ANNO TERTIO

GULIELMI IV. REGIS.

Cap. vi.

An Act for repairing the Road from *Reedy Gate* in the Parish of *Dunsford*, through *Moretonhampstead*, to *Cherry Brook* in the Forest of *Dartmoore*, in the County of *Devon*. [29th *March* 1833.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of King *George* the Third, intituled *An Act for repairing and widening the Road from the* Exeter *Turnpike at* Reedy Gate *in the Parish of* Dunsford *in the County of* Devon *to* Cherry Brook *in the Forest of* Dartmoore *in the said County:* And whereas another Act was passed in the Thirty-first Year of the Reign of King *George* the Third, intituled *An Act to continue and amend an Act of the Twelfth Year of the Reign of His present Majesty, for repairing and widening the Road from the* Exeter *Turnpike at* Reedy Gate *in the Parish of* Dunsford *in the County of* Devon *to* Cherry Brook *in the Forest of* Dartmoore *in the said County:* And whereas another Act was passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the* Exeter *Turnpike at* Reedy Gate *in the Parish of* Dunsford *to* Cherry Brook *in the Forest of* Dartmoore *in the County of* Devon: And whereas a considerable Sum of Money hath been borrowed and is now due and owing upon the Credit of the Tolls authorized to be collected upon the said Road, which Money cannot be repaid, nor can the said Road be kept in repair, unless the Term and Powers of the said Acts

12 G. 3. c. 93.

31 G. 3. c. 117.

53 G. 3. c. 3.

are enlarged: And whereas for the Purposes aforesaid it is expedient that the said Acts should be repealed, and that other Provisions should be granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most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 upon the Day of the Commencement of this Act the said Acts of the Twelfth and Thirty-first and Fifty-third Years of the Reign of King *George* the Third shall be and the same are hereby declared to be repealed.

Recited Acts repealed.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing and keeping in repair the Road leading from the *Exeter* Turnpike at *Reedy Gate* in the Parish of *Dunsford*, through the Parish of *Bridford*, the Town and Parish of *Moretonhampstead*, and the several Parishes of *North Bovey*, *Chagford*, *Lydford*, and the Forest of *Dartmoore*, to a Brook in the said Forest called *Cherry Brook*, in the Road to *Tavistock*, all in the County of *Devon*.

This Act to be put in execution for the Purposes herein mentioned.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Devon*, together with *Edward Seymour Bailey*, *John Berry*, *John Berry* of *Bridford*, *George Bragg*, *William Bragg* his Son, *William Bragg* of *Furlong*, *Robert Carrington* Clerk, *William Carwithen* Doctor in Divinity, *William Charles Clack* Clerk, *John Coniam*, *Francis John Courtenay* Clerk, *Elias Cuming*, *James Dunning*, *John Dunning*, *Richard Dunning*, *Baldwin Fulford*, *Baldwin Fulford* the younger, *John French*, *John French* the younger, *Thomas French*, *John Germon*, *Richard Medland Germon*, *John Lambert Arden Gorwyn*, *William Lambert Gorwyn*, *George Gregory* Clerk, *George Gregory* the younger, *William Hames* Clerk, *George Harvey*, *John Harvey*, *Thomas Heyward*, *William Hole*, *John Hooper*, *John Jackson*, *John Pike Jones* Clerk, *William Coryton Kempe*, *John Lambert*, *William Lambert*, *William Lambert* the younger, *James Holman Mason* Clerk, *John May*, *Simon Newcombe Neck*, *Thomas Neck*, *William Northcott*, *Robert Nosworthy*, *Stephen Nosworthy* Clerk, *Richard Pedler*, *William Pedler*, *Thomas Pinsent*, *James Pitts* the elder, *George Ponsford*, *John Ponsford* of *Puddicombe*, *John Ponsford* of *Broadmoor*, *John Ponsford* Surgeon, *Luke Ponsford*, *William Ponsford* Clerk, *Alfred Puddicombe*, *Richard Savery*, *Andrew Sawdye*, *John Rowe Southmead*, *John Strong*, *William Strong*, *John Tarr*, *John Tarr* the younger, *Edward Trevenen* Clerk, *John Tucker* Clerk, *William Tucker*, *Nicholas Tuckett*, *Walter Weekes*, *Thomas White*, *Thomas White* the younger, *George Wills* of *Rudge*, and *Thomas Wills*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for repairing the said Road, and for otherwise putting this Act into execution.

Appointment of Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect, nominate, and appoint any

Power to appoint additional Trustees.

Number of Persons being duly qualified to act as Trustees of Turnpike Roads in *England* (not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed 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.

First and subsequent Meetings of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the *White Hart* Inn in the Town of *Moretonhampstead* aforesaid, or at some other convenient Place in the said Town, on the Day of the Commencement of this Act, or as soon after as conveniently may be, and shall then and there proceed to put this Act into execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Time or Times, and at such Place or Places within the said Town or elsewhere in the Neighbourhood of the said Road, as they shall think proper: Provided always, that the first *Tuesday* in every alternate Month, commencing with the Month of *April* next, shall be a Day of Meeting of the said Trustees for executing this Act, without publishing any Notices on any Turnpike Gates or in any Newspaper, any Law or Statute to the contrary notwithstanding.

Power to continue the present Gates and erect others.

VI. And be it further enacted, That the several Toll Gates or Turnpikes and Toll Houses and Weighing Machines erected and now standing and being in, upon, or across the said Road, or on the Sides thereof, shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be erected, set up, and built upon, in, or across the said Road, or on the Sides thereof, or any Part thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also from Time to Time to order and cause to be taken down and removed, or altered or discontinued, the same present Gates, Turnpikes, Toll Houses, and Weighing Machines, or such future Gates, Turnpikes, Side Gates, Bars, Chains, and Weighing Machines, or any of them, as they the said Trustees shall think proper.

Power to take Tolls.

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls following at the several and respective Turnpikes or Toll Gates or Toll Houses, or Side Bars or Side Gates or Chains, which are or is or shall be standing or being, or continued or erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road or any Part thereof, on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise Marine, Calash, Chaise, Car, Chair, Stage Coach, Caravan, Van, Hearse, or Litter, if drawn by One or Two Horses

or

or other Beasts, the Sum of Sixpence; if drawn by Four Horses or other Beasts, the Sum of Four-pence Halfpenny; if drawn by more than Four Horses or other Beasts, the Sum of Four-pence; and if any such Carriage shall be drawn by Three Horses or other Beasts, and no more, then the Sum of One Shilling and Four-pence shall be demanded and taken for such Three Horses or other Beasts:

For every Stage Coach having more than Six Inside Passengers, the additional Sum of One Shilling:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Tumbrel, or Dray, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, if drawn by Eight or more Horses or other Beasts, the Sum of Five-pence; if drawn by Four, Five, or Six Horses or other Beasts, the Sum of Sixpence; if drawn by Two Horses or other Beasts, the Sum of Four-pence; and if drawn by One Horse or other Beast, the Sum of Sixpence; and if any such Carriage shall be drawn by Seven Horses or other Beasts, and no more, then the Sum of Three Shillings and Two-pence shall be demanded and taken for such Seven Horses or other Beasts; and if drawn by Three Horses or other Beasts, and no more, then the Sum of One Shilling and Four-pence shall be demanded and taken for such Three Horses or other Beasts:

And if any such Carriage shall have the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, then One Fourth more than the Sums aforesaid respectively shall be demanded and taken for the Horses or other Beasts drawing the same; and if any such Carriage shall have the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, then One Half more than the Sums aforesaid respectively shall be demanded and taken for the Horses or other Beasts drawing the same:

For every Horse or other Beast drawing any Carriage used for the Purpose of drawing or conveying Timber or Stone, having the Fellies of the Wheels thereof of the Breadth of Six Inches or more, if drawn by Seven or Eight Horses or other Beasts, the Sum of Six-pence; if drawn by Six Horses or other Beasts, the Sum of Sixpence Halfpenny; if drawn by Four Horses or other Beasts, the Sum of Seven-pence Halfpenny; if drawn by Two or Three Horses or other Beasts, the Sum of Sixpence; and if drawn by One Horse or other Beast, the Sum of Eight-pence; and if drawn by Five Horses or other Beasts, and no more, then the Sum of Three Shillings shall be demanded and taken for such Five Horses or other Beasts:

And if any Carriage used for the Purpose of drawing or conveying Timber or Stone shall have the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, then One Fourth more than the Sums aforesaid respectively shall be demanded and taken for the Horses or other Beasts drawing the same; and if any such Carriage shall have the Fellies of the Weeels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, then One Half more than the Sums aforesaid respectively shall be demanded and taken for the Horses or other Beasts drawing the same:

For

For every Carriage (without Horses) of any Description which shall be fastened or in any Manner fixed to another Carriage, the Sum of Sixpence:

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

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 Tolls or Sums of Money shall be demanded and taken before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be continued, erected, or placed by virtue of this Act in, upon, or across the said Road, or on the Sides thereof, or any Part thereof; and which said respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Respecting Fractions in Tolls.

VIII. 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 herein mentioned, or any of them, the Sum of One Half-penny shall be demanded and taken in lieu of such fractional Part.

No Toll to be paid for repassing on the same Day.

IX. Provided always, and be it further enacted, That in case the respective Tolls hereby authorized to be taken shall at any Time or Times in any One Day (to be computed as aforesaid) have been paid for the passing of any Horse, Beast, or Cattle through any such Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, or Chain or Chains, such Horse, Beast, or Cattle shall (except in the Cases herein-after mentioned), upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to repass once Toll-free through the same Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, or Chain or Chains at which such Payment or Payments respectively shall have been made, at any Time or Times during the same Day (to be computed as aforesaid).

Tolls to be payable only Three Times a Day at One Gate.

X. Provided also, and be it further enacted, That in case the respective Tolls hereby authorized to be taken shall have been paid Three Times in any One Day (to be computed as aforesaid) for the passing of any Horse or other Beast, drawing or not drawing, through any One of such Toll Gates, Turnpikes, Side Gates, or Chains, such Horse or other Beast shall (except in the Cases herein-after mentioned), upon Tickets denoting such Payments being produced, be permitted to pass Toll-free through the same Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, or Chain or Chains at which such Three Payments shall have been made, at all Times during the same Day (to be computed as aforesaid), any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Limiting the Number of Tolls on the whole Line of Road.

XI. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any Collector or Collectors, Lessee or Lessees, to demand or take the respective Sums or Tolls aforesaid at any greater Number of Gates than One for or in respect of the same Horses, Beasts, or Cattle passing and repassing once through all the Turnpikes or Toll Gates now erected or which hereafter may be erected upon, across, or by the Side of that Part or Portion of the said Road which lies and is situated between the said *Exeter* Turnpike at *Reedy Gate* aforesaid and the Town of *Moretonhampstead* aforesaid, nor at any greater Number of Gates than One for or in respect of the same Horses, Beasts, or Cattle passing and repassing once through all the Turnpikes or Toll Gates now erected or which hereafter may be erected upon, across, or by the Side of that other Part or Portion of the said Road which lies and is situated between the said Town of *Moretonhampstead* and *Cherry Brook* in the Forest of *Dartmoore* aforesaid, in any One Day (to be computed as aforesaid).

Stage Coaches, &c. to pay every Time of passing;

XII. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or any Cart or Carriage whatever, conveying Passengers or Goods for Hire or Reward, shall be payable and paid for each Time of passing or repassing through the said Turnpikes, Toll Gates, or Side Gates on the said Road: Provided also nevertheless, that no further or additional Toll shall be payable in respect of any Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or Carriage, on account only of the Horses or Beasts drawing the same having been changed.

Post Chaises on every fresh Hiring.

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

Application of Tolls.

XIV. And be it further enacted, That all Monies now in the Hands of the said Trustees, or which shall or may be collected or received under the Powers or Authority of this Act, shall be applied, in the first place, in defraying the Costs, Charges, and Expences attending the applying for and obtaining and passing this Act; in the next place, in defraying the necessary Expence of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, Side Gates, Bars, and Chains, necessary Expences for the Use of Rooms at the Meetings of Trustees, Printing, Stationery, Clerk's, Surveyor's, and Treasurer's Salaries, and other Expences to be incurred by the said Trustees; in the next place, in paying off and discharging all Arrears of Interest in respect of the Money now due and owing on the Credit of the Tolls granted and made payable by the said recited Acts hereby repealed; in the next place, in paying off and discharging the Interest on any Sums of Money which shall hereafter be borrowed or taken up at Interest on Security of the Tolls hereby granted;

granted; and in the next place, in repairing and keeping in repair the said Road, and in otherwise putting this Act into execution; and the Residue of the Monies so to be collected and received shall be applied in repaying the Principal Monies for the Time being due and owing on the Credit of the said recited Acts and this Act, and in defraying all other necessary Costs, Charges, and Expences attending the same, in such Manner as the Trustees shall from Time to Time appoint.

No Money to be expended in repairing Streets.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls hereby granted, or any of the Monies raised by virtue of the said recited Acts hereby repealed, or any of them, or to be raised by virtue of this Act, in repairing, lighting, or improving any Street, Highway, or Place in the said Town of *Moretonhampstead*, or to collect any Tolls by virtue of this Act therein.

Public Act.

XVI. 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.

Term of Act.

XVII. And be it further enacted, That this Act shall commence and take effect upon the Second Day of *April* next after the Day of the passing thereof, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1833.