



ANNO PRIMO & SECUNDO

# GULIELMI IV. REGIS.

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## *Cap. xxviii.*

An Act to amend an Act of His late Majesty King *George* the Fourth, for more effectually maintaining the Road from *Teignmouth* to *Dawlish*, and for making Roads from *Dawlish* to the *Exeter* Turnpike Roads, together with a Road from *Southtown* to *Chudleigh*, and certain Branches communicating with the same, all in the County of *Devon* ; and to make and maintain other Roads communicating with the said Roads.

[30th *July* 1831.]

**W**HEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act for more effectually maintaining and improving the Road from Teignmouth to Dawlish, and for making and maintaining Roads from Dawlish to the Exeter Turnpike Roads, together with a Road from Southtown to Chudleigh, and certain Branches communicating with the same, all in the County of Devon* : And whereas it is expedient that the said recited Act of the Sixth Year of the Reign of His late Majesty King *George* the Fourth should be amended, for the Purpose of making and maintaining the new Lines of Road and Deviations from the present Lines of Roads herein-after mentioned ; (that is to say,) a Road from *Dawlish* to the *Thorns-upon-Haldon* in the Parishes of *Kenton* and

[*Local.*]

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and

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and *Chudleigh*; and to make Turnpike Road the present Highway on the North Side of *Dawlish Water Vale*, by *Ashcombe*, to the *Thorns-upon-Haldon* aforesaid, in the Parishes of *Dawlish*, *Ashcombe*, *Kenton*, and *Chudleigh*, in the County of *Devon*; to make Turnpike the present Highway, with certain Deviations therefrom, leading from the *Thorns-upon-Haldon* to *West Teignmouth*, in the Parishes of *West Teignmouth*, *Bishopsteignton*, *Dawlish*, *Ashcombe*, and *Chudleigh*, in the County of *Devon*; to make Turnpike the present Highway, with certain Deviations therefrom, from the Top of *Haldon Hill* above *Ashcombe* to *Beggar's Bush* on *Haldon*, in the Parishes of *Ashcombe* and *Chudleigh* in the County of *Devon*; to make Turnpike the present Highway, with certain Deviations therefrom, leading from *West Teignmouth* to *Teignbridge*, in the Parishes of *West Teignmouth*, *Bishopsteignton*, and *Kingsteignton*, in the County of *Devon*: 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 Twenty-ninth Day of *September* One thousand eight hundred and thirty-one, the said recited Act, and all the Powers, Provisions, Pains, Penalties, Forfeitures, Matters, and Things therein contained, shall, save and except where the same are altered, varied, or repealed, be extended to this Act, and be construed therewith, in as full and ample a Manner, to all Intents and Purposes, as if the same had been repeated and re-enacted in the Body of this Act, and made Part thereof.

Powers of  
recited Act  
extended to  
this Act,  
except as  
hereby  
altered.

Power to  
make Roads.

II. And be it further enacted, That it shall be lawful for the Trustees acting under the said recited Act of the Sixth Year of the Reign of His late Majesty King George the Fourth, and their Successors, and they are hereby fully authorized and empowered, to set about, make, and complete the said several new Lines of Road and Deviations of Road herein-before described, and referred to in the Plan and Book of Reference herein-after mentioned, in such Manner, and within the Limits herein-after mentioned, as they shall think proper, for the Convenience and Benefit of the Public.

Plan deposit-  
ed with the  
Clerk of the  
Peace to re-  
main there,  
and be open  
to Inspection.

III. And whereas a Map or Plan describing the said several new Lines of Road and Deviations of Road, and the Lands, Tenements, and Hereditaments through or over which the same are respectively intended to be made or carried, together with a Book of Reference containing the Names of the Owners and Occupiers of such Lands, Tenements, and Hereditaments, hath been deposited with the Clerk of the Peace for the County of *Devon*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the End that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying to the Clerk of the Peace One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts: Provided always, that the said Trustees in making the said several new Lines of Road or any Part or Parts thereof shall not deviate more than One hundred Yards from

Restricting  
Deviation  
from Plan.



from the Line described in the said Map or Plan without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

IV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said several new Lines of Road and Deviations of Road through, across, or over the Lands of any Person or Persons who is or are or may be Owner or Owners of the Lands, Tenements, and Hereditaments through or over which the same are respectively set out and described in the said Map or Plan and Book of Reference, although such Lands, Tenements, and Hereditaments, or the Name or Names of such Person or Persons, may be erroneously described, omitted, or mis-stated in the said Map or Plan and Book of Reference, in case it shall appear to any Two Justices of the Peace for the County in which the Lands, Tenements, and Hereditaments shall be situate, and be certified in Writing under their Hands, that such Omission or Mis-statement happened by Mistake.

Lands marked in Plan may be used, although erroneously described in Book of Reference.

V. Provided also, and be it further enacted, That the Powers and Authorities hereby given for widening and altering the said Roads shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Garden, Yard, Paddock, Park, planted Walk, or Avenue to a House, or any inclosed Ground planted as Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor first had and obtained, other than and except so much and such Part of such Dwelling Houses or other Buildings, Gardens, Yards, Paddocks, Park, planted Walk, Avenues, Nursery for Trees, Woods, and Plantations, as are described in the Schedule to this Act annexed.

Trustees not to pull down Houses, &c. without Consent, except those mentioned in the Schedule.

VI. Provided also, and be it further enacted, That in case the said Trustees shall not purchase or contract to purchase the Lands and Premises specified in the said Schedule within the Space of Five Years from the passing of this Act, all the Powers hereby or by the said recited Act granted for purchasing the same shall thenceforth cease and determine and be utterly void, except with the Consent of the Owners or Proprietors thereof.

Power of purchasing Lands limited to Five Years.

VII. And be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees to make any Road through or over the Lands and Grounds of *John Pidsley* Esquire, as described in the Schedule to this Act annexed, and marked in the Plan and Book of Reference No. 122 and 123, other than and except a Line of Road not exceeding in Distance (at its Commencement, near the Stile on the Footpath leading down to *Weare House*,) Ten Feet from the old Line of Road, and passing into or upon the Lawn, Avenue, or Pleasure Ground of the said *John Pidsley* called "The Hill," towards and unto the Hedge of an Orchard called "The New Orchard," the Distance of the said new Line of Road to increase as it passes

For protecting the Land of Mr. Pidsley.

passes through the said Piece of Ground called "The Hill" from Ten Feet at its Commencement to Thirty Feet at its Termination at the said Hedge which divides the said Piece of Ground called "The Hill" from the said Orchard called "The New Orchard," and from thence entering and passing through the said Orchard, in which said Orchard the said Line of Road shall not exceed in any Place where it passes through it more than the Distance of Fifty Feet from the said old Line of Road ; any thing in any Act or Acts contained to the contrary notwithstanding.

Power of  
Lands, &c.  
extended for  
Two Years  
from the  
passing of  
this Act.

VIII. And whereas by the said recited Act it is enacted that if the said Trustees should not, within the Space of Five Years from the Day of passing the said recited Act, agree for, or cause to be valued and paid for, (as by the said Acts therein recited of the Third and Fourth Years of the Reign of His late Majesty is mentioned and directed,) the several Houses, Lands, Tenements, and Hereditaments which they were empowered to purchase for the Purposes of the said recited Act, then and from thenceforth the Powers and Authorities thereby granted to them for purchasing the same should cease and determine : And whereas Plans of the said several Roads, and Books of Reference thereto, were deposited with the Clerk of the Peace for the County of *Devon* : And whereas the said Trustees have made several of the said Roads comprised in the said recited Act, but have not been able to complete the whole of them, and it would be very beneficial to the Public that the Road in the said recited Act mentioned, and leading from *Southtown*, by *Mamhead* and *Oxton*, to *Chudleigh*, called in the said recited Act the *Southtown* and *Chudleigh* District, should be made and completed ; be it enacted, That the Powers granted to the Trustees by the said recited Act to purchase the several Houses, Lands, Tenements, and Hereditaments necessary for making and completing the said *Southtown* and *Chudleigh* District, which they were empowered to purchase by the said recited Act, shall be revived, and the same shall continue in force for the Space of Two Years from the Day of the passing this Act.

Trustees not  
to repair old  
Roads after  
new Roads  
completed.

IX. And be it further enacted, That from and after the making and completing the new Roads and Deviations specified in this Act, the said Trustees shall from thenceforth be discharged from and shall not afterwards expend any Monies in the future Repairs of the Parts of the old Roads in lieu whereof such new Roads and Deviations shall be made.

Certain Tolls  
authorized  
by recited  
Act repealed.

X. And whereas it is expedient that the Tolls authorized to be taken and levied in and by the said recited Act shall in some respects be altered and repealed ; be it therefore enacted, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and thirty-one so much of the said recited Act as enacts that there shall be paid for each and every Horse or other Beast of Draught drawing any Coach, Chariot, Chaise, Curricule, Gig, Car, Hearse, Van, or any other such Carriage, if drawn by One Horse or other Beast of Draught, the Sum of Sixpence ; by Two or Three Horses or other Beasts of Draught, the Sum of Sixpence ; by Four Horses or other Beasts of Draught, the Sum of Four-pence Halfpenny ; and by more than Four  
Horses



Horses or other Beasts of Draught, the Sum of Sixpence ; and for every Horse, Ass, or Mule, laden or unladen, One Penny ; shall be and the same is hereby repealed.

XI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors as aforesaid, or for any Person or Persons acting for and under the Authority of such Collector or Collectors, and they are hereby authorized and empowered, from and after the Twenty-ninth Day of *September* One thousand eight hundred and thirty-one, to demand and take, at each and every Gate, Bar, or Chain now set up or which shall hereafter be set up upon, across, and by the Sides of the said Roads by this Act or by the said recited Act directed to be made, amended, improved, and kept in repair, (subject to the Provisions, Restrictions, and Exemptions in this and the said recited Act contained,) the Tolls herein-after mentioned, from the Person or Persons using, leading, driving, or attending any Horse or Horses or other Beast or Beasts hereby made subject to the Payment of Toll, before such Horse or Horses, Beast or Beasts, shall be permitted to pass through any such Gate, Bar, or Chain ; that is to say,

Tolls to be taken after 29th Sept. 1831.

For every Horse or other Beast drawing any Gig or Chair or such like Carriage with a single Seat only, and with Two Wheels only, a Sum not exceeding the Sum of Sixpence :

For every Horse or other Beast drawing any covered Car or Chair, Phaeton, Caravan, or Taxed Cart, or any double-seated Carriage on Two Wheels, or any Four-wheel light Carriage drawn by no more than One Horse, any Sum not exceeding Nine-pence :

For each and every Horse or other Beast drawing any Coach, Chariot, Chaise, Curricule, Gig, Car, Hearse, Van, or any other such Carriage, if drawn by Two or Three Horses or other Beasts, any Sum not exceeding Eight-pence for every such Horse, and by Four or more Horses or other Beasts, any Sum not exceeding Sixpence for every such Horse or other Beast :

For each and every Horse, laden or unladen, any Sum not exceeding Two-pence :

For each and every Ass or Mule, laden or unladen, any Sum not exceeding One Penny.

XII. Provided always, and be it enacted, That for every Carriage or Vehicle of any Description passing along the said Roads in this Act or in the said recited Act mentioned, or any of them, propelled by Steam or other Machinery, there shall be paid the Sum of Sixpence for every Wheel on which the same shall run, if weighing, with the Lading (if any), not exceeding One Ton ; and if weighing more than One Ton the further Sum of Sixpence *per* Wheel ; and the further Sum of Sixpence *per* Wheel for every Excess of any further Ton Weight.

Toll upon Steam Carriages.

XIII. And whereas the said Trustees under the said recited Act have the Power to levy and collect One full Toll in the *Dawlish* District, and also another full Toll in the *Kenton* District, but have only at present found it necessary to levy One full Toll in respect of the Roads in both the said Districts ; be it therefore enacted, That if at

If Two separate Tolls taken on Dawlish and Kenton Districts, no

[*Local.*]

5 A

any



greater Rate  
of Toll to be  
collected than  
at present.

any Time hereafter the said Trustees shall levy, or cause to be levied and collected, distinct and separate Tolls in each of the said Districts, no greater or larger Toll shall be taken, demanded, or collected in the said Districts respectively than the said Trustees are authorized or empowered to levy and collect under the Powers, Provisions, and Directions of the said recited Act; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Line exempt-  
ed from Toll  
on the Daw-  
lish and Ash-  
combe Road.

XIV. Provided always, and be it further enacted, That nothing in this Act or in the said recited Act contained shall extend or be construed to extend to enable the said Trustees, or any Collector or Collectors of Tolls by them appointed, to demand, receive, or take any Toll whatsoever upon the Road hereby directed to be made, and leading from *Dawlish* to the *Thorns-upon-Haldon* aforesaid, for any Horses, Beasts, or other Cattle employed in carrying, drawing, or conveying Lime for Manure or the Improvement of Land upon or along the said Road; any thing in this Act or the said recited Act contained to the contrary thereof in anywise notwithstanding.

Trustees may  
borrow to  
defray Ex-  
pences of  
the Act.

XV. And be it further enacted, That for the Purpose of defraying the Costs, Charges, and Expences of obtaining and passing this Act, and of every Matter and Thing in anywise relating thereto, it shall and may be lawful for the said Trustees to borrow and take up, at Interest upon the Credit of the Tolls by the said recited Act and this Act authorized to be taken or levied, such Sum or Sums of Money as may be required for this Purpose, and to charge and make chargeable therewith the said Tolls; one Moiety of the same being to be charged upon the Tolls arising upon the Roads comprised in the said recited Act, and the other Moiety upon the Tolls arising upon the Roads comprised in this Act: Provided always, that nothing in this Act contained shall in any Manner alter or vary the Application of the Money arising from the Tolls levied upon the said Roads already made or authorized to be made under the Powers of the said recited Act, but the same shall be applied, under the Provisions of the said recited Act, according to the Directions contained therein.

Application  
of Monies.

XVI. And be it further enacted, That the said Trustees shall and they are hereby required, by and out of the Monies which shall arise or be received from the Tolls to be levied or collected upon the Roads hereby directed to be made, and the Monies to be borrowed or raised upon the Credit thereof, (after Payment of a due proportionate Part of the Share of the Expences of the Books, Advertisements, Salaries of Officers, and all other Expences incident to the Execution of this Act and the said recited Act,) in the first place apply the same in paying the Interest of any Money which may be borrowed for the Purpose of making the said several Roads respectively, and in the next place in making, maintaining, amending, and keeping in repair such new Roads, and lastly in repaying the Principal Monies which shall or may be borrowed upon the Credit of the said Tolls to be raised or collected upon the said new Roads respectively.

Loan from  
Exchequer

XVII. And whereas the Commissioners acting in the Execution of an Act passed in the Third Year of the Reign of His late Majesty  
King



King George the Fourth, intituled *An Act to amend Two Acts, of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, and the other Acts therein recited, mentioned, or referred to, did, under the Powers and Provisions of the said Acts, on or about the Twelfth Day of November One thousand eight hundred and twenty-three, advance to the Trustees acting under the several first herein-before recited Acts, or some or one of them, Two thousand Pounds in Exchequer Bills, upon the Security of a certain Indenture of Mortgage bearing Date the said Twelfth Day of November One thousand eight hundred and twenty-three, and made between the several Persons therein named and described as being Two Thirds in Number of the Trustees present at a Meeting called for the Purpose of executing the said Indenture, of the one Part, and *William Holden*, the Secretary of the said Commissioners, of the other Part, whereby the said Trustees did, as therein mentioned, assign to the said *William Holden* all and every the Rates, Tolls, and Receipts therein particularly mentioned, to hold the same subject to the Repayment of the said Sum of Two thousand Pounds, with Interest thereon at the Rate of Four Pounds *per Centum per Annum*, as therein mentioned; be it therefore further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to invalidate, defeat, make void, or in any Manner encumber or affect the said Indenture of Mortgage of the Twelfth Day of November One thousand eight hundred and twenty-three, so given by the said Trustees to the said *William Holden*, as Secretary of the said Commissioners as aforesaid; and that the said Mortgage shall be entitled to the like Priority of Security which the same may now possess over any other Mortgages or Securities already granted and executed, or which shall or may hereafter be granted and executed by the said Trustees acting under the said recited Acts and this Act, or any of them, upon the Credit of the Tolls and Duties collected or which shall or may hereafter arise and be collected under the Authority of the said first herein-before recited Acts or this Act; and that the said Loan and Interest shall be repaid in the Manner provided by the said Indenture of Mortgage, to all Intents and Purposes, and in such and the like Manner, as if this Act had not been passed; and that the Tolls and additional Term hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing or hereafter to become due and owing under the said Indenture of Mortgage for securing the said Sum of Two thousand Pounds and Interest in manner aforesaid; any thing in the said recited Acts or this Act contained to the contrary thereof in anywise notwithstanding.

Bill Commissioners not to be affected by this Act.

XVIII. And whereas the Sum of One thousand two hundred Pounds, or thereabouts, is now due and owing to the Commissioners for the Issue of Exchequer Bills for Public Works: And whereas it may be advantageous to the Trust to pay off the whole of the Money now remaining due to the said Commissioners, and to borrow a Sum of Money for that Purpose; be it enacted, That at a Meeting of the

Interest of Money borrowed to pay off Exchequer Loan to be first paid.

said



said Trustees to be specially called for that Purpose (Two Thirds of the Trustees then present consenting thereto) it shall and may be lawful, and the said Trustees are hereby empowered, to negotiate and agree with any Person or Persons who may be willing to lend such Sum of Money as may be required to pay off the Remainder of the Money then due to the said Commissioners, for a Loan of Money for that Purpose, and to assign to such Person or Persons all and every the Rates, Tolls, and Receipts herein or in the said recited Act mentioned, to hold the same subject to the Repayment of the said Sum, with Interest thereon at the Rate of Four Pounds *per Centum per Annum*, and that such Mortgagee shall be entitled to the like Priority of Security for and in respect of the Payment of such Interest which the Mortgage granted to the said Commissioners may now possess over any Mortgages or Securities already granted and executed, or which shall or may hereafter be granted and executed, by the said Trustees acting under the said recited Act or this Act, or either of them, upon the Credit of the Tolls and Duties collected or which shall or may hereafter arise and be collected under the Authority of the said recited Act or this Act.

Separate Accounts to be kept.

XIX. And be it further enacted, That separate and distinct Accounts shall be kept by the Clerk to the said Trustees, in a Book or Books to be provided for that Purpose, of all Monies laid out and expended on each respective Line of Road by this Act authorized to be diverted, widened, improved, or made, and also separate and distinct Accounts of the Tolls collected or received at the several Gates erected and set up upon or across each of such respective Lines of Road.

Toll Gates to be erected on every Branch Road, and no more Money expended thereon than is collected.

XX. And be it further enacted, That the said Trustees shall and they are hereby required to continue or erect, upon each of the Branch Roads comprised in the said recited Act or this Act, One or more Toll Gate or Toll Gates, Turnpike or Turnpikes, and to demand and take thereat the Tolls granted by this Act and the said recited Act; and no Money arising from any of the Tolls by the said Act or this Act authorized to be collected and taken shall be applied in or towards the Repairs of any Branch Road upon which there shall not be a Toll Gate or Turnpike continued or erected under the Authority of the Trustees for carrying the said Act and this Act into execution: Provided also, that no more Money shall be laid out or expended in or towards the Repairs of the said Branch Roads, or be borrowed on the Credit of the Tolls arising or payable upon any such Branch Roads, than shall be actually raised or received upon or in respect of such Branch Road; any thing in the said Act or this Act contained to the contrary thereof notwithstanding.

Power to order certain Highways to be stopped up.

XXI. And whereas, when and so soon as that Part of the Road herein-before mentioned leading from *Dawlish* to the *Thorns-upon-Haldon*, which is situate between *Ashcombe Bridge* and the *Thorns* aforesaid, and which is to be made and cut through certain Inclosures, Plantations, and Lands of and belonging to *Robert William Newman Esquire*, shall have been made and completed, the ancient Highway for which the said Turnpike Road is substituted, running adjoining to



to other Lands of the said *Robert William Newman* in the Parish of *Ashcombe* aforesaid, which commences also at or near *Ashcombe Bridge*, and joins the Turnpike Road leading from the *Thorns* aforesaid to *Teignmouth*, will become unnecessary, and may without Inconvenience to the Public be stopped up and discontinued: And whereas from and after the Completion of that Part of the last-mentioned Road herein-before described, a certain By-way or Track running through, across, or over a Piece or Parcel of Waste or Common Land, and which commences at and leads from the *Teignmouth* Road last before mentioned, and joins the Road leading from *Beggar's Bush* to *Teignmouth*, being a short Distance of about Three Furlongs, will also be unnecessary, and may be stopped up and discontinued; be it therefore enacted, That from and after the making and completing that Part of the said intended new Road from *Dawlish* to the *Thorns-upon-Haldon* which is situate between *Ashcombe Bridge* aforesaid and the *Thorns-upon-Haldon*, it shall and may be lawful to and for the said Trustees, at any Meeting or Meetings to be held in exercise of the Powers to them given of this Act, by Order under their Hands and Seals, and they are hereby authorized and empowered, to order and direct that the said Highways or Roads, or either of them, shall be stopped up and discontinued at the End of Four Calendar Months next after the Date of such Order; and from and after the Expiration of such Four Calendar Months it shall not be lawful for any Person or Persons whomsoever thereafter to use that Part of the said Highways or Roads, or such of them as shall be so stopped up and discontinued, but the same shall from thenceforth cease to be common Highways or a common Highway, to all Intents and Purposes whatsoever, save and except such Order shall be quashed or set aside by an Appeal to be made as herein directed: Provided always, that Notice in Writing of such Order having been made as aforesaid shall be affixed on some conspicuous Place by the Side of the said Highways or Roads so ordered to be stopped up and discontinued, and also on the Church Door of the Parish or Parishes in which such Part of the said Highway or Road is situate, immediately before Divine Service, upon Three successive *Sundays* next after the making thereof, and also inserted Twice in some public Newspaper usually circulated in the County of *Devon*, for the Purpose of enabling any Person or Persons who may be aggrieved by the said Order to make the Appeal against the same herein provided; nor shall any such Road be stopped up or discontinued in case such Person or Persons shall make any such Appeal within Four Calendar Months next after the making of such Order, until after the Determination of such Appeal.

XXII. And be it further enacted, That it shall and may be lawful to and for any Person or Persons who may be aggrieved by the making of any Order hereby authorized for stopping up and discontinuing any Part of the said Highways or Roads, or either of them, to appeal against the same to the Justices of the Peace at any General or Quarter Sessions of the Peace for the said County of *Devon* which shall be held within the Space of Four Calendar Months next after the making of such Order, upon giving Notice in Writing of such Appeal, duly signed by him, her, or them, to, or leaving the same at the usual Place of Residence of the Clerk to the said Trustees for the

[*Local.*]

5 B

Time



Time being at least Ten clear Days before such General or Quarter Sessions of the Peace; and the Justices assembled at such General or Quarter Sessions are hereby authorized and required, upon due Proof before them by the Appellant or Appellants of such Notice having been regularly given by him, her, or them as aforesaid, to hear and determine the said Appeal, and to confirm or quash or set aside the said Order, and upon the quashing or Confirmation of the said Order to award and adjudge the Party against whom the said Appeal shall be determined to pay such Costs as the said Justices shall appoint; and the said Appeal, being so heard and determined, shall be final and conclusive to all Intents and Purposes whatsoever; and no Order against which any such Appeal shall be made as aforesaid shall be quashed for Want of Form only.

Order final, if  
Appeal not  
made.

XXIII. Provided also, and be it further enacted, That in case no such Appeal shall be made within the Time aforesaid the said Order shall be final and conclusive upon all Persons whomsoever.

Public Act.

XXIV. 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.

Term of Act.

XXV. And be it further enacted, That the Term granted by the said recited Act shall from and after the Twenty-ninth Day of *September* One thousand eight hundred and thirty-one cease and determine, and that the said Act and this Act shall thenceforth continue and be in force and be executed for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.



## The SCHEDULE to which this Act refers.

*Dwelling Houses, Buildings, Gardens, Nurseries, Woods, and Plantations in the intended new Road.*

Description of Premises.	Parishes where situate.	Landowners.	Leaseholders.	Occupiers.
A Fir Plantation -	Ashcombe -	R.W.Newman Esq.	- - -	R. W. Newman Esq.
Berry Orchard -	Ditto -	Rev. W. H. Palk	- - -	William Towell.
Kingswell Cot and Garden - }	Ditto -	R.W.NewmanEsq.	- - - {	Daniel Underhay.
Bond's Cot and Garden	Ditto -	Ditto - -	James Parr -	William Gilpin.
The Smith's Garden -	Ditto -	Ditto - -	William Coysh	James Parr.
Carpenter's House, Garden and Orchard - }	Ditto -	Ditto - -	- - -	William Coysh.
Manor Pound -	Ditto -	Ditto - -	- - -	Richard Reed.
Wood Cot and Garden	Ditto -	Ditto - -	- - -	Richard Reed.
Wood Orchard -	Ditto -	Ditto - -	- - -	Ditto.
Nut's Orchard -	Ditto -	Ditto - -	- - -	James Cornelius.
Mill Orchard -	Ditto -	Ditto - -	- - -	William Bussell.
Shop Orchard -	Ditto -	Ditto - -	- - -	Ditto.
Rock Orchard -	Ditto -	Ditto - -	- - -	Ditto.
Orchard -	Ditto -	Ditto - -	- - -	Ditto.
Cot and Garden -	Ditto -	Ditto - -	- - -	Noah Pudner.
Long Orchard, and the Farm Buildings }	Ditto -	Ditto - -	- - -	Nicholas Bickford.
Lower Orchard -	Ditto -	Ditto - -	- - -	Ditto.
Strole Orchard -	Ditto -	Ditto - -	- - -	Ditto.
Higher Hampool Buildings }	Ditto -	Ditto - -	- - -	Ditto.
Lower Hampool Orchard - }	Ditto -	Ditto - -	- - -	Ditto.
Hampool Orchard -	Dawlish -	Mr. George Cole	- - -	Josiah Willis senior.
Hampool Buildings -	Ditto -	Ditto - -	- - -	Ditto.
Lower Orchard -	Ditto -	Ditto - -	- - -	Ditto.
Higher Orchard -	Ditto -	Ditto - -	- - -	Ditto.
Orchard -	Ditto -	R. W. Newman Esquire - }	- - -	Mr. Wood.
Ditto -	Ditto -	Ditto - -	- - -	Ditto.
Ditto -	Ditto -	Mr. Wood -	- - -	Ditto.
Ditto -	Ditto -	S. Whidborne -	- - -	John Tapper.
Miller's Dwelling House	Ditto -	Ditto - -	- - -	Ditto.
Cottage and Orchard	Ditto -	Agnes Branscombe	- - -	Agnes Branscombe.
Orchard -	Ditto -	John Brock -	- - -	John Brock.
Culverhay Orchard -	Ditto -	Robert Cole -	- - -	Josiah Willis junior.
Beere Orchard -	Ditto -	John H. Hardinge	- - -	Ditto.
Pound House and Cellar, formerly Tithe Barn - }	West Teignmouth - }	Right Hon <sup>ble</sup> Lord Clifford }	Samuel Langley	Samuel Langley.
Two small Dwelling Houses - }	Ditto -	Joseph Reed -	- - - {	Mary Hindon.
Baker's Shop, and Part of Two Gardens - }	Ditto -	Mr. Langley -	- - - {	Fanny Rowleigh.
				Thomas Rowell.
				Samuel Arscott.



Description of Premises.	Parishes where situate.	Landowners.	Leaseholders.	Occupiers.
Two Cottages -	West Teignmouth	Robert Brown -	-	William Taperell.
Orchard -	Bishopsteignton	Rev. John Templer	-	— Moore.
Cabbage Garden -	Ditto - - {	— Comyns } Esquire - }	-	John Grills.
The Grove -	Ditto - - {	John Pidsley } Esquire - }	-	John Fulford.
New Orchard -	Ditto -	Ditto -	-	William Rossiter.
Farm Buildings and } Mow Barton - }	Kingsteignton {	Right Honour- able Lord } Clifford - }	-	Ditto.
Tuckett's Meadow } and Linhay - }	Ditto -	Ditto -	Rev. N. Watts.	William Smale.
Plantation -	Chudleigh -	Ditto -	-	Robert Edwards.
Ditto -	Ashcombe - {	R. W. Newman } Esquire - }	-	Lord Clifford.
Lawn, Orchard, and } Plantation - }	Dawlish -	C. Parr Esquire -	-	R. W. Newman Esq.
Orchard -	Ditto -	Richard Ferris -	-	C. Parr Esq.
Ditto -	Ditto -	Thomas Pinsent -	-	S. Jewell.
Gardens -	Ditto -	Ditto -	-	Thomas Pinsent.
Dwelling House Sta- } bles, Dairy, and }	Ditto -	Ditto -	-	Thomas Pinsent, Cauley Preedy, and — Dowdon.
Part of Bridge House } Cottage - }	Ditto - - {	John Foulkes } Esquire - }	-	Thomas Pinsent.
The Swan Public House	Ditto -	Mrs. Tuckett -	-	— Arthur.
				Mrs. Tuckett.

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