



ANNO PRIMO & SECUNDO

# GULIELMI IV. REGIS.

\*\*\*\*\*

*Cap. xxxi.*

An Act for making and maintaining a Turnpike Road from the South End of *Mitford Bridge* in the Parish of *Tedburn Saint Mary* to *Chudleigh Bridge*, and from *Crockham Bridge* to the *Exeter Turnpike Road* in *Chudleigh*, all in the County of *Devon*. [30th July 1831.]

**W**HEREAS the making and maintaining a Turnpike Road from the South End of *Mitford Bridge* in the Parish of *Tedburn Saint Mary* in the County of *Devon* to the Western End of *Chudleigh Bridge* in the Parish of *Hennock* in the said County, and also a Branch Road from the aforesaid Road, commencing at *Crockham Bridge* in the Parish of *Hennock* aforesaid, and to extend from thence to the Turnpike Road leading from *Exeter* to *Plymouth* near the High Street in the Town of *Chudleigh* in the said County of *Devon*, will be of great Benefit and Convenience to the Owners and Occupiers of Estates and Inhabitants within the several Parishes through which such new Roads will pass, and will also be of great public Utility, by opening a direct Line of Communication between the North and South Parts of the said County of *Devon*; but the same cannot be effected without the Aid and Authority of Parliament: 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 all His Majesty's Justices of the Peace Trustees.  
[Local.] 5 G acting



acting for the County of *Devon* for the Time being, together with *John White Abbott, Francis Abbott, James Wentworth Buller, William Blunt, Charles Burne* Clerk, the Honourable *Clifford, Robert Palk Carrington* Clerk, *George Terry Carwithen* Clerk, *Arthur Chichester, Isaac Davy, Baldwin Fulford, Baldwin Fulford junior, Francis Fulford* Clerk, *Philip Francis, George Gregory* Clerk, *John Hippisley Hippisley, William Hill, Symon Smallridge Hore, John Pike Jones* Clerk, *Richard Lewin Pennell*, the Honourable *Pownal Bastard Pellew*, the Honourable and Reverend *Edward Pellew*, Sir *Lawrence Vaughan Palk* Baronet, *Montague Newcombe Parker* junior, *Thomas Pring, Francis Thomas Rodd, Edward Adolphus Seymour* commonly called Lord *Seymour, James Lee Sanders, John Sillifant, Richard Stephens* junior, *Warwick Hele Tonkin* junior, *Lawrence Palk Welland* Clerk, *Frederick Wood*, the Reverend *William Woolcombe, William Wellington* Clerk, *John Yarde, John Yelland*, and their Successors, being duly qualified according to the Laws in force respecting Trustees of Turnpike Roads in *England*, shall be, and they and their Successors, to be duly elected in manner directed by the Laws in force respecting Turnpike Roads in *England*, are hereby appointed Trustees for making and maintaining the said Roads, and for otherwise putting the several Acts respecting Turnpike Roads in *England* and this Act into execution; and which said Roads shall be called "The *Crediton and Chudleigh* Turnpike Road".

Power to  
appoint an  
additional  
Number of  
Trustees.

II. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any additional Number of Trustees, not exceeding Three in the whole, and such Trustees, so elected and appointed, being qualified as aforesaid, 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 originally and specifically appointed Trustees.

First Meet-  
ing of Trus-  
tees.

III. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *Royal Clarence House* in the City of *Exeter*, or at some other convenient Place in the Neighbourhood of the said Road, on the Second *Tuesday* after the passing of this Act, or as soon afterwards as conveniently may be; and the said Trustees, or any Three or more of them, shall proceed in the Execution of this Act.

Roads may  
be made.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make the several Roads hereinbefore particularly described, in, over, or along any Lands, Grounds, Tenements, or Hereditaments, shown in the Map or Plan and Book of Reference hereinafter mentioned, of such Width or Dimensions and in such Manner and Form as they shall think proper, such Width not exceeding Sixty Feet, together with such Footpaths, Causeways, Arches, Culverts, Ditches, Drains, and Fences as they shall think necessary or expedient; and for such Purpose or Purposes to pull down and remove or take and use any Dwelling Houses, Outhouses, Edifices, Buildings, Curtilages, Courts, Yards, Gardens, Orchards, Paddocks, Lawns, Shrubberies, planted Walks or Avenues to any House, Nurseries, or any inclosed Ground planted and set apart as a Nursery for Trees, or any other Hereditaments mentioned and set forth in



in the Schedule to this Act annexed, upon making Satisfaction for the same to the Owners of the said Premises and other Persons interested therein, or for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall also be lawful for the said Trustees, and for their Surveyor or Surveyors and Workmen, from Time to Time to enter upon the said several Premises hereinbefore particularly described, for the Purpose of staking out the same for the Purposes of this Act, at such Time or Times and in such Manner as the said Trustees shall think necessary or expedient, without such Trustees, Surveyor or Surveyors or Workmen, being deemed Trespassers or a Trespasser for or by reason of such Entry, or being subject or liable to any Fine, Penalty, or Punishment for or by reason of such Entry; and if any Person shall displace, remove, take away, or destroy any Stakes used in such staking as aforesaid, or any other Marks used for that Purpose, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

V. And whereas a Map or Plan describing the Line of the said Road, and the Lands, Hereditaments, and other Premises in, upon, through, over, or along which the same is intended to be made or carried, together with a Book of Reference to such Map or Plan containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and other Premises, have been deposited at the Office of the Clerk of the Peace for the County of *Devon*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the County of *Devon*, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same respectively, and also to take Copies or Extracts therefrom, at their Will and Pleasure, upon 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; 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 or Premises such Deviations shall be made.

Plan of Road deposited with the Clerk of the Peace to remain there open to Inspection; and Trustees not to deviate therefrom.

VI. 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, Hereditaments, or Premises of any Person or Persons who is, are, or may be Owner or Owners of Lands or Premises 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 and Schedule to this Act annexed, 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.

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

VII. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Roads shall not extend or be construed to extend to 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 Curtilage, Garden, Yard, Park, Paddock, Lawn, Shrubbery,

Trustees restrained from taking Dwelling Houses, &c. not men-



tioned in the  
Schedule.

Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first had and obtained, except such as are mentioned in the Schedule to this Act annexed.

Power of  
purchasing  
the Dwell-  
ing Houses,  
&c. men-  
tioned in the  
Schedule  
limited to  
Five Years.

VIII. Provided also, and be it further enacted, That in case the said Trustees shall not within the Space of Five Years from the passing of this Act agree for or cause to be valued and paid for, in manner directed by the Acts now in being for regulating Turnpike Roads in *England*, the several Messuages, Cottages, and other Buildings, Gardens, Yards, Plantations, Hereditaments, and Premises, in the Schedule to this Act annexed, which they are hereby empowered to purchase, take, and use, or so much thereof as they shall deem necessary for the Purposes of this Act, then and from thenceforth all the Powers which are hereby given them for such Purpose only shall cease and determine, save and except with the Consent of the Owner or Proprietor thereof for the Time being.

Power to  
take Tolls.

IX. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed a Collector or Collectors of the Tolls by this Act authorized to be taken, to demand, receive, and take the Tolls hereinafter mentioned at the several and respective Toll Gates, Turnpikes, Side Gates, Side Bars, and Chains which shall be erected or set up upon or across the Roads by this Act authorized to be made, maintained, and kept, in, upon, or on the Side or Sides thereof, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same; (that is to say,)

Tolls

For every Horse or other Beast of Burden drawing any Coach, Barouche, Sociable, Berlin, Chariot, Chair, Phaeton, Caravan, Hearse, Litter, or other such like Carriage (except Stage Coaches), a Sum not exceeding the Sum of Eight-pence :

For every Horse or other Beast of Burden drawing any Stage Coach, where there are Four such Horses or other Beasts, a Sum not exceeding the Sum of Eight-pence ; where there are Two such Horses or other Beasts, a Sum not exceeding the Sum of Nine-pence :

For every Horse or other Beast of Burden drawing any Van, Caravan, or other such Carriage used for the Conveyance of Goods for Hire, Pay, or Reward, a Sum not exceeding the Sum of Eight-pence :

For every Horse or other Beast of Burden drawing any Waggon, Wain, Dray, Cart, or other such Carriage, where the same shall be drawn by not more than One Horse or other Beast of Burden, a Sum not exceeding the Sum of Sixpence ; where drawn by Two Horses or other Beasts of Burden, a Sum not exceeding the Sum of Sixpence ; where drawn by Three Horses or other Beasts of Burden, a Sum not exceeding the Sum of Sixpence ; where drawn by a greater Number than Three Horses, and not more than Six, a Sum not exceeding the Sum of Sixpence ; and where drawn with a greater Number than Six Horses, a Sum not exceeding the Sum of Sixpence for each such Horse :

For every Horse or other Beast of Burden drawing any Carriage used for the Purpose of conveying Timber, where the same shall be drawn by not more than One Horse or other Beast of Burden, a Sum not exceeding the Sum of Eight-pence ; where drawn by Two or Three Horses



Horses or other Beasts of Burden, and having the Fellies of less Breadth than Six Inches, a Sum not exceeding the Sum of One Shilling and Eight-pence, and of the Breadth of Six Inches, a Sum not exceeding the Sum of Eight-pence; where drawn by Four or Five Horses or other Beasts of Burden, having the Fellies of less Breadth than Six Inches, a Sum not exceeding the Sum of Two Shillings and Five-pence, and of the Breadth of Six Inches, a Sum not exceeding the Sum of Eight-pence; where drawn by a greater Number than Five Horses or other Beasts of Burden, having the Fellies of the Breadth of Six Inches, a Sum not exceeding the Sum of Two Shillings, and of the Breadth of Six Inches, a Sum not exceeding the Sum of Eight-pence:

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

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

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for a greater or less Number:

Which said respective Sums of Money shall be demanded and taken, and shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner hereinafter directed.

X. Provided always, and be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted or authorized to be collected, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part. Fractional Part of a Halfpenny in Tolls.

XI. Provided always, and be it further enacted, That if the respective Tolls by this Act granted and made payable 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, across, or on the Sides of any of the said Roads, shall have been paid, such Horse, Beast, Cattle, or Carriage shall be permitted to 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 or Turnpike, or any other Gate or Turnpike upon the said Roads, Toll-free, (save and except in the several Cases hereinafter mentioned, or any of them,) on a Note or Ticket of the Day denoting such Payment being produced. Tolls to be payable but once a Day.

XII. And be it further enacted, That no more than Two full Tolls shall be payable in any One Day, for or in respect of any Horse, Cattle, Beast, or Carriage, for passing the whole Length of the said Road. Limiting Number of Tolls.

XIII. 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 public Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads: Provided always, that no further or additional Toll shall be payable in respect of Stage Coaches, &c. to pay each Time of passing;

[*Local.*]

5 H

any



any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Post Chaises  
to pay on  
every new  
Hiring.

XIV. 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 drawing any Post Chaise, Chair, Gig, Whiskey, Car, or other such like Carriage let out to Hire, for every Time of passing along the said Road whenever any new Hiring thereof shall take place.

Respecting  
Tolls on nar-  
row Wheels.

XV. Provided always, and be it further enacted, That no Person who shall have paid the additional Tolls in and by this Act imposed on Carriages with narrow Wheels used for the Purpose of drawing Timber shall be obliged to pay the additional Tolls imposed by the said General Acts for regulating Turnpike Roads in *England*, but that every Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels of less Breadth than Six Inches or Four and a Half Inches, as the Case may be, at the Bottom or Soles thereof respectively, or for the Horse or Horses or Cattle drawing the same, One Half Toll more, or One Fourth Toll more than the Tolls which are hereby imposed by this Act, shall be demanded and taken before any such Waggon, Wain, Cart, or other such Carriage respectively shall be permitted to pass through any Turnpike Gate or Gates, Bar or Bars, where Tolls shall be payable by virtue of this Act, according to the Provisions contained for the above Cases in the several Acts of the Third and Fourth Years of the Reign of His late Majesty relating to Turnpike Roads in *England*.

Toll on Lime.

XVI. And be it further enacted, That all Horses, Carts, and other Carriages carrying or conveying Lime only for the Purposes of Manure shall not be liable to pay more than One full Toll on the whole Line of Road, for passing, returning, or repassing at any Time or Times during the same Day, to be computed as aforesaid, through the same Gate or Turnpike, or more than once for the same Load of Lime returning within Thirty-six Hours.

Application  
of Monies.

XVII. And be it further enacted, That out of the Monies already subscribed and advanced, or which shall hereafter be subscribed or advanced, for the Purposes of or which shall be borrowed on the Credit of this Act, the said Trustees shall in the first place pay and discharge all the Costs, Charges, and Expences incidental or in anywise relating to the soliciting, obtaining, and passing of this Act, and in making the Surveys and Plans preparatory thereto, together with Interest for all Monies advanced and out of Pocket; and the Remainder of all such Monies so subscribed, advanced, or borrowed, or which shall hereafter be subscribed, advanced, or borrowed, shall be applied in defraying the Expences of making the said Roads hereby authorized to be made, and in purchasing Lands, Hereditaments, and Materials for that Purpose, and also for the Purpose of erecting, building, making, and providing Toll Gates, Turnpikes, Side Gates, Side Bars, Chains, Weighing Machines, Toll Houses, with Out-houses, Offices, Gardens, and Conveniences suitable thereto, and also Footpaths, Causeways, Bridges, Ditches, Fences, Rails, Posts, Boards, Lamps, Books, and other Matters and Things necessary or requisite for carrying the Purposes of this Act into execution; and after Payment of



all such Expences the Remainder (if any) of such Monies, and all Monies whatsoever which shall arise or be produced from or by the Tolls by this Act granted, or otherwise howsoever, shall from Time to Time be applied in discharging the Interest of the Monies subscribed, advanced, or borrowed, or which shall or may hereafter be subscribed, advanced, or borrowed for the Purposes or on the Credit of this Act, and afterwards in amending, sustaining, and keeping in repair the said Roads, Toll Houses, Toll Gates, and other Matters and Things hereinbefore particularly specified, and in otherwise putting this Act into execution; and lastly in repaying the Principal Monies subscribed, advanced, or borrowed for the Purposes or on the Credit of this Act.

XVIII. And be it further enacted, That the Trustees shall and they are hereby required to erect upon the said Branch Road One or more Toll Gate or Toll Gates, Turnpike or Turnpikes, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions of this Act; and no Money arising from any of the Tolls hereby authorized to be collected and taken, shall be applied in or towards the Repairs of the said Branch Road upon which there shall not be a Toll Gate or Bar: Provided also, that no more of the Monies arising by virtue of this Act shall be laid out or expended upon the said Branch Road, or in the Payment of any Principal Money borrowed on the Credit of the Tolls arising or payable upon such Branch Road, or the Interest thereof, than shall be actually raised or received upon or in respect of such Branch Road.

Tolls to be  
taken on  
Branch  
Road.

XIX. And be it further enacted, That it shall not be lawful for the said Trustees to collect any Tolls, or to expend any of the Money arising by virtue of this Act in repairing, lighting, or watching any Street or Place, in the Town of *Chudleigh*.

No Money  
to be laid  
out in Chud-  
leigh.

XX. 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.

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

Term of  
Act.

The SCHEDULE to which this Act refers.

No.	Description of Property.	Parish.	Land Owners.	Leaseholders.	Occupiers.
19	Coombe Town Place and Garden.	Saint Thomas the Apostle.	Richard Hippisley Tuckfield Esquire.	-	Richard Davey.
67	Nursery	Dunsford	Thomas Gray	-	Thomas Gray.
76	Ditto	{ Tedburn Saint Mary	Thomas Tavernor May	-	Thomas Tavernor May.
94	Ditto	Dunsford	Thomas Gray	-	Thomas Gray.
95	Ditto and Wood	Ditto	Ditto	-	Ditto.
103	Cot House and Garden	Ditto	{ Vicars Choral of Exeter Cathedral	Thomas Gray	William Syms.
125	Town Place at Leate	Ditto	Reverend George Gregory	-	John Aysh.
131	{ Ditto at Lock-house	Ditto	Ditto	John Seaward	John Seaward.
166	Garden	Bridford	John Smallridge	-	John Smallidge.
186	Poundhouse	Christow	Simon Smallridge Hore	-	Richard Hman.
217	Wood	Ditto	{ Honourable Pownall Bastard Pellew	-	{ Honourable Pownall Bastard Pellew.
220	Ditto	Ditto	Ditto	-	Ditto.
226	Ditto	Ditto	Ditto	-	Ditto.
229	{ Barn, Linhay, and Court	Hennock	{ Sir Lawrence V. Palk Baronet	-	John Soper.
230	Garden	Ditto	Ditto	-	Ditto.
232	Two Gardens	Ditto	Ditto	-	Ditto.
239	Court	Ditto	William Francis	-	Thomas Dolling.
247	Poundhouse	Ditto	Richard Rowell	-	Richard Rowell.
268	Wood	Chudleigh	Maria Yeo	-	James Edwards.
274	Garden Plot	Ditto	Thomas Woodman	-	Thomas Woodman.
275	Ditto	Ditto	Ditto	-	Ditto.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.