ANNO TERTIO

GULIELMI IV. REGIS.

****

Cap. xiv.

An Act for making, repairing, and improving certain Roads leading to and from *Helston* in the County of *Cornwall.* [29th *March* 1833.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for continuing the Term and altering and* 4 G. 4. c. 78. *enlarging the Powers of Three Acts, passed in the First, Twenty-first, and Forty-second Years of the Reign of His late Majesty, for amending and widening the Road leading from the Town of* Falmouth *in the County of* Cornwall, *through the Towns of* Penryn, Helston, *and* Marazion, *and from thence to and over* Marazion *River and Bridge, and Two hundred Feet to the Westward of the said River and Bridge:* And whereas the Trustees appointed in or by virtue of the said several Acts have proceeded to put the same into execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, Part of which Money still remains due and unpaid: And whereas the present Turnpike Road leading from *Helston* to *Penryn* and *Falmouth* is in some Parts narrow, steep, and incommodious, and it would therefore and otherwise be of great public Utility if certain new Pieces of Road were to be made on the Line thereof; (that is to say,) a new Piece of Road diverging from the said last-mentioned Road at or near the *Star* Inn in the Village of *Trewennack* in the Parish of *Wendron*, and passing through the said Parish of *Wendron*, to rejoin the same Road about

Two hundred and forty Yards to the Eastward of the Blacksmith's Shop at *Trewennack* aforesaid; another new Piece of Road diverging from the said Road from *Helston* to *Penryn*, about Four Miles and One thousand four hundred Yards from *Helston*, and passing through the Parishes of *Wendron* and *Stithians*, to rejoin the same Road about Six Miles and One thousand five hundred and eighty Yards from *Helston*; and if such Parts of a certain Highway as lie within or fall into the said last-mentioned new Piece of Road were made Turnpike; another new Piece of Road diverging from the said Road from *Helston* to *Penryn* at or near the Western End of the *Long Downs* in the Parish of *Mabe*, about Seven Miles and Seven hundred and thirty Yards from *Helston* aforesaid, and passing through the Parishes of *Mabe* and *Gluvias* and the Borough of *Penryn*, to join the *Redruth* Turnpike Road at or near the Western End of a certain Street called *Pig Street*, in the Borough of *Penryn* aforesaid; and also if the said Trustees were empowered to discharge themselves from the Care and Management of all or any of such Parts of the said present Road from *Helston* to *Penryn* as will lie between the Points at which the said several new Pieces of Road intended to be made in the Line of the same present Road will respectively commence and terminate: And whereas it would be of great public Utility if a new Line of Road were made from the said last-mentioned new Line of Road, commencing at or near *Treliever* in the Parish of *Mabe*, and passing through the Parishes of *Mabe* and *Gluvias*, to join the *Truro* Turnpike Road about Six Miles and Two hundred Yards from *Truro*, and if such Parts of the present Highway leading from *Treliever* aforesaid by *Roscrow Gate* to *Burnt House*, and from the *Redruth* Turnpike Road to the *Truro* Road aforesaid, as fall into or lie within the said last-mentioned new Line of Road, were made Turnpike: And whereas the present Turnpike Road leading from *Helston* to *Marazion* is in some Parts very steep, circuitous, incommodious, and dangerous, and it would be of great public Utility if certain new Pieces of Road were to be made on the Line thereof; (that is to say,) a new Piece of Road diverging from the said last-mentioned Road at the Western End of a certain Street called *Coinage Hall Street*, in the Borough of *Helston*, and passing through a Part of the *Bullock Lane* and the *Lower Green* in the said Borough of *Helston*, to rejoin the present Road at the Foot of the *Alms House Hill*; another new Piece of Road commencing at the Junction of the old with the present Turnpike Road at *Antron* in the Parish of *Sithney*, and passing through the Parishes of *Sithney* and *Breage*, to rejoin the present Road at the Western End of the Village of *Breage*; and another new Piece of Road, of the Length of Two hundred and forty Yards or thereabouts, diverging from the said present Road at a Place called the *Bold Turn*, in the Town of *Marazion*, and to rejoin the said present Road at a Place called the *Old Turnpike House*, in the said Town of *Marazion*; and also if the said Trustees were empowered to discharge themselves from the Care and Management of all or any of such Parts of the said present Road from *Helston* to *Marazion* as will lie between the several Points at which the said several new Pieces of Road intended to be made on the Line of the same present Road will respectively commence and terminate: And whereas the Sums due on the Credit of the said Tolls cannot be

repaid, and the said Roads be effectually improved and kept in repair, and the intended new Pieces of Road herein-before mentioned made and maintained, unless the Powers and Provisions of the said last-mentioned Act be amended and enlarged, and additional Tolls and Powers granted; for which Purpose it is expedient that the said recited Act should be repealed, and further and other Provisions 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 Third *Monday* next after the passing of this Act the said recited Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth shall be and the same is hereby declared to be repealed, save and except only that the Contracts already made and entered into by the Trustees acting under the Authority of the said Act for leasing the present Tolls authorized to be taken on the said Roads until the Thirty-first Day of *October* One thousand eight hundred and thirty-three shall remain and be in force, and that such Tolls shall continue to be collected, under the Authority of the said recited Act, until Twelve of the Clock at Night on the said Thirty-first Day of *October* One thousand eight hundred and thirty-three.

Recited Act repealed, except so much as relates to Contracts made under it.

II. And be it further enacted, That this Act shall commence and take effect and shall be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering, diverting, and from Time to Time improving and keeping in repair, the Road leading from the Town of *Falmouth* in the County of *Cornwall*, through the Towns of *Penryn*, *Helston*, and *Marazion*, and from thence to and over *Marazion* River and Bridge, and Two hundred Feet to the Westward of the said River and Bridge, (subject nevertheless to the Provisions herein-after contained, enabling the Trustees for the Time being for the Purposes of this Act to discharge themselves from repairing certain Parts of the said Road in the Cases herein-after mentioned,) and also for making, completing, keeping in repair, and maintaining the said several new Pieces of Road herein-before described or mentioned, and the said several Pieces of present Highway, and also for making and keeping in repair Footpaths or Causeways along the Sides of the said Roads and intended Roads, and for the several other Purposes of this Act.

This Act to take effect 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 *Cornwall*, together with Sir *John St. Aubyn* Baronet, *William Baker* the younger, *Thomas Lennard Barber*, *John Batten*, *William Hennel Black* Clerk, *Thomas Bolitho*, *Thomas Bolitho* the younger, *William Bolitho*, *Richard Foster Bolitho*, *Edward Bolitho*, *John Borlase*, *Henry Borlase*, *George Simon Borlase*, *Samuel Borlase*, *John Borlase*, *James Bull*, *Joseph Carne*, *Samuel Cole* Doctor in Divinity, *Derwent Coleridge* Clerk, *Henry Comyn* Clerk, *William Cornish*, *Henry Tonkin Coulson* Clerk, *Thomas Daniell*, *John Samuel Enys*, *George Croker Fox*,

Appointment of Trustees.

Fox, *Alfred Fox*, *Robert Were Fox*, *Charles Fox*, *Thomas Fox*, *Richard Gerveys Grylls* Clerk, *Richard Gerveys Grylls* the younger, Clerk, *Humphry Millett Grylls*, *Glynn Grylls*, *Charles Grylls*, *Joseph Hawkey*, *Oliver Hill*, *Frederick Hill*, *Edward Hodge* Clerk, *Peter Hodge*, *Francis James*, *Stephen James Johns*, *Edward Johns*, *William Johns*, *George Dennis John*, Sir *Charles Lemon* Baronet, *Robert Davey Michell*, *Leonard Millett*, *Matthew Paul Moyle*, *James Pascoe* Clerk, *Jonathan Passingham*, *Edward William Wynne Pendarves*, *Francis Pender*, *James Plomer*, *Christopher Wallis Popham*, *William Pender Roberts*, *Philip Vyvyan Robinson*, *John Rogers* Clerk, *Hugh Rogers* Clerk, *Edward Rogers* Clerk, *Thomas Rogers*, *Arundel Rogers*, *John Sheepshanks* Clerk, *Thomas Stabback* Clerk, *Samuel Spivie Street*, *John Tilly*, *James Trevenen*, *Thomas Tyacke*, *Robert Michael Nowell Usticke* Clerk, *John Vivian*, Sir *Richard Rawlinson Vyvyan* Baronet, *Thomas Wills* Clerk, *William Paul Williams*, *John Williams*, *Richard Williams*, *John Williams* of *Burncoose*, *Michael Williams*, *William Williams*, and *Richard Wise*, and their Successors, being duly qualified according to the Directions of the General Turnpike Acts, shall be and they are hereby appointed Trustees for repairing, maintaining, widening, altering, diverting, making, completing, improving, and keeping in repair the said present Road and intended Roads respectively (subject as aforesaid), and for otherwise putting this Act into execution.

Power to appoint additional 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 and appoint any Number of Persons being duly qualified as aforesaid, 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 Meeting of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the Guildhall of the Borough of *Helston*, or at some other convenient Place in *Helston* aforesaid, on the Fourth *Monday* after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time thereafter adjourn to and meet again at such Times and at such Place or Places within the Borough of *Helston* aforesaid as they shall think proper; and the Chair shall be taken at such Meetings between the Hours of Ten of the Clock in the Forenoon and Twelve at Noon.

Trustees to hold an annual Meeting at Penryn.

VI. And be it further enacted, That it shall and may be lawful for the said Trustees and they are hereby required to hold a Meeting, for the Purpose of putting this Act into execution, at the Guildhall of the said Borough of *Penryn*, or at some other convenient Place within the said Borough, on the Second *Tuesday* in the Month of *August* in every Year, in addition to all other Meetings held elsewhere for that Purpose, of which due Notice shall be given by the Clerk or Treasurer for the Time being.

VII. And

Power to continue and erect Toll Gates.

VII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to continue all or any of the Turnpikes or Toll Gates, Toll Houses, Side Gates, Bars, or Chains now standing and being in, upon, or across or on the Sides of the said Turnpike Road comprised in the said recited Act hereby repealed, within the Limits herein-before described, or any Part thereof, and to erect and set up, in, upon, or across or on the Side of the said present Road or the new Pieces of Road by this Act authorized to be made, or any Part or Parts thereof respectively, or in, upon, or across the Entrance of any Road or Lane that doth or shall lead into or out of the said present Road or new Pieces of Road, or any of them, or any Part or Parts thereof, any Turnpike or Turnpikes, Toll Gate or Toll Gates, Side Gate or Side Gates, Bar or Bars, Chain or Chains, and any Weighing Machine or Weighing Machines, and also any Toll House or Toll Houses, with Outbuildings and Conveniences suitable thereto, at or near each Toll Gate or Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for such Toll Houses, not exceeding One Eighth of a Statute Acre each.

Power to take Tolls.

VIII. And be it further enacted, That upon and from and after the First Day of *November* One thousand eight hundred and thirty-three it shall be lawful for the said Trustees, or the Lessee of any of the Tolls, or any Persons by them respectively continued or to be appointed to collect or receive all or any of the Tolls to be taken by virtue of this Act, to demand and take the several Tolls herein-after mentioned at every of the respective Turnpikes, Toll Gates, Side Gates, Bars, and Chains which shall be continued or erected by virtue of this Act (save and except at the *Falmouth* Toll Gate or any other Toll Gate which may hereafter be erected on any Part of the Road lying between *Falmouth* and *Penryn*) 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, Stage Coach, Diligence, Sociable, Berlin, Landau, Chariot, Vis-à-vis, Barouche, Phaeton, Chaise Marine, Calash, Chaise, Curricle, Gig, Chair, Caravan, Van, Hearse, Litter, or other like Carriage, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Butt, Dray, or other like Carriage, the Sum of Sixpence:

For every Carriage, of whatever Description, and for whatever Purpose used, not drawn by any Horse or other Beast, but impelled or set and kept in Motion by or by means of Steam or Mechanism, the Sum of Three Shillings:

For every Carriage, of whatever Description, and for whatever Purpose used, linked or fastened to any such Carriage not drawn by any Horse or other Beast, and drawn by means of its being so linked or fastened, the Sum of Two Shillings:

For every empty Four-wheeled Carriage, fixed in any Manner to any Waggon, Wain, Drug, Cart, or other Carriage, the Sum of Sixpence, and if loaded, Double that Sum:

For every empty Two wheeled-Carriage so fixed, the Sum of Threepence, and if loaded, Double that Sum:

For every Horse, Mule, Ass, or other Beast of Burthen, laden or unladen, and not drawing, the Sum of Two-pence:

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

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Eight-pence *per* Score, and so in proportion for any greater or less Number:

And that it shall be lawful for the said Trustees, or their Lessee or Lessees, or any Persons by them respectively continued or to be appointed to collect or receive the Tolls to be taken by virtue of this Act, to demand and take the several Tolls herein-after mentioned at any Turnpikes or Toll Gates, Side Gates, Bars, and Chains, which shall be continued or erected by virtue of this Act on any Part of the said Turnpike Road lying between *Falmouth* and *Penryn* on every Day (such Day to be computed in the Manner herein-before mentioned); that is to say,

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Sociable, Berlin, Landau, Chariot, Vis-à-vis, Barouche, Phaeton, Chaise Marine, Calash, Chaise, Curricle, Gig, Chair, Caravan, Van, Hearse, Litter, or other like Carriage, the Sum of Four-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Butt, Dray, or other like Carriage, the Sum of Four-pence:

For every Carriage, of whatever Description, and for whatever Purpose used, not drawn by any Horse or other Beast, but impelled or set and kept in Motion by or by means of Steam or Mechanism, the Sum of Two Shillings:

For every Carriage, of whatever Description, and for whatever Purpose used, linked or fastened to any such Carriage not drawn by any Horse or other Beast, and drawn by means of being so linked or fastened, the Sum of One Shilling and Four-pence:

For every empty Four-wheeled Carriage fixed in any Manner to any Waggon, Wain, Drug, Cart, or other Carriage, the Sum of Four-pence, and, if loaded, Double that Sum:

For every empty Two-wheeled Carriage so fixed, the Sum of Two-pence, and, if loaded, Double that Sum:

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

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

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

And in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of any of the Tolls hereby granted, the Sum of One Halfpenny shall be demanded and paid in lieu of such fractional Part:

Which said respective Tolls or Sums of Money shall be demanded and paid before any Horse, Mule, or Beast or Cattle, or any Carriage, shall be permitted to pass through any Turnpike or Toll Gate, Side Gate,

Gate, Bar, or Chain which shall be continued, erected, or set up by virtue of this Act (subject to the Provisions herein-after contained); and such Tolls shall be and are hereby vested in the said Trustees, to be by them applied in manner herein-after mentioned.

Limiting the Number of Tolls.

IX. Provided always, and be it further enacted, That (subject to the Exceptions mentioned in the Provisions herein-after contained) the said Trustees, or any Collector or Collectors, shall not be empowered hereby to demand or take more than One full Toll for or in respect of the same Horse, Beast, Cattle, or Carriage, for passing or repassing at any Time or Times in any One Day through all or any of the Turnpikes or Toll Gates, Side Gates, Bars, or Chains, already erected or placed, or hereafter to be erected or placed, under the Authority of this Act, upon the whole Length of such Parts of the said Roads as are situate between *Helston* and *Falmouth* and *Helston* and *Truro* only (save and except in the Event herein-after mentioned); and no more than One full Toll shall be paid for or in respect of the same Horse, Beast, Cattle, or Carriage for passing or repassing at any Time or Times in any One Day through all or any of the Turnpikes or Toll Gates, Side Gates, Bars, or Chains, already erected or placed, or hereafter to be erected or placed, under the Authority of this Act, upon the whole Length of such Parts of the said Roads as are situate between the said Borough of *Helston* and Two hundred Feet to the Westward of *Marazion* River and Bridge.

Payment of Toll between Falmouth and Penryn to clear the Gates between those Places only.

X. Provided also, and be it further enacted, That the Payment of the several Tolls lastly herein-before granted and made payable at any Turnpikes or Toll Gates, Side Gates, Bars, and Chains, on that Part of the said Roads lying between *Falmouth* and *Penryn*, shall entitle the Person or Persons paying the same to pass and repass through all or any of the Turnpikes or Toll Gates, Side Gates, Bars, and Chains, on that Part of the said Roads lying between *Falmouth* and *Penryn* only.

Persons having paid Toll between Falmouth and Penryn may pass through the Gates between Helston and Penryn and Helston and Truro on paying the Difference.

XI. And be it further enacted, That it shall and may be lawful for the said Trustees, or their Lessees, or any Persons by them authorized, to demand and take, at any One of the Turnpikes or Toll Gates, Side Gates, Bars, and Chains on those Parts of the said Roads lying between *Helston* and *Penryn* and *Helston* and *Truro*, from all and every Persons and Person having paid on the same Day the said several last-mentioned Tolls, and producing a Ticket or Tickets denoting the Payment thereof, such Sum or Sums of Money as shall, when added to the said last-mentioned Tolls, make up the full Amount of the higher Scale of Tolls first herein-before granted and made payable; and such Persons or Person, having paid the said several Tolls, and producing Tickets denoting the Payment thereof, shall be entitled to pass and repass with the same Horses, Cattle, or Carriages at any Time or Times in the same Day through all or any of the Turnpikes or Toll Gates, Side Gates, Bars, or Chains already erected or placed or hereafter to be erected or placed upon the whole Length of such Parts of the said Roads as are situate between *Helston* and *Falmouth* and *Helston* and *Truro*.

XII. Pro-

Stage Coaches to pay every Time of passing.

XII. Provided always, and be it further enacted, That the Tolls hereby made payable for and in respect of the Horses drawing any Stage Coach, Diligence, or Van, Caravan, Cart, Stage Waggon, or other Stage Carriage, and also for and in respect of any Carriage impelled or set and kept in Motion by Steam or Machinery, and every Carriage linked or fastened to and drawn by any Carriage so impelled and kept in Motion, conveying any Passengers or Goods for Hire or Reward, shall be payable and paid every Time of passing along the said Roads or Pieces of Road, or any of them: Provided nevertheless, that no further or additional Toll shall be payable in respect of Horses drawing Stage Coaches on account only of the Horses drawing the same having been changed.

Post Chaises to pay on every new Hiring.

XIII. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of the Horses drawing any Post Chaise or other Carriage travelling for Hire shall be payable and paid every Time of passing or repassing along the said Roads, or any of them, whenever a new Hiring of the Horses drawing such Post Chaise or other Carriage shall have taken place.

Application of Tolls.

XIV. And be it further enacted, That the Monies which shall arise from the Tolls by this Act granted and made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise by virtue thereof, shall be vested in the said Trustees for the Time being, and be applied, in the first place, in Payment of all the Costs, Charges, and Expences incidental to and attending the applying for, obtaining, and passing of this Act, and the surveying and planning of the said several Lines of Road; and afterwards in defraying the Expences of making and completing the several Pieces of Road by this Act authorized to be made and completed; and in procuring, erecting, and repairing Turnpikes or Toll Gates, Side Gates, Bars, and Chains, and Toll Houses and Weighing Machines; and in paying the Interest due upon the several Principal Sums of Money now due upon the Credit of the Tolls granted by the former Acts or any of them, and which shall from Time to Time be borrowed or advanced and secured in pursuance of this Act; and in widening, turning, repairing, and otherwise improving the said Roads, and also any Footpaths or Causeways already made or which may be hereafter made by the Sides thereof; and otherwise executing the Powers and Authorities vested or to be vested in the said Trustees by this Act, or any other Act or Acts of Parliament now in being, or which may be hereafter passed; and, lastly, in discharging the several Principal Sums of Money now due upon the Credit of the said Tolls, and which may hereafter be borrowed and secured by virtue of this Act.

Expence of repairing Branch Roads.

XV. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of this Act shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken thereon, pursuant to the Provisions of this Act: Provided also,

also, that no more Money shall be expended by the said Trustees in or towards the Repairs of any such Branch Road than shall be collected on such Branch Road, or borrowed on the Credit of the Tolls taken thereon.

No Money to be laid out in repairing Streets.

XVI. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of this Act shall be laid out or expended in repairing any of the Streets of the said Boroughs of *Helston* and *Penryn* and the said Town of *Marazion*.

New Pieces of Road may be made.

XVII. And be it further enacted, That the said Trustees shall and may and they are hereby empowered to make the several new Pieces of Road and Improvements herein-before described of such Width or Dimensions as they shall think proper, not exceeding Thirty Feet nor less than Twenty Feet clear of the Fences, upon, in, over, or through any private Lands, Grounds, or Hereditaments, making or tendering Satisfaction for the same, or for any Damage sustained thereby, to the Owners of and Persons interested in the same, and also in, upon, over, or through any Commons or Waste Lands, without making any Satisfaction for such Commons or Waste Lands, together with such Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences on the Line of the said Roads as they shall think necessary or expedient, and for such Purpose or Purposes to pull down or take and use any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed, making Satisfaction to the Owners thereof and Persons interested therein for the same, or for the Damage they may sustain thereby; and it shall also be lawful for the said Trustees, their Surveyors and Workmen, from Time to Time to enter upon the Lands, Tenements, or Hereditaments through which or whereupon such Roads, Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences are intended to pass, and also upon any adjoining Lands or Grounds, and to stake out the same in such Manner as the said Trustees shall think expedient, without being deemed Trespassers, or being liable to any Fine, Penalty, or Punishment for entering or continuing upon such Land or Premises respectively for any of the Purposes of this Act; and if any Person or Persons shall remove or destroy any of such Stakes or other Marks used for the Purposes aforesaid, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Plan deposited with the Clerk of the Peace to remain there, and be open to Inspection.

XVIII. And whereas a Map or Plan describing the Lines of the said new Pieces of Road, and the Lands, Hereditaments, and Premises through which the same are intended to be made, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, has been deposited at the Office of the Clerk of the Peace for the said County of *Cornwall*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the said County, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and

to take Copies or Extracts thereof at their Will and Pleasure, paying him One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of such Map or Plan and Book of Reference; and the said Trustees in making the said Roads shall not deviate more than One hundred Yards from the Lines described in such Map or 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.

Roads may be made notwithstanding Errors in the Book of Reference.

XIX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads and Improvements into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners of the 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, in case it shall appear to any Two or more Justices of the Peace for the said County of *Cornwall*, and be certified by Writing under their Hands, that in their Judgment such Error or Omission proceeded from Mistake.

Power of purchasing limited to Three Years.

XX. Provided also, and be it further enacted, That if the said Trustees shall not purchase the Buildings, Lands, Tenements, and Hereditaments mentioned in the said Schedule within Three Years from the passing of this Act, all the Powers granted by this Act for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

After Completion of the new Lines of Road, the Trustees are to be discharged from the Repair of certain Parts of the present Road.

XXI. And be it further enacted, That after the said several Pieces of Road intended to be made on the Line of the present Road from *Helston* aforesaid to *Penryn* aforesaid shall be respectively completed and open for the Passage of the Public, it shall be lawful for the Trustees for executing this Act, and they are hereby empowered, at any Special Meeting from Time to Time to be holden for that Purpose, (of which Meeting public Notice, specifying the Time for holding the same, and the Purpose thereof, shall have been given in some Newspaper or Newspapers published or circulated in the said County of *Cornwall*, and also by affixing a Copy of such Notice on all the Turnpikes, Toll Gates, and Side Bars which shall be then standing on any of the said Roads, at least Fourteen Days before such Meeting,) to order that all or any Parts of the present Road leading from *Helston* to *Penryn* aforesaid as shall lie between the Commencement and Termination of the said several intended new Pieces of Road on that Line respectively shall be no longer repaired out of the Monies to be received by virtue of this Act, and that from and immediately after the making of any such Order the said Trustees shall be discharged from the Care, Management, and Repair of the Piece or Pieces of Road therein in that Behalf mentioned; and also that after the said several Pieces of Road intended to be made on the Line of the present

sent Road from *Helston* aforesaid to *Marazion* aforesaid shall be respectively completed and open for the Passage of the Public, it shall be lawful for the said Trustees, and they are hereby empowered, at any Special Meeting from Time to Time to be holden for that Purpose, and notified as aforesaid, to order that all or any of such Parts of the present Road leading from *Helston* to *Marazion* aforesaid as shall lie between the Commencement and Termination of the said several intended new Pieces of Road on that Line respectively shall be no longer repaired out of the Monies to be received by virtue of this Act, and that from and immediately after the making of any such Order as last aforesaid the said Trustees shall be discharged from the Care, Management, and Repair of the Piece or Pieces of Road therein in that Behalf mentioned.

The Piece of Roadbetween the Redruth Turnpike Road and the Truro Turnpike Road to be transferred to the Truro Trust.

XXII. And whereas a certain Part of the Road leading from *Truro* to *Penryn* and *Falmouth* is very steep and incommodious, and the same, and also the Communication between *Helston* and *Truro*, will be materially improved by the making of that Part of the before-mentioned new Line of Road from *Treliever* to *Perran Vale* which will extend from the *Redruth* Turnpike Road to the *Truro* Turnpike Road in *Perran Vale*, and it has been proposed and agreed upon that such Part of the said Line of Road shall be carried into effect and maintained at the Costs and Charges of the Trustees acting under and by virtue of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making, repairing, and improving certain Roads leading to and from* Truro *in the County of* Cornwall, but the said last-mentioned Trustees are not authorized and empowered under the said Act to carry such Improvement into effect: And whereas it is expedient that the said last-mentioned Piece of Road should be carried into effect and completed by the Trustees acting under the Authority of this Act, but that the said Trustees should be authorized and empowered, at any Time after the Completion thereof, at the Request of the said Trustees acting under the said last-recited Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, to resign the Care and Management of the said Piece of Road extending from the *Redruth* Turnpike Road to the *Truro* Turnpike Road unto the said last-mentioned Trustees upon the Terms herein-after mentioned, and that the said last-mentioned Trustees should be authorized and empowered to take upon themselves the Care and Management and Repair of the said Piece of Road, and to discharge themselves from the Care, Management, and Repair of such Part of the present Turnpike Road from *Truro* to *Penryn* as will lie between the Commencement of the said intended new Piece of Road in *Perran Vale* and *Penryn* aforesaid; be it therefore further enacted by the Authority aforesaid, That after the said Piece of Road leading from the *Redruth* Turnpike Road to the *Truro* Turnpike Road in *Perran Vale* shall be completed and open for the Passage of the Public, it shall be lawful for the said Trustees for executing this Act, and they are hereby empowered, (upon being repaid by the Trustees for executing the said recited Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth the whole Amount of the Money expended in

9 G. 4. c. 3.

and

and about the Completion of the said Piece of Road, and the Erection of any Turnpike or Toll Gate, Side Gate, Bar, or Chain thereon, with any House or Houses thereto belonging, with Interest thereon at the Rate of Four Pounds and Ten Shillings *per Centum per Annum*, after deducting therefrom the net Amount of the Monies received by them for Tolls, or otherwise arising from or in respect of the said last-mentioned Piece of Road, and Interest thereon respectively at the Rate aforesaid,) at any Special Meeting to be holden for that Purpose, of which Meeting public Notice, specifying the Time for holding the same, and the Purpose thereof, shall have been given in some Newspaper published or circulated in the said County of *Cornwall*, and also by affixing a Copy of such Notice on all the Turnpikes, Toll Gates, and Side Bars which shall be then standing on any of the said Roads, at least Fourteen Days before such Meeting, to order that the said Piece of Road leading from the *Redruth* Turnpike Road to the *Truro* Turnpike Road in *Perran Vale* shall be transferred to the said Trustees for executing the said recited Act passed in the Ninth Year of the Reign of His said late Majesty King *George* the Fourth, and that from and immediately after the making of such Order the Trustees for executing this Act shall be discharged from the Care, Management, and Repair of the said Piece of Road.

The Truro Trust empowered to repay to the Helston Trust the Money expended in making the said Piece of Road.

XXIII. And be it further enacted, That it shall and may be lawful for the Trustees for executing the said recited Act passed in the Ninth Year of the Reign of His said late Majesty King *George* the Fourth, and they are hereby authorized and empowered, to repay and reimburse, out of the Monies to be received by virtue of the said last-recited Act, unto the said Trustees for executing this Act, all such Sum and Sums of Money as shall appear by the Books kept by the Treasurer of the said last-mentioned Trustees to have been laid out and expended in and about the Completion of the said Piece of Road leading from the *Redruth* Turnpike Road to the *Truro* Turnpike Road in *Perran Vale*, and the Erection of any Turnpike or Toll Gate or Side Gate thereon, with the Houses thereto belonging, with Interest thereon as aforesaid, after such Deduction therefrom as aforesaid;

The Truro Trust to take charge of the said Piece of Road;

and further, that it shall be lawful for the said Trustees for executing the said recited Act passed in the Ninth Year of the Reign of His said late Majesty King *George* the Fourth, and they are hereby empowered, at any Special Meeting to be holden for that Purpose, and notified as in the same Act required for the Notification of Special Meetings to be held under its Authority, to order that the said last-mentioned Piece of Road shall be thenceforth taken under their Care and Management, and that from and immediately after the making of such Order the said Piece of Road shall be subject to all and every the Powers and Provisions of, and shall be repaired and maintained out of the Monies to be received by virtue of the same Act; and it shall also be lawful for the said last-mentioned Trustees,

and may discontinue certain Parts of the present Roads from Truro to Penryn and Helston.

and they are hereby empowered, at such Special Meeting or at any other Special Meeting or Meetings to be held and notified as last aforesaid, to order that such Part of the present Turnpike Road leading from *Truro* to *Penryn* as lies between the Commencement of the

the said last-mentioned new Piece of Road in *Perran Vale* and *Penryn* aforesaid, and also that such Part of the present Turnpike Road leading from *Truro* to *Helston* as lies between *Carnon Gate* and *Tretheage Bridge* in the Parish of *Stithians*, and also that such Part of the said last-mentioned Turnpike Road as lies between the Point at which it diverges from the said Road leading from *Truro* to *Penryn* and *Carnon Gate* aforesaid, or any Part thereof, shall severally and respectively be no longer repaired out of the Monies to be received by virtue of the said last-mentioned Act; and that from and immediately after the making of such several Orders respectively the said last-mentioned Trustees shall be discharged from the Care, Management, and Repair of the said Three last-mentioned Pieces of Road respectively therein in that Behalf mentioned.

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.

Commencement and Continuance of this Act.

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

The SCHEDULE to which this Act refers.

No. in Plan.	Description of Property.	Where situate.	Owners.	Lessees for Lives.	Occupiers.
7	An Orchard	Parish of Breage	The Duke of Leeds -	John Jacka -	John Jacka.
14	An Orchard	Same Parish -	The Duke of Leeds -	Mrs. Christian Rogers -	James Hendy.
33	An Orchard	Parish of Sithney	Trustees of late John Rogers Esq. - -	- - -	Peter Williams.
36 a.	A Garden	Borough of Helston - -	Corporation of Helston -	William Tubb	William Tubb and William Tubb jun.
38	A Garden	Borough of Helston - -	Rev. Canon Rogers -	- - -	Peter Medlyn.
42 a.	A Dungpit	Borough of Helston - -	Rev. Canon Rogers -	- - -	Mrs. Grace Robinson.
108	An Orchard	Borough of Penryn - -	Corporation of Penryn -	Joseph Boulderson	Joseph Boulderson.
109	An Orchard	Borough of Penryn - -	Corporation of Penryn -	Robert Treeneer	Thomas Spargo.
143	A Garden -	Parish of Gluvias	Bishop of Exeter	H. M. Grylls Esq.	Samuel Gill.

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