ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. ii.

An Act to enlarge the Term and Powers of an Act for more effectually improving the Roads to and from the Town of *Great Torrington* in the County of *Devon*. [19th *March* 1830.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act for more effectually improving and keeping in repair the Roads leading to and from the Town of* Great Torrington *in the County of* Devon, *and for making certain new Lines of Road to communicate with the same:* And whereas in the Plan which in the said Act is stated to have been deposited with the Clerk of the Peace for the County of *Devon*, Two Lines of Road, the one an entire new Line, and the other an old Line with certain Deviations, between *Great Torrington* and *Addlehole*, are laid down or marked out, one of which said Lines adjoins and is or is supposed to be within the Parish of *Ringsash* otherwise *Ashreigney*, and is laid down and marked on the said Plan with a Yellow Colour; but the said Trustees were not at the Time aware that Disputes and Doubts were had and entertained respecting the Boundaries of the Parishes of *Beaford*, *Dolton*, and *Ringsash* otherwise called *Ashreigney*, where the same abut upon and adjoin each other; nor that a certain Lane called *Mousavin Lane*, and that Part of *Riddlecombe Moor* adjoining the said Lane, laid down and respectively mentioned in such Plan, were situate in the said Parish of *Ringsash* otherwise *Ashreigney*; and the same cannot now be ascertained without expensive Litigation, which the said 9 G. 4. c. 35.

Trustees are not by Law authorized to institute nor able to bear: And whereas the whole of the last-mentioned Line of Road, together with the new Cuts and Deviations from the same, has been formed and made, except so much thereof as is or is supposed to be situate in the Parish of *Ringsash* otherwise *Ashreigney*; and by reason of the Omission of that Parish in the said recited Act the said Trustees are not empowered to adopt or to form any Line of Road therein, or to collect Tolls thereon, and His Majesty's liege Subjects are unable to pass and repass over the same, to their great Inconvenience; and the Intercourse between *Exeter* and *Great Torrington* by the said last-mentioned Line is wholly suspended: And whereas since the passing of the said recited Act it has been discovered that the mountainous Hills between *Great Torrington* and *Little Torrington*, on the great Turnpike Road leading from *Ilfracombe* to *Plymouth*, can be avoided, by making and maintaining a Deviation of the same from *Middle Broadpark* through *Mutton Lane* into the said Turnpike Road at the End of the said Lane, and through *Cock's Shilley* to the River *Torridge*, all in the said Parish of *Little Torrington*, across the said River into the first-mentioned Turnpike Road from *Great Torrington* to *Addlehole* in the Parish of *Great Torrington* or *Saint Giles in the Wood* at or near the new Mills in the said Parish of *Great Torrington*, which will be of great public Utility, but the same cannot be done without the Aid of Parliament: And whereas it would facilitate the Execution of the said recited Act, and be of public Advantage and Utility, if the said Act was amended in the Particulars hereinbefore mentioned, certain other Powers and Provisions granted, and the Term thereof enlarged: 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 the said recited Act, and all and every the Powers, Provisions, Pains, Penalties, Forfeitures, Exemptions, Matters, and Things therein contained, shall be extended to this Act, and shall be as good, valid, and effectual for carrying this Act into execution as if the same had been respectively repeated and re-enacted in the Body of this Act, and made Part hereof, and that the said Act and this Act shall be construed together as one Act to all Intents, Constructions, and Purposes whatsoever.

Powers of former Act extended to this Act.

First Meeting of Trustees.

II. And be it further enacted, That the said Trustees shall hold their First Meeting for the Execution of this Act at the Guildhall or some other convenient Place in *Great Torrington* upon the *Saturday* Week next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten and Two, and shall then and there proceed in the Execution of the said Act and this Act.

Trustees may make the Roads through the Parish of Ringsash.

III. And be it enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to complete, make, and maintain as Turnpike the said old Line, with certain Cuts and Deviations from the same, and in the Course and Direction in which the said old Line is laid down and marked out in the Plan formerly deposited with the Clerk of the Peace for the County of *Devon* as aforesaid, notwithstanding the Omissions of the Name of

the Parish of *Ringsash* otherwise *Ashreigney*, or of any other Parish or Parishes, in the said Act.

A Deviation of the Road may be made.

IV. And be it enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to make and maintain a Deviation of Road from *Middle Broadpark* through *Mutton Lane* into the afore-mentioned Turnpike Road there at the End of the said Lane, and through *Cock's Shilley* to the River *Torridge*, all in the said Parish of *Little Torrington*, across the said River into the first-mentioned Turnpike Road from *Great Torrington* to *Addlehole* in the Parish of *Great Torrington* or *Saint Giles in the Wood*, in the said County, at or near the new Mills in the said Parish of *Great Torrington*, all in the County of *Devon*.

Plan of the Road.

V. And whereas a Plan describing the said last-mentioned Deviation of Road between *Great Torrington* or *Saint Giles in the Wood* and *Little Torrington*, together with a Book of Reference thereto, has been deposited with the Clerk of the Peace for the County of *Devon*; be it enacted, That the said 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 any reasonable Time or Times, have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying to the 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 Deviation of Road shall not deviate more than One hundred Yards from the Lines described in such Plan, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

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

VI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Deviation of Road into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or may be Owner or Owners of Land or Premises over which the same are set out and described in the said Plan or Book of Reference as aforesaid, although the Name or Names of the Owner or Owners may happen to be omitted or mis-stated in the said Book of Reference, or although the Name of any Parish or Parishes may happen to be omitted or mis-stated in the said Plan or Book, or in this Act, in case it shall appear to any Two or more Justices of the Peace for the County or Place where the Land or Premises or Parish shall be situate, and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake.

Houses, &c. not to be taken down without Consent.

VII. Provided always, and be it further enacted, That the Powers and Authorities hereby given for diverting the said Road 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 inclosed Ground planted as Ornament or Shelter to a House, or planted and set apart as a Nursery

Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first obtained.

Expences of Act.

VIII. And be it enacted, That the said Trustees shall pay the Costs and Charges incident to and attending the obtaining and passing this Act out of the first Monies which shall come into their Hands in virtue of the said recited Act.

Public Act.

IX. And be it 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.

X. And be it enacted, That the Term granted by the said recited Act shall from and after the passing of this Act cease and determine; and that the said Act and this Act shall from 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.

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