



ANNO DECIMO

GEORGIIV. REGIS.

Cap. xix.

An Act for more effectually making and repairing certain Roads leading to and from *Bodmin*, and certain other Roads therein mentioned, in the County of *Cornwall*. [13th April 1829.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and widening several Roads leading to and through the Borough of Bodmin in the County of Cornwall*: And whereas another Act was passed in the Twenty-sixth Year of the Reign of His said late Majesty, intituled *An Act to enlarge the Term and Powers of an Act made in the Ninth Year of the Reign of His present Majesty King George the Third, for repairing and widening several Roads leading to and through the Borough of Bodmin in the County of Cornwall*: And whereas another Act was passed in the Fifty-first Year of the Reign of His said late Majesty, intituled *An Act to continue and amend Two Acts of His present Majesty, for repairing several Roads leading to and through the Borough of Bodmin in the County of Cornwall, and for amending certain other Roads passing through the said Borough and the Parish of Lanhydrock in the said County*: And whereas the Trustees acting in execution of the said recited Acts have widened, repaired, and improved the said Roads, and have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which are still due and owing and
[Local.] 5 G cannot

cannot be paid off, nor can the said Roads be effectually amended and kept in repair, unless the Terms of the said Acts are continued, the Tolls increased, and further Powers granted: And whereas the Roads comprised in the said recited Acts are in some Parts narrow, steep, circuitous, and incommodious, and it would be of much Convenience and Advantage to the Public if certain new Pieces of Road were to be made to communicate with the Line of Road already made in certain Parts thereof: And whereas, on account of several Lanes and Avenues situate within and near to the said Borough of *Bodmin*, Powers were given to the Trustees acting under the said recited Act of the Twenty-sixth Year of the Reign of His said late Majesty to erect certain Toll Gates at certain Places contiguous to the said Turnpike Roads hereafter mentioned, and which said Toll Gates were accordingly erected and have since been continued, and are now standing across such Lanes and Avenues at the Places following; that is to say, a Toll Gate across a certain Lane called *Church Lane*, within the Borough and Parish of *Bodmin*, at the Distance of Five hundred and sixty Yards from the Road herein-after mentioned, called the *Launceston Road*; another Toll Gate across the Road leading from *Castle Common* to *Cooksland Common* within the said Borough, being the Side Gate herein-after mentioned to be adjoining to the Turnpike House at *Prior's Barn* Turnpike Gate; and also another Toll Gate at a certain Place called *Crab Tree*, within the said Borough, across a Lane or Way leading from thence to the *Beacon Common* and various other Places, and which said last-mentioned Gate is at the Distance of One hundred and sixty-two Yards from the Turnpike Road herein-after mentioned, called the *Liskeard Road*; and another Toll Gate across a Lane called *Crinnick's Lane*, within the said Borough, which said last-mentioned Gate is at the Distance of Eighteen Yards from the aforesaid Turnpike Road called the *Liskeard Road*; and another Toll Gate across a Lane called *Chubb's Lane*, leading from the Fore Street of *Bodmin* to the *Beacon Common*, and which said last-mentioned Gate is at the Distance of Thirty-six Yards from the Turnpike Road herein-after mentioned, called the *Truro Road*; and in which said last-mentioned recited Act Power is given to erect any other Toll Gate or Toll Gates across any Way or Lane leading into or lying near to any of the said Roads, when the same should or might by the said Trustees be deemed necessary to prevent and hinder any unlawful Evasion, or any Combination or Confederacy in any Persons whomsoever to evade the Tolls granted by the said last-mentioned Act: And whereas it is necessary that such Toll Gates so erected as aforesaid across the said Lanes and Avenues should be continued, in order to secure and prevent the Evasion of Tolls; and it will be expedient to repair and make Turnpike so much of the said Lanes and Avenues as lie between the said several Toll Gates and the said Roads already made Turnpike under the said recited Acts or certain Parts thereof; and also to enable the Trustees to erect Toll Gates or Side Gates on or across other Lanes and Avenues near to, or adjoining with, the said Turnpike Roads, as hereafter mentioned: And whereas it would be of Advantage to the Neighbourhood, and of public Utility, if the Trustees for the Care of the said Roads were discharged from the Care and Management of so much of the said Road leading from or near

Clapper in the Parish of *Egloshayle* to *Trenant Lane End* in the said Parish, and if instead thereof the present public Road or Highway leading from or near *Clapper* aforesaid to or near to the Bridge at *Wadebridge* was amended, widened, and repaired, and placed under the Care and Management of the said Trustees: 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 the Third *Monday* after the passing of this Act the said recited Acts of the Ninth, Twenty-sixth, and Fifty-first Years of the Reign of His late Majesty King *George* the Third shall be and the same are hereby respectively repealed.

Recited Acts
repealed;

II. And be it further enacted, That instead thereof this Act shall from the said Third *Monday* after the passing thereof commence and take effect and be put in execution, for and during the Term hereinafter mentioned, for the Purpose of more effectually repairing, amending, widening, altering, diverting, improving, and keeping in repair such of the aforesaid Turnpike Roads as at the Time of passing this Act are maintained and repaired by virtue of the Powers and Authorities of the said several recited Acts hereby repealed; (that is to say), the Road leading from the Butter Market in the Town of *Bodmin* aforesaid, through the Borough of *Bodmin*, and the several Parishes of *Bodmin*, *Cardinham*, *Temple*, *Saint Neot*, *Altonon*, and *Lewannick*, over *Hick's Mill Bridge*, to *Kennard's House* in the Parish of *Southpetherwin*, commonly called the *Launceston Road*; and from the said Butter Market to the East End of *Callynough Down* in the Parish of *Helland*, commonly called the *Camelford Road*; and from the said Butter Market to *Pimligoe* in the said Parish of *Helland*, commonly called the *Helland Bridge Road*; and from the said Butter Market, through the Borough and Parish of *Bodmin*, and the several Parishes of *Lanivet*, *Luxulion*, *Roach*, *Saint Columb Major*, and so far as *Higher Fraddon* at the Western End of *Fair Mile Commons* in the Parish of *Saint Enober*, commonly called the *Truro Road*; and from the said Butter Market, through the Borough of *Bodmin*, over *Dunmeer Bridge*, through the Parishes of *Bodmin* and *Egloshayle*, to *Trenant Lane End* in the said Parish of *Egloshayle*, commonly called the *Wadebridge Road*; and from the said Butter Market, through the said Borough of *Bodmin* and the Parish of *Lanhydrock*, over *Resprin Bridge*, and through the Parishes of *Saint Winnow* and *Broadoak*, so far as where the *Bodmin Road* near the *Four Burrows* joins the Road leading from *Lostwithiel* to the Town of *Liskeard*, commonly called the *Liskeard Road*; and from the said Butter Market, through the said Borough of *Bodmin*, and the Parishes of *Lanhydrock* and *Landlivery*, so far as *Noman's Land* in the said Parish of *Landlivery*, commonly called the *Lostwithiel* and *Saint Austell Roads*; and to and from the said Butter Market, through *Prior's Barn Lane* in the said Borough of *Bodmin*, to *Prior's Barn Turnpike Gate*, and from thence near to a Place called *Carminow's Cross*, through the Borough of *Bodmin* and the Parish of *Landydrock*, to the Turnpike Road leading from the Town of *Bodmin* to the Borough of *Liskeard*, and from a Side Gate adjoining to the Turnpike House at *Prior's Barn Turnpike Gate*

and this Act
to take effect
for repairing
the Roads
herein men-
tioned.

Gate aforesaid, called *Cooksland Gate*, over *Cooksland Common*, through the said Borough of *Bodmin*, near to *Callywith Turnpike Gate*, commonly called the *Prior's Barn Road*; and also for making, completing, and maintaining several new Pieces or Lines of Road, or Diversions from the aforesaid old Roads; that is to say, a new Piece of Road commencing at the *Brewery Lane* in the said Borough, through *Prior's Barn Lane*, and through certain Inclosures adjoining the said Lane, to and over *Cooksland Common*, to join the present Turnpike Road at or near to the One Mile Stone from *Bodmin* to *Launceston*; a new Piece of Road diverging from or near the Five Mile Stone from *Bodmin* to *Launceston*, through the Estate of *Greenborough* and *Menacrin Marsh*, to or near to the Seventh Mile Stone, to join the present Turnpike Road from *Bodmin*; a new Piece of Road diverging from the present Turnpike Road at *Five Lanes*, over and through the present Highway leading from *Five Lanes* aforesaid to *Plasha Cross*, and from thence through certain Inclosures over Two Bridges to or near to *Holloway Cross Turnpike Gate* in the Parish of *Southpetherwin*, to join the present Turnpike Road from *Hick's Mill Bridge* to *Launceston*; a new Piece of Road diverging from the present Turnpike Road near *Carminow's Cross*, over the Common near to *Black Pool*, and down the Valley under or near *Dreeson Ball* to *Resprin Bridge*, to join the present Turnpike Road from *Bodmin* to *Liskeard*; a new Piece of Road commencing at the Place where *Polmarwan Lane* joins the present *Bodmin Turnpike Road*, and through the said Lane to some Inclosures in the Possession of *James Stephens* and others, and from thence over the Common to join the present Turnpike Road at or near the Five Mile Stone from *Bodmin* to *Liskeard*; a new Piece of Road diverging from the present Turnpike Road near *Townend Turnpike Gate*, through *Dark Lane*, crossing the Turnpike Road to *Dunmeer* at or near the One Mile Stone from *Bodmin*, down the Valley to *Boscarne Bridge*, and passing near to *Nanstallan Mill*, over *Mulberry Downs*, through *Tremoor* and *Rosewarrick* to *Colbiggen Corner*, to join the present Turnpike Road from *Bodmin* to *Truro*, with a new Piece or Branch of Road from *Nanstallan Mill* aforesaid to *Polbrock*; and also a new Branch from the said new Piece of Road before described from *Bodmin Townend Turnpike* to *Colbiggen Corner*, commencing at the Western End of *Dark Lane* aforesaid, through and over certain Inclosures in the Possession of *James Webb*, to a Lane or Highway leading from the Town of *Bodmin* to *Tan Wood*, and from thence through the said Lane to the County Gaol in *Bodmin* aforesaid; and also for making, widening, and repairing the several Lanes and Avenues across or on the Sides of which Toll Gates have been erected as herein-before mentioned, or so much or such Parts thereof as lie between the said Toll Gates so erected across the same and the Roads already made Turnpike, as herein-before mentioned; and also the said public Road or Highway leading from or near *Clapper* aforesaid to or near to the Bridge at *Wadebridge* aforesaid.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Cornwall*, together with Sir *William Molesworth*, Sir *Thomas Ackland*, Baronets, *John Bennett*, *Charles Prideaux Brune* Clerk, *Thomas Commins*, *James Duke Cole-ridge*

ridge Clerk, *William Collins*, *Robert Bradlick Edyvean*, *Nicholas Every* Clerk, *Robert Flamank*, *Thomas Fisher* Clerk, *Walter Raleigh Gilbert*, *John Pomery Gilbert* Clerk, *Joseph Hamley*, *John Harry* Doctor of Medicine; *Digory King*, *William Marshall*, *John Marshall*, *Lewis Marshall* Clerk, *William Phillipps* Clerk, *Deeble Peter*, *William Pye* Clerk, *William Praed*, *Thomas Stone*, *Andrew Lovering Sarel*, *Vyel Francis Vyvyan* Clerk, *John Wallis*, *John Wallis the younger*, Clerk, *John Williams*, *John Cradock*, *Thomas James Agar Robartes*, *William Newcombe*, *Darell Stephens* Clerk, *Samuel Archer* Clerk, *Edward Trelawney* Clerk, *Arcott Ourry Molesworth*, *John Martin Bligh*, *Edward Pearce*, *John Every*, *Francis John Hext Kendall* Clerk, *Roger Henwood*, *Samuel Symons*, *William Pollard*, *Thurston Collins*, *Francis Brown Hambly*, *Richard Morrish Wilton*, *William Arundell Yeo*, and their Successors, being duly qualified according to the several Laws in force and effect for the Repair of Turnpike Roads, shall be and they are hereby appointed Trustees for putting this Act in execution.

IV. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, at any Meeting from Time to Time to be held for that Purpose, (of which Meeting, and of the Purpose thereof, Fourteen Days Notice shall be given as is directed by the General Turnpike Act of the Third Year of the Reign of His present Majesty respecting the Appointment of Trustees on Vacancies,) to elect, nominate, and appoint any Number of fit Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed, and being duly qualified, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Power to
appoint
additional
Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the Guildhall in the Borough of *Bodmin*, or at some other convenient House or Place in *Bodmin* aforesaid, on the Third *Monday* next after the passing of this Act, between the Hours of Ten in the Forenoon and Four in the Afternoon, 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 at such Place or Places in the Neighbourhood of the said Roads, as they shall think proper, and the Hours for such Meetings shall be between Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon.

First Meet-
ing of Trus-
tees.

VI. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, if they shall think fit, to continue the several Toll Gates erected under the Power of the said recited Act of the Twenty-sixth Year of the Reign of His said late Majesty, and now standing across the several Lanes or Avenues herein-before mentioned; that is to say, a Toll Gate across the said Lane called *Church Lane*; another Toll Gate across the said Road leading from *Castle Common* to *Crooksland Common*; another Toll Gate at the said Place called *Crabb Tree*; another Toll Gate across the said Lane called *Crinnick's Lane*; and another Toll Gate across the said Lane called *Chubb's Lane*; and to

Side Gates
continued.

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remove

remove or take away the said Gates as the said Trustees may deem expedient.

Power to
erect Toll
Gates across
Lanes.

VII. And whereas, on account of the Town of *Bodmin* being surrounded by Common and uninclosed Land, through and over which the said Roads have been made, Evasion of the Payment of Tolls cannot be prevented, unless Power be given to the said Trustees to erect Toll Gates, Bars, and Chains as herein-after mentioned; be it therefore enacted, That the said Trustees may and they are hereby authorized and empowered to erect or cause to be erected such and so many Toll Gate or Toll Gates, Bar or Bars, Chain or Chains, in, upon, or across the Entrance to any private Road, Lane, or Way leading into the said Turnpike Roads or any Part thereof, when and where and as they shall judge necessary, and from Time to Time to remove and take away the same, or any of them, as they the said Trustees shall think proper and expedient; provided that no Toll Gate, Bar, or Chain shall be erected at the Distance of more than Twenty Yards from the Turnpike Road.

Power to
take Tolls.

VIII. And be it further enacted, That the several Tolls following shall be demanded and taken at each and every of the Toll Gates and Side Gates, Bars or Chains, which shall be continued or erected under or in pursuance of this Act; that is to say,

Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Chaise Marine, Curricle, Calash, Car, Chair, Caravan, Hearse, Phaeton, Barouch, or other such Carriage or Taxed Cart, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon or other such Carriage with Four Wheels, such Wheels being of less Breadth than Four and a Half Inches, the Sum of Eight-pence:

For every Horse or other Beast drawing any Waggon or other such Carriage with Four Wheels, such Wheels being more than the Breadth of Four and a Half Inches, but of less Breadth than Six Inches, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon or other such Carriage with Four Wheels, such Wheels being of the Breadth of Six Inches or upwards, the Sum of Four-pence:

For every Horse or other Beast drawing any Wain, Butt, Cart, Dray, or other such Carriage with less than Four Wheels, such Wheels being of less Breadth than Four Inches and a Half, the Sum of Eight-pence:

For every Horse or other Beast drawing any Wain, Butt, Cart, Dray, or other such Carriage with less than Four Wheels, such Wheels being of the Breadth of Four Inches and a Half, and less than Six Inches, the Sum of Sixpence:

For every Horse or other Beast drawing any Wain, Butt, Cart, Dray, or other such Carriage with less than Four Wheels, such Wheels being of the Breadth of Six Inches or upwards, the Sum of Four-pence:

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

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

For

For every Drove of Calves, Pigs, Sheep, or Lambs, the Sum of Tenpence *per* Score, and so in proportion for any greater or less Number :

And that the whole Breadth of the Sole or Bottom of the Wheels of such Waggon, Wain, Butt, Cart, Dray, or other such Carriage, when rolling on a flat Surface, shall bear equally on such flat or level Surface, and the Nails of the Tires of such Wheels shall be in all such Cases countersunk, so as not to project more than One Quarter of an Inch beyond the Surface of such Tires.

IX. Provided always, and be it further enacted, That no more than Two full Tolls shall be demanded and taken for or in respect of the Passage of the same Horse, Beast, or Cattle, drawing or not drawing, on the same Day, through all the several Toll Gates and Turnpikes erected or to be erected upon each of the several Branches of the said Turnpike Roads herein-before described by the several and respective Names of the *Launceston* Road, the *Camelford* Road, the *Helland Bridge* Road, the *Truro* Road, the *Wadebridge* Road, the *Liskeard* Road, and the *Lostwithiel* and *Saint Austell* Roads.

Number
of Tolls
limited.

X. Provided also, and be it further enacted, That in case the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle, drawing or not drawing, through any one of such Toll Gates, Turnpikes, or Side Gates, such Horse, Beast, or Cattle shall, upon a Ticket denoting such Payment on that Day being produced, be permitted to pass and repass Toll-free through the same Toll Gate or Side Gate during the same Day; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Toll to be
paid but
Once a Day.

XI. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken for or in respect of any Horse, Mule, or Ass, not drawing, passing or repassing the same Day through any of the Toll Gates or Turnpikes, Side Gates, Bars, or Chains, erected or to be erected by virtue of the said Acts hereby repealed, or either of them, or this Act, within the Limits of the Borough of *Bodmin*, (except as hereafter mentioned,) but that all and every Person and Persons having paid such respective Toll at any Turnpike or Toll Gate erected within the Limits of the said Borough, and producing a Ticket denoting the Payment thereof, shall pass and repass Toll-free the same Day with the same Horse, Mule, or Ass, through every Toll Gate or Turnpike erected within the Limits of the said Borough of *Bodmin* (except as hereafter mentioned): Provided also, that no Ticket given at either of the said Turnpikes or Toll Gates called *Calliwith* Turnpike Gate, *Saint Nicholas* Turnpike Gate, or *Townend* Turnpike Gate, shall in any Case or at any Time free each other; nor shall such Exemption from more than One Toll be claimed for or in respect of any such Horse, Mule, or Ass, not drawing, passing or repassing on the same Day beyond the Limits of the said Borough of *Bodmin*.

All Gates in
the Borough
of *Bodmin*
to free each
other, except
Townend,
Calliwith,
and *Saint*
Nicholas
Gate.

XII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of Horses or

Tolls on
Stage
Coaches, &c.
Beasts

Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads, or any of them.

Tolls on
Post Chaises.

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

Exemption.

XIV. And be it further enacted, That no Toll shall be payable in respect of any Horses, whether employed or not in Husbandry, going to or returning from Pasture or Watering Place, or going to be or returning from being shod or farried, such Horses not going or returning more than Two Miles on any of the said Roads.

Agricultural
Produce, &c.
not exempted
from Toll
after 1st Jan.
1830, unless
Wheels be
of certain
Breadths.

XV. Provided always, and be it further enacted, That from and after the First Day of *January* One thousand eight hundred and thirty no Exemption from Toll shall be claimed or allowed, by virtue of any Law now in being for regulating Turnpike Roads, for or in respect of any Horse, Beast, or other Cattle drawing any Waggon, Wain, Cart, or other such Carriage, and employed in carrying or conveying any Corn or Grain in the Straw, Hay, Straw, Fodder, Dung, Lime, or Sand, for the Improvement of Land, or other Manure, or any Plough, Harrow, or Implements of Husbandry, unless the Tires of the Wheels of such Waggons, Carts, Wains, or other Carriages with Two Wheels shall be of the Breadth of Four Inches and a Half or more if drawn by One or Two Horses, Beasts, or other Cattle, or of the Breadth of Six Inches or more if drawn by Three or more Horses, Beasts, or other Cattle, nor unless the Tires of the Wheels of such Waggon, Wain, or other such Carriage with Four Wheels be of the Breadth of Four Inches and a Half or more if drawn by Two or Three Horses, Beasts, or other Cattle, or of the Breadth of Six Inches or more if drawn by Four or more Horses, Beasts, or other Cattle, nor unless the whole Breadth of the Sole or Bottom of such Wheels when rolling on a flat Surface shall bear equally on such flat or level Surface, and the Nails of the Tires of such Wheels be in all such Cases countersunk, so as not to project more than One Quarter of an Inch beyond the Surface of such Tires.

After the
Polbrock
Branch of
Road is
made, Sea
Sand carried
on that Road
to pay Tolls.

XVI. Provided also, and be it further enacted, That when the Branch of Road hereby authorized to be made from *Nanstallan Mill* to *Polbrock* shall be completed and repaired as a Turnpike Road, and a Turnpike Gate shall be erected thereon, Carriages carrying Sea Sand for Manure over the said Road shall be no longer exempt from the Payment of Toll, but the Horses, Beasts, or Cattle drawing such Carriages shall be subject and liable to such Tolls as the said Trustees shall from Time to Time at a Meeting to be held for that Purpose order and direct, not exceeding in the whole the Tolls hereby authorized to be paid on Horses, Cattle, or Beasts drawing any Carriages of the like Description as those in which such Sand shall be conveyed; any thing herein contained to the contrary notwithstanding.

XVII. And be it further enacted, That all the Monies which shall arise and be produced by and from the Tolls by the said recited Acts hereby repealed, and this Act, granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be vested in the said Trustees for the Time being, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; that is to say, in the first place, in Payment of all the Costs, Charges, and Expences incident to and attending the applying for and obtaining and passing of this Act; secondly, in paying the Interest due upon the several Principal Sums of Money which have been borrowed and secured in pursuance of the former Acts hereby repealed, or which shall from Time to Time be borrowed and secured in pursuance of this Act; thirdly, in keeping in repair the Roads already made, and in defraying the Expences of making, completing, and keeping in repair the Roads by this Act authorized to be made and completed, and in erecting and repairing Toll Gates and Toll Houses, and in otherwise carrying this Act into execution; and lastly, in discharging the several Principal Sums of Money which have been borrowed and secured in pursuance of and for the Purposes of the said Acts hereby repealed, and which may be hereafter borrowed and secured by virtue of this Act.

Application
of Trust
Monies.

XVIII. And whereas a Map or Plan, describing the Line of the said new Pieces of Road, and the Lands, Tenements, and Hereditaments 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 such Lands, Tenements, and Hereditaments, have been deposited at the Office of the Clerk of the Peace for the said County of *Cornwall*; be it therefore enacted, That the said Map or Plan and the Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts of such Map or Plan and Book of Reference; and the said Trustees in making the said Roads shall not deviate more than One hundred Yards from the Lines described in such Map or Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

Map or Plan
lodged with
the Clerk of
the Peace to
remain there,
and Roads
to be made
according
thereto.

XIX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the Roads into, through, across, or over the several Lands, Tenements, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners of Lands, Tenements, or Hereditaments over which the same 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 said Book of Reference, or in the Schedule to this Act annexed, in case it shall appear to any Two or more Justices for the said County, and be certified by Writing

Lands mark-
ed in the
Plan may be
used not-
withstanding
Errors in
Book of
Reference.

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under

under their Hands, that such Error or Omission proceeded from Mistake.

Trustees restrained from pulling down Dwelling Houses, &c. without Consent of the Owner.

XX. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for making the said Roads shall not extend or be construed to extend to authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Grounds planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first had and obtained, save and except those specified in the Schedule hereunto annexed.

Lands to be purchased in Five Years.

XXI. Provided also, and be it enacted, That if the said Trustees shall not within the Space of Five Years (to be computed from the passing of this Act) agree for and cause to be valued the Buildings, Grounds, and Hereditaments to be purchased for the Purposes of this Act, it shall not thereafter be lawful for the said Trustees to take or use any such Buildings, Grounds, or Hereditaments, without the Consent in Writing of the Owners thereof first had and obtained.

Power to discharge Trustees from Repair of old Roads, on Completion of new Lines.

XXII. And be it further enacted, That from and after any or either of the said new Pieces of Road intended to be made as hereinbefore mentioned shall be completed and open for the Passage of the Public, it shall be lawful for the Trustees for executing this Act, and they are hereby empowered, at any Special Meeting from Time to Time to be holden for that Purpose, (of which Meeting public Notice, specifying the Time for holding the same and the Purpose thereof, shall have been given in some Newspaper or Newspapers published or circulated in the said County of *Cornwall*, and also by affixing a Copy of such Notice on all the Turnpikes, Toll Gates, and Side Bars which shall be then standing on any of the said Roads, at least Fourteen Days before such Meeting,) to order that all or any Part of so much of the present Road respectively as shall lie between the Commencement and Termination of any or either of the said new Piece or Pieces of Road hereby intended to be made, and so completed as aforesaid, shall be no longer repaired out of the Monies to be received by virtue of this Act; and that from and immediately after the making of any such Order the said Trustees shall be discharged from the Care, Management, and Repair of the Piece or Pieces of Road therein in that Behalf mentioned.

In case of Differences, Justices to determine Value of Stone, &c.

XXIII. And whereas Difficulties have frequently arisen in determining the Value of Stone taken from Quarries in the Neighbourhood of the said Roads, for the Repair thereof, under the Authority of the said Trustees acting in execution of the Acts hereby repealed, inasmuch as the Value of such Stone depends upon the Manner in which it may be raised, and the Times when it may be offered for Sale, and other Circumstances; and on this Account no adequate Compensation has in many Cases been obtained by the Proprietors of such Quarries,

either for the Stone so taken or in respect of the Damage done to their Property; be it therefore enacted, That in case of any Difference between the Trustees acting in execution of this Act, and the Owners; Occupiers, or Proprietors of any such Quarries, concerning the Amount of Payment to be made for any Stone or Materials taken from such Quarries for any of the Purposes of this Act, any Two or more Justices of the Peace for the said County of *Cornwall*, before whom Complaint shall be made respecting the Matters aforesaid, shall, in deciding such Difference, take into their Consideration what such Stone or other Materials might have been sold for if the same had not been taken by the said Trustees, and all other Circumstances fairly connected with the Value of such Stone or Materials, and shall estimate the same so that a full and fair Compensation for such Stone or Materials, and for all Damage done to the Lands from whence the same shall be dug or taken, or over which the same shall be carried, may be made to the Owners, Occupiers, and Proprietors of the same respectively.

XXIV. And be it further enacted, That it shall and may be lawful for the Surveyor or Surveyors, and such Person and Persons as he and they shall direct or appoint, from Time to Time to enter into any Quarry, and to take and carry away the Chipping and Rubbish thereof, and also to take and carry away Attel, Heneways, and Rubbish from the Burrows of any Tin, Copper, or Lead Mine, or Tin Stream Work, without paying or making any Compensation or Satisfaction for the same, such Rubbish being actually of no Value to the Owner or Owners for Sale, or for his, her, or their own Use, the Owner or Occupier of such Quarry, or some Person appointed by him, and the Adventurers in such Tin, Copper, or Lead Mine, or Tin Stream Work, or the Captain or Captains thereof, or some Person or Persons appointed by him or them, being present, or Three full Days Notice at the least being given to such Owner or Occupier of such Quarry, or his known Agent or Servant, and to such Adventurers in such Tin, Copper, or Lead Mine, or Tin Stream Work, or the Captain or Captains thereof, or left at his or their usual Place of Abode, before such taking and carrying away respectively; but in case any Damage shall be sustained or any Compensation claimed by such Owner or Occupier or Adventurer, the same shall be ascertained and estimated in manner lastly herein-before mentioned.

Rubbish may be taken from Quarries, and from Tin, Copper, and Lead Mines, and Stream Works, for repairing the Roads.

XXV. And be it further enacted, That it shall and may be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Roads dry and conveying the Water from the same, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk or Avenue to a House,) at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding.

Ditches and Drains may be made.

notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made and completed, shall for ever afterwards be scoured, cleansed, and kept open, repaired, and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Roads shall be scoured, cleansed, and kept open, repaired, and maintained by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

Where Roads are widened or newly made, the Charges for fencing may be settled by a Jury.

4 G. 4. c. 95.

XXVI. And be it further enacted, That when and as often as the said Trustees shall deem it necessary to purchase any Lands or Grounds for the Purpose of widening, altering, or improving any of the said present Roads, or of making any of the said intended new Pieces of Road, and the Recompence to be made to the Occupiers of any such Lands or Grounds in respect thereof shall be inquired of by a Jury under or by virtue of the said Act of the Third Year of the Reign of His present Majesty, or any Act which shall be then in being, and the said Trustees would be liable to fence off any such Lands or Grounds, and keep such Fences in repair for the Term of Five Years, under or 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*, or any Act which shall be then in being, to be computed as therein mentioned, it shall be lawful for such Jury as aforesaid, and they are hereby authorized and directed, in like Manner to inquire of and assess the reasonable Charges of making such Fences, and keeping the same in repair for the said Term of Five Years; and after the Assessment hereby directed shall have been made, the said Trustees shall thereupon order the Sum of Money so assessed by the Jury to be paid to such Occupier as aforesaid, according to the Verdict or Inquisition of such Jury, which Verdict or Inquisition shall be final; and after the Payment or Tender of the Sum of Money so assessed to such Occupier, his Executors or Administrators, the said Trustees shall thenceforth be discharged from the Burthen of making or repairing such Fences, any thing in the said Act of the Fourth Year of His present Majesty's Reign, or any other Act, to the contrary notwithstanding; but no such Jury shall be at any Time summoned for the sole Purpose of inquiring as to the Compensation to be made in respect of such Fences.

The Streets in Bodmin to continue under the Care of the Corporation, subject to the Powers of the General Turnpike Acts.

XXVII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to exonerate or discharge the Mayor and Burgesses of the Borough of *Bodmin*, or their Successors, from the Repairs, Care, and Management of such Streets or Parts of Streets of the said Borough, within the Limits of the said Roads hereby authorized to be made Turnpike, as have heretofore been repaired and amended by the said Mayor and Burgesses; but that such Streets and Parts of Streets, and the Causeways, Footpaths, and Pavements on the Sides thereof, and also such other

other Causeways, Footpaths, and Pavements on the Sides of the said Turnpike Roads within the said Borough, and which have or hereafter shall be made and kept in repair by the said Mayor and Burgesses, shall remain and continue to be repaired and kept in repair by the said Mayor and Burgesses and their Successors, subject however to the Powers, Authorities, Remedies, Penalties, Regulations, and Provisions granted and contained in and by this Act, or in and by an Act made in the Ninth Year of the Reign of His present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads*, or 9 G. 4. c. 77. in and by the several Acts therein mentioned, or any or either of them, so far as the same respects Nuisances, Annoyances, Trespasses, or Encroachments made, done, or committed in or upon the said Streets, Causeways, Footpaths, or Pavements within the Limits aforesaid.

XXVIII. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees to apply the Tolls or any of the Money received or to be received by virtue of this Act in paving, maintaining, or repairing the said Streets, Causeways, Footpaths, or Pavements within the Limits aforesaid. Trustees not to repair Streets.

XXIX. 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. Public Act.

XXX. And be it further enacted, That this Act shall commence upon the Third *Monday* after the passing of this Act, and shall continue and be in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament. Commencement and Continuance of this Act.

SCHEDULE to which this Act refers.

No. on Map.	Description of Property.	Where situate.	Owners.	Occupiers.
18	Garden - -	Parish of Lewannick -	Henry Wadge - - -	Henry Wadge.
19	Orchard - -	Same Parish - -	The same - - -	The same.
82	Yard - - -	Borough of Bodmin - {	Walter Raleigh Gilbert, } Esquire - - -	The same.
83	A Bit of the } Churchyard - }	Same Borough - - {	Vicar and Churchwardens } of Bodmin.	
84	Shed or Cellar -	Same Borough - - {	Honourable Anna Maria } Agar - - -	Richard Wright.
111	Orchard - - -	Same Borough - - -	Robert Hawke - - -	The same.
115	Garden - - -	Same Borough - - -	Corporation of Bodmin -	Richard Climo.
127	Waste, partly } planted - }	Parish of Bodmin - - -	Robert Flamank, Esquire -	John Pascoe.
135	Orchard - - -	Same Parish - - -	The same - - -	Grace Francis.
157	Mow Hay - - -	Parish of Lanivet - - {	Honourable Anna Maria } Agar - - -	Roger Henwood.
159	Rickyard - - -	Same Parish - - -	The same - - -	The same.
170	Orchard - - -	Parish of Bodmin - - -	Robert Flamank, Esquire -	William Rowe.
172	Garden - - -	Same Parish - - -	The same - - -	Thomas Francis.
174	Garden - - -	Same Parish - - -	The same - - -	The same.
196	Orchard - - -	Parish of Saint Breock {	Sir William Molesworth, } Baronet, - - - } Reverend Francis Cole - }	Joseph Kestle.

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