carriage laden with any Materials for making or repairing any Highway, or for building, rebuilding, or repairing any Bridge, or with any Dung, Soil, Compost, or Manure for improving Lands, or with Ploughs, Harrows, or Implements of Husbandry, or Hay, Straw, Haulm, Fodder for Cattle, or Corn in the Straw, Potatoes or other Agricultural Produce, such Waggon, Cart, or other Carriage having the Nails of the Tire of the Wheels thereof projecting more than a Quarter of an Inch from the Surface of such Tire.

No Toll to be paid on re-

XV. Provided always, and be it further enacted, That in case the Tolls hereby authorized to be taken shall have been paid for the Passage

Passage of any Horse, Beast, or Cattle through any One of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle shall, at any Time during the same Day (to be computed from Twelve o'Clock at Night to Twelve o'Clock on the succeeding Night), upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages, or drawing Post Chaises or other such like Carriages,) through the same Toll Gate or Toll Bar, and also through such other Toll Gates and Toll Bars (if any) as the Ticket for such Payment shall free.

passing through the same Gate.

XVI. Provided always, and be it further enacted, That no more than Two full Tolls (except as herein-after provided to the contrary) shall be taken for or in respect of the same Horses, Beasts, or Cattle, or Carriages, in any One Day, for passing and repassing Once through all the several Toll Gates or Toll Bars upon the said Roads.

Limiting the Number of Tolls.

XVII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or for any other Stage or Carriage conveying Passengers or Goods for Pay or Reward, for each Time of passing and for each Time of repassing along the said Roads: Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, on account only of the Horses drawing the same having been changed.

StageCoaches to pay every Time of passing.

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

Post Chaises to pay on every new Hiring.

XIX. And for regulating the Weights to be allowed to Carts or other Carriages drawn upon the said Roads by One Horse, Beast, or Cattle only, be it further enacted, That the Weights to be allowed to Carts or other Carriages drawn by One Horse, Beast, or Cattle shall never exceed the Weights following; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive) One Ton Four Hundred Weight for each such Carriage and the Lading thereof, and from and after the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive) One Ton for each such Carriage and the Lading thereof.

Weight of Single-Horse Carts limited.

XX. And be it further enacted, That all Carts or other such Carriages passing along the said Roads, drawn by only One Horse, Beast, or Cattle, shall and may be weighed at any Weighing Machine on the said Roads, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight

One-Horse Carts, &c. may be weighed.

Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, or other Carriage drawn by Two or more Horses, shall be applicable to Carts passing on the said Roads drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof.

Power to Trustees to hire the Tolls of Mr. Cory's Bridge authorized by 7&8G.4.c.31.

XXI. And whereas by an Act passed in the Seventh and Eighth Years of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for erecting a Bridge over the River Bure from Runham to Great Yarmouth in the County of Norfolk*, Power was given to *Robert Cory* the younger, of *Great Yarmouth* aforesaid, Esquire, to erect such Bridge at his own Expence, and to take certain Tolls for the Passage over the same: And whereas the said Bridge hath been accordingly erected, to the great Convenience of the Public: And whereas it would be advantageous to the Public if the Trustees for executing this Act were authorized to take a Lease of or to hire the said Bridge in manner herein-after mentioned; be it therefore enacted, That it shall be lawful for the Trustees acting in the Execution of this Act to take a Lease of, or to hire, by Writing under the Hands of the respective Parties, the said Bridge, and the Tolls by the said recited Act made payable for the Passage over such Bridge, (except the Toll for Foot Passengers,) for such Term or Terms, and upon such Conditions, as shall be agreed upon between the said Parties, not exceeding the Term of the Duration of this Act; and every such Lease shall be valid and effectual; and the said Trustees, and also such Persons as they shall appoint to collect and receive the Tolls so let, shall, during the Continuance of any such Lease, be deemed Collectors of the Tolls so let, (but for the proper Use of the said Trustees,) and shall have the same Powers and Authorities for collecting and receiving the same as are by the said recited Act granted to the said *Robert Cory* in respect of the Tolls by such Act granted.

Application of Money received under this Act.

XXII. And be it further enacted, That the Monies which shall be received under this Act shall be applied by the said Trustees in manner following; (that is to say,) in the first place, in paying and discharging all Costs, Charges, and Expences which shall have been incurred in preparing, applying for, and obtaining this Act, or otherwise incident thereto, with lawful Interest for any Money which may have been advanced for the Payment thereof or of any Part thereof, from the Time that the same or any Part thereof shall have been advanced to the Time of the same being repaid by the said Trustees, and in the next place, (subject to the Payment from Time to Time of any Rent which may be due from the said Trustees to the said *Robert Cory*, his Heirs, Executors, Administrators, or Assigns,) in defraying the Expence of making and maintaining the Roads by this Act authorized, and of executing the several Purposes of this Act; and afterwards in paying and discharging any Interest which may from Time to Time become due on the Credit of this Act; and lastly in reducing and discharging any Principal Sum or Sums of Money which may be borrowed or secured under or upon the Credit of this Act.

XXIII. And

XXIII. And be it further enacted, That this Act shall commence Term of Act. on the Seventh Day after the passing hereof, and shall continue in full Force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which may then next follow.

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

SCHEDULE to the foregoing Act.

Property.	Owners.	Occupiers.
A Garden - - -	William Shimmons - -	Himself.
A Tenement and Yard	Thomas Moore - -	The Widow Church.
A Tenement, Garden and Yard - - - }	Thomas Sword - -	William Sparrow.
A Stable and Outbuild- ing, Garden and Orchard - - - }	Samuel Bell - -	Robert Ward.
A Garden and Orchard	Lord Calthorpe - -	Thomas Furrance.
A small Corner of Acle Churchyard - }	The Bishop of Norwich, Diocesan. Lord Calthorpe, Patron. Rev. I. Spooner, Rector. Rev. J. Sidney, Curate.	
Small Plantation -	Rev. I. Spooner - -	Rev. J. Sidney.

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