ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. xcii.

An Act for more effectually repairing and improving several Roads leading to and from the Towns of *Newton Bushell*, *South Bovey*, and *Moretonhampstead*, in the County of *Devon*. [5th *May* 1826.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing and widening the Road from* Chudleigh Bridge *in the Parish of* Hennock *in the County of* Devon, *through the Town and Borough of* Ashburton, *to* Brent Bridge *in the Parish of* South Brent *in the said County*: And whereas an Act was passed in the First Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from* Travellers Rest *in the Parish of* Ashburton *to* Newton Bushell, *and from thence to* Forches *otherwise* Forges Cross *in the Parish of* Highwick *in the said County of* Devon: And whereas an Act was passed in the Sixteenth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for continuing and enlarging the Terms and Powers of Two several Acts of Parliament respecting Roads near the Borough of* Ashburton *in the County of* Devon: And whereas an Act was passed in the Forty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of several Acts passed respecting several Roads near the Borough of* Ashburton *and the Town of* Newton Bushell; *and for amending, widening, altering, and keeping in repair the Road leading from a Place called* Moor's

28 G. 2. c. 49.

1 G. 3. c. 34.

16 G. 3. c. 79.

42 G. 3. c. 75.

Barn *to the End of* Whitehill Lane *in the Parish of* Highwick; *and for making and maintaining a Road from the Bottom of* Dean Clapper Hill, *at the West End of the Village of* Dean Prior *in the Parish of* Dean Prior, *through the Village of* Dean Church Town, *and from thence through the Parishes of* Rattery *and* South Brent *to* Brent Bridge, *all in the County of* Devon: And whereas an Act was passed in the Third Year of the Reign of His late Majesty King *George* the Third,
3 G. 3. c. 38. intituled *An Act for amending and widening several Roads leading from or near the North End of the Town and Borough of* Totnes *in the County of* Devon: And whereas an Act was passed in the Twenty-fourth Year of the Reign of His late Majesty King *George* the Third,
24 G. 3. c. 64. intituled *An Act to enlarge the Term and Powers of an Act passed in the Third Year of His present Majesty King* George *the Third, for amending several Roads leading from or near the North End of the Town and Borough of* Totnes *in the County of* Devon: And whereas an Act was passed in the Forty-fifth Year of the Reign of His late
45 G. 3. c. 75. Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts passed in the Third and Twenty-fourth Years of His present Majesty, for amending the Roads leading from or near the North Side of the Town of* Totnes *towards* Ashburton *in the County of* Devon; *and for building a Bridge at or near a Place called* Emmett *across the River* Dart: And whereas an Act was passed in the Forty-ninth Year of the Reign of His late
49 G. 3. c. 127. Majesty King *George* the Third, intituled *An Act for consolidating and uniting the Powers of several Acts passed for amending several Roads near the Borough of* Ashburton *and the Town of* Newton Bushell, *and from or near the North Side of the Town of* Totnes *towards* Ashburton *aforesaid; for building a Bridge across the River* Dart, *at or near a Place called* Emmett *in the County of* Devon, *and for amending and improving the said several Roads:* And whereas it was by the said last-recited Act of the Forty-ninth Year of the Reign of His late Majesty King *George* the Third enacted, that the said recited Acts of the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, and the First, Sixteenth, Forty-second, Third, Twenty-fourth, and Forty-fifth Years of the Reign of His late Majesty King *George* the Third, and all the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained (except such as were thereby altered or repealed) should be and continue in full Force and Effect during the Term mentioned in the said last-recited Act; and that the Creditors and Trustees of the Turnpike Road commonly called The *Newton* Turnpike, extending from the Town of *Newton Bushell* to *Travellers Rest*, and from *Newton Bushell* to *Forches* otherwise *Forgers Cross*, and from thence to the Town of *South Bovey*, and also from *Moor's Barn* to the End of *Whitehill Lane*, should be at liberty to unite and consolidate the same with the *Ashburton* and *Totnes* Turnpike, thereby authorized to be consolidated and united: And whereas the said Turnpike Road, called The *Newton* Turnpike, has not been consolidated and united with the said *Ashburton* and *Totnes* Turnpike, in pursuance of the Powers contained in the said last-recited Act; but the Tolls authorized to be collected by the said recited Acts on the said *Newton* Roads have been applied towards the amending and keeping in repair the said Roads, and paying the Interest of the

Money due thereon; and considerable Sums of Money are now due on the Credit of the Tolls granted by the said Acts: And whereas the said Road commonly called The *Newton* Turnpike may be greatly improved; and it would be of great public Utility and highly beneficial if the same were done, and also if Powers were given to alter, improve, and make Turnpike certain Roads herein-after mentioned, communicating with the said *Newton* Turnpike, and also to make and keep in repair certain new Roads to communicate therewith, herein-after mentioned; but the same cannot be effected, nor can the Money now remaining due on the Credit of the said Tolls be repaid, unless the said recited Acts are repealed, so far as relates to the said *Newton* District of Road, and a further Term and other Powers and Provisions granted in lieu thereof: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing or maintaining Turnpike Roads*: 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 from and after the passing of this Act, the said recited Acts of the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, and of the First, Sixteenth, Forty-second, Third, Twenty-fourth, Forty-fifth, and Forty-ninth Years of the Reign of His late Majesty King *George* the Third, and the several Powers, Exemptions, Penalties, Forfeitures, Provisions, Matters, and Things therein contained, so far as they relate, apply to, or affect the said *Newton* District of Road, shall be and the same are hereby repealed; and that instead thereof this Act shall thenceforth commence and take effect, and be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually amending, diverting, improving, and repairing the said *Newton* District of Roads from *Newton Bushell* to *Travellers Rest*, and from *Newton Bushell* to *Forches* otherwise *Forgers Cross*, and also from *Moor's Barn* to the End of *Whitehill Lane*, through the several Parishes of *Highwick*, *Ilsington*, *Bickington*, *Ashburton*, *Teigngrace*, and *South Bovey*, all in the said County; and also for making a new Line of Road branching out of the present Line of Road at or near the End of *Whitehill Lane* aforesaid, and extending from thence to the present Line of Road at or near a Place called *Blatchford Brook* in the said Parish of *Highwick*; one other new Line of Road branching out of the present Line of Road at or near *Moor's Barn*, and extending from thence to *Forches Cross* aforesaid; one other new Line of Road extending from the present Line of Road at *South Bovey*, through the said Town of *South Bovey*, unto and through the Town of *Moretonhampstead*,

3 G. 4. c. 126

4 G. 4. c. 95

5 G. 4. c. 69.

Recited Acts of 28 G. 2. c. 1, 16, 42, 3, 24, 45, and 49 G. 3, repealed, and this Act to take effect.

tonhampstead, and from thence through the Village of *Sandy Park* to a certain Place called *Whiddon Down*, and adjoining the Turnpike Road there leading from *Exeter* to *Oakhampton*; and also one other new Line of Road extending from the said last-mentioned intended new Line of Road through *South Bovey* aforesaid, unto and across a certain Common or Heathfield called *Knighton Heathfield*, and from thence through a certain Lane called *Clay Lane* to the Turnpike Road leading from *Newton Bushell* aforesaid to *Chudleigh* and *Exeter*, through the several Parishes of *Highwick*, *Kingsteignton*, *Hennock*, *South Bovey*, *Lustleigh*, *Moretonhampstead*, *Chagford*, *Drewsteignton*, and *Southtawton*, all in the County of *Devon*.

Powers of General Turnpike Acts extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or varied, altered, or otherwise provided for by this Act), and also the said recited Acts of the Fourth and Fifth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), 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.

New Term and Tolls liable to former Debts.

III. And be it further enacted, That this Act and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed, and are now due and owing on the Credit of the Tolls authorized to be collected upon the said *Newton* District of Road, and of all the Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act.

Persons owing Monies to be still liable.

IV. And be it further enacted, That all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees for carrying the said recited Acts hereby repealed into Execution, so far as the same relate to the said *Newton* District, or to any other Person or Persons for the Benefit of the said Trust, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act.

Bonds to continue in full Force.

V. And be it further enacted, That all Bonds, Covenants, and Agreements, Contracts and Securities, entered into by any Person or Persons to or with the Trustees for carrying the said recited Acts hereby repealed into Execution, so far as the same relate to the said *Newton* District, or to or with their Clerk or Treasurer, or any other Person or Persons on behalf of the said Trustees, according to the Provisions of the said recited Acts, shall remain in full Force and Effect,

Effect, and be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account and for the Benefit of the Trusts created by this Act; and all Contracts or Agreements duly made or entered into by the said Trustees, or their Clerk or Treasurer, or other Person or Persons on their behalf as aforesaid, shall, so far as the same are not altered or avoided by this Act, remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms or Stipulations thereof respectively, notwithstanding the Repeal of the said recited Acts.

Books used under former Acts to be Evidence.

VI. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Acts had not been repealed.

Trustees appointed.

VII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Devon*, together with the Honourable *George Pellew* Clerk, the Honourable *Edward Pellew* Clerk, the Honourable *Hugh Clifford*, Sir *John Louis* Baronet, *Alexander Adair*, *Alexander Adair* the younger, *Robert Abraham*, *Robert Abraham* the younger, *Robert Alsop*, *Nicholas Baker*, *William Baker*, *John Moysey Bartlett*, *Finney Belfield* Clerk, *Finney Belfield* the younger, Clerk, *Robert Bradford* Clerk, *John Bradford* Clerk, *John Buller*, *Yarde Buller*, *Thomas Babb* Clerk, *Peter Bradridge*, *George Bragg*, *William Bragg*, *John Berry*, *William Searle Bentall*, *William Bentall*, *John Bickford* of *Barton*, *John Bickford* of *Wrigwell*, *John Bovey*, *George Cary*, *William Creed*, *Walter Palk Carew*, *John Comyn* Clerk, *John Gifford Croker*, *John Caunter*, *Richard Caunter*, *William Sherlock Cary* Clerk, *Thomas Cousins*, *William Courtenay Clack* Clerk, *John Cole*, *Joseph Domett* Clerk, ... *Drew*, *John Edwards* Clerk, *Christopher Farwell*, *Thomas Flamank*, *John Gould*, *John Gribble*, *Henry Gervis*, *Henry Gervis* the younger, *Arden Gorwin*, *Francis Garratt*, *William Hole*, *George Harris*, *John Harris*, *John Harris* the younger, *Lawrence Harvey*, *John Hill* Clerk, *John Hill* the younger, *William Hill*, ... *Hames* Clerk, *Richard Honeywill*, *John Huxham*, ... *Heywood* Clerk, *Thomas Kitson* Clerk, *Edward Addicott Kitson* Clerk, *Robert Charles Abraham Kitson* Clerk, ... *Luke*, *George Lethbridge*, *George Ley*, *John Ley*, *Jacob Ley* Clerk, *Roger Mallock* Clerk, *Roger Mallock* the younger, *Marsham* Clerk, *James Mogridge*, *Aaron Neck* Clerk, *Robert William Newman*, *Thomas Newman*, *John Pidsley*, *William Ponsford*, *William Ponsford* Clerk, *Benjamin Parham*, *William Pope*, *James Pitts*, *James Pitts* the younger, *Montague Edmund Parker* the younger, *Richard Tapper Parsons*, *Parmenas Pearce*, .. *Pinsent*, *William Row*, *William Stracey* Clerk, *John Segar*, *Richard Segar*, *Peter Fabyan Spark*, *John Row Southmead*, *John Shepherd*, *John Shepherd* the younger, *William Southmead* Clerk, *Joseph Steer*, ... *Thornborough*, *Solomon Tozer*, .. *Trevenan* Clerk, *Thomas William Taylor*, *Henry Taylor* Clerk, *Richard Milford Tozer*, *John Templer* Clerk, *John Templer* the younger, Clerk, *Ayshford Wise*, *Nicholas Wilking*, *Thomas*

Thomas Westcott Clerk, *Thomas Whipman* Clerk, *Nicholas Watts* Clerk, *Samuel Whiteway*, *George Wills*, *Charles Corbyn Wills*, *Thomas Widger*, *Henry Wrey* Clerk, *John White* Clerk, *John White* the younger, Clerk, *John Wolston*, *Christopher Wolston* Clerk, *James Woodley*, *John Winsor*, *Fitzwilliam Young*, *Stephen Upton Yolland*, and their Successors, being duly qualified in the Manner directed by the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed the Trustees for putting the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty and this Act into Execution.

Power to appoint additional Trustees.

VIII. And be it further enacted, That it shall be lawful for the Trustees hereby appointed, at any Meeting or Meetings to be holden under the Powers of this Act, to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed, and such Trustees so to be elected and appointed, being duly qualified as aforesaid, shall be and they are hereby invested with the same Powers and Authorities for executing the said recited Acts of the Third, Fourth, and Fifth Years of His present Majesty's Reign, and this Act, as if they had been named and appointed by this Act.

First Meeting.

IX. And be it further enacted, That the said Trustees shall meet at the *Globe Inn* in *Newton Abbott* in the County of *Devon*, or at some other convenient Place in the said Town of *Newton Abbott*, or the Town of *Newton Bushell* aforesaid, on the Second *Wednesday* next after the passing of this Act, at Twelve of the Clock in the Forenoon, or as soon after as conveniently may be, and shall then and there proceed to put the said Acts of the Third and Fourth Years of His present Majesty's Reign and this Act into Execution.

Former Officers to continue, except the Treasurer.

X. And be it further enacted, That the Clerk, Surveyor, and all other Officers (except the Treasurer) who have been appointed under and employed in the Execution of the said Acts hereby repealed, so far as the same relate to the said *Newton* District, shall respectively continue to exercise their Offices under this Act until they shall respectively die, resign, or be removed by the said Trustees, or become incapable of executing them, and shall be subject to the like Rules and Regulations, Forms and Penalties, in all respects, as if they had been severally appointed under or by virtue of this Act and the said Acts of the Third and Fourth Years of His present Majesty's Reign.

Clerk and Treasurer not to be the same Person.

XI. And be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of the said Acts hereby repealed, or this Act, or the Partner or Partners of any such Clerk, or the Clerk or other Person in the Service or Employment of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner or Partners of any such Treasurer, or the Clerk or other Person in the Service or Employ

of any such Treasurer or of his Partner, the Clerk to the said Trustees; and if any Person shall accept both the Offices of the Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place of Profit or Trust under the said Trustees other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

Persons employed under former Acts to account to Trustees of this Act.

XII. And be it further enacted, That all Persons who are or have been employed, or who have received any Money on account of the said *Newton* District of Roads, in pursuance of or under the said recited Acts hereby repealed, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the said Roads, shall account for and pay and deliver over the same and every Part thereof to the Trustees by this Act appointed, in like Manner and under the like Penalties and Forfeitures as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, are by the said recited Act of the Fourth Year of the Reign of His present Majesty required to pay or account for the same.

Power to continue Turnpikes, and erect new ones.

XIII. And be it further enacted, That it shall be lawful for the said Trustees to continue upon, across, or on the Side of any of the said Roads comprized in the said District made or maintained by virtue of the Powers contained in the said recited Act hereby repealed, the several Turnpikes, Toll Gates, and Toll Houses at present erected or standing thereon, and from Time to Time to erect any other Turnpikes, Toll Houses, Toll Gates, or Bars, if they shall think fit, upon, across, or on the Side of any of the Roads by this Act authorized to be made, improved, and kept in repair.

Toll Gates to be placed on the Branches of Road.

XIV. And be it further enacted, That the said Trustees shall and they are hereby required to erect, set up, and continue One or more Toll Gate or Toll Gates, Bar or Bars, upon or across any Part or Parts of the said Branches of Road, and upon the Sides thereof; and also to erect and provide a Toll House or Toll Houses, with suitable Buildings, Garden Spots, and Conveniences thereto; and the said Trustees shall at all Times have, continue, and keep in repair the said Toll Gate or Toll Gates, Bar or Bars, and Toll House or Toll Houses so to be erected and set up as aforesaid, and to demand and take thereat the several Tolls hereby directed to be taken.

XV. And

Tolls not to be expended on the Branches unless Tolls are taken thereon.

XV. And be it further enacted, That none of the Tolls authorized to be taken by virtue of this Act, or any of the Money to be borrowed upon the Credit thereof, shall be laid out or expended in the Amendment, Repair, or Improvement of the Branches of Road included in this Act, if there shall be no Toll Gate erected thereupon respectively, and Tolls taken thereat.

Power to remove Turnpikes.

XVI. Provided always, 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 Special Meeting to be holden for that Purpose, of which public Notice, specifying the Time and Place for holding such Meeting and the Purpose thereof, shall have been given Three Times in some Newspaper or Newspapers published or circulated in the County of *Devon*, and also by affixing a Copy of such Notice on all the Turnpikes, Toll Gates, and Side Bars which shall then be continued or erected and standing by virtue of this Act, at least Twenty-one Days previously to such Meeting, to order and direct any of such Turnpikes, Toll Gates, or Side Gates to be removed and placed elsewhere upon, across, or by the Side of any such Roads as aforesaid, in such Situation as to them the said Trustees may appear fit and eligible, subject to the Provisions and Restrictions herein contained.

Tolls.

XVII. And be it further enacted, That the several Tolls now payable at the Gates erected on or by the Side of the said Roads shall continue payable until the First Day of *September* next, and that from and after that Time the respective Tolls following may (subject to the Provisions, Restrictions, and Exemptions in this Act and the said recited Acts of the Third and Fourth Years of His present Majesty's Reign) be demanded and taken at each and every Turnpike, Toll Gate, and Side Gate which is now or which shall hereafter be set up or continued upon, across, or by the Side of the Roads by this Act directed to be maintained and kept in repair, by each and every Person who shall be authorized or continued by the said Trustees to receive the same, before any Horse, Mule, Ass, Sheep, or other Beast or Cattle shall be permitted to pass through any such Turnpike, Toll Gate, or Side Gate; (that is to say),

For every Horse or other Beast, drawing any Waggon, Wain, Cart, Tumbril, Sledge, Dray, or other such Carriage, any Sum not exceeding Nine-pence:

For every Horse or other Beast, drawing any Waggon, Wain, Cart, Tumbril, Sledge, Dray, or other Carriage whatsoever, laden with Timber or with Planks of or about the Weight of a Load of Timber usually drawn by any Horse or Horses, or other Beast or Beasts, any Sum not exceeding One Shilling and Sixpence:

For every Horse or other Beast, drawing any Coach, Chariot, Landau, Chaise, Chaise Marine, Car, Calash, Caravan, Hearse, Litter, Berlin, Barouche, Chair, Gig, or other such like Carriage, any Sum not exceeding Nine-pence:

For every Carriage of whatever Description, with Four Wheels, affixed to any other Carriage, any Sum not exceeding One Shilling and Sixpence:

For

For every such Carriage with Three Wheels, affixed to any other Carriage, any Sum not exceeding One Shilling:

For every such Carriage with Two Wheels, affixed to any other Carriage, any Sum not exceeding One Shilling:

For every Three or Four wheeled Carriage drawn by One Horse or other Beast, for such Horse or other Beast drawing the same, any Sum not exceeding One Shilling and Sixpence:

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

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding Two Shillings and Sixpence *per* Score; and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, any Sum not exceeding One Shilling and Three-pence *per* Score; and so in proportion for any greater or less Number.

Tolls vested in Trustees.

XVIII. And be it further enacted, That all and every the Tolls by this Act authorized to be taken shall be vested in the said Trustees, and the same and every Part thereof shall be levied, collected, paid, applied, and disposed of in the Manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and of this Act.

Tolls to be paid only once a Day at the same Gate.

XIX. Provided always, and be it further enacted, That in case Tolls shall have been paid for or in respect of any Horse, Beast, or Cattle for passing through any of the Turnpikes, Toll Gates, or Side Gates now erected or continued, or hereafter to be erected or continued by virtue of this Act, no Toll shall be demanded or taken for or in respect of such Horse, Beast, or Cattle for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Gate the same Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; but that every Person producing a Note or Ticket, denoting the Payment of Toll, shall (except in the Cases herein-after mentioned) be permitted to pass through such Turnpike, Toll Gate, or Side Gate, with such Horse, Beast, or Cattle, Toll-free.

Horses, &c. drawing different Carriages to pay each Time.

XX. And be it further enacted, That no Horse or Horses, or other Beast or Beasts of Draught, for which Toll shall have been paid at any of the said Turnpikes, Toll Gates, or Side Gates, returning the same Day as aforesaid through the same Turnpike, Toll Gate, or Side Gate, drawing another or different Waggon, Cart, or other such Carriage, shall be permitted to repass Toll-free through the same Turnpike, Toll Gate, or Side Gate; any thing herein contained to the contrary thereof in anywise notwithstanding.

No more than Four Tolls to be taken on the whole Line.

XXI. Provided also, and be it further enacted, That no more than Four full Tolls shall be demanded and taken (except in the Case herein-after mentioned) for passing on the same Day throughout the whole Line of the said Roads by this Act directed to be made, maintained, improved, and kept in repair.

Tollsbetween Ashburton and Newton.

XXII. And be it further enacted, That any Person who shall have paid Toll for and in respect of any Beast or Carriage at any Turnpike Gate, Toll Gate, or Side Gate now or hereafter to be erected or set up on any of the Roads leading from *Newton Bushell* to *Ashburton* aforesaid, from *Newton Bushell* to *South Bovey* aforesaid, from *Moor's Barn* to the End of *Whitehill Lane* aforesaid, from *Ashburton* to *Chudleigh Bridge* aforesaid, or from *South Bovey* to the Eastern End of *Clay Lane* aforesaid, and shall produce a Ticket thereof at any other Turnpike Gate, Toll Gate, or Side Gate now or hereafter to be erected or set up on such Roads, shall be exempt from the Payment of Toll thereat for and in respect of the same Beast or Carriage on the same Day, to be computed as aforesaid, that such Person shall have so paid Toll as aforesaid, save and except as to Stage and other Carriages travelling or carrying Passengers or Goods for Payment, Hire, or Reward, and the Horses or other Beasts drawing the same.

Stage Coaches, &c. to pay each Time of passing

XXIII. Provided also, and be it further enacted, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Gate, the Tolls hereby made payable shall be paid for every Time of passing and repassing through every such Turnpike, Toll Gate, or Side Gate, in like Manner as if no Toll had been before paid thereat; and that the Toll hereby made payable shall be paid for and in respect of all Horses or other Beasts of Draught travelling for Hire, drawing any Post Chaise or other Carriage, for every Time of passing and repassing along the said Roads on the same Day, as often as a fresh Hiring thereof shall take place.

Power to make new Lines of Road.

XXIV. And be it further enacted, That it shall and may be lawful for the said Trustees, and their Surveyor or Surveyors and Workmen, and they are hereby authorized and empowered, to make, execute, and complete the several new Lines or Branches of Roads herein-before mentioned and described, and that such new Lines or Branches respectively, and every Variation thereof respectively, may be of any Width not exceeding Forty Feet, exclusive of the Ditches and Fences on each Side thereof, the said Trustees first making Satisfaction to the Owners and Occupiers of and other Persons interested in the Lands, Hereditaments, and Premises over and through which such respective Lines or Branches or any Variations thereof respectively, shall be carried, for the Damages they shall respectively sustain thereby, to be ascertained in manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty.

Plan of new Roads to remain with the Clerk of the Peace,

XXV. And whereas a Map or Plan, describing the several new Lines or Branches of Road intended to be made, and the Lands, Hereditaments, and Premises over and through which the same are respectively intended to be carried or made, together with a Book

of Reference containing Lists of the Names of the Owners and Occupiers or reputed Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the County of *Devon*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County of *Devon*, to the end that all Persons may at all seasonable Times have liberty to inspect and peruse the same, and to take Copies and Extracts therefrom at their Will and Pleasure, paying to such 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 of the said Map or Plan and Book of Reference; and that the said Trustees in making such respective new Lines or Branches shall not deviate more than One hundred Yards of Three Feet each from the respective Lines thereof described in the said Map or Plan, without the Consent or Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, over or through whose Lands or Grounds such Deviations or Diversions shall be made.

and not to be deviated from.

XXVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said respective new Lines or Branches of Road in the Directions laid down and described in the said Map or Plan as aforesaid, or within the Distance of One hundred Yards thereof, although the Name or Names of any Person or Persons, Body or Bodies Corporate or Collegiate, through or over whose Lands the same shall be set out, may happen to be erroneously described or omitted in the said Book of Reference so as aforesaid deposited with the said Map or Plan, in case it shall appear to any Two or more Justices of the Peace for the said County of *Devon*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

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

XXVII. Provided also, and be it further enacted, That the Powers and Authorities hereby given for diverting, making, and altering the said Roads, shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take or make use of any Garden, Yard, Paddock, Park, planted Walk, or Avenue to a House, or any inclosed Ground planted as Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, other than and except such Part of such Dwelling House or other Building, Garden, Yard, Paddock, Park, planted Walk, Avenue, Nursery for Trees, Wood, and Plantation, as is described in the Schedule to this Act annexed.

Trustees restrained from taking down Dwelling Houses, &c. except in Schedule.

XXVIII. Provided always, and be it further enacted, That in case the said Trustees shall not purchase the Lands and Premises hereinbefore mentioned within the Space of Five Years from the passing of this Act, all the Powers granted by this Act, in relation thereto, shall

Trustees to purchase Lands, &c. within Five Years.

shall cease and determine, save and except with the Consent of the Owner or Proprietor of such Lands or Premises.

Application of Tolls, &c.

XXIX. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said recited Acts hereby repealed, on account of the said *Newton* District of Road, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and 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 and be produced by virtue thereof, and are not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say), in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; secondly, in paying and discharging all the Interest which is at the Commencement of this Act, or hereafter shall be, owing on any Mortgage or Securities which have already been made and granted of the Tolls or Duties heretofore payable on the said *Newton* Turnpike; thirdly, in paying and discharging all the Interest which shall become due by virtue of any Mortgage or Securities which shall hereafter be made of the Tolls or Duties hereafter to become payable on the said Roads; fourthly, in paying in manner by this Act directed the Expence of making, maintaining, diverting, altering, widening, improving, repairing, and preserving the several Roads and Branches by this Act authorized to be made, maintained, diverted, improved, and kept in repair aforesaid, and for erecting and providing, altering and repairing Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings upon, across, and by the Sides of the same Roads, and otherwise in executing the other Purposes of this Act; fifthly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured in pursuance of and for the Purposes of the said recited Acts hereby repealed on account of the said *Newton* Turnpike; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which may be hereafter borrowed and secured by virtue of this Act, and all other Debts and Sums of Money which may hereafter become due and owing by or on account of this Trust.

Power to vacate Leases.

XXX. And be it further enacted, That it shall and may be lawful to and for the Trustees for putting this Act into Execution, if they shall think proper, at any Meeting to declare, order, and determine that all Demises, Leases, and Agreements for Leases of the existing Tolls heretofore granted and payable under the said recited Acts hereby repealed, at the several Toll Gates on the said *Newton* District, and of the several Toll Houses, Buildings, and Appurtenances thereto belonging, shall cease and be vacated from and after the First Day of *September* next, and that from thenceforth the same shall cease and be void to all Intents and Purposes, except as to the Right and Power of the said Trustees to receive, recover, and compel Payment

Payment of all Rents and Arrears of Rent and Payments due and to become due thereon; and the said Trustees shall and may and are hereby required to make a fair and just Compensation and Satisfaction to the present Lessee or Lessees, or Hirer or Hirers of the said Tolls, for any Loss or Damage which he, she, or they shall or may respectively sustain thereby, to be paid at such Time or Times, and in such Proportions, as they the said Trustees shall deem reasonable and proper; and such Compensation and Satisfaction shall and may be recovered by such Lessee or Lessees, or Hirer or Hirers respectively, his, her, or their respective Executors, Administrators, or Assigns, from the said Trustees, in case the same shall not be paid within Thirty Days after the same shall be due and be demanded of the Clerk or Treasurer, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*: Provided always, that in case the said Trustees, and Lessee or Lessees respectively, cannot agree upon the Amount of such Compensation and Satisfaction, the same shall and may be recovered by Action at Law as aforesaid: Provided also, that nothing herein contained shall prevent the said Trustees at their first or any other Meeting, if they shall think fit, from entering into, and they shall be at liberty to enter into, any new or other Agreement with all or any of the present Lessees or Hirers of the Tolls, for such additional Rent for the additional Tolls hereby granted and made payable, as they shall think reasonable and proper, for the unexpired Time of his, her, or their respective Leases or Terms, or Agreements for Leases or Terms.

Application of Compensation Money if amounting to 200*l.*

XXXI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffee in Trust, Guardian, Committee, Trustee, Feme Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred 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 Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled *An Act for better securing the Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall when so paid in 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 of the Land Tax, or the 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

1 G. 4. c. 35.

Money shall not be so applied, then the same shall be laid out and invested, under 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 meantime 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 meantime 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 to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Where less than 200*l.* and amounting to 20*l.*

XXXII. Provided always, and be it further enacted, That if any Money so agreed or assessed 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 any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall 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 Court of Exchequer, to 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 the said Trustees for executing 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 and Interest arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where less than 20*l.*

XXXIII. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as herein-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 Corporation or Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments

so

so purchased, taken, or used, in such Manner as the said Trustees or any Three or more of them shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then 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.

XXXIV. And be it further enacted, That in case the Corporation or Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be so purchased by virtue of 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 the Person or Persons to whom such Sum or Sums of Money shall be awarded or assessed 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 to order the said Sum or Sums of Money so awarded or assessed as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, 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 Court of Exchequer; 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 thereto, 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 Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money.

XXXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Corporation or Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance 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 to 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 be lawfully entitled to such Lands, Tenements, and Hereditaments,

ments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or 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 apparent 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 Exchequer may order reasonable Expences of Purchases to be paid by Trustees.

XXXVI. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Corporation, or Person or Persons, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, 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 be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Trustees empowered to compound with Trustees of 5 G. 4. c. 12.

XXXVII. And whereas the intermediate Space of Road between *Newton Bushell* and the said intended new Line of Road at the End of *Whitehill Lane* aforesaid is Part of the Turnpike Road belonging to the *Totnes* Turnpike, and comprized in an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing and improving the Road leading from the End of the* Exeter *Turnpike Road to* Biddaford, *and also several other Roads leading from* Bridgetown, Pomeroy, *and* Totnes, *and for making and repairing several other Roads communicating therewith, all in the County of* Devon; *and for taking down and rebuilding* Totnes Bridge *in the same County*, and as such is maintained and kept in repair at the Expence of the Trustees for executing the said Act: And whereas Persons passing on the said intended new Line of Road at the End of *Whitehill Lane*, to and from *Newton Bushell* aforesaid, will have to pass over such intermediate Space of Road, and if the Trustees for putting the said recited Act as aforesaid into Execution erect a Toll Gate thereon, will be liable to the Payment of Double Toll: And whereas it is desirable that the Trustees hereby appointed should be enabled to effect a Composition with the Trustees of the said Act, by an annual or other Payment to them for and in lieu of all Tolls to be taken or collected on such intermediate Space of Road, and as a Compensation for the Expence of keeping the same in repair; be it therefore enacted, That it shall be lawful for the Trustees to agree with the Trustees of the said recited Act of the Fifth Year of the Reign of His present Majesty for the Payment of such annual or other Sum of Money as shall be thought fit, as a Composition, and in lieu and by way of Compensation for the Tolls which would otherwise be received by them of and from the several Persons passing to and from the said intended new Line of Road at the End

of *Whitehill Lane* aforesaid; and that such Agreement, having been made and entered in the Books of Orders and Proceedings of the Trustees of the said last-recited Act and this Act, shall be binding and conclusive; and from thenceforth no Turnpike, Toll Gate, or Side Gate shall be erected upon, across, or on the Side of such intermediate Space of Road between *Newton Bushell* and the End of *Whitehill Lane* aforesaid, nor shall any Toll be demanded of or from any Person for or in respect of any Beasts or Carriages whatsoever that shall pass thereon.

Trustees empowered to compound with Trustees of Moreton Turnpike.

XXXVIII. And whereas by an Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the* Exeter *Turnpike at* Reedy Gate *in the Parish of* Dunsford, *to* Cherrybrook *in the Forest of* Dartmoor *in the County of* Devon, the Trustees for putting the said last-recited Act into Execution have caused a Turnpike Gate to be erected at the Entrance into the said Town of *Moretonhampstead*; and it is desirable that Persons passing on the said Roads, hereby authorized to be made and maintained, should enter the said Town of *Moretonhampstead* without being liable to the Payment of additional Tolls for travelling only a few Hundred Yards on the said Road leading into the said Town of *Moretonhampstead*: And whereas the making a new Entrance into the said Town will be attended with considerable Expence, and it is desirable that the Trustees hereby appointed should be enabled to effect a Composition with the Trustees of the said recited Act of the Fifty-third Year aforesaid, by an annual or other Payment to them, for and in lieu of all Tolls to be taken or collected at the Entrance into the said Town as aforesaid; be it therefore enacted, That it shall be lawful for the Trustees to agree with the Trustees of the said recited Act of the Fifty-third Year of His late Majesty for the Payment of such annual or other Sum of Money as shall be agreed upon, as a Composition for and in lieu and by way of Compensation for the Tolls payable for any Horse or Beast passing into and from the said Town of *Moretonhampstead*, on the Road leading from *South Bovey* to *Moretonhampstead* aforesaid; and that such Agreement, having been made and entered in the Books of Orders and Proceedings of the Trustees of the said recited Act and this Act respectively, shall be binding and conclusive; and from thenceforth no Turnpike Gate, Toll Gate, or Side Gate shall be erected or set up upon, across, or on the Side of the Turnpike Road between the End of the Road leading from *South Bovey* aforesaid into the said Town of *Moretonhampstead* and the *White Hart Inn* in the said Town, nor shall any Toll be demanded or taken for or in respect of any Horse or Beast that shall pass thereon; and as soon as such Composition shall be made, the Trustees shall and may take, maintain, and keep in repair the said Piece of Road lying between the said intended new Road leading into the said Town of *Moretonhampstead* and the Road comprised in the said recited Act of the Fifty-third Year aforesaid, and the same shall thenceforth be a Part of the Turnpike authorized by this Act to be made, maintained, and repaired.

This Act to extend to the Newton Roads only.

XXXIX. And be it further enacted, That nothing in this Act contained shall revoke or be deemed or considered to revoke or alter any of the Tolls, Powers, Authorities, Privileges, Exemptions, Matters, or Things in the said recited Acts mentioned or contained, except so far as the same relate to, concern, or affect the said *Newton* Turnpike Roads; but that such Tolls, Powers, Authorities, Privileges, Exemptions, Matters, and Things shall continue in force and be executed as fully and effectually to all Intents and Purposes as if this Act had not been passed.

Public Act.

XL. 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.

Commencement and Continuance of Act.

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

The

The SCHEDULE to which this Act refers.

Number in Book of Reference.	Owners.	Occupiers.	Property.
	In the Parish of Drewsteignton.		
8	J. Pidsley - -	Mr. Knapman - -	Garden.
15	Mr. Luke - -	Mr. Luke - -	Wood.
20	Mr. Luke - -	Mr. Luke - -	Ditto.
22	Mr. Luke - -	Mr. Luke - -	Orchard.
31	John Winjett - -	John Winjett - -	Orchard.
	In the Parish of Moretonhampstead.		
56,57,58	Samuel Cann - -	Samuel Cann - -	Stable, Court, and Garden.
73	William Howard -	William Howard -	Coppice.
74	Thomas Wills - -	Thomas Wills - -	Nursery.
	In the Parish of South Bovey.		
79	George Wills - -	George Wills - -	Wood and Orchard.
81	J. Harris - - -	J. Harris - -	Orchard.
86	Mrs. Ellis - -	Mrs. Ellis - -	Orchard.
88	William Hole, Esquire	J. Honeywill - -	Orchard.
100	Samuel Lamble -	John Lamble - -	Orchard.
102	Thomas Loveys - -	Thomas Loveys - -	Court.
105	William Hole, Esquire	Mr. Palk - - -	Orchard.
	In the Parish of Highwick.		
4	John Segar - -	Richard Segar - -	Orchard and Plantation.
7	John Segar - -	John Segar - -	Orchard and Plantation.

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