





- 3 G. 4. c. 126. King George the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fourth
- 4 G. 4. c. 95. Year of the Reign of His said 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 an Act was passed in the Fifth Year of the Reign of his said
- 5 G. 4. c. 69. 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 an Act was passed in the Seventh and Eighth Years of the Reign of His said present Majesty,
- 7 & 8 G. 4. c. 24. 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
- Recited Act of 5 G. 4. repealed. Act the said recited Act of the Fifth Year of the Reign of His present Majesty, for making and maintaining certain Roads from *Kingsbridge to Dartmouth, Modbury, Salcombe*, and other Places in the South Part of the County of *Devon*, shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

This Act to take effect for repairing the Roads herein described.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect, and be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering, diverting; and from Time to Time improving and keeping in repair the Road from the North Entrance of the Churchyard in *Kingsbridge*, by way of *Aveton Gifford* and *Stoliford Bridge*, through *Modbury*, to unite with the present Turnpike Road leading from *Modbury* to *Plymouth*; and from the said North Entrance to the Churchyard in *Kingsbridge* to *Frogmore Bridge*, and by *Mill Street*, *Westalvington*, and *Malborough*, to *Salcombe*; and from a certain Point of the said Road to *Frogmore*, situate upon *High-house Farm*, to *Ranscombe Bridge*; and from the North Entrance to the Churchyard in *Kingsbridge* aforesaid, by way of *Knowle* and *Soreley Green*, and by way of *Sugar Lane* and *Bell Cross*, to unite with the Turnpike Road to *Totnes* at or near *Farmston*, and to unite with the Turnpike Road from *Dartmouth* to *Modbury* at or near *Morley Cross*; and from the South End of *Batt's Lane*, by *Well Cross*, and a new Line or Cut of Road, to unite with the present Road to *Totnes* and *Dartmouth*; and also from the East Side of the Mill Pond adjoining the Town of *Dartmouth*; and from the *Ship in Dock*, by way of *Townstal Farm-house* and *Halwell Cross*, to unite with the Turnpike Roads to *Kingsbridge* and *Totnes*, at or near *Farmston* aforesaid; and a certain new Cut or Line of Road leading from and out of the said Road at or near *Collaton Cross* to or near *Ritson Lane End*; and from a certain Spot in the Parish of *Saint Petrox*, near a House called *Stoke Cliff* adjoining the South End of the Town of *Dartmouth*, by *Warfleet* and *Week Cross*, to *Deadman's Cross*, and thence to unite with the

Turnpike



Turnpike Road from *Dartmouth* to *Kingsbridge* at or near *Long Coss* and *Townstall Farm* aforesaid; and also from the Village of *Stoke-Fleming* to *Week Cross* and *Swannaton Cross*; and from *Soreley Green* aforesaid to *Ven Cross*; and from a certain Point in the said Road to *Ven Cross*, at or near the new County Bridge across the River *Avon*, to *Aveton Gifford* aforesaid; and also from *Halwell Cross*, by *Halwell* and *Morley*, to *Morley Post*, and thence, by way of *Yeo* and *Topsham Bridge*, to *Mary Cross*, and thence to unite with the Turnpike Road from *Kingsbridge* to *Plymouth* at or near the Cross in *Modbury*; and from *Morley Post* aforesaid, by way of *Gara Bridge*, to *Mary Cross* aforesaid; and which said Roads will run to, into, or through the several Parishes following; (that is to say,) *Southpool*, *Townstal*, *Stoke-Fleming*, *Saint Petrox*, *Halwell*, *Blackawton*, *Modbury*, *Stokenham*, *Diptford*, *North Huish*, *South Brent*, *Loddiswell*, *Dodbrooke*, *Kingsbridge*, *Westalvington*, *Churstow*, *Malborough*, *Buckland Tout-Saints*, *Charlton*, *Sherford*, *South Milton*, *South Huish*, *East Allington*, *Woodleigh*, *Morley*, *Cornworthy*, *Dittisham*, *Saint Saviour's*, *Aveton Gifford*, and *Ugborough*, or some of them, all in the County of *Devon*: Provided always, that if the said Road from *Morley Post*, by way of *Gara Bridge*, to *Mary Cross* aforesaid, shall be first made, then the Powers and Authorities given by this Act for making the said Road from *Morley Post*, by way of *Yeo* and *Topsham Bridge*, to *Mary Cross* aforesaid, shall cease and determine; and if the said Line of Road from *Morley Post*, by way of *Yeo* and *Topsham Bridge*, to *Mary Cross*, shall be first made, then the Powers and Authorities given by this Act for making the said Road from *Morley Post*, by way of *Gara Bridge*, to *Mary Cross* aforesaid, shall cease and determine, except as to a certain Portion of Road contained in the Line between *Gara Bridge* and *Mary Cross* aforesaid, and leading from or near a certain Spot called *Churchland Green*, to unite with the Turnpike Road to *Ven Cross* at or near *Comer's Cross*.

III. And whereas it would be the Means of preventing great Evasion of the Tolls granted by this Act, if the Diversions, Pieces, or Portions of Road hereafter mentioned, were to be added to the said Turnpike Roads, and Power given to the Trustees to erect Toll Gates upon the same, and receive Toll thereat; (that is to say,) a certain Parish Road or Highway from *Stoliford Bridge*, by the Poorhouse, to its Junction with a certain Road leading from *Galpin Street* to *Elston Cross*, and Two hundred Yards from the said Junction towards *Elston Cross*; also Fifty Yards of a certain other Road leading from or near *Mary Cross* towards *Shipham*; and a certain Diversion or new Line of Road leading from and out of the said Turnpike Road between *Stoliford Bridge* and *Modbury*, and uniting with the Road from *Modbury* to *Bigbury* at or near the Top of *Prigdon Hill*, and continuing therein Two hundred Yards towards *Bigbury*; also from *Scoldon's Lane* One hundred and twenty Yards in a certain Lane called *Back Lane*, and One hundred and twenty Yards from the Entrance to *Modbury* up *Galpin Street*; and also from or near *Berry Gate*, Two hundred Yards of a certain Highway towards *Salcombe*; and from or near the Turnpike Gate called the *Quay Gate*, to *Tacket Wood Bridge*, and a certain Lane leading thereout,

Trustees empowered to erect Toll Gates and take Tolls on certain Divisions or Pieces of Road herein described.



thereout, to *Square's Quay*, called *Sand Lane*; and from or near *Greenhill* to *Foxhole Bridge*, and to unite with the Road to *Salcombe* at or near the Pump in *Kingsbridge*, and with the Road to *Frogmore* at or near *Salt Mill Quay*; also Two hundred Yards in each of the Roads leading from *Bell Cross* to *Addlehole* and *Washbrook Mill*; and a certain Lane leading from *Bell Cross* to unite with the Turnpike Road to *Ven Cross* called *Wallingford Lane*; and also a certain Road leading from *Stanborough Cross* to or near *Ritson Lane End*; and Two hundred Yards in a certain Lane called *Blackawton Lane*, leading out of the Turnpike Road near *Stanborough Heights*, towards *Blackawton*; and Two hundred Yards in each of the Roads leading from *Swannaton Cross* to *Swannaton* and *Cousin's Barn*; and Two hundred Yards in a certain Road leading from *Deadman's Cross* to *Waterpool*; all which said Diversions, Pieces, or Portions of Road are situate in the Parishes aforesaid, or some of them; be it therefore enacted, That the said Diversions, Pieces, or Portions of Road shall be added to and form Part of the said Turnpike Roads.

New Term  
and Tolls  
liable to  
Debt under  
the former  
Act.

IV. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they 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 Tolls authorized to be taken by the said Act of the Fifth Year of the Reign of His present Majesty, for making and maintaining certain Roads from *Kingsbridge* to *Dartmouth*, *Modbury*, *Salcombe*, and other Places in the South Part of the County of *Devon*, and of the said Acts of the Third and Fourth Years of the Reign of His said present Majesty, and of all Interest due and to grow due thereon respectively, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act; and all and every Persons and Person who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees for executing the said recited Act hereby repealed, or to any Person or Persons for the Benefit of the said Roads, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act.

Powers of  
General  
Turnpike  
Acts extend-  
ed to this  
Act.

V. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed by the said recited Acts of the Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, or otherwise varied, altered, or repealed,) and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed by the said recited Acts of the Fifth and Seventh and Eighth Years of the Reign of His present Majesty, or otherwise varied, altered, or repealed,) and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty,



Majesty, to enable Justices of the Peace for Ridings, Divisions, or Sokes to act as Trustees for repairing and maintaining Turnpike Roads, and also the said recited Act of the Seventh and Eighth Years of the Reign of His present Majesty, and the Powers and Provisions therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

VI. And be it further enacted, That all Conveyances, Bonds, Covenants, Agrèements, and Securities made or entered into by any Person or Persons, to or with any of the Trustees for executing the said recited Act of the Fifth Year of the Reign of His present Majesty, for making and maintaining certain Roads from *Kingsbridge* to *Dartmouth*, *Modbury*, *Salcombe*, and other Places in the South Part of the County of *Devon*, hereby repealed, according to the Provisions and Directions of such Act, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are or shall be fully satisfied and performed on account of or for the Benefit of the Roads included in this Act; and all Contracts, Agreements, Leases, Demises, Mortgages, and Securities made or entered into by such Trustees to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and also the said recited Act of the Fifth Year of the Reign of His said present Majesty, to enable Justices of the Peace for Ridings, Divisions, or Sokes to act as Trustees for repairing and maintaining Turnpike Roads, and also the said recited Act of the Seventh and Eighth Years of the Reign of His present Majesty, and be observed and kept by them according to the Terms, Stipulations, and Tenor thereof respectively.

Bonds, &c.  
under former  
Acts to be  
good under  
this Act.

VII. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Act of the Fifth Year of the Reign of His said present Majesty, for making and maintaining certain Roads from *Kingsbridge* to *Dartmouth*, *Modbury*, *Salcombe*, and other Places in the South Part of the County of *Devon*, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Act had not been repealed.

Books used  
under former  
Acts to be  
Evidence.

VIII. And be it further enacted, That all Persons who have been employed or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Act of the Fifth Year of the Reign of His said present Majesty, for making and maintaining certain Roads from *Kingsbridge* to *Dartmouth*, *Modbury*, *Salcombe*, and other Places in the South Part of the County of *Devon*, hereby repealed, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account for, pay, and deliver over the same to the Trustees employed in the Execution of this Act, in the same and like Manner,

Officers  
under the  
former Acts  
to account to  
the Trustees  
for executing  
this Act.

[Local.]

R r

and



and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or either of them, inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of the said Acts and this Act.

Appointment  
of Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of Devon, together with the Right Honourable Edmund Parker commonly called Lord Viscount Boringdon, Sir Thomas Dyke Acland Baronet, Stephen Lewis Adams Clerk, John Allen, John Avent, John Andrews, Richard Andrews, Alexander Baring, George Baker Clerk, George Baker the younger, Henry Bradridge Clerk, John Bulteel, John Crocker Bulteel, Nicholas Adams Bartlett Clerk, Edmund Pollexfen Bastard, John Bastard, Sir Henry Carew Baronet, Samuel Crapp, William John Clark, Erving Clark, Samuel Cornish, Hubert Cornish, John Collier, James Cartwright, Faby Dimond, Edward Edgell Clerk, Richard Edmonds Clerk, William Elliot, Robert Hurrell Frowde Clerk, Thomas Freke Clerk, Anthony Goodridge, Richard Gillard, John Gillard, Henry Gilbert, Arthur Howe Holdsworth, Arthur Bastard Eastbrooke Holdsworth, Robert Holdsworth Clerk, Charles Holdsworth Clerk, Arthur Hunt, Thomas Holdsworth Hunt, William Lamb Hockin, William Hockin Clerk, William Cholwich Hunt Doctor of Medicine, Robert Harris, Henry Hare Clerk, Joseph Hingston, Joseph Hingston the younger, John Hawkins, Abraham Mills Hawkins, Treby Hele Hays, Luke Howard, Robert Ibbetson Bazette Henshaw Clerk, Hugh Harris, Thomas Harris, Henry Holdsworth, Rice Price Higgins, Thomas Newman Hunt, William Roope Ilbert, Peregrine Ilbert, William Jackson, John King, Thomas King, Thomas Kevill, James King, Richard King, William Langworthy, George Langworthy, John Lowe, John Luscombe Luscombe, John Luscombe, George Martin Clerk, Nicholas Moysey, Nicholas Adams Moysey, Robert William Newman, Thomas Newman, Lydston Newman, John Nicholson, John Netherton, Jasper Parrott, William Mackworth Praed, William Mackworth Praed the younger, Walter Lambie Prettejohn, John Pearse, William Pearse, William Lyfe Pearce, John Parsons, Robert Parsons, Andrew Pinwell, Walter Prideaux of Totnes, Walter Thomas Prideaux, Roger Ilbert Prideaux, Nicholas Prettejohn, Nicholas Pitts, Edward Prettejohn, George Prideaux, Sir John Leman Rogers Baronet, Henry Richard Roe, John Henry Seale, Henry Paul Seale, Charles Henry Seale, Charles Hayne Seale, John Hilley Symons, John Beaumont Swete, William Stackhouse Clerk, John Servington Savery, Servington Savery, Thomas Square, Henry Roe Square, John Browne Smith, Henry Taylor Clerk, Henry Duncan Twysden, Thomas Twysden Clerk, Edward Tor, Benjamin Kerr Vaughan Clerk, Samuel Wroth, John Waite, Thomas Wyse, William Wells Clerk, George Furlong Wise, George Furlong Wise the younger, Clerk, William Furlong Wise, Samuel Wells, Fortescue Wells, Thomas Bury Wells, Abraham Welland, Lawrence Welland, James Yates, Thomas Chilton Lambton Young Clerk, and their Successors, being duly qualified in manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and by the said recited Act of the Fifth Year of the Reign of His present Majesty, to enable Justices



of the Peace for Ridings, Divisions, or Sokes to act as Trustees for repairing and maintaining Turnpike Roads, shall be and they are hereby appointed Trustees for making, amending, widening, altering, improving, and keeping in repair the Roads herein-before described, and for carrying this Act into Execution.

X. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First Meeting to be held in pursuance of this Act, to elect and appoint any Number of Persons, being duly qualified according to the Provisions and Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and the said recited Act of the Fifth Year of the Reign of His present Majesty, to enable Justices of the Peace for Ridings, Divisions, or Sokes to act as Trustees for repairing and maintaining Turnpike Roads, (not exceeding Five in the whole,) in addition to the Trustees herein named and appointed; and such Persons, so elected and appointed, and being duly qualified, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

XI. And be it further enacted, That the First Meeting of the said Trustees shall be held at the Inn known by the Name of the *King's Arms* in *Kingsbridge* aforesaid, or at some other convenient Place in the Town of *Kingsbridge* aforesaid, on the Third *Wednesday* next after the passing of this Act, between the Hours of Ten in the Morning and Two in the Afternoon, or as soon after as conveniently may be; and the said Trustees shall then and there proceed to carry the said recited Acts and this Act into Execution, and shall and may then and from Time to Time after adjourn to and meet at such Times, and Places in the Neighbourhood of the said Roads, as they may think proper; provided that the General Annual Meeting shall be held, during the Continuance of this Act, in the Town of *Kingsbridge* aforesaid.

XII. And be it further enacted, That the Clerk, Treasurer, Surveyor, and all other Officers appointed under and by virtue of the said recited Act of the Fifth Year of the Reign of His present Majesty, hereby repealed, and who are now employed in the Execution thereof, shall hold and enjoy such their several and respective Offices and Employments under the Trustees for executing this Act; and each and every such Clerk, Treasurer, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever as if he had been appointed by virtue of this Act; provided that such Treasurer shall have been appointed consistently with the Provisions of the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty.

XIII. And



Toll Gates  
may be con-  
tinued or  
new ones  
erected.

# 9<sup>o</sup> GEORGII IV. Cap. xii.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to continue, replace, or remove all or any of the Toll Gates or Toll Houses which have been erected and now stand in, upon, or across the said Roads, or any of them, or on the Side or Sides thereof, or any of them, and to erect, set up, and build, or cause to be erected, set up, and built, in, upon, or across the said Roads, or any Part of them, or upon the Side or Sides of the same, such and so many Toll Gates, Turnpikes, Side Bars, Chains, and Weighing Machines, with Toll Houses, Out-buildings, Lamps, and other Conveniences thereto, and also to take in and inclose on the Side or Sides of the said Roads, or any of them, convenient Garden Spots for each of the said Toll Houses (not exceeding One Eighth Part of a Statute Acre to each Toll House), as the said Trustees shall think fit and direct or appoint, and shall or may from Time to Time remove, alter, and discontinue the same, or any of them, as they the said Trustees shall think expedient.

Power to  
take Tolls.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, Collector or Collectors as aforesaid, to demand and take the several Tolls following at each of the Gates and Turnpikes which by virtue of this Act shall be continued or erected in, upon, or across any Part of the said Roads, and on the Sides of the said Roads, across any Lane or Way leading into the same, before any Horse, Cattle, Beast, or any Carriage whatsoever, shall be permitted to pass through any such Gate or Turnpike; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Berlin, Landau, Chaise, Curricule, Calash, Chair, Caravan, Van, Hearse, Litter, Car, Gig, or other such like Carriage, the Sum of Nine-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Nine-pence:

For every Coach, Barouche, Chaise, or other Carriage with Four Wheels, affixed to any Waggon or Cart, the Sum of One Shilling:

For every Carriage with Two Wheels affixed to any Waggon or Cart, the Sum of Nine-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Tumbril, Dray, or other such like Carriage, laden with Timber, the Sum of One Shilling and Three-pence:

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

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

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Ten-pence *per* Score, and so in proportion for any less Number.

Which said Tolls shall be and they are hereby vested in the said Trustees, and the same shall be recovered, paid, and applied in manner by this Act directed.

XV. And



XV. And whereas the said Trustees are making an Embankment, and building Arches, at great Expence, for carrying the said Road across the Estuary at *Bowcombe*, and the same when finished will be of great Benefit and Convenience to Foot Passengers; be it therefore further enacted, That when and as soon as the said Embankment shall be ready for the Passage of Foot Passengers, it shall be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors by virtue of this Act, to demand and take of and from every Foot Passenger who shall cross the said Embankment the Toll or Sum of One Halfpenny; which said Toll shall be and is hereby vested in the said Trustees, and the same shall be recovered by such Means, and subject to such Penalties for Evasion, as any other Tolls by this Act granted can or may be recovered, and shall be paid and applied by the said Trustees in such Manner as is by this Act directed concerning any other Tolls hereby granted.

Power to take Toll from Foot Passengers upon the new Embankment.

XVI. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed or construed to extend, to empower the said Trustees, or any Collector or Collectors to be by them appointed for that Purpose, to demand or take more than Four full Tolls for passing over the whole Line of Road; and One full Toll only shall be payable for passing over the Road from *Kingsbridge* to *Modbury*; and One full Toll only shall be payable for passing over the Road from *Kingsbridge* to *Salcombe*; and One full Toll only shall be payable for passing over the Road from *Kingsbridge* to *Ven Cross*; and One full Toll only shall be payable for passing over the Road from *Kingsbridge* to *Frogmore* or *Ranscombe Bridge*; and Two full Tolls only shall be payable for passing over the Road from *Kingsbridge* to *Dartmouth*; and Two full Tolls only shall be payable for passing over the Road from *Dartmouth*, by way of *Topsham Bridge* or *Gara Bridge*, to *Modbury*.

Limiting the Number of Tolls to be taken.

XVII. Provided also, and be it further enacted, That after the respective Tolls shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any Turnpike or Gate to be continued or erected by virtue of this Act, or by any Foot Passenger for passing over the said Embankment, such Horse, Cattle, Beast, or Carriage, and such Foot Passenger, shall, upon producing a Ticket denoting such Payment on that Day, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and over the said Embankment, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time or Times during the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night (except as herein-after mentioned); any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid but once a Day.

XVIII. Provided also, and be it further enacted, That for and in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, the Tolls hereby made payable shall be paid for every Time of passing and repassing through every such Toll Gate; and the Tolls hereby made payable

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

[*Local.*]

*S s*

shall



shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Road on the same Day, whenever a fresh Hiring thereof shall take place.

Lime and  
Sand for  
Manure ex-  
empt from  
Toll.

XIX. And be it further enacted, That no Toll shall be demanded or taken by virtue of this or the said recited Acts, for or in respect of any Horse, Beast, or other Cattle carrying or conveying, or going for, or returning after having been only employed in carrying or conveying, on the same Day, any Lime or Sea Sand, to be used only for the Purposes of Manure, on passing through any of the Turnpikes or Toll Bars on the said Road, provided that the Fellies of the Wheels of every Cart, Waggon, or other Carriage used for this Purpose, and drawn by Two Horses, are of the Breadth of Four and a Half Inches, and if by Three or more Horses, of the Breadth of Six Inches.

Road to be  
divided into  
Districts.

XX. And whereas it is desirable that the Roads hereby intended to be made should be divided into the following Districts ; (that is to say,) that the Roads from or near *Dartmouth* and *Stokefleming* to or near *Farmston*, at the Junction of the *Totnes* Road in the Parish of *Halwell*, should be formed into one District of Roads, to be called the First District ; the Road from or near the Junction of the *Totnes* Turnpike aforesaid to *Kingsbridge* and *Addlehole* into one other District of Road, to be called the Second District ; the Road from *Kingsbridge*, through *Aveton Gifford* and *Modbury*, to unite with the *Plymouth* Turnpike, and to *Mary Cross* aforesaid, into one other District, to be called the Third District ; the Road from *Soreley Green* to *Ven Cross* into one other District, to be called the Fourth District ; the Road from *Kingsbridge* to *Salcombe* into one other District, to be called the Fifth District ; the Road from *Kingsbridge* to *Frogmore* into one other District, to be called the Sixth District ; the Road from *High-house Farm* to *Ranscombe Bridge* into one other District, to be called the Seventh District ; the Road from *Halwell Cross* by *Morley*, to the Junction of the Fourth District, into one other District, to be called the Eighth District ; the Road from the Fourth District to *Mary Cross* into one other District, to be called the Ninth District ; and that no District of Road, except such as are already begun, should be commenced until a sufficient Sum has been subscribed to complete the same ; be it therefore further enacted, That the said Trustees shall and may divide the said Roads into such Districts as aforesaid ; and they are hereby required, previous to commencing the making or altering any of the said Districts, except such as are already commenced, to have an accurate Estimate of the Expence of completing the same ; and that no District of Road (except such as have been already begun, and are now in progress,) shall be commenced until the whole of the Sum at which the same shall be estimated to be completed is subscribed.

Trustees to  
erect Toll  
Gates on  
each of the

XXI. And be it further enacted, That the said Trustees shall and they are hereby required to erect, set up, and continue, upon all or any of the Road or Roads comprised in this Act, such and so many Toll



Toll Gates, Toll Bars, or Turnpikes and Side Gates, as to them shall seem right, and to demand and take thereat the Tolls by this Act granted: Provided always, that no Toll Gate, Toll Bar, Turnpike, or Side Gate shall be erected or set up, and no Toll shall be taken for passing over any District of Road comprised in this Act, before the said Trustees shall have commenced making or repairing the same.

Districts, and  
take Tolls  
thereat.

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 of the Diversions, Pieces, or Portions of the said Roads included in this Act, if there shall be no Toll Gate erected thereupon respectively, and Tolls taken thereat; nor shall any greater Sum of Money be expended in the Repair of any such Diversions, Pieces, or Portions of Road, than shall be collected at the Toll Gates or Turnpikes to be erected thereon, or received as Composition for Statute Duty.

Tolls not to  
be applied to  
the Repair of  
Diversions  
or Pieces of  
Roads, unless  
Gates are  
erected there-  
on, and Tolls  
taken.

XXIII. And be it further enacted, That all Monies which shall or may be collected or received under the Powers or Authorities of this Act shall be applied in the first place in defraying the Costs, Charges, and Expences attending the applying for and obtaining this Act, with lawful Interest for the same; in the next place in paying and discharging the Interest of all Sums of Money now due and owing on the Credit of the Tolls granted by the said recited Act of the Fifth Year of the Reign of His present Majesty, hereby repealed, together with the Interest of all Sums of Money which shall hereafter be borrowed or taken at Interest on the Security of the Tolls hereby granted, and in defraying the Expence of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, and in making, repairing, supporting, widening, and altering the said Roads and Embankments by this Act directed to be made or kept in repair as aforesaid; and the Residue of the Monies so to be collected and received shall be applied in paying all Principal Monies due and owing on the Credit of the Tolls hereby granted, or borrowed for the Purposes of this Act, and in defraying all other Costs, Charges, and Expences attending the same, in such Manner as the said Trustees shall from Time to Time appoint.

Application  
of Tolls.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to set out and make such Parts of the said Roads herein-before mentioned and described as are not completed, in such Manner as to them shall seem right and proper, and for that Purpose to take and use any Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, they the said Trustees first making Satisfaction to the Owners and Occupiers of such Lands, Grounds, Houses, Erections, Buildings, Tenements, and Hereditaments, or such Part or Parts thereof as they the said Trustees may require for making and constructing the said Roads; such Satisfaction, in case of any Difference concerning the same, to be settled and ascertained by a Jury in manner directed

Trustees to  
make and set  
out Roads.



directed and prescribed in and by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Map or Plan deposited at the Office of the Clerk of the Peace to remain there.

XXV. And whereas a Map or Plan describing the Line of the said Roads, and the Lands and Hereditaments through or over which the same is to be made and carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands and Hereditaments, have been deposited at the Office of the Clerk of the Peace for the said County; be it therefore further enacted, That the said Map or Plan and the 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 and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying the said 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 the said 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 Line described in the said Map or Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands such Deviation shall be made.

Road not to deviate more than 100 Yards from the Plan.

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

XXVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads into, through, across, or over the several Lands and Hereditaments of any Person or Persons who is or are or may be Owner or Owners of Lands 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, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees empowered to take down certain Buildings.

XXVII. And whereas, for the Purpose of making, widening, altering, diverting, and otherwise improving the Roads comprised in this Act, or some of them, it will be necessary to purchase, take, and use (among other Tenements) the several Messuages and other Buildings, Tenements, Gardens, Yards, Paddocks, and Plantations specified or mentioned in the Schedule to this Act; be it therefore enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, for any of the Purposes aforesaid, to purchase, take, and use all or any of the Houses, Buildings, Gardens, Yards, Paddocks, Plantations, and other Tenements mentioned in the Schedule to this Act, or such Part or Parts thereof as to the said Trustees shall seem necessary, and to pull down such Buildings, or any Part or Parts thereof, and to lay the Site or Sites thereof into the said Roads, without obtaining any such Consents as by the said Two recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or either of them, is made requisite; but full and ample Compensation shall be made to the several Parties interested therein, for the same, and for the Damage they shall



shall sustain thereby; as in the said Act of the Third Year of the Reign of His present Majesty is provided in that Behalf.

XXVIII. Provided always, and be it further enacted, That if the said Trustees shall not, within the Space of Five Years from the Day of the passing of this Act, agree for, or cause to be valued and paid for, as by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty is mentioned and directed, the several Houses, Lands, Tenements, and Hereditaments which they are empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers and Authorities hereby granted to them for purchasing the same, or such Parts thereof as aforesaid, shall cease and determine and be utterly void, save and except with the Consent in Writing of the Owners or Proprietors thereof respectively.

Power to purchase and take down Buildings to cease at the Expiration of Five Years.

XXIX. And whereas since the Completion of the Turnpike Road leading from *Stanborough Cross* to or near *Ritson Lane End* in the Parish of *Halwell* aforesaid, a certain Highway or Parish Road, leading from *Stanborough Cross* to or near *Ritson Lane End* aforesaid, has become useless; be it therefore further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to stop up and discontinue the said Highway or Parish Road, leaving open a certain Highway or Parish Road which crosses the same, called *Blackawton Lane*, leading from *Blackawton* towards *Morley*: Provided always, that the said Highway or Parish Road shall not be stopped up unless the Concurrence and Approbation in Writing of Two of His Majesty's Justices of the Peace for the said County shall be first had and obtained, and their Determination in the Premises shall be subject to Appeal in the Manner and Form directed and prescribed by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to amend an Act of the Thirteenth Year of the Reign of His present Majesty, for the Amendment and Preservation of the Public Highways, in so far as the same relates to Notice of Appeal against turning or diverting a Public Highway; and to extend the Provisions of the same Act to the stopping up of unnecessary Roads.*

Certain unnecessary Roads may be stopped up.

55 G. 3. c. 68.

XXX. And be it further enacted, That if any Person or Persons shall with any Boat or Vessel, or in any other Way whatever, wilfully or carelessly injure, pull down, or damage any Part of the Embankment across the Estuary at or near *Bowcombe* aforesaid, or the Bridges, Arches, Walls, Posts, Rails, or Fences thereof, or the Drawbridge, or any Erection or Building made thereon by the said Trustees, or repaired or repairable by them, any Person or Persons so offending shall for each and every such Offence forfeit and pay any Sum not exceeding Ten Pounds, over and above the Damages occasioned thereby; which said Damages and Penalties shall be recovered and applied in like Manner as any Penalties and Damages are directed to be recovered and applied by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or either of them.

For preventing Damage to the Embankment at Bowcombe.

[Local.]

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XXXI. And

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Public Act.

XXXI. 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.

Commence-  
ment and  
Continuance  
of this Act.

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



## The SCHEDULE to which the foregoing Act refers.

Description of Property.	Parishes.	Owners or reputed Owners.	Occupiers.
Conduit - - -	Modbury -	Inhabitants of Modbury.	
Plantation - - -	Aveton Gifford - {	Robert Hurrell Froude, } Clerk - - -	In hand.
Orchard - - -	Woodleigh - {	John Beaumont Swete, } Esquire - - -	Mrs. Lavers.
Shambles-house and Round-house - - }	Modbury - - -	George Crispin - - -	Elizabeth Mitchell.
Garden - - -	Ditto - - -	Thomas Collins - - -	William Hawker.
Ditto - - -	Ditto - - -	W. B. Kennaway - - -	Nicholas Paige.
Ditto - - -	Ditto - - -	Sarah Boon - - -	William Wroth.
Ditto - - -	Ditto - - -	Francis Fox - - -	In hand.
Orchard - - -	Ditto - - -	Captain Williams - - -	Robert Webber.
Ditto - - -	Aveton Gifford -	John Salmon - - -	Roger Lidstone.
Ditto - - -	Ditto - - - {	Parsonage of Aveton Gif- } ford - - -	Benjamin Kerr Vaughan, Clerk.
Carpenter's Shop -	Ditto - - -	Robert Parsons - - -	William Yabsley.
Orchard - - -	Modbury - - -	Elizabeth Mitchell - - -	In hand.
Linhay - - -	Aveton Gifford -	Sarah White - - -	In hand.
Linhay and Orchard -	Ditto - - -	Ditto - - -	Henry Steere.
Garden - - -	Ditto - - -	Ditto - - -	William Snowdon.
Orchard - - -	Ditto - - - {	Arthur Howe Holdsworth, } Esquire - - -	Roger Tope.
Ditto - - -	Ditto - - -	John Cole - - -	In hand.
Ditto - - -	Dodbroke - - -	Reverend Mr. Froude - - -	Mr. Steere.
Garden - - -	Ditto - - -	Ditto - - -	William Steere.
Orchard - - - {	Buckland Tout } Saints - - -	Edward Torr - - -	In hand.

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