

ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 26.

An Act for altering and enlarging the Term and Powers of an Act, of the Forty-fourth Year of His present Majesty, for repairing the Roads leading from *Tavistock* to *Old Town Gate*, in the Borough of *Plymouth*, and from *Manadon Gate* to the *Old Pound* near *Plymouth Dock*, in the County of *Devon*. [1st *April* 1813.]

WHEREAS an Act was made in the Forty-fourth Year of the Reign of His present Majesty, intituled *An Act for the better amending and repairing of the Roads leading from the* Lower Market House *in* Tavistock *to* Old Town Gate, *in the Borough of* Plymouth, *and from* Manadon Gate *to the* Old Pound *near* Plymouth Dock, *in the County of* Devon: And whereas the Trustees appointed in or by virtue of the said recited Act have proceeded in the Execution thereof, and have borrowed considerable Sums of Money upon the Credit of the Tolls thereby granted; which Sums of Money cannot be repaid, nor can the said Roads be kept in Repair, unless the Term and Powers granted by the said recited Act are further continued and enlarged, and the Tolls increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Clauses, Powers, Exemptions, Pains, Penalties, 44 G. 3. Former Act continued.

ties, Forfeitures, Rules, Remedies, Directions, Payments, Provisions, Articles, Matters, and Things whatsoever therein contained (save and except so much thereof as are by this Act varied, altered, or repealed) shall be and are hereby declared to remain in full Force and Effect for the Term herein-after mentioned, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this present Act; and that this Act, and the Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing on the Credit of the said recited Act, or which shall or may hereafter be borrowed and become due on the Credit of the said recited Act, and this present Act, or either of them; and all Interest due and to become due for the same respectively.

Additional Trustees.

II. And be it further enacted, That *James Brooking*, *Samuel Brooking*, *John Carpenter* junior, *John Collier*, *John Were Clarke* of Burington, *Bartholomew Dunsterville*, *George Elphinstone*, *Ralph Franco*, *Samuel Whitlocke Gandy* Clerk, *Charles Gandy*, *Archibald Burt Gibson*, *Thomas Grigg*, *William Gregg*, *John Harris* junior of Radford, *Thomas Harris*, *John Nichols Hawker*, *William Hodge*, *Charles Hochkys*, *John Jago* Doctor in Divinity, *Edward Jago*, *Edmund Lockyer* Doctor in Medicine, *William Lockyer*, *Thomas Byam Martin*, *Henry Anderson Morshead*, *George Marshall*, *Charles Marshall*, *William Morgan*, *John Drake Pridham*, *Walter Radcliffe* Clerk, *John Rodd*, *William Rundle*, *George Soltau*, *Joseph Whiteford*, and *William Adams Welsford*, (being qualified according to the Directions of the said first-recited Act), shall be, and they are hereby added to, and joined with the Trustees appointed by or in pursuance of the said recited Act; and shall have the like Powers for putting in Execution the said recited Act and this Act, as if they had been named and appointed Trustees in or by virtue of the said recited Act.

Allowing the Trustees to elect an additional Number of new Trustees.

III. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, and they are hereby empowered at any Time or Times to elect any Number of additional Trustees, not exceeding Ten in the whole, who shall have the same Power and Authority for executing the said recited Act and this Act as if they had been nominated and appointed in or by virtue of the said recited Act.

Tolls repealed, and new ones granted.

IV. And whereas the Amount of the Tolls authorized by the said recited Act to be taken on the said Roads, has been found insufficient for amending and keeping the said Roads in good Repair; be it therefore enacted, That from and after the passing of this Act, the Tolls payable in and by the said recited Act shall cease, determine, and be no longer paid; and that in lieu thereof it shall and may be lawful for the Trustees appointed or to be appointed, to demand and take, or cause to be demanded and taken at the Turnpikes or Toll Houses erected or to be erected on the said Roads, the following Tolls, before any Horse or other Beast or Cattle shall be permitted to pass through the same; (that is to say),

For every Horse, Mare, Gelding, Ass, Mule, or other Beast, drawing any Coach, Chariot, Landau, Berlin, Phaeton, Chaise, Chaise Marine, Car, Calash, Chair, Caravan, Hearse, or Litter, the Sum of Three-pence:

For every Horse, Mare, Gelding, Ass, Mule, or other Beast, (not exceeding Two in Number,) drawing any Waggon, Wain, Cart, or Dray, the Sum of Three-pence:

For

For every Horſe, Mare, Gelding, Aſs, Mule, or other Beaſt (not exceeding Three in Number) drawing any Waggon, Wain, Cart, or Dray, the Sum of Four-pence:

For every Horſe, Mare, Gelding, Aſs, Mule, or other Beaſt (exceeding Three in Number) drawing any Waggon, Wain, Cart, or Dray, the Sum of Four-pence Halfpenny:

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score; and ſo in Proportion for any greater or leſs Number.

Increaſed Toll on Sundays.

V. And be it further enacted, That it ſhall and may be lawful to and for the reſpective Toll-gatherers or Collectors on the ſaid Roads, and they are hereby authorized and empowered, on each and every *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on *Sunday* Night) in each and every Year, to demand and take, for and in reſpect of every Horſe, Beaſt, and other Cattle whatſoever paſſing through any Gate or Turnpike upon the ſaid Roads, or any of them, Double the Toll or Sum which may be demanded and taken for the ſame reſpectively on any other Day by virtue of this Act, before ſuch Horſe, Beaſt, or other Cattle, ſhall be permitted to paſs through any ſuch Gate or Gates, Turnpike or Turnpikes.

Two Tolls to be taken on the whole Length or Line of the Road

VI. And be it further enacted, That nothing contained in this or the ſaid recited Act ſhall extend, or be deemed or conſtrued to extend, to enable the ſaid Truſtees, or any Collector of the ſaid Tolls, to demand or take any more than Two Tolls on the whole Length or Line of the ſaid Roads, one whereof ſhall be demanded and payable at the Toll Houſe or Turnpike Gate known or called by the Name of *Knacker's Hole Gate*; any Thing herein or in the ſaid recited Act contained to the contrary notwithſtanding.

Penalty on putting on or taking off Beaſts of Draught, after paſſing through either of the ſaid Gates.

VII. And for the better preventing the evading the Payment of the ſaid Tolls, be it further enacted, That if any Perſon or Perſons ſhall take off or cauſe to be taken off, or ſhall put on or cauſe to be put on, any Horſe or other Beaſt or Cattle from or to any Carriage, before or after paſſing any or either of the ſaid Gates, whereby the Payment of any of the ſaid Tolls ſhall be evaded, every ſuch Perſon ſo offending in either of the Caſes aforeſaid ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Waggons and Carts to uſe Iron Plates for the Purpoſe of dragging.

VIII. And for the better preſerving and keeping the ſaid Roads in Repair, be it further enacted, That every Perſon who ſhall chain or tie, or cauſe to be chained or tied, the Wheel of any Waggon or Cart for the Purpoſe of dragging down any Hill or Deſcent of Ground on the ſaid Road, ſhall, where the Wheels of ſuch Waggon or Cart are of leſs Breadth than Six Inches, be provided with a Shoe or Patten, or Plate, or Skid Iron, on which ſuch Wheel ſhall be dragged; and in caſe ſuch Waggon or Cart ſhall not be dragged in Manner aforeſaid, the Perſon driving the

same shall be liable and subject to a Penalty of any Sum not exceeding Five Pounds.

Exempting Horses, &c. from Tolls, employed in carrying Soldiers and Military Stores.

IX. Provided always, and be it further enacted, That no Toll shall be demanded and taken of or from any Person or Persons for any Horse or other Beast or Cattle employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying any sick, wounded, or disabled Officers or Soldiers, or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses, or other Beast or Cattle drawing the same, employed in carrying or conveying any Ordnance, or Barrack or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty from having been so employed.

Exempting Stores from Overweight.

X. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance or Barrack or Commissariat or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage, or the Horse or Horses drawing the same, while so employed, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the said recited Act, contained to the contrary notwithstanding.

Expences of this Act, how to be paid.

XI. And be it further enacted, That all the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act, shall, as soon as conveniently may be after the passing of this Act, be paid out of the Monies already collected or to be collected or borrowed by virtue of the said recited Act or of this present Act.

Public Act.

XII. 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 the Act.

XIII. And be it further enacted, That the Term granted by the said recited Act, shall, from and after the passing of this Act, cease and determine; and that the said recited Act (subject to the Alterations and Amendments herein contained) and this Act, shall from thence commence and take Effect, and have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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