



ANNO DECIMO

# GEORGII IV. REGIS.

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## *Cap. xvii.*

An Act for making and maintaining a Turnpike Road from *Barnstaple* to the Town or Village of *Braunton* in the County of *Devon*.

[13th April 1829.]

**W**HEREAS the making and maintaining of a Turnpike Road from the North End of the High Street of the Town of *Barnstaple*, over and through the Lands lying on the South Sides of the several Parishes of *Pilton*, *Ashford*, and *Heanton Punchardon*, and over and through a certain Part of the Parish of *Braunton*, partly along the present Highway, unto the Town or Village of *Braunton* in the County of *Devon*, and the building, erecting, and constructing a Bridge on the Line of such new Road across the River *Yeo*, at or near a Place called the *Mill End Quay* in *Barnstaple* aforesaid, will be of great Benefit and Convenience to the Owners and Occupiers of Estates, and also of Persons resident near to the Line of such new Road, and also of great public Utility, by opening a nearer, more level, and better Communication between the said Town of *Barnstaple* and the said Town or Village of *Braunton*, and other Parts of the adjacent Country; but the same cannot be effected without the Aid and Authority of Parliament: 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

[Local.]

5 A

of

Trustees  
appointed.

of the same, That all His Majesty's Justices of the Peace acting for the County of *Devon* for the Time being, together with *George Avery*, *Richard Avery*, *Arthur Davie Bassett*, *George Acland Barbor*, *Richard Bryan Clerk*, *Francis Bassett Clerk*, *Samuel Bremridge*, *Richard Bremridge*, *John Bower*, *Sir Arthur Chichester Baronet*, *Robert Chichester*, *Arthur Chichester*, *John Webber Crosse*, *Isaac Clarke*, *Charles Cutcliffe*, *Charles Newell Cutcliffe*, *James Copner*, *Charles Carter*, *Thomas Chugg*, *John Chugg*, *Zachary Hammett Drake junior*, *Henry Drake*, *Charles Newell Drake*, *Charles Drake*, *Charles Davie Clerk*, *Charles Davie*, *Richard Dyer*, *William Dyer*, *Richard Dyer junior*, *Robert Dyer senior*, *Robert Dyer junior*, *John Gribble*, *Charles Besley Gribble*, *William Gribble*, *Thomas Harding*, *William Hole*, *John Horden*, *John Limebear Harding Clerk*, *Francis Hole Clerk*, *Robert Hole Clerk*, *John Heddon*, *Robert Heddon*, *William Hammond*, *Edward Harris senior*, *Edward Harris junior*, *William Harris*, *Richard Knill*, the Very Reverend *Whittington Landon*, *James Smith Ley*, *James Peard Ley*, *John Whittington Ready Landon Clerk*, *George Ley*, *Anthony Loveband*, *William Langdon*, *George Langdon junior*, *William Langdon junior*, *William Langdon*, *John Langdon senior*, *Thomas Lee*, *James Meeke*, *John Marshall*, *James Gordon Morgan M.D.*, *James Marsh*, *Edward Harris Mock*, *Edward Mock*, *John Newton*, *John Pyke*, *John Peard*, *John Peard junior*, *George Peard*, *William Perryman*, *Thomas Parminter*, *James Parminter*, *John Parminter*, *Alexander Prole*, *John Parkin*, *Robert Andrew Riddell*, *Robert Riddell*, *John R. Riddell*, *William Riddell*, *Edward Richards Roberts*, *Charles Roberts*, *William Vellacott Richards*, *Richard Rook*, *John Rook*, *William Scott*, *John Symonds*, *John Snow*, *Charles Snow*, *George Symonds*, *John Tamlyn (Barrister)*, *Peter Tamlyn*, *Richard Thorne*, *William Blackmore Vye*, *William Vellacott*, *John Vellacott*, *Henry Webber*, *Charles Webber*, *John Williams*, and *Henry Woolcombe*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads, shall be and they are hereby appointed Trustees for making and maintaining the said Road and Bridge, and for otherwise putting this Act into execution; and which said Road and Bridge shall be called "The *Braunton Turnpike Road*."

Power to  
appoint ad-  
ditional  
Trustees.

II. And be it further enacted, That it shall and may 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 to act as Trustees of Turnpike Roads, (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.

III. And be it further enacted, That the said Trustees shall hold their First Meeting at the *New Inn* in the Town or Village of *Braunton*, or at some other convenient Place in the Neighbourhood of the said Road, on the Second *Wednesday* after the passing of this Act, or as soon afterwards as conveniently may be; and the said Trustees shall proceed in the Execution of this Act, and shall and

may then and from Time to Time afterwards adjourn to and meet again at such Times and at such Place or Places in the Neighbourhood of the said Road as they shall think proper.

IV. And be it further enacted, That the respective Sums herein-<sup>Tolls.</sup> after mentioned shall and may be demanded and taken for Tolls; (that is to say,)

For every Horse or other Beast drawing any Coach, Stage Coach, Landau, Chariot, Chaise, Curricule, Phaeton, Caravan, Hearse, Litter, Chair, Gig, Taxed Cart, or other such light Carriage, a Sum not exceeding Sixpence :

For every such Carriage with Four Wheels, affixed to any Waggon, Cart, or other Carriage, a Sum not exceeding Sixpence :

And for every such Carriage with Two Wheels, affixed to any Waggon, Cart, or other Carriage, a Sum not exceeding Three-pence :

For every Horse, Mule, Ass, or other Beast or Animal, drawing any Waggon, Wain, Dray, Cart, Tumbrel, Drag, Sledge, or other such Carriage, having the Fellies of the Wheels of less Breadth than Four and a Half Inches, a Sum not exceeding Sixpence; and of the Breadth of Four and a Half Inches and less than Six Inches, a Sum not exceeding Five-pence; and of the Breadth of Six Inches or upwards, a Sum not exceeding Four-pence :

For every Horse or other Beast or Animal drawing any Waggon, Wain, Cart, or other Carriage, when laden with Timber, where the same shall be drawn by not more than One Horse or other Beast or Animal, having the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding Sixpence; and of the Breadth of Six Inches or upwards, a Sum not exceeding Four-pence :

And when drawn by Two Horses or other Beasts or Animals, having the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding One Shilling; and of the Breadth of Six Inches or upwards, a Sum not exceeding Six-pence :

And when drawn by Three Horses or other Beasts or Animals, having Four Wheels, and the Fellies of the Wheels of less Breadth than Six Inches, a Sum not exceeding One Shilling; and of the Breadth of Six Inches or upwards, a Sum not exceeding Sixpence; and having but Two Wheels, and the Fellies of the Wheels of a less Breadth than Six Inches, a Sum not exceeding Two Shillings; and of the Breadth of Six Inches or upwards, a Sum not exceeding One Shilling :

And when drawn by Four Horses or other Beasts or Animals, having Four Wheels, and the Fellies of the Wheels of a less Breadth than Six Inches, a Sum not exceeding One Shilling; and of the Breadth of Six Inches or upwards, a Sum not exceeding Sixpence; and having but Two Wheels, and the Fellies of the Wheels of a less Breadth than Six Inches, a Sum not exceeding Two Shillings and Sixpence; and of the Breadth of Six Inches or upwards, a Sum not exceeding One Shilling and Three-pence :

And

And when drawn by Five Horses or other Beasts or Animals, having the Fellies of the Wheels of a less Breadth than Six Inches, a Sum not exceeding One Shilling; and of the Breadth of Six Inches or upwards, a Sum not exceeding Sixpence:

And when drawn by more than Five Horses or other Beasts or Animals, having the Fellies of the Wheels of a less Breadth than Six Inches, a Sum not exceeding One Shilling and Three-pence; and of the Breadth of Six Inches or upwards, a Sum not exceeding Sixpence:

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

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

For every Drove of Calves, Hogs, Swine, Goats, Sheep, or Lambs, the Sum of Ten-pence *per* Score, and so in proportion for any less Number than a Score.

One Half  
Toll only to  
be paid for  
Lime or Salt  
for Manure.

V. And be it further enacted, That One Half Toll, and no more, shall be demanded or taken for any Horses or other Beasts drawing Carts or other Carriages when employed only in carrying or conveying Lime, Salt, or Sea-sand, to be used solely for Manure; and no Toll shall be taken for such Horses, Beasts, Carts, or Carriages when going empty to fetch, carry, or convey, nor when returning empty from carrying or conveying, such Lime, Salt, or Sea-sand, whether the same shall go and return the same Day or not; and if any Person shall claim or take the Benefit of the said Exemption, not being legally entitled to the same, any Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; and the Proof of Exemption shall lie on the Person claiming the same.

Fraction of a  
Halfpenny  
in Tolls.

VI. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls herein mentioned, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

One Pay-  
ment only to  
be taken on  
the whole  
Line of  
Road.

VII. And be it further enacted, That it shall not be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls mentioned in this Act, to demand or take the respective Sums or Tolls aforesaid at more than One Gate for or in respect of the same Horse, Beast, or Cattle passing or repassing at any Time or Times in any One Day through all the Toll Gates, Turnpikes, Side Gates, Side Bars, or Chains along the whole Line of the said Road, any thing contained in any Law or Statute relating to Turnpike Roads to the contrary notwithstanding.

Horses, &c.  
drawing dif-  
ferent Car-  
riages to be  
again liable  
to Toll.

VIII. Provided always, and be it further enacted, That in case the Toll in this Act mentioned shall have been paid for the passing of any Horse, Beast, or Animal drawing any Waggon, Cart, or other such Carriage of any Description, for passing through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, on the said Road, and any such Horse or other Beast or Animal shall afterwards be employed

employed on the said Road, during the same Day, in drawing a different Waggon, Cart, or other such Carriage from that which they were employed in drawing when the Payment was made, every such Horse or other Beast or Animal so drawing shall be again liable to Toll in respect of being employed in drawing such different Waggon, Cart, or other such Carriage.

IX. Provided always, and be it further enacted, That the Tolls payable for and in respect of all Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Stage Carriage, conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Road.

Stage Coaches to pay every Time of passing.

X. Provided also, and be it further enacted, That the Tolls payable for and in respect of all Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Road, whenever any new Hiring thereof shall take place.

Post Chaises on every fresh Hiring.

XI. Provided also, and be it further enacted, That the Tolls payable for the Horses or other Beasts or Animals drawing Carriages shall, when any such Carriages shall be laden with Timber, be paid for and in respect of such Horses or other Beasts or Animals every Time they shall be employed in drawing a fresh Load of Timber along the said Road; and that unconverted Plank, Beams, Joists, Rafters, and Spars shall be deemed and considered as Timber for the Purposes of this Act.

Tolls on Carriages with Timber.

XII. Provided also, and be it further enacted, That the like Tolls shall be paid for and in respect of Horses or other Beasts or Animals drawing any Waggon, Wain, Cart, or Carriage employed or used for the Purpose of conveying Timber, when passing or repassing along the said Road empty, or laden only with other Materials than Timber, as are payable for Horses or other Beasts or Animals drawing other Waggons, Wains, Carts, or Carriages not laden with Timber; which Tolls, when paid for any Horses or other Beasts or Animals drawing such empty Waggon, Wain, Cart, or Carriage, shall, in case such Horses or other Beasts or Animals drawing the same Waggon, Wain, Cart, or Carriage shall pass or repass on the same Day laden with Timber, be deducted and allowed out of the Tolls payable in respect of the same being laden with Timber.

Empty Timber Carriages to pay only same Toll as other Carriages.

XIII. And be it further enacted, That out of the Monies already subscribed or advanced for the Purposes of this Act, the said Trustees shall in the first place pay and discharge all the Costs and Expences relating to the applying for and obtaining and passing this Act, with Interest on any Sum or Sums of Money which shall be advanced for that Purpose; and the Remainder of all such Monies shall be applied in defraying the Expences of making the said new Turnpike Road and Bridge, together with such Monies as shall be borrowed on the Credit of this Act, and in purchasing Lands, Hereditaments, and Materials for that Purpose, and in erecting, making, or providing

Application of the Money borrowed.

Turnpikes, Toll Gates, Toll Bars, Chains, and Toll Houses, with Outhouses and Conveniences thereto, and also Footpaths, Causeways, Bridges, Ditches, Fences, Hedges, Rails, Posts, and all other Matters and Things necessary or requisite for carrying the Purposes of this Act into execution; and after the Payment of all such Expences, the Residue (if any) of such Monies, and all Monies which shall arise or be received from the Tolls payable on the said Road, and all other Monies which shall come to the Hands of the said Trustees by virtue of this Act, shall from Time to Time be applied in the first place in maintaining and keeping in repair such Part of the said new Turnpike Road as extends from *Barnstaple* to *Ashford Marsh*, and afterwards in paying and keeping down the Interest of the Monies subscribed or borrowed on the Credit of this Act; and in the next place, in maintaining, amending, and keeping in repair the other Part of the said Road, and the Turnpikes, Toll Gates, Toll Bars, Chains, Toll Houses, Outhouses, and Conveniences aforesaid, and in otherwise putting this Act in execution, and in repaying the Principal Monies subscribed and borrowed by virtue of this Act, and to or for no other Use or Purpose whatsoever.

Road may be made.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to make the said Road, and to build, erect, and construct a Swingbridge or Drawbridge across the River *Yeo*; and to make such Cuts and Banks and Embankments as shall be necessary for turning and straightening the Course of the Rivulet called the *Bradiford River*, and for the Improvement of other Parts of the Line of such Road, and for such Purposes also to take and use the Buildings, Gardens, Orchards, Hereditaments, and Premises described in the Schedule to this Act annexed, any Law or Statute to the contrary notwithstanding.

Plan and Book of Reference deposited at the Office of the Clerk of the Peace to be open to Inspection.

XV. And whereas a Map or Plan describing the Line of the said Road, and of the Lands, Hereditaments, and Premises through or over which the same and the said Bridge are to be carried or made; together with a Book of Reference containing a List of the Names of the Owners and Occupiers or reputed Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace of the County of *Devon*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at any seasonable Time or Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of any such Map or Plan and Book of Reference; and the said Trustees in making the said Road shall not deviate more than One hundred Yards from the Line described in such Map or Plan, without the Consent or Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation or Deviations shall be made.

Road not to deviate therefrom.

XVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Building; or to take in or make use of any Curtilage, Orchard, Garden, Yard, Paddock, Park, Lawn, Shrubbery, planted Walk, or Avenue to a House, or inclosed Ground planted as an 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 obtained, other than and except such as are mentioned, or intended so to be, in the Schedule to this Act annexed.

Trustees restrained from pulling down Dwelling Houses without the Consent of the Owner.

XVII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road, Bridge, and Works 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 or reputed Owner or Owners of Land or Premises over which the same is or are set out and described in the said Map or Plan or Book of Reference as aforesaid, and to take and use the Woods and Plantations, Lands, Gardens, Orchards, Buildings, Hereditaments, and Premises described in the said Map or Plan or Book of Reference, or in the Schedule to this Act, although such Lands, Hereditaments, or Premises, or any of them, or the Name or Names of the Owner or Owners, may happen to be erroneously described or omitted or mis-stated in the said Map or Plan or Book of Reference, or Schedule to this Act, in case it shall appear to any Two or more Justices of the Peace for the County or Place where the Land or Premises shall lie or be situate, 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 of *Devon*.

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

XVIII. Provided always, and be it further enacted, That no Part of the said Turnpike Road shall extend into the Town or Borough of *Barnstaple* further than the Foot of the said intended Bridge over the River *Yeo*, such Foot to be made to terminate at a Distance not exceeding Thirty Yards from the Centre of the said River.

Turnpike Road not to extend into *Barnstaple*.

XIX. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Buildings, Lands, or Premises specified in the Schedule to this Act annexed, within the Space of Five Years from the passing of this Act, all the Powers hereby granted for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall thenceforth cease and determine and be utterly void, except with the Consent of the Owners or Proprietors thereof for the Time being.

Powers to purchase Property specified in the Schedule to cease in Five Years.

XX. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any Lands, Buildings, Tenements, Hereditaments, or Premises to be taken or made use of in the Execution of this Act, or who shall sustain any Loss

Trustees may contract for the Purchase of Land.

Loss or Damage by means thereof, for the Purchase of such Lands, Buildings, Tenements, Hereditaments, or Premises, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damage as aforesaid; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on the Behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Memory and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, and to and for all and every Persons and Person whomsoever, who are or is or shall be seised or possessed of or interested in any such Lands, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees for the taking and using of any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House or any other Building, and to treat, contract, and agree with the Trustees for executing this Act for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid, and by Conveyance, Lease and Release, or Bargain or Sale, to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances which shall be so made shall be good, valid, and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Premises, shall, for the Space of Thirty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Value, Consideration, Compensation, or Satisfaction or Damages, to be inquired into and ascertained by a Jury in the Manner prescribed by the Act passed in the Third Year  
of



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*, in Cases where any Damages, Value, or Recompence for Premises thereby authorized to be taken and used for widening, diverting, altering, and improving any Turnpike Road, are directed to be inquired into and ascertained, subject to all the Regulations and Provisions of such Act relative to the summoning and impannelling the Jury, the summoning of Witnesses, the fining of the Sheriff, his Deputy, Bailiff, or Agent, and fining the Witnesses, and to the Payment of the Expences of summoning and maintaining the Jury and Witnesses. 3 G.4. c. 126.

XXI. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to make the said Road on such a Level, or so to erect and construct the said Bridge over the River *Yeo*, that the Ascent of the Road over the said Bridge shall not exceed One Foot in Thirteen: Provided also, that the Fence on each Side of such Bridge shall not be less than Four Feet above the Surface of the Road and Footpath. Regulating Ascent of the Road over the Bridge, and Height of the Fence.

XXII. Provided also, and be it further enacted, That the said Trustees shall and they are hereby required to appoint some Person to be stationed at or near the said Swingbridge or Drawbridge, for the Purpose of opening or drawing the same for the Passage of Vessels on the said River *Yeo* at all seasonable Times, and for closing or letting down the same again immediately on the Passage of every such Vessel; and every such Person shall be subject to the same Penalty for any Neglect of Duty in refusing or neglecting to open or draw the said Bridge on any reasonable Request, and to close or let down the same again immediately after the Passage of any Vessel, or for any Misbehaviour in the Execution of his Duty as an Officer of the said Trustees, as any Collector or other Officer of the said Trustees is subject or liable to by Law; and such Person shall put up and affix a Board, with his Name painted thereon, in some conspicuous Place at or near such Bridge, and at all Times keep such Board so affixed. Trustees to appoint a Person to open or draw the Bridge.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or Watercourses of such a sufficient Depth and Breadth as shall be necessary for keeping the said Road dry, and for conveying the Water from the same on the Sides of the said Road, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Road, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House,) at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made and completed, Ditches, Drains, Bridges, &c. by whom to be made and cleansed.

[Local.]

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shall

shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained, by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Road shall be scoured, cleansed, and kept open, repaired and maintained, by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads.

Trustees to make Communications from Lands where the present Communications are obstructed.

XXIV. Provided always, and be it further enacted, That if the Communication to any Lands or Grounds shall be cut off or obstructed by the making of the said new Turnpike Road, then and in such Case it shall be lawful for the said Trustees to order and lay out a Passage from the said Turnpike Road to and from such Lands or Grounds, in like Manner as Trustees or Commissioners of any Turnpike Road are authorized to order and lay out Passages to any new Road in Cases where any Turnpike Road shall be diverted or turned.

Public Act.

XXV. 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.

Term of Act.

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

SCHEDULE to which the Act refers.

Number on Plan.	Description of Property.	Parish.	Owners.	Leaseholders.	Occupiers.
64	Part of North Walk - }	Barnstaple - {	Mayor and Corporation of Barnstaple.		
63	Part of Mill End Quay, and Buildings - }	Do. -	Do. -	John Gould - -	John Gould.
	Other Part of same - - }	Do. -	Do. -	— —	John Gould, Thos. Baker, and James Baker.
45	Bradiford River Course and Water - }	Pilton -	Lord Rolle -	— —	Thomas Fisher.
46					
47					
48					
25	Mow Plot -	Ashford -	John Dunn -	— —	Jeremiah Vellacott.
23	Orchard -	Do. -	Do. -	— —	Do.
22	Garden - - {	Heanton Punchardon - }	John Williams, Esq. }	— —	John Williams, Esq.
6	Orchard - - {	Do. - }	Joseph Davie Bassett, Esq. }	— —	John Balsdon.
4	Garden - -	Do. -	Do. -	Wilmot Jeffery -	William Parkin.
3	Orchard - -	Do. -	Do. -	Do. - -	Thomas Tuck.
70	Garden - -	Braunton -	Charles Leigh	George Champion {	George Champion.
71	Garden - -	Do. -	Do. -	Hannah Scott -	Job Mock.
73	Garden - - {	Do. - }	Lord Courtenay - }	Robert Gammon (Yeoman) - }	Robert Gammon Labourer, and Thomas Widlake.
74	Garden - -	Do. -	Do. -	George Champion -	John Boyles.
81	Garden - - {	Do. - }	Joseph Davie Bassett, Esq. }	William Keift -	John Waller.
82	Orchard - -	Do. -	John Webber	—	John Webber.
84	Stable and Court	Do. -	Lord Courtenay - }	Susannah Lock, Edward Harris Mock, and Edward Harris jun <sup>r</sup> , Executors in Trust of William Lock - }	Charles Lamprey.

STATE OF TEXAS

No.	Name	Address	City	County	State
1	...	...	...	...	...
2	...	...	...	...	...
3	...	...	...	...	...
4	...	...	...	...	...
5	...	...	...	...	...
6	...	...	...	...	...
7	...	...	...	...	...
8	...	...	...	...	...
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