ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 3.

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 *Cherrybrook* in the Forest of *Dartmoore*, in the County of *Devon*.

[23d *March* 1813.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His present Majesty, 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* Cherrybrook, *in the Forest of* Dartmoore, *in the said County:* And whereas an Act was passed in the Thirty-first Year of the Reign of His present Majesty, 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* Cherrybrook, *in the Forest of* Dartmoore, *in the said County:* And whereas a considerable Sum of Money hath been borrowed upon the Credit of the Tolls by the said recited Acts authorized to be taken on the said Road; which Money still remains due and owing, together with a large Arrear of Interest thereon, and cannot be paid off, nor can the said Road be properly amended, improved, and kept in Repair, unless the Term of the said Acts be further continued, and the Powers thereof altered, amended, and enlarged, and the Tolls increased: 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

12 G. 3. c. 93.

31 G. 3. c. 117.

Acts further continued.

of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, and all and every the Clauſes, Powers, Authorities, Truſts, Proviſions, Directions, Rules, Exemptions, Penalties, Forfeitures, Payments, Remedies, Articles, Matters, and Things therein contained and now in force, (except ſo much thereof reſpectively as relate to Exemptions from Stamp Duties, and except ſo much thereof as are by this Act varied, altered, or repealed,) ſhall be and remain in full Force and Effect, and together with this preſent Act ſhall be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purpoſes, as if the ſaid recited Acts, and all the Clauſes, Powers, Authorities, Truſts, Proviſions, Matters, and Things therein contained, and now in force, were repeated and re-enacted in the Body of this Act; but ſubject, nevertheleſs, to the Alterations and Amendments herein contained; and that this Act, and the Term and Tolls hereby granted, ſhall be and are hereby declared to be ſubject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the ſaid recited Acts, or either of them, or which ſhall hereafter be borrowed or become due on the Credit of the ſaid recited Acts and this Act, for the Uſe and on Account of the ſaid Road, and all Intereſt due and to grow due for the ſame reſpectively.

Truſtees.

II. And be it further enacted, That Sir *Thomas Dyke Acland* Baronet, *John Pollexfen Baſtard*, *Nathaniel Adams*, *James Buller*, *James Wentworth Buller*, *William Bragg* the younger, *George Bragg*, *William Charles Clack* Clerk, *John Phillips Carpenter*, *John Carpenter*, *Matthew Crawford*, *Elias Commin*, *Elias Commin* the younger, *John Commin*, *Thomas Coniam*, *Robert Carrington* Clerk, *Caſe*, *John Cole*, *William Dicker*, *John French*, *Elias Eaſtabrook*, *Baldwin Fulford* the younger, *Philip Froſt*, *John Follet* Clerk, *George Gregory* Clerk, *John Germon*, *Richard Medland Germon*, *Davies Giddy*, *George Gray*, *John Gray*, *John Gray* the younger, *William Lambert Gorwyn*, *Richard Holland*, *Thomas Hayward*, *Richard Hayward*, *Richard Harvey*, *John Harvey*, *John Hooper*, *George Harvey*, *Charles Humphries*, *George Jackſon*, *Joſeph Jackſon*, *Andrew Langdon*, *John Lightfoot*, *Edward Martin*, *John Manley*, *John Mann*, *James Holman Maſon* Clerk, *John May*, *William Moore* Clerk, *Timothy Napleton* Clerk, *William Northcott*, *Thomas Nock* the younger, *George Norriſh*, Sir *Laurence Palk* Baronet, *James Pitts*, *James Pitts* the younger, *William Pitts*, *William Ponsford* of *Puddicombe*, *George Ponsford*, *John Ponsford*, *Luke Ponsford*, *John Potter*, *Thomas Pethybridge*, *Joſeph Pinſent*, *Alfred Puddicombe*, *John Rendell* Clerk, *John Rowden*, *Albany Savile*, *John Rowe Southmead*, *Andrew Sawdye*, *William Strong*, *John Smalridge*, *John Stevens* the younger, *William Stevens*, Sir *Thomas Tyrwhitt* Knight, *Robert Tapper*, *James Tarr*, *John Tarr*, *William Tucker*, *John Tucker* Clerk, *John Wills*, *Nicholas Tucket* the younger, *George Wills* of *Rudge*, *James Windeatt*, *Edward White*, *Thomas White*, *John Weſtlake*, *Walbank*, *John Weekes*, *Walter Weekes*, and *Thomas Wills* the younger, ſhall be and are hereby added to and joined with the Truſtees appointed by or in purſuance of the ſaid recited Acts; and the ſaid Truſtees herein nominated, and their Succeſſors, (being qualified according to the Directions of the ſaid recited Act paſſed in the Thirty-firſt Year of His preſent Majeſty's Reign,) ſhall be Truſtees, and ſhall have the like Powers and Authorities to act in the Execution of the ſaid recited Acts and this Act, as fully

fully and effectually, to all Intents and Purpoſes, as if they had been appointed by the ſaid recited Acts, or either of them.

Power to appoint additional Truſtees.

III. And be it further enacted, That it ſhall be lawful for the Truſtees hereby nominated, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in purſuance of the ſaid recited Acts or this Act, to elect any Number of Perſons, not exceeding Ten in the Whole, to be Truſtees for the Purpoſes of the ſaid recited Acts and this Act, in addition to the Truſtees hereby appointed; and ſuch Truſtees ſo elected, and being duly qualified, ſhall be and are hereby inveſted with the ſame Powers and Authorities for executing this Act and the ſaid recited Acts, as if they had been herein named and appointed.

Truſtees being Juſtices may act as ſuch.

IV. And be it further enacted, That ſuch of the ſaid Truſtees as are or ſhall be Juſtices of the Peace, may in their reſpective Juriſdictions, and they are hereby empowered to act as Juſtices of the Peace in the Execution of this Act, notwithſtanding their being Truſtees, except only in ſuch Caſes where they ſhall be individually intereſted.

Collectors refuſing to deliver up Toll Houſes.

V. And be it further enacted, That if any Collector of the ſaid Tolls, who ſhall be diſcharged from his or her Office by the ſaid Truſtees, ſhall refuſe to deliver up the Poſſeſſion of the Toll Houſe, Buildings and Appurtenances, which he or ſhe enjoyed in right of his or her Appointment to that Office, within Two Days after Notice given to him or her, or left at ſuch Toll Houſe in Writing, under the Hands of the ſaid Truſtees, or any Five or more of them; or if the Wife or Family of any ſuch Collector who ſhall happen to die during the Continuance of his or her Appointment to collect the ſaid Tolls, or any other Perſon or Perſons who ſhall be in Poſſeſſion of the Premiſes by any Means whatſoever, ſhall refuſe to deliver up the Poſſeſſion of the Toll Houſe, Buildings and Appurtenances, within Two Days after Notice of any new Appointment being made, in purſuance of the Powers and Authorities for that Purpoſe given in and by the ſaid recited Acts, ſhall have been given to him, her or them, or left at ſuch Toll Houſe, ſigned by any Five or more of the ſaid Truſtees, then and in either of the ſaid Caſes it ſhall be lawful for any Juſtice of the Peace for the Diviſion of the County in which ſuch Toll Houſe, Buildings and Premiſes ſhall be ſituate, or other Juſtice of the Peace for the ſaid County of *Devon*, by Warrant under his Hand and Seal, to order any Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Toll Houſe and Premiſes in the Day-time, and to remove the Perſons who ſhall be found therein, together with their Goods and Chattels, out of ſuch Toll Houſe and other Premiſes, and to put the new appointed Collector in poſſeſſion thereof.

Repealing former Tolls and granting new ones.

VI. And whereas the Amount of the Tolls authorized by the ſaid recited Acts to be taken on the ſaid Road have been found inſufficient for the Purpoſes of the ſaid recited Acts; be it therefore enacted, That the ſaid Tolls granted or authorized by the ſaid recited Acts to be taken, ſhall be and the ſame are hereby declared to be repealed; and that it ſhall be lawful for the ſaid Truſtees, or any Perſon or Perſons appointed or to be appointed Collector or Collectors by virtue of the ſaid recited Acts or this Act, to demand and take the ſeveral Tolls and Duties following, at each

each and every of the ſeveral and reſpective Turnpikes or Toll Gates or Toll Houſes, or Turnpike or Toll Gate or Toll Houſe, which is or ſhall be erected or continued upon, acroſs, or on the Sides of the ſaid Road, by virtue of the ſaid recited Acts or this Act, and 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 Coach, Chariot, Landau, Berlin, Chaiſe Marine, Chaiſe, Car, Calaſh, Chair, Stage Coach, Caravan, Hearſe or Litter, drawn by Six or more Horſes, Mares, Geldings, Mules or other Cattle, the Sum of Two Shillings:

For every ſuch Carriage drawn by Five Horſes, Mares, Geldings, Mules or other Cattle, the Sum of One Shilling and Eight-pence:

For every ſuch Carriage drawn by Four Horſes, Mares, Geldings, Mules or other Cattle, the Sum of One Shilling and Sixpence:

For every ſuch Carriage drawn by Three Horſes, Mares, Geldings, Mules or other Cattle, the Sum of One Shilling and Four-pence:

For every ſuch Carriage drawn by Two Horſes, Mares, Geldings, Mules or other Cattle, the Sum of One Shilling:

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

For every Chaiſe, Car or Chair, drawn by One Horſe, Mare, Gelding, Mule or other Beaſt, the Sum of Sixpence:

For every Waggon, Wain, Cart, Tumbrel or Dray, having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, drawn by Eight or more Horſes or other Beaſts, the Sum of Three Shillings and Four-pence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Four Shillings and Four-pence:

For every Waggon, Wain, Cart, Tumbrel or Dray, drawn by Seven Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Three Shillings and Two-pence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Four Shillings and Two-pence:

For every Waggon, Wain, Cart, Tumbrel or Dray, drawn by Six Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Three Shillings; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Four Shillings:

For every Waggon, Wain, Cart, Tumbrel or Dray, drawn by Five Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Two Shillings and Sixpence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Three Shillings and Sixpence:

For every Waggon, Wain, Cart, Tumbrel or Dray, drawn by Four Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Two Shillings; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Three Shillings:

For every Waggon, Cart, Wain, Tumbrel or Dray, drawn by Three Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of One Shilling and Four-pence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Two Shillings:

For every Waggon, Cart, Wain, Tumbrel or Dray, drawn by Two Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Eight-pence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of One Shilling and Four-pence:

For every Waggon, Cart, Wain, Tumbrel or Dray, drawn by One Horſe or other Beaſt, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Sixpence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by One Horſe or other Beaſt, the Sum of Ninepence:

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, Mare, Gelding, 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:

For every Carriage uſed for the Purpoſe of drawing or conveying Timber or Stone, having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, drawn by Eight Horſes or other Beaſts, the Sum of Four Shillings; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Five Shillings:

For every Carriage uſed for the Purpoſe of drawing or conveying Timber or Stone, having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, drawn by Seven Horſes or other Beaſts, the Sum of Three Shillings and Sixpence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Four Shillings and Sixpence:

For every Carriage uſed for the Purpoſe of drawing or conveying Timber or Stone, drawn by Six Horſes or other Beaſts, having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Three Shillings and Three-pence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Four Shillings and Three-pence:

For every Carriage uſed for the Purpoſe of drawing or conveying Timber or Stone, drawn by Five Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Three Shillings; and having the

Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Four Shillings:

For every Carriage uſed for the Purpoſe of drawing or conveying Timber or Stone, drawn by Four Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Two Shillings and Sixpence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Three Shillings and Sixpence:

For every Carriage uſed for the Purpoſe of drawing or conveying Timber or Stone, drawn by Three Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of One Shilling and Sixpence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of Two Shillings and Sixpence:

For every Carriage uſed for the Purpoſe of drawing or conveying Timber or Stone, drawn by Two Horſes or other Beaſts, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of One Shilling; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, drawn by the like Number of Horſes or other Beaſts, the Sum of One Shilling and Sixpence:

For every Carriage uſed for the Purpoſe of drawing or conveying Timber or Stone, drawn by One Horſe or other Beaſt, and having the Fellies of the Wheels of the Breadth of Six Inches or more, with a plain and even Surface, the Sum of Eight-pence; and having the Fellies of the Wheels of a leſs Breadth than Six Inches, the Sum of One Shilling: And,

Double Tolls on Sundays.

On every *Sunday*, (to be computed from Twelve of the Clock on the *Saturday* Night to Twelve of the Clock on *Sunday* Night,) during the Continuance of this Act, Double the ſaid Tolls reſpectively for every Coach, Chariot, Landau, Berlin, Chaiſe Marine, Chaiſe, Car, Calaſh, Chair, Stage Coach, Caravan, Hearſe or Litter, Waggon, Wain, Cart, Tumbrel or Dray, or other Carriage, Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt, and Drove of Oxen, Cows or Neat Cattle, Calves, Hogs, Sheep or Lambs:

And the ſaid reſpective Tolls ſhall be demanded and taken before any Horſe or Horſes, or other Beaſts or Cattle, or any Carriage whatſoever, be permitted to paſs through any ſuch Turnpike or Toll Gate; and upon Payment of any or either of the ſaid reſpective Tolls, the Collector or Receiver ſhall, and he is hereby required to deliver *gratis* to the Perſon or Perſons paying ſuch Tolls, a Note or Ticket or Notes or Tickets denoting ſuch Payment; and it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as ſhall be appointed Collectors or Receivers by virtue of the ſaid recited Acts or this Act, to levy ſuch Tolls upon any Perſon or Perſons, who ſhall (after Demand made thereof) refuſe or neglect to pay the ſame, by Diſtreſs of any Horſe or other Cattle, or any Carriage, upon which ſuch Tolls are by this Act impoſed, or by Diſtreſs of any of the Goods or Chattels carried on or drawn by ſuch Carriage or Cattle, but not the Bridle without the Horſe, and to detain and keep, or otherwiſe to ſell and diſpoſe of, ſuch

Diſtreſs or Diſtreſſes, and in all other Reſpects to demean therein, in ſuch and the like Manner as is mentioned and directed in the ſaid herein-before recited Acts, in reſpect to Diſtreſſes taken for compelling Payment of the Tolls thereby authorized to be demanded and taken.

Collectors not to be incompetent Witneſſes.

VII. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe, touching or in anywiſe concerning or relating to the ſaid Tolls, or any of them, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be diſqualified from giving Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their being appointed to collect ſuch Tolls.

Regulations as to Tickets in reſpect to certain Gates.

VIII. Provided alſo, and be it further enacted, That no Ticket given at either of the Gates or Turnpikes called *Newbridge Gate*, or *Folly Gate*, ſituate reſpectively on the Eaſt Side of the Town of *Moretonhampſtead*, ſhall authorize the Paſſage of any Horſe, Cattle, or Carriage, Toll free through the Gate on the Weſt Side of the ſaid Town, called *Bughead Gate*, or through any other Gate or Turnpike already erected, or which ſhall be erected, upon any other Branch of the ſaid Road on the North, South, or Weſt Side of the ſaid Town; and that no Ticket given at the Gate called *Moor Gate*, ſituate on the Weſt Side of the ſaid Town, or at the ſaid Gate called *Bughead Gate*, ſhall authorize the Paſſage of any Horſe, Cattle or Carriage, Toll free through the ſaid Gate called *Folly Gate*, or through any other Gate or Turnpike already erected, or which ſhall hereafter be erected upon any other Branch of the ſaid Road, on the North, South, or Eaſt Side of the ſaid Town, but that each of the ſaid Gates ſhall in future be deemed and taken to be ſeparate and diſtinct Gates.

Further Regulations as to Tolls at certain Gates.

IX. Provided always nevertheleſs, and be it further enacted, That no Perſon ſhall be liable to pay the Tolls granted by this Act at more than any One Gate on the ſame Day, on either Side of the ſaid Town of *Moretonhampſtead*, for paſſing along the direct Line of the ſaid Road.

Exemptions from Tolls.

X. Provided always, and be it further enacted, That no Toll ſhall be demanded or taken of or from any Perſon or Perſons for any Horſe or Horſes, or other Beaſt or Cattle, or for any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Road lies; or with Seed for ſeeding the Ground, or Hay, Turnips, Potatoes, Cabbages, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns, Outhouſes or Yards, or on the Lands of the Owners thereof; or for any Horſe, Beaſt, or other Cattle or any Carriage, employed in carrying or conveying, or going empty to fetch, carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Lime, Dung, Compoſt, or Manure, employed in Huſbandry for manuring or improving Land, or any other Thing employed in the Management of any Farm or Lands; or for any Horſes or other Beaſts going to or returning

returning from Plough or Harrow, or to or from Paſture or Watering Place, or going to be or returning from being ſhoed or farried; or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church, Chapel, or other Place of Religious Worſhip on *Sundays*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Perſon who ſhall die and be buried in any of the Pariſhes in which the ſaid Road lies; or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; or for any Horſes or Carriages, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for the Horſe or Horſes of any Officers or Soldiers on their March or on Duty; or for any Horſe or Horſes or other Beaſt, or any Cart, Carriage, or Waggon employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any of ſuch Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying, any ſick, wounded, or diſabled Officers or Soldiers, or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, employed in carrying or conveying any Ordnance, or Barrack or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or returning empty from having been ſo employed; or for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry, or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exerciſe, Inſpection or Review, provided that ſuch Perſon ſhall be dreſſed in the Uniform of his Corps, and ſhall have his Arms, Furniture, and Accoutrements, according to the Regulations of ſuch Corps, at the Time of claiming the Exemption; or for any Horſes, Carts, or Waggons travelling with Vagrants ſent by legal Paſſes, or returning empty after having been only ſo employed; or for any Horſe or Horſes, Coaches or other Carriages, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Devon*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall by any fraudulent or colluſive Means whatſoever claim or take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds, one Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

XI. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majeſty's Forces, or conveying any Ordnance, or Barrack or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Cart or other Carriage, or the Horſe or Horſes drawing the ſame, while ſo employed, be ſtopped or detained by reaſon of any Weight in

any

any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for the Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the ſaid recited Act, contained to the contrary notwithſtanding.

Tolls may be reduced.

XII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered from Time to Time, as they ſhall think proper, to leſſen or reduce all or any Part or Parts of the Tolls hereby granted, at all, any, or either of the Turnpikes or Toll Gates already erected, or hereafter to be erected upon the ſaid Road; and when ſo reduced, to raiſe the ſame again reſpectively, if neceſſary, to any Sum not exceeding the reſpective Tolls by this Act granted, and ſo as ſuch Reduction be made with the Conſent of the ſeveral Perſons who ſhall be entitled to Four-fifth Parts of the Money then due on the Credit of the ſaid Tolls; but no ſuch Reduction ſhall be made unleſs Twenty Days Notice in Writing ſhall be given of a Meeting to be held for that Purpoſe; ſuch Notice to be affixed upon all the Turnpike Gates then erected on the ſaid Road, and alſo inſerted in ſome Newſpaper publiſhed or circulated within the ſaid County of *Devon*, at leaſt Twenty Days before the Meeting for making ſuch Reduction; and ſuch Tolls ſo leſſened or reduced, or raiſed again, ſhall be collected, recovered, and applied, in the ſame Manner as the Tolls hereby granted are directed to be collected, recovered, and applied.

Application of Tolls.

XIII. And be it further enacted, That the ſaid Tolls, and the Money to be raiſed thereby or by virtue of this Act, ſhall be and are hereby veſted in the ſaid Truſtees for executing the ſaid recited Acts and this Act; and the ſame and every Part thereof ſhall be paid and applied in ſuch Manner as is mentioned and directed in and by the ſaid recited Acts in regard to the Tolls thereby authorized to be demanded and taken, after firſt paying and diſcharging the Coſts and Charges of paſſing this Act, as herein-after is mentioned and directed.

Expences of the Act.

XIV. And be it further enacted, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act, ſhall be paid out of any Money already collected or received or to be collected or received, by virtue of the ſaid recited Acts or of this Act, in preference to all other Payments and Diſburſements whatſoever.

Application of Compenſation if amounting to 200l.

XV. And be it further enacted, That if any Money ſhall be paid, or agreed or awarded to be paid, for the Purchaſe of any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts or of this Act, for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hun-

dred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Truſtees for executing the ſaid recited Acts and this Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under and with the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in caſe ſuch Purchaſe or Settlement were made.

Application of Compenſation if leſs than 200*l.*, and not leſs than 20*l.*

XVI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing the ſaid recited Acts and this Act, (ſuch Nomination and Approbation to be ſignified in Writing under

the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the High Court of Chancery.

Application of Compensation if less than 20*l.*

XVII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts or of this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, &c.

XVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Act or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said High Court of Chancery; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money to be

XIX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said High Court of Chancery, in pursuance of

paid, the Perſon who ſhall be in Poſſeſſion of the Lands, &c. ſhall be entitled thereto.

of the ſaid recited Acts or of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid High Court of Chancery; and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XX. Provided alſo, and be it further enacted, That when, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of the ſaid recited Acts or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the High Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Acts or this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Truſtees out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Perſons chargeable to Statute Work to continue ſo; and Juſtices to determine Differences touching Statute Work.

XXI. And be it enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the Road by the ſaid recited Acts or this Act directed to be made, widened, and repaired, or any Part thereof, ſhall ſtill remain liable thereto, in like Manner as heretofore; and it ſhall and may be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Devon*, and they are hereby empowered and required (upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Road by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads do lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him or them paid to the ſaid Truſtees, or to their Treaſurer; and in order thereunto, it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, (within Ten Days after the ſerving of ſuch Summons,) of the Names

Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as is, are, or may be directed by any Law or Statute in Force and Effect for the Repairs of the Public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads, as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times, (not being Hay-time or Harveſt,) and on ſuch Parts of the ſaid Road, as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons, who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as they the ſaid Juſtices ſhall direct; and in default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their laſt or moſt uſual Place or Places of Abode, for that Purpoſe, by any Surveyor to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force or Effect for the Repair of the Public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had refuſed or neglected to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound for Statute Work.

XXII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to compound and

and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Repairs or Statute Work to be by them done on the ſaid Road, or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements or Hereditaments, of and in all or any of the Pariſhes or Places in which the ſaid Road lies, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Road; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer or Treaſurers of the ſaid Truſtees, in Advance, on or before the Twenty-fifth Day of *March* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

For preventing Obſtructions, &c.

XXIII. And be it further enacted, That if any Perſon or Perſons ſhall ſcrape off any Mud, Soil, or other Matter or Thing, which ſhall be or lie upon any Part of the ſaid Road, with any Inſtrument ſo as to damage the ſaid Road, or any Part thereof; or if any Perſon or Perſons ſhall leave any Waggon, Wain, Cart, or other Carriage, or any Plough, Harrow, or other Implement of Huſbandry, (without ſome reaſonable Cauſe, to be allowed by the Juſtice before whom the Perſon ſo offending ſhall be ſummoned or conveyed, in order to his Conviction, and with regard to ſuch Waggon, Wain, Cart, or other Carriage, except during ſuch reaſonable Time as the ſame ſhall be loading or unloading, and ſtanding as near the Side of the Road as conveniently may be,) in, upon, or on the Side of the ſaid Road, either with or without any Horſe or Beaſt harneſſed or yoked thereto; or ſhall lay any Timber, Wood or Buſhes, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbiſh, or other Annoyance whatſoever, upon any Part of the ſaid Road, or on the Side thereof, to the Prejudice thereof, or Annoyance of any Perſon or Perſons travelling or paſſing thereon; or if any Perſon driving any Pigs, Swine, Sheep or Cattle, ſhall ſuffer the ſame to root up and damage the ſaid Road, or any Part thereof, or the Hedges, Fences, or Banks on either Side thereof; or if any Perſon or Perſons ſhall turn any Horſes, Aſſes, Sheep, Swine, or other Cattle, to depaſture in the ſaid Road, or on any Part thereof, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay, over and above the Amount of the Damages thereby occaſioned, any Sum not exceeding Five Pounds; One Moiety whereof ſhall be paid to the Informer, and the other Moiety thereof ſhall be applied for the Purpoſes of the ſaid recited Acts and of this Act.

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.

Continuance of Act.

XXV. And be it further enacted, That this Act ſhall commence and take Effect upon the Twenty-ſixth Day of *June* next; and that the ſaid recited Acts (ſubject to the Alterations and Amendments herein contained) and this Act ſhall continue and be in force, and be executed for and during the Reſidue now to come and unexpired of the Term granted by the

the said recited Acts, and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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