



ANNO NONO

GEORGIIV. REGIS.

Cap. cxv.

An Act for more effectually improving and keeping in repair the several Roads leading to and from the Town of *Bideford* in the County of *Devon*, and for making certain new Lines of Road to communicate with the same. [27th *June* 1828.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for improving and keeping in repair several Roads in and near the Town of Bideford, and for making a new Line of Road on the Western Side of the River Torr ridge, and also a new Line of Road to unite such Road with the Road leading from Bideford to Buckland Brewer in the County of Devon*: And whereas, in execution of the said Act, considerable Sums of Money have been borrowed on the Credit of the Tolls thereby granted and continued, which still remain due and owing: And whereas the said Roads may be greatly improved, and it would be of general public Utility if Powers were given to widen, divert, turn, vary, or alter several Parts of the said Roads, and also to widen, divert, turn, vary, alter, improve, make Turnpike, and maintain in repair several Pieces of old Road herein-after mentioned, now communicating with the said Roads, and also to make and maintain in repair certain new Roads herein-after mentioned, to communicate with the said Roads: And whereas the Money due on the Credit of the said Tolls cannot be repaid, nor can the

[*Local.*] 5 G.4. c.115.

31 D said

said Roads be effectually made, amended, diverted, varied, altered, widened, improved, and maintained in repair, unless the Powers and Provisions of the said recited Acts are enlarged and altered, and the Tolls increased: And whereas an Act was 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*: And whereas another Act was 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*: And whereas another Act was passed in the Fifth Year of the Reign of His present 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 and Eighth Years of the Reign of His present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in England*: 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 passing of this Act the said first-recited Act of the Fifth Year of the Reign of His present Majesty, for more effectually repairing the Roads in and near *Bideford*, shall be and the same is hereby repealed.

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

7 & 8 G. 4.
c. 24.Recited Act
of 5 G. 4.
repealed.Term and
Tolls of this
Act to be
subject to
Payment of
Money bor-
rowed.This Act to
be put in
execution for
the Repair of
the Roads
herein de-
scribed.

II. And be it further enacted, That this Act, and the Term and Tolls hereby granted respectively, shall from the passing of this Act commence and take effect, and shall be and are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the said recited Act, and of all Interest due and to grow due thereon respectively, as fully to all Intents and Purposes as if such Monies had been borrowed or become due on the Credit or on Account of this Act.

III. And be it further enacted, That this Act shall be put in execution for the Purpose of making, amending, diverting, varying, altering, widening, improving, and maintaining in repair the several Roads herein-after mentioned; (that is to say,) the present Turnpike Road leading from *Cross Barn*, at the West End of *High Street* in the Town of *Bideford* aforesaid, through the several Parishes of *Bideford*, *Abbotsham*, *Atwington*, *Parkham*, *Woolfardisworthy*, and *Clovelly*, to the Port or Quay of *Clovelly* in the said Parish of *Clovelly*; also the present Turnpike Road leading from the said last-mentioned Road at or near a certain Place called *Dike Green*, in the said Parish of *Clovelly*, through the several Parishes of *Clovelly* and *Hartland*, to the South End of the Market House in the Town of *Hartland*; also the present Turnpike Road leading from *Bowden Green* in the said Parish of *Bideford*, through the several Parishes of *Bideford*, *Littleham*, *Parkham*, and *Buckland Brewer*, to the Churchyard Gate nearest to the Tower of the Parish Church of *Buckland Brewer*; also the present Turnpike Road leading from the South End of *Butt Garden Street*

in the Town of *Bideford* aforesaid, through the several Parishes of *Bideford*, *Northam*, *Landcross*, *Monkleigh*, and *Frithelstock*, to *Frithelstock Stone* in the said Parish of *Frithelstock*; also the present Turnpike Road leading from the said last-mentioned Road at or near the North End of *Landcross Wood* in the said Parish of *Landcross*, through the several Parishes of *Landcross*, *Monkleigh*, and *Frithelstock*, to a certain Place called *Pitt Wood*, there to unite with the *Torrington* Turnpike Road, leading to the Town of *Great Torrington* in the said County; also the present Turnpike Road from or near the *Bideford Parsonage Gate*, through the several Parishes of *Bideford* and *Abbotsham*, to the *Vicarage Gate* in the said Parish of *Abbotsham*; also the present Turnpike Road from or near the South End of *Potter's Lane* in the Town of *Bideford* aforesaid, through the several Parishes of *Bideford* and *Northam*, and through the Village of *Northam*, to the North End of *Green Lane*, at the Entrance of the Town of *Appledore* in the said Parish of *Northam*; and to widen the said last-mentioned Road at the Entrance thereof into the Town of *Bideford*, by taking down Two Dwelling Houses and Premises belonging to *William Cadd*, and a Dwelling House belonging to *Mistress Elizabeth Heard*; also for making a new Turnpike Road from or near the Turnpike Gate called the *South Gate*, situate in the Parish of *Bideford*, to the West End of the *Long Bridge* of *Bideford* in the same Parish, by passing along the present Highway, and to widen the said Road at the Entrance thereof into the Town of *Bideford*, by taking down a House and Premises belonging to *Samuel Barrett* and *Philip Tardrew*; and also for making a new Turnpike Road from *Frithelstock Stone* aforesaid to *Woodford Bridge* in the Parish of *Newton Saint Petrock*, by passing along the present Highway, through the several Parishes of *Frithelstock*, *Langtree*, *Shebbear*, and *Newton Saint Petrock*; also for making a new Road through *Yeo Vale*, from the present Turnpike Road near *Pillmouth*, through the Parishes of *Northam* and *Littleham*, to the Bottom of *Moor Head Hill*, near *Yeo Bridge*, there to unite with the Road leading from *Bideford* to *Buckland Brewer*; also for making a new Turnpike Road from or near a certain Place called *Clovelly Dyke*, situate in the said Parish of *Clovelly*, by passing along the present Highway, through the several Parishes of *Covelly* and *Hartland*, to the Extremity of the County of *Devon*, towards *Kilkhampton* in the County of *Cornwall*; all which said Roads are situate in the County of *Devon*.

IV. And be it further enacted, That the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years 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 respectively as are hereby varied, altered, or repealed,) shall respectively be as good, valid, and effectual for carrying this Act into Execution as if the same had been respectively repeated and re-enacted in the Body of this Act.

Powers of
General
Turnpike
Act to extend
to this Act.

V. And be it further enacted, That all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees for carrying the said recited

Persons in-
debted to
account to
the Trustees
of this Act.

Act

Act hereby repealed into Execution, or to any other Person or Persons for the Benefit of the said Trusts, shall be liable to the Payment of all such Sum and Sums of Money to the respective Trustees for executing this Act.

Bonds, Contracts, &c. under former Acts may be given in Evidence under this Act.

VI. And be it further enacted, That all Bonds, Covenants, and Agreements, Contracts and Securities entered into by any Person or Persons to or with the Trustees respectively, or any of them, for carrying the said recited Act hereby repealed into Execution, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same be fully satisfied and performed; and all Contracts and Agreements duly made or entered into by the respective Trustees of the said Roads to or with any Person or Persons shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the respective Trustees for executing this Act, according to the Terms or Stipulations thereof respectively, notwithstanding the Repeal of the said recited Act, or any Law to the contrary notwithstanding.

Officers under former Acts to account to Trustees under this Act.

VII. Provided also, and be it further enacted, That all Persons who are or have been employed or who shall have received any Money by virtue of the said recited Act of the Fifth Year of the Reign of His present Majesty hereby repealed, or who have in their Custody or Possession any Books, Accounts, Papers, Writings, or other Things relating to the said Roads, shall account for, pay, and deliver over the same and every Part thereof to the Trustees in and by this Act named and appointed, in like Manner and under the like Penalties as the several Persons receiving any Money by virtue of this Act are required to pay or account for the same.

Trustees.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Devon*, together with *George Anthony, William Bartlett, John Thomas Benson, Thomas Brown Benson, Francis Berry, William Bruton, Charles Bruton, Walter Meddon Bruton, George Stucley Buck, Richard Buck, Richard Hugh Keats Buck, Thomas Burnard, Nathaniel Edward Burnard, William Henry Burnard, Charles Andrew Caddy, John Caddy, William Callon junior, Charles Carter, Charles Carter junior, Richard Carter, James Thompson May Chappell, William Chappell, William Chanter Clerk, William Chanter junior, John Mill Chanter, Thomas Burnard Chanter, James Clyde, John Clyde, Richard Pine Coffin junior, George Cook, Thomas Cutliffe, Charles Davie, Anthony William Johnson Deane, Arthur Deane, Charles John Deane, John Edgcombe Clerk, Thomas Ellis, William Exter, John Galsworthy, Henry Richard Glynn, James Gould, Thomas Grant, Robert Hamlyn, John Hamlyn, William Hanning, John Limebear Harding Clerk, William Henry Hatherly, Narcissus Henry Hatherly, John Hatherly, William Collins Hatherly, Charles Edmund Hatherly, Walter Charles Heywood, George Perry Heywood, Henry Hole, John Bake Husband, Robert Inledon, John Lee Lee, James Smith Ley, James Peard Ley, James Lewis, Richard Lloyd Clerk, George William Aylmer Lloyd, Arthur Forbes Lloyd Clerk, William Waddon Martin, Thomas Harrison*
Valletort

Valletort Mill Clerk, Digory Mill, Richard Preston, William Scott Preston, James Preston, Joseph Prust Prust Clerk, Bartholomew Prust, Edward Reynolds, James Reynolds, William Rowe, Charles Velly Rowe, Samuel Rooker, William Smith, Christmas Smith, Montagu Edward Smith, William Speke, Thomas Stevens, William Tardrew, William Proctor Thomas Clerk, John Torr Clerk, Thomas Berry Torr, Henry Torr, John Stapledon Richard Turner, William Short Tyéth, Robert Studley Vidal, Richard Vernon, Sir James Hamlyn Williams Baronet, James Hamlyn Williams, Charles Hamlyn Williams, Orlando Hamlyn Williams, Augustus Saltren Willett, Richard Walter Clerk, William Walter Clerk, William Richard Keats Walter, Doctor Wavell, John Way, Josias Wren, Robert Wren, Edward Wren, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby declared to be Trustees for putting into Execution this Act, and such of the Powers and Provisions of the said recited Acts of the Third, Fourth, and Seventh and Eighth Years of the Reign of His present Majesty as are not varied, altered, or otherwise provided for by this Act.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting to be held for that Purpose, (of which Meeting and of the Purpose whereof Fourteen Days Notice shall be given, as directed by the said recited Act of the Third Year of the Reign of His present Majesty 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 the Purposes of this Act and the said recited Acts of the Third, Fourth, and Seventh and Eighth Years of the Reign of His present Majesty, in addition to the Trustees hereby appointed; and such Trustees so elected and appointed, and being qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, shall be and they are hereby invested with the same Powers and Authorities for executing this and the said recited Acts as if they had been named and appointed in and by this Act.

Power to appoint additional Trustees.

X. And be it further enacted, That the said Trustees shall meet at the Guildhall or some other convenient Place in the Town of *Bideford*, within Thirty Days next after the Commencement of this Act, between the Hours of Eleven in the Forenoon and Two in the Afternoon, or as soon after as conveniently may be, and shall then and there proceed to put this Act and the said recited Acts of the Third, Fourth, and Seventh and Eighth Years of the Reign of His present Majesty into Execution.

First Meeting of Trustees.

XI. And be it further enacted, That each and every Clerk, Surveyor, Collector of the Tolls, and other Officer and Officers (except the Treasurer) nominated and appointed under and by virtue of the said recited Act hereby repealed, shall hold and enjoy their several and respective Offices until removed therefrom by the said Trustees; and every such Clerk, Surveyor, Collector, or other Officer

Former Officers (except the Treasurer) to continue until others are appointed.

or Officers shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of this Act.

Power to
erect Gates,
Toll Houses,
&c.

XII. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue or remove all and every or any of the Toll Gates or Turnpikes and Toll Houses now standing and being in or upon or across the said Roads, or on the Sides thereof, and also to erect, set up, and build, or cause to be erected, set up, and built, upon and in or across the said Roads by this Act directed or authorized to be repaired and amended or made, or any Part thereof, or upon the Sides thereof, or any Part thereof, 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 also 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 Roads suitable Garden Spots for the same respectively, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary, making a reasonable Satisfaction for the same; and from Time to Time to take down and remove or alter or discontinue the same or any of them, as they the said Trustees shall think proper and direct and appoint: Provided always, that such Garden Spots shall not be taken within any Woodland, Paddock, Park, Garden, or ornamental Ground, without the Consent in Writing of the Owner or Proprietor of the Land required for such Garden first had and obtained.

Power to
take Tolls.

XIII. And be it further enacted, That from and after the passing of this Act the respective Tolls following shall (subject to the Provisions, Restrictions, and Exemptions in this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained,) be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate now set up and continued, or that shall hereafter be set upon, across, and by the Sides of the Roads by this Act directed to be amended, improved, and kept in repair, by each and every such Person and Persons as the said Trustees shall from Time to Time by virtue of this Act continue or appoint to receive the same, before any Horse, Mule, Ass, Beast, or other Cattle, Coach, Chariot, Chaise, Waggon, Wain, Cart, or other Carriage, shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate; (that is to say,)

Tolls.

For every Horse or other Beast, drawing any Coach, Stage Coach, Landau, Chariot, Chaise, Phaeton, Caravan, Hearse, Litter, Chair, Gig, Taxed Cart, or other such light Carriage, a Sum not exceeding Sixpence:

For every such Carriage with Four Wheels, affixed to any Waggon, Cart, or other Carriage, a Sum not exceeding Sixpence:

For every such Carriage with Two Wheels, affixed to any Waggon, Cart, or other Carriage, a Sum not exceeding Three-pence:

For every Horse, Mule, Ass, or other Animal drawing any Waggon, Wain, Dray, Cart, Tumbrel, Drag, Sledge, or other such Carriage, a Sum not exceeding Sixpence :

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage, when laden with Timber, where the same shall be drawn by Two Horses or other Beasts, having the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding One Shilling ; and of the Breadth of Six Inches, a Sum not exceeding Sixpence :

And when drawn by Three Horses or other Beasts, having Four Wheels, and the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding One Shilling and Sixpence ; and of the Breadth of Six Inches, a Sum not exceeding Nine-pence ; and having but Two Wheels, and the Fellies of the Wheels of a less Breadth than Six Inches, a Sum not exceeding Three Shillings ; and of the Breadth of Six Inches, a Sum not exceeding One Shilling and Sixpence :

And when drawn by Four Horses or other Beasts, having Four Wheels, and the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding One Shilling and Sixpence ; and of the Breadth of Six Inches, a Sum not exceeding Nine-pence ; and having but Two Wheels, and the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding Three Shillings and Sixpence ; and of the Breadth of Six Inches, a Sum not exceeding One Shilling and Nine-pence :

And when drawn by Five Horses or other Beasts, having the Fellies of the Wheels of a less Breadth than Six Inches, a Sum not exceeding One Shilling and Sixpence ; and of the Breadth of Six Inches, a Sum not exceeding Nine-pence :

And when drawn by more than Five Horses or other Beasts, having the Fellies of the Wheels of a less Breadth than Six Inches, a Sum not exceeding One Shilling and Nine-pence ; and of the Breadth of Six Inches, a Sum not exceeding Nine-pence :

For every Horse, Mule, Ass, or other Beast of Burthen, laden or unladen, and not drawing, a Sum not exceeding One Penny Half-penny :

For every Ox, Cow, or other Neat Cattle, the Sum of One Half-penny :

For every Calf, Sheep, Swine, or Lamb, the Sum of One Farthing :

Which said respective Sums of Money shall be demanded and taken in the Name of or as Tolls, and shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

XIV. And be it further enacted, That a Sum not exceeding Three-pence a Horse shall be demanded or taken for any Horses or other Beasts, Carts, or other Carriages, when employed only in carrying or conveying Lime, Salt, or Sea Sand, to be used solely for Manure ; and no Toll shall be taken for such Horses, Beasts, Carts, or Carriages when going empty to fetch, carry, or convey, nor when returning empty from carrying or conveying, such Lime, Salt, or Sea Sand, whether the same shall go and return the same Day or not ; and if any

Toll for Lime
or Salt for
Manure.

any Person shall claim or take the Benefit of the said Exemption, not being legally entitled to the same, any Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds, and the Proof of Exemption shall lie on the Person claiming the same.

Tolls to be taken but Once a Day at any Gate.

XV. Provided always, and be it further enacted, That in case Toll shall have been paid for or in respect of any Horse, Beast, Cattle, or Carriage whatsoever, at any Gate or Turnpike that shall by virtue of this Act be set up or erected, or be continued upon, or across, or on the Sides of any of the said Roads, such Horse, Beast, Cattle, or Carriage shall be permitted to pass, return, and repass at any Time or Times during the same Day, to be computed and reckoned from Twelve of the Clock in one Night to Twelve of the Clock in the next Night, through the same Gate, Turnpike, or any other Gate or Turnpike within Four Miles thereof, Toll-free (save and except in the several Cases herein-after mentioned; or any of them), on a Note or Ticket of the Day denoting such Payment being produced; and such Notes or Tickets the said Collectors of the Tolls at the several Gates or Turnpikes erected or to be erected or set up by virtue of this Act, are hereby directed to give *gratis* (if demanded) on Receipt of the Toll.

Stage Coaches to pay each Time of passing.

XVI. Provided also, and be it further enacted, That the said Tolls hereby made payable shall be paid for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Carriage, conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads.

Post Chaises, &c. on every fresh Hiring.

XVII. Provided also, and be it further enacted, That 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, for every Time of passing along the said Roads, whenever any new Hiring thereof shall take place.

Toll on Timber.

XVIII. Provided also, and be it further enacted, That the Tolls hereby made payable for the Horses or other Beasts drawing Carriages when laden with Timber, shall be paid for and in respect of every Load of Timber passing along the said Roads; and that unconverted Plank, Beams, Joists, Rafters, and Spars shall be deemed and considered as Timber, and liable to the Tolls hereby made payable for and in respect of Timber, or the Horses or other Beasts drawing the same.

Limitation of Tolls.

XIX. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees, or their Collector or Collectors, to demand or take more than the respective Number of Tolls herein-after mentioned for or in respect of the same Horses, Cattle, or Carriages, for passing in any one Day (to be computed as aforesaid) over the whole Line or Lines of the said several Roads as herein-after mentioned; (that is to say,)

On

On the Road from *Bideford* to *Hartland*, not more than Two full Tolls:

On the Road from *Bideford* towards *Kilkhampton*, not more than Two full Tolls:

On the Road from *Bideford* to *Woodford Bridge*, by *Frithelstock Stone*, not more than Two full Tolls.

XX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any Collector or Collectors of Tolls employed by them, to levy and collect a Second full Toll or Half Toll, or any Part thereof respectively, on any of the said Roads, within the Distance of Four Miles upon the said Roads of any Gate, Bar, or Chain at which any Toll shall have been paid; save only and except the Tolls herein-after granted for widening and improving the Entrance of the said Road into the Town of *Bideford*, near the *Long Bridge*; and also save and except the Tolls which may be directed by the said Trustees to be taken at any Toll Gate or Gates, Turnpike or Turnpikes to be erected, set up, and continued on the Road intended to be made through the Vale of the River *Yeo*, between the Place where the intended new Road will diverge from the present Turnpike Road near *Pillmouth Bridge* in the Parish of *Northam*, to the present Turnpike Road near *Yeo Bridge*, leading from *Bideford* to *Buckland Brewer*.

No Second Toll to be collected within Four Miles.

Exceptions.

XXI. And be it further enacted, That the said Trustees shall and they are hereby required to erect, set up, and continue, upon the several Branches of Road comprised in this Act, One or more Toll Gate or Gates, Turnpike or Turnpikes, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions in this and the said recited Acts contained.

Tolls on Branches of Road.

XXII. And be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money to be borrowed upon the Credit thereof, shall be laid out or expended in the Amendment, Repair, or Improvement of any Branches of Road included in this Act, if there shall be no Toll Gate erected thereupon respectively, and Tolls taken thereat; nor from and after such Time as the said Branches of Road shall be made and completed, shall the said Trustees expend in the Repair of the same a greater Sum in any One Year than shall have been collected at the Toll Gates to be erected thereon.

Tolls not to be applied in the Repair of Branch Roads, unless there is a Toll Gate thereon.

XXIII. And be it further enacted, That the said Trustees shall and they are hereby directed and required, at some general or adjourned Meeting to be held in pursuance of this Act, to order and direct such Part or Proportion of the Tolls granted and made payable by this Act, as such Trustees or the major Part of them so present shall think proper, not less than Five Pounds *per Centum* and not exceeding Ten Pounds *per Centum* upon the clear Produce of such Tolls, to be set aside and appropriated for and towards the Reduction of the Debt which has been already incurred by virtue of the said recited Acts, or the former Act hereby repealed, or which shall and

Fund to be raised for buying up outstanding Securities.

may arise or be incurred by virtue of this Act, and from Time to Time to apply and dispose of the Monies so set aside in the Redemption and Purchase of such Deeds Poll and Securities, in such Manner as the said Trustees, at any general or adjourned Meeting, shall think proper.

Application
of Tolls and
other Monies.

XXIV. And be it further enacted, That the Tolls and all other Monies to be received by virtue of this Act, as also all the Monies which at the Time of the passing this Act shall have been raised or produced under the said recited Act hereby repealed; and shall be then undisposed of, shall be applied as herein-after mentioned; (that is to say,) in paying and defraying all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest for Money advanced by any Person or Persons for that Purpose; also in paying the Interest of the Principal Monies borrowed or raised under the said recited Acts, and which may be borrowed or raised under the Powers of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or of this Act, on the Credit of the Tolls arising on the said Roads; also in defraying the Expences of purchasing the Houses and Lands necessary for making and completing the said Roads, and keeping the same in repair, and in erecting and building the Hedges, Fences, and Bridges necessary for the Purposes aforesaid; also in applying a Sum of Money annually for the Purpose of redeeming the Debt, as by this Act is directed, and in erecting Gates or Turnpikes and Toll Houses where necessary, and in making, altering; widening, improving, amending, and repairing the several Roads; also in paying and defraying all Salaries and all other Expences necessary for carrying this Act into Execution; and also in paying off and discharging the Principal Monies already borrowed or raised under or by virtue of the said former Act hereby repealed, or to be by them the said Trustees borrowed or raised under or by virtue of the said recited Acts of the Third and Fourth Years of His present Majesty, or of this Act.

Existing
Leases of
Tolls to con-
tinue, and
former Tolls
and none
others to be
received, until
such Leases
expire.

XXV. And be it further enacted, That all and every Leases and Lease or Letting of the Tolls arising on the said Roads granted and made or agreed upon by the said Trustees for executing the said recited Act hereby repealed, and the several Covenants thereof, shall, notwithstanding the Repeal of the said recited Act, remain and continue in full Force and Effect until the Expiration of the Term thereby granted or agreed for, or until any other legal Determination of any such Lease or Letting; and the same and the respective Grantees shall be subject to the Powers and Provisions of this Act in the same Manner as if such Leases or Lease or Letting had been granted or made or agreed upon by the Trustees for executing this Act, and as if the Trustees granting, making, or agreeing upon the same had been Trustees for executing this Act; and the Tolls now payable and received at the Gates erected on or by the Sides of the said Roads, and none other, shall continue to be paid and received until the Expiration of the said Leases at the End of the current Year of their Term, when the same will expire by Effluxion of Time.

XXVI. And whereas the whole of the Road authorized to be made and maintained by the said first-recited Act has not yet been completed, nor has the whole of the Land necessary for the same been purchased; be it therefore enacted, That it shall be lawful for the said Trustees to purchase, take, use, and enter into and upon the Lands and Grounds, or any of them, mentioned and described in the Map or Plan and Book of Reference particularly referred to in the said first-recited Act and this Act, and form, complete, make, and maintain the Road through *Yeo Vale*, from the present Turnpike near *Pillmouth*, through the Parishes of *Northam* and *Littleham*, to the Bottom of *Moor Head Hill* near *Yeo Bridge*, there to unite with the Road leading from *Bideford* to *Buckland Brewer*, by the said recited Act and this Act authorized to be made and maintained, over and across the said Lands and Grounds.

Trustees empowered to take any of the Lands described in the Plan referred to by the first-recited Act.

XXVII. And whereas Maps or Plans, describing the Lines of the several Roads by this Act and the said first-recited Act intended to be made or altered, and of the Lands, Hereditaments, and Premises through or over which the same are to be carried or made, together with Books of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace of the County of *Devon*; be it therefore further enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may, at any reasonable Time or Times, have liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying to the Clerk of the Peace 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 of any such Maps or Plans and Books of Reference; and the said Trustees, in making the Roads or Alterations of Roads in such Maps or Plans, or any of them, shall not deviate more than One hundred Yards from the Lines described in such Maps or Plans, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation or Deviations shall be made.

Plans and Books of Reference to remain with the Clerk of the Peace, and Trustees not to deviate therefrom.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to take and use the Houses, Buildings, Gardens, or other Property mentioned in the Schedule to this Act annexed, first making Satisfaction to the Owners thereof and Persons interested therein for the same.

Power to take Houses, &c. mentioned in Schedule.

XXIX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads or Alterations of Roads, or any of them, into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners of Land or Premises over which the same are set out and described in the said Maps or Plans or Books of Reference as aforesaid, or mentioned in the Schedule to this Act annexed, although the Name or Names of the Owner or Owners may happen to be omitted or mis-stated in the said Books of Reference or Schedule, in case it shall appear to any Two

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

or

or more Justices of the Peace for the County or Place where the Land or Premises shall be situate, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Purchases to be made in Five Years, or Powers to cease.

XXX. Provided always, and be it further 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 or cause to be valued and paid for, in manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, the several Messuages and other Buildings, Tenements, Gardens, Yards, Paddocks, and Plantations which they are hereby empowered to purchase, take, and use, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers which are hereby given them for such Purpose shall cease, determine, and be utterly void, save and except with the Consent in Writing of the Owners or Proprietors and Occupiers of any such Messuages, Buildings, Tenements, Gardens, Yards, Paddocks, and Plantations.

Power to make and repair Footpaths.

XXXI. And be it further enacted, That it shall be lawful for the said Trustees to make or continue, and repair and keep in repair, any Footpaths or Causeways, for the Use of Foot Passengers, in, upon, or on the Sides of any of the Roads mentioned or described in this Act, in such Manner as they shall think proper.

Power to dig up the Pavement in Northam Village.

XXXII. And be it further enacted, That it shall be lawful for the said Trustees to dig and break up, or cause to be dug and broken up, the Pavement in the Village of *Northam* in the Road to *Appledore*, and in lieu thereof, to make a good and firm Road of convenient Breadth, and that the pitched Causeway or Footpath which shall remain and be left on each Side thereof shall continue to be repaired as heretofore by the respective Occupiers of the Houses and Tenements adjoining thereto.

When new Roads are completed, the Roads herein described may be discontinued.

Roads discontinued to be left in repair.

XXXIII. And be it further enacted, That from and after the making and completing the said new Roads or Deviations of Road respectively, the said Trustees shall from thenceforth be discharged from the future Repair of so much and such Parts of the present Roads as commence from and end at the Places herein-after mentioned, in lieu whereof such new Road shall be made; (that is to say,) the present Road through the Parishes of *Bideford* and *Littleham*, from *Handy Cross* in the Parish of *Bideford* to the Place where the intended new Road through the Vale of the River *Yeo* will diverge from the present Turnpike Road near *Yeo Bridge*, and from the future Repairs of such other Parts of the present Roads in lieu of which other new Roads shall be made: Provided always, that such of the Roads so to be discontinued as Turnpike as aforesaid, which may be required to be kept up and continued as Highways, shall, before the same are so discontinued as Turnpike, be put into such good and sufficient Repair as shall be adjudged and determined by the Certificate in Writing of Two or more Justices of the Peace of the County of *Devon*, and transmitted to the Clerk of the said Trusts, and their Adjudication thereon shall be final and conclusive.

XXXIV. And

XXXIV. And whereas the Entrance into the Town of *Bideford* from the South Road adjoining the River *Torr ridge* is in bad Repair and Condition, narrow and dangerous, and inconvenient to Persons travelling over the same, and requires to be widened and improved; and it is expedient that Provision should be made for more effectually widening, repairing, and improving the same; be it therefore enacted, That the said Trustees shall and may and they are hereby authorized and empowered to demand and take on the said Road leading from the Toll House on the said South Road to the Entrance into the Town of *Bideford*, at the West End of the *Long Bridge* of *Bideford*, an additional Toll, not exceeding One Half nor less than One Quarter of the Tolls herein-before authorized to be taken on the said Roads, for the Purpose of enabling the said Trustees to widen, repair, and improve the Road into the said Town; and the said Trustees are hereby directed and required to cause a separate and distinct Account to be kept of the Money arising from the said additional Toll, and apply the same solely to the Purposes herein-before mentioned, and paying off and discharging the several Sum and Sums of Money which have been expended and now remain due and owing for making the said Road, as also the Purchase Money for the House and Premises next herein-after mentioned; and the said Trustees are hereby authorized to purchase the Dwelling House and Premises No. 3. comprised in the Schedule annexed to this Act, to enable them to carry the said Improvement into Execution: Provided always, that an Account of the Money arising from the said additional Toll, and the Application thereof, shall be annually laid before the Justices of the Peace for the said County of *Devon*, at their General *Michaelmas* Quarter Sessions of the Peace; and when and as soon as the Repair, widening, and Improvement of the said Road into the said Town shall be completed to the Satisfaction of the said Justices, who are hereby authorized and empowered to inquire into the same by Examination of Witnesses on Oath (which Oath the said Court is hereby authorized to administer), and the Money borrowed on the Credit of the said Tolls, and the Interest thereof, shall have been repaid, then the said Court shall and may direct the said additional Toll to cease and determine from such Time as they shall appoint, and such Toll shall from thenceforth accordingly cease to be collected and paid, and the Road into the said Town shall from thenceforth be maintained and repaired and be subject to the like Laws and Regulations as if this Act had not been passed.

For improv-
ing the South
Entrance
into the Town
of Bideford.

XXXV. 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.

XXXVI. And be it further enacted, That this Act shall commence upon and from the passing thereof, and shall from thenceforth continue for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commence-
ment and
Continuance
of Act.

The SCHEDULE to which this Act refers.

No.	Proprietors.	Occupiers.	Premises.	Description.	Parish.
1	William Cadd	Poor Tenants - John Chanter, Henry Cadd - William Fisher and Proprietor	Premises in Potter Lane	Two Cottages - Malthouse - - Cow-house and Premises -	Bideford. Ditto. Ditto.
2	Mrs. John Heard	Enoch Bailey	House	A Public House called The Union	Ditto.
3	Samuel Barrett Philip Tardrew	Untenanted	House and Yard near the Bridge	Dwelling House	Ditto.

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