



ANNO UNDECIMO

# GEORGII IV. REGIS.

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## *Cap. lxxviii.*

An Act for erecting and maintaining a Bridge over  
*Stonehouse Mill Pool*, at or near *Stonehouse Mills*  
in the County of *Devon*. [29th May 1830.]

**W**HEREAS the erecting and maintaining of a Bridge over a certain Mill Pool called *Stonehouse Mill Pool*, at or near a Place called *Stonehouse Mills*, in the Parish of *East Stonehouse* in the County of *Devon*, to the opposite Side of the said Mill Pool, in the Parish of *Stoke Damerell* in the said County of *Devon*, and the altering, enlarging, lowering, widening, and amending the Roads, Avenues, and Approaches leading to or communicating with such Bridge, will be of great Advantage to the Proprietors and Occupiers of Messuages and Lands in the Vicinity of the said Bridge, and to the Inhabitants of the several adjacent Parishes, and will in other respects be of great public Utility; and the Right Honourable *Richard Earl of Mount Edgcumbe*, Lord of the Manor of *Stonehouse* in the said County, and the Proprietor of the Mills called *Stonehouse Mills*, with the Appurtenances, is willing, at his own Expence, to erect and maintain a Bridge over the said Mill Pool called *Stonehouse Mill Pool*, and also to alter, enlarge, lower, widen, and amend in the first instance (but not hereafter to repair or keep in repair) the Roads, Avenues, and Approaches leading to the said Bridge, and to make the same Roads, Avenues, and Approaches communicate on the one Side, between the said Bridge and the present Highway leading from  
[Local.] 24 G a Spot

Power for the Earl of Mount Edgcumbe to erect a Bridge at Stonehouse Mills, and to alter and amend the Approaches thereto.

a Spot called *No Place*, to the Town of *Plymouth* in the said County, and on the other Side to make the same communicate along a Lane called *Dead Lake Lane*, between the said Bridge and the Road leading from *Stoke* to *Plymouth* aforesaid; but inasmuch as the Purposes aforesaid 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 of the same, That from and after the passing of this Act it shall and may be lawful to and for the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, at his and their own Costs and Charges, to erect, complete, and maintain a Bridge over or across the said Mill Pool called *Stonehouse Mill Pool*, at or near a Place called *Stonehouse Mills*, in the Parish of *East Stonehouse* aforesaid, to the opposite Side of the said Mill Pool, in the Parish of *Stoke Damerell* aforesaid, and for that Purpose to construct, erect, build, and keep in repair such Erections, Piers, Abutments, Arches, Foundations, and other Works, and make and do all such other Acts and Things as he or they shall think convenient or necessary for making, effecting, completing, and preserving the said Bridge, and to alter, enlarge, lower, widen, and amend the Roads, Avenues, and Approaches to the said Bridge on each Side of the said Mill Pool, and to make the same communicate on the one Side, between the said Bridge and the present Highway leading from the said Spot called *No Place*, to the Town of *Plymouth* aforesaid, and on the other Side to make the same communicate along a Lane called *Dead Lake Lane*, between the said Bridge and the Road leading from *Stoke* to *Plymouth* aforesaid, for the Passage of Travellers, Cattle, and Carriages, doing as little Damage as may be, and making Satisfaction, as herein-after mentioned, to the respective Owners and Occupiers of Lands, Tenements, and Hereditaments which shall be damaged, taken, and used for the Purposes of this Act.

Dimension of Bridge.

II. And be it further enacted, That the Carriageway over the said Bridge shall (exclusively of the raised Footpath herein-after mentioned) be not less than Twelve Feet wide throughout, and that there shall be a raised Causeway or Footpath over and along the said Bridge, on one Side thereof, of not less than Five Feet Six Inches in Width throughout; and that in all other respects the said Bridge shall be of such Proportions and Design, and formed or built by either widening, extending, adding to, altering, or enlarging the present Causeway or Dam across the said Mill Pool, or the Foundations or Abutments thereof, or otherwise, as the said *Richard* Earl of *Mount Edgcumbe* or his Heirs shall think fit.

Power to enter Lands.

III. And be it further enacted, That it shall be lawful for the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, and their respective Agents, Officers, Surveyors, Workmen, Servants, and Assistants, to enter and go into, upon, over, or through any Lands, Grounds, or other Places through, over, across, or upon which the said Roads, Avenues, and Approaches pass or are intended to pass, and into, upon, over, or through any adjoining Lands or Grounds, to examine and

survey

survey the same, and to ascertain and set out such Parts thereof as may be thought necessary or convenient for carrying into execution the Purposes of this Act, and also from Time to Time to construct and make all necessary and convenient Walls, Arches, Culverts, Ditches, Drains, Foundations, and Fences, and do and perform all other Matters and Things necessary or proper for altering, enlarging, lowering, levelling, widening, completing, and amending the said Roads, Avenues, and Approaches, doing as little Damage as may be, and making full Satisfaction, in manner herein-after directed, to the respective Owners and Occupiers of all Lands and Grounds which shall be taken, used, prejudiced, or damaged in the Execution of the Powers hereby granted.

IV. And be it further enacted, That it shall be lawful for the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, from Time to Time to bring, place, land, and work and use any Timber, Stone, Iron, Brick, Lime, or other Materials for building and making or rebuilding or repairing the said Bridge, and the Roads, Avenues, and Approaches communicating therewith, or for executing any of the Purposes of this Act, in, upon, through, and over any Common or Waste Ground within Five hundred Yards of the said Bridge, and also in, upon, through, and over any private Lands or Grounds within One hundred Yards of the said Bridge, (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to any House, or any inclosed Ground planted or set apart as a Nursery for Trees,) without any previous Agreement with the Owner or Owners of the Lands or Grounds on which such Materials shall be placed, landed, worked, or used, or the Tenant or Tenants thereof, doing as little Damage as may be, and making Satisfaction, in manner herein-after directed, to the respective Owners and Occupiers of all Lands or Grounds which shall be damaged, taken, or used as aforesaid.

Power to place Materials on Lands near the Bridge.

V. And whereas a Map or Plan describing the Line or Lines of the Roads, Avenues, and Approaches intended to be altered, enlarged, lowered, levelled, widened, and amended under the Powers of this Act, and the Lands and Premises through or upon which the same are to be made or carried, and the Situation of the said Bridge, together with a List of the Names of the Owners and Occupiers of such Lands and Premises, hath been deposited at the Office of the Clerk of the Peace for the said County of *Devon*; be it therefore enacted, That the said Map or Plan and List 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 any reasonable Time have Liberty to inspect and peruse the same, and to take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying the Clerk of the Peace for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said *Richard Earl of Mount Edgcumbe*, or his Heirs, in building the said Bridge, and in altering, enlarging, widening, and amending the said Roads, Avenues, and Approaches to communicate therewith, shall not deviate more than One hundred Yards

Map or Plan to remain with Clerk of the Peace, and be open to Inspection.

Not to deviate more than One hundred Yards, without Consent.

Yards from the Situation or Lines described in the said Map or Plan, without the Consent in Writing of the Owner or Owners for the Time being of the Lands and Grounds in which such Deviation shall take place.

Mistakes in Plan not to delay the Work.

VI. Provided also, and be it further enacted, That it shall be lawful for the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, to set out, alter, enlarge, widen, make, and amend the said Roads, Avenues, and Approaches into, through, across, over, or upon the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be the Owner or Owners or Occupier or Occupiers of Lands and Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, although such Lands or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mis-stated in the said Map, Plan, or List, 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.

Houses, &c. not to be injured without Consent, except those mentioned in the Schedule.

VII. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend to authorize the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, in altering, enlarging, widening, making, or amending the said Roads, Avenues, or Approaches, to take or pull down, injure or damage, any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground 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 first had and obtained (except such as are comprised in the Schedule to this Act annexed).

Unless Valuation and Payment for Lands, &c. be made within Five Years, Powers to cease.

VIII. And be it further enacted, That if the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, shall not within the Space of Five Years, to be computed from the passing of this Act, agree for, or cause to be valued or paid for, as herein-after mentioned, the Houses, Buildings, Lands, Tenements, and Hereditaments which he and they respectively are hereby empowered to purchase as aforesaid, or so much thereof as he or they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers which are hereby granted to him and them respectively for such Purposes only shall cease, determine, and be utterly void.

Power to erect Toll Gates, &c.

IX. And be it further enacted, That the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, shall and may erect and set up, or cause to be erected and set up, One or more Toll Gate or Toll Gates in, upon, or across the said Bridge, and shall and may from Time to Time remove the same Toll Gate or Toll Gates, and erect or set up any other Toll Gate or Toll Gates in lieu thereof in, upon, or across the said Bridge, and shall and may from Time to Time erect, provide, and maintain such Toll Houses  
and

and other Conveniences near or adjoining to the said Toll Gate or Toll Gates, as the said *Richard* Earl of *Mount Edgcumbe* or his Heirs, or other the Owner or Owners, Proprietor or Proprietors of the said Bridge shall think proper; and the respective Tolls following shall and may be demanded and taken by the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors of the said Bridge, or such Person or Persons as he or they shall from Time to Time appoint, at the said Toll Gate or One of the said Toll Gates, for each and every Time of passing through the same; (that is to say,)

For Three or more Horses or other Beasts drawing any Coach, Chariot, Landau, Berlin, Chaise, Chaise Marine, Car, Calash, Chair, Caravan, Hearse, or other such Carriage, the Sum of Sixpence :

For Two Horses or other Beasts drawing any Coach, Chariot, Landau, Berlin, Chaise, Chaise Marine, Car, Calash, Chair, Caravan, Hearse, or other such Carriage, the Sum of Three-pence :

For One Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Chaise Marine, Car, Calash, Chair, Caravan, Hearse, or other such Carriage, the Sum of Two-pence :

For Five or more Horses or other Beasts drawing any Wain, Waggon, Dray, Cart, Sledge, or other such Carriage, the Sum of Sixpence :

For Four or Three Horses or other Beasts drawing any Wain, Waggon, Dray, Cart, Sledge, or other such Carriage, the Sum of Four-pence :

For Two Horses or other Beasts drawing any Wain, Waggon, Dray, Cart, Sledge, or other such Carriage, the Sum of Three-pence :

For One Horse or other Beast drawing any Wain, Waggon, Dray, Cart, Sledge, or other such Carriage, the Sum of Two-pence :

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Beast, or other Cattle, or any Coach, Chariot, Landau, Berlin, Chaise, Chaise Marine, Car, Calash, Chair, Caravan, Hearse, or other such Carriage, and before any Horse, Beast, or other Cattle drawing any Wain, Waggon, Dray, Cart, Sledge, or other such Carriage, shall be permitted to pass through any such Toll Gate or Turnpike; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said *Richard* Earl of *Mount Edgcumbe*, his Heirs and Assigns, or other the Owner or Owners, Proprietor or Proprietors of the said Bridge.

X. Provided always, and be it further enacted, That every Coach, Chariot, Chaise, Chair, Waggon, Wain, Cart, and other Carriages whatsoever, and the Horses and other Beasts drawing such Carriages respectively, for which Tolls hereby granted shall be paid, shall be allowed to pass over the said Bridge, and also return, without being charged with the Payment of any Toll for returning Once on the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night,) the respective Persons attending such Carriages, Horses, or other Beasts as aforesaid, producing the Tickets denoting such respective Payments, which are hereafter required to be delivered to them on Payment of such Toll.

Carriages, &c. may pass and return Once in the same Day for One Toll.

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XI. And

Tolls on Carriages affixed to Waggon, &c.

XI. And be it further enacted, That when any Coach, Chariot, Chaise, or other Carriage whatsoever with Four Wheels shall pass over or along the said Bridge affixed, tied, or secured to any Waggon, Cart, or Carriage, the same Toll and no more shall and may be demanded and taken for or in respect of such Coach, Chariot, Chaise, or other Carriage, as if the same had passed through drawn by Two Horses; and when any Chair, Cart, Sledge, or other Carriage whatsoever with Two Wheels only, or any Sledge, shall pass over or along the said Bridge so affixed, tied, or secured to any Waggon, Cart, or Carriage as aforesaid, the same Toll, and no more, shall and may be demanded and taken for or in respect of such Chaise, Cart, or other Carriage or Sledge, as if the same had passed through drawn by One Horse only.

Horses not drawing, and Foot Passengers, exempt from Toll.

XII. Provided also, and be it further enacted, That no Toll shall be demanded or taken, under or by virtue of this Act, for any Foot Passenger, nor for any Horse or other Beast, laden or not laden, not drawing.

General Exemptions from Toll.

XIII. And be it further enacted, That no Toll shall be demanded or taken for any Horses or Carriages attending His Majesty or any of the Royal Family, or returning after having so attended; or for any Horse, Beast, Cattle, or Carriage of whatever Description, to be employed in conveying or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying or guarding such Mails or Expresses, or returning back from carrying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Cattle, or Carriages attending them with their Arms and Baggage, and returning after having been so employed; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance or Commissariat or other Public Stores of or belonging to His Majesty, or to and for the Use of His Majesty's Forces; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse, Mare, or Gelding furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for or on the Days of Exercise, provided that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions as aforesaid; or for Horses, Carts, or Waggon employed only in carrying or conveying any Vagrant sent by a legal Pass, or any Prisoner sent by any legal Warrant, or returning empty after having been so employed.

Certain other Exemptions from Toll allowed.

XIV. Provided also, and be it further enacted, That no Toll shall be demanded or taken under the Authority of this Act for any Horse or other Beast drawing any Wain, Waggon, Dray, Cart, Sledge, or other Carriage actually and *bonâ fide* employed in carrying or conveying to or from the said Mills, or the Houses, Storehouses, Erections, and Buildings commonly called by the general Name of

*Stonehouse Mills*, or any Erections or Buildings which may hereafter be added thereto or form a Part thereof, (except such future Erections as shall be Dwelling Houses, not being the Habitation of the Tenant of the Mills or his Servants,) any Goods, Articles, Matters, or Things whatsoever *bonâ fide* belonging to or the Property of any Tenant or Tenants for the Time being in the actual Occupation of the same Mills, Houses, Storehouses, Erections, and Buildings, or some Part thereof, or *bonâ fide* belonging to or the Property of any of the Family, Servants, or Workmen of the said Tenant or Tenants, such Family, Servants, or Workmen being resident at or in, or employed at, in, or upon the same Mills, Houses, Storehouses, Erections, and Buildings: Provided nevertheless, that every Wain, Waggon, Dray, Cart, Sledge, or other Carriage, or the Horse or Horses or other Beast or Beasts drawing, which are hereby exempted from Toll, be not for the Time being employed in carrying or conveying any Goods, Articles, Matters, or Things whatsoever, other than Goods, Articles, Matters, or Things *bonâ fide* belonging to or the Property of any such Tenant or Tenants, Family, Servants, or Workmen as aforesaid, or be employed for any other Purpose whatsoever, save such Purpose as shall in itself by this Act constitute an Exemption from Toll: Provided also, that no Toll shall be demanded or payable under the Authority of this Act for any Horse or other Beast drawing any Wain, Waggon, Dray, Cart, Sledge, or other Carriage actually and *bonâ fide* employed in carrying or conveying to the said Mills any Corn, Grain, or Grist, for the Purpose of being Ground thereat, or in carrying from the said Mills any Corn, Grain, Grist, or Flour, whether the Property of any Tenant or Tenants for the Time being of the said Mills, Houses, Storehouses, Erections, and Buildings, or any Part thereof, or of any other Person or Persons whomsoever: Provided nevertheless, that every Wain, Waggon, Dray, Cart, Sledge, or other Carriage, or the Horse or Horses or other Beast or Beasts drawing, which are so lastly herein-before exempted from Toll as aforesaid, be not for the Time being employed in carrying or conveying any other Goods, Articles, Matters, or Things whatsoever, other than such Corn, Grain, Grist, or Flour in manner aforesaid, nor be employed for any other Purpose whatsoever, save such Purpose as shall in itself by this Act constitute an Exemption from Toll; nor shall any Toll be taken or demanded for any Horse or other Beast drawing any Wain, Waggon, Dray, Cart, Sledge, or other Carriage going or returning empty and unladen to or from the said Mills, Storehouses, Erections, and Buildings called *Stonehouse Mills*, for the Purpose of being employed or after having been employed for any of the Purposes only which are declared by this Act to form Exemptions from Toll as aforesaid, and for no other Purpose.

XV. Provided also, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, defeat, extinguish, or affect the Right or Title of the said *Richard Earl of Mount Edgcumbe*, his Heirs or Assigns, or the Owner or Owners, Proprietor or Proprietors for the Time being of the said Causeway or Dam across the said Mill Pool, or the Bridge to be built under the Authority of this Act, his or their Lessee or Lessees, either to prohibit and prevent, or otherwise to demand and take Toll

Right of  
Lord Mount  
Edgcumbe to  
Keyage or  
Landing not  
to be prejudiced.

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Money or other Compensation for, the landing, disembarking, or placing, for the Purpose of Embarkation, any Goods, Wares, Merchandize, Articles, Matters, and Things at or upon the said Causeway or Dam, or the Bridge to be built under the Authority of this Act, or the Right or Title to have, receive, and enjoy the Liberties, Franchises, or Privileges of Keyage or Landage thereat or thereon respectively; but that the same, and all Remedies for the same, shall continue in as full Force and Effect to all Intents and Purposes as if this Act had not been passed.

This Act not to give the Right of Landing.

XVI. And be it further enacted, That no Person or Persons shall, under or by virtue of this Act or any thing herein contained, have, receive, or acquire any Right or Rights of embarking, re-embarking, shipping, or landing from, upon, or at the said Bridge, from or out of or into any Boat, Barge, Ship, or other Vessel whatsoever, himself, herself, or themselves, or any Goods, Wares, Merchandize, Articles, Matters, and Things.

No Tolls to be taken until the Approaches are altered and amended.

XVII. Provided also, and be it further enacted, That it shall not be lawful to or for the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or any Person or Persons by his or their Authority, to demand or take any Toll or Tolls, under the Authority of this Act, until he or they shall (to the Satisfaction of any Two of His Majesty's Justices of the Peace in and for the said County of *Devon*, to be testified by some Certificate in Writing under their Hands and Seals, or to be deposited with the Clerk of the Peace for the said County of *Devon*,) have altered, enlarged, lowered, widened, and amended, and put in good, sound, and sufficient Repair, the Roads, Avenues, and Approaches leading to the said Bridge, and make the same communicate on the one Side, between the said Bridge and the present Highway leading from the said Spot called *No-place*, to the Town of *Plymouth* aforesaid, and on the other Side to communicate along the said Lane called *Dead-Lake-Lane*, between the said Bridge and the Road leading from *Stoke* to *Plymouth* aforesaid, according to the Specification thereof respectively in the said Map or Plan herein-before referred to, with such Deviations as are by this Act allowed.

Earl of Mount Edgcumbe not to be liable to the future Repairs of Approaches.

XVIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to charge, compel, or make liable the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, his or their Lessee or Lessees, (at any Time or Times after he the said Earl or his Heirs shall in pursuance of this Act have altered, enlarged, lowered, widened, and amended, and put into a good, sound, and sufficient State of Repair, the Roads, Avenues, and Approaches leading to the said Bridge, and made them communicate as herein-before mentioned,) with or to any future Alterations, Enlargements, Lowerings, Widenings, Amendments, or Repairs whatsoever, or any Liability thereto, or to the Costs and Expences thereof; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

XIX. And



XIX. And be it further enacted, That after the said Bridge shall have been completed, all Persons whomsoever shall have free Liberty (upon Payment of the Tolls by this Act imposed, in all Cases where the same shall be payable,) to pass over the same without any Interruption whatsoever.

Bridge to be public, on Payment of Tolls.

XX. And be it further enacted, That the said Bridge shall not be adjudged to be a County Bridge, or to subject the said County of *Devon* to the repairing the same.

Bridge not a County Bridge.

XXI. And be it further enacted, That the said intended Bridge, or the Tolls thereof, shall be rateable and rated to the Poor's Rates, and other Parochial Rates and Assessments, in equal Moieties to the respective Parishes of *East Stonehouse* and *Stoke Damerell*, both in the said County of *Devon*, without any regard to the Parish in which any Toll House or Toll Houses upon the said Bridge shall be locally situate.

Provision as to Parochial Rates.

XXII. And be it further enacted, That it shall be lawful for the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, from Time to Time to reduce and diminish all or any of the Tolls hereby granted, and to continue the taking the same so reduced or diminished for such Time as he or they shall think proper, and afterwards again to raise the Tolls so reduced or diminished, or any Part thereof, so nevertheless that the same do never exceed the Tolls herein-before granted; and the Tolls so lessened or reduced, or raised again, shall be collected, recovered, and applied in the same Manner as the Tolls hereby granted are authorized and applied.

Power to diminish Tolls.

XXIII. And be it further enacted, That after any Toll Gate shall be erected by virtue of this Act, the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, his or their Lessee or Lessees or Collector or Collectors for the Time being of the said Bridge, shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at every such Toll Gate, a Table painted in distinct and legible Black Letters on a Board with a White Ground, containing a List distinguishing the several Tolls to be paid by virtue of this Act, and to renew such Boards whenever any of the Letters or Figures shall be worn out, defaced, or obliterated: Provided always, that it shall not be lawful for the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, his or their Lessee or Lessees, Collector or Collectors, to demand or take, or cause to be demanded or taken, any Tolls for or in respect of any Horse or other Beast or Carriage but for and during such Time as the Board so painted as aforesaid shall remain affixed at such Toll Gate; and the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, his or their Lessee or Lessees, shall provide or cause to be provided Tickets denoting the Payment of Toll, One of which Tickets shall be delivered *gratis* to the Person paying the Toll.

Table of Tolls to be put up on Boards.

[*Local.*]

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XXIV. And

Penalty on  
Persons  
defacing  
Boards.

XXIV. And be it further enacted, That if any Person or Persons shall wilfully, negligently, or maliciously pull down, deface, or destroy any Board so erected as aforesaid, he, she, or they shall on Conviction forfeit and pay to the said Earl of *Mount Edgcumbe*, or his Heirs or Assigns, any Sum not exceeding Five Pounds, to be levied and applied as other Penalties are by this Act directed to be levied and applied.

Power to  
stop Persons  
refusing Pay-  
ment of Tolls.

XXV. And be it further enacted, That if any Person shall, after Demand made by any Collector or Collectors for the Payment of any of the Tolls by this Act made payable, neglect or refuse to pay the same, it shall be lawful for such Collector or Collectors, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to stop and prevent the Passage of the Person or Persons so neglecting or refusing, or of the Horse or Horses, Beast or Beasts, for or in respect of which such Tolls ought to be paid, until full Payment thereof, or to seize and distrain any Horse or Horses or other Beasts, together with their Bridles, Saddles, Gears, Harness, or Accoutrements, (save and except the Bridles separate and apart from such Horses or other Cattle or Beasts,) or any Carriage drawn by such Horse or Horses, Beast or Beasts; and if such Tolls and reasonable Charges of such Seizure and Distress shall not be paid within the Space of Three Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Beast or Beasts, Carriages, Goods, Chattels, or Things so seized and distrained, or any Part thereof, returning the Overplus (if any) and what shall remain unsold, upon Demand, to the Owner thereof, after such Toll, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted; and if any Person shall forge, counterfeit, or alter any Ticket directed to be given as aforesaid, with Intent to evade the Payment of the Tolls, or any Part thereof, or shall forcibly pass over the said Bridge, or through any of the said Toll Gates, without having paid the said Tolls, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person so offending in every of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, whereof one Moiety shall be paid to the Informer, and the other Moiety to the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or his or their Lessee or Lessees for the Time being.

Power to  
lease Tolls.

XXVI. And be it further enacted, That it shall be lawful for the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, from Time to Time to demise or lease the Tolls hereby authorized to be taken, or to compound with any Person or Persons for the Passage of his, her, or their Horses, Beasts, and Carriages over the said Bridge, for any Term or Terms of Years or lesser Period, in such Manner as he or they may think proper.

To prevent  
Collectors  
misbehaving.

XXVII. And be it further enacted, That every Toll Collector shall and he or she is hereby required to place his, her, or their Christian and Surname, painted on a Board in legible Characters, in the

the Front or some other conspicuous Part of the Toll House or Toll Gate, immediately on his or her coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of Breadth in proportion, either in White Letters on a Black Ground or in Black Letters on a White Ground, and shall continue the same so placed during the whole Time he or she shall be upon Duty; and every such Collector shall place or cause to be placed on the Front of the Toll House or Toll Houses at which such Collector shall be stationed the Board herein-before directed to be provided by the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or his or their Lessee or Lessees, containing the List of the said Tolls; and if any Collector of the same Tolls shall not place such Boards respectively as aforesaid, and keep the same there during the Time he or she shall be such Collector as aforesaid, or shall demand or take greater or less Toll from any Person than he or she shall be authorized to do by virtue of the Powers of this Act, or shall demand and take a Toll from any Person or Persons who shall be exempted from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer any Person or Persons to read, or in anywise hinder any Person or Persons from reading, the Inscriptions on such Boards respectively, or shall refuse to tell his or her Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them, or shall, in answer to such Demand, give a false Name or Names, or shall refuse or neglect to give a Ticket to denote the Payment of the Tolls, when demanded, or, upon legal Toll being paid or tendered, shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Toll Gate, or shall make use of any scurrilous or abusive Language to any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

XXVIII. And be it further enacted, That if any Person shall put on or add to any Carriage of any Description, after the same Carriage having passed the said Bridge or Toll House or Gate as aforesaid, and within One hundred Yards of the same Bridge or Toll House or Gate, any Horse or Beast other than the Horse or Beast drawing the same Carriage through the same Gate, with Intent to evade, and thereby shall evade or endeavour to evade, the Payment of any Part of the said Tolls, or shall forge, counterfeit, or alter, or receive from or deliver to any other Person or Persons, any Note or Ticket with Intent to evade the Payment of any Part of the said Tolls, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on  
evading Tolls.

XXIX. And be it further enacted, That in case any Dispute or Disputes shall happen about the Liability to any Toll, or the Amount of Toll due, or the Charges of keeping or selling any Distress made for Nonpayment of any such Toll, it shall be lawful for the Collector

For settling  
Disputes  
concerning  
Tolls.

or

or the Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may be), until the Amount of the Toll due and the Charges of keeping and selling the Distress be ascertained by some Justice of the Peace for the said County of *Devon*, who, upon Application made to him for that Purpose, shall examine the Matter thereof upon Oath of the Parties or other Witness or Witnesses, (which Oath every such Justice is hereby authorized to administer,) and shall determine the Amount of Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Parties, and may also award such Costs to be paid by either Party to the other as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue); and the Overplus (if any), after paying such Costs and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Collectors of Tolls may give Evidence.

XXX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Tolls or any of them, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners for the Time being of such Bridge, shall not be disqualified from giving Evidence in such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Tolls.

For regaining Possession of Toll House.

XXXI. And be it further enacted, That when and so often as any Collector or Receiver of the Tolls shall die, or neglect or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, or by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or the Lessee or Lessees, be discharged from his Office, or the Wife or Widow of any of the Children, Family, or other Representatives of any Collector or Receiver who shall die, neglect or refuse to perform or become incapable of performing his Duty, or abscond or absent himself, or be discharged, or any Person or Persons who may have the Possession of any Toll House or Building, or any Appurtenances thereto, to be erected, set up, or used by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Two Days next after Demand thereof made by Notice in Writing signed by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, his or their Lessee or Lessees, for that Purpose given to such Collector or Receiver, or any Person or Persons, or left with some Person or Persons at such Toll House, Building, or Premises, then and in every of the said Cases it shall be lawful for any One or more Justice or Justices of the Peace for the said County of *Devon*, by Warrant under his or their Hand and Seal or Hands and Seals,

Justices empowered to grant Warrants, and

Seals, to order any Constable or other Peace Officer for the said County, with such Assistance as may be necessary, to enter such Toll House or other Buildings or Premises in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and put the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, his or their Lessee or Lessees, or any new appointed Collector or Receiver as aforesaid, into Possession thereof.

Constables to enter and remove such Collector.

XXXII. And be it further enacted, That it shall be lawful to and for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and to and for all Tenants for Life, and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Person or Persons, and to and for all Femmes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and for all and every other Person and Persons whomsoever, who is or are or shall be seised, possessed of, or interested in any Lands, Buildings, Tenements, or Hereditaments authorized to be taken or used, and which the said *Richard Earl of Mount Edgcumbe*, or his Heirs, shall cause to be taken or set out for the Purposes of this Act, or any of them, to contract for, sell, and convey the same and every Part thereof to the said *Richard Earl of Mount Edgcumbe*, or his Heirs; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said *Richard Earl of Mount Edgcumbe*, or his Heirs, and shall be according to the following Form, or as near thereto as the Number of the Parties and the Circumstances of the Case will admit of:

Corporations and other Persons empowered to sell and convey Land, &c.

‘ I of \_\_\_\_\_ in consideration of the Sum of \_\_\_\_\_  
 ‘ to me paid by the Right Honourable *Richard Earl of Mount Edgcumbe* [or his Heirs],  
 ‘ do hereby grant and release to the said *Richard Earl of Mount Edgcumbe*, or his Heirs, all [describing the Premises to be conveyed],  
 ‘ together with all Ways, Rights, and Appurtenances thereunto  
 ‘ belonging, and all my Estate, Right, Title, and Interest in and to  
 ‘ the same and every Part thereof, to hold to the said *Richard Earl of Mount Edgcumbe*, his Heirs and Assigns for ever, according to  
 ‘ the true Intent and Meaning of the said Act. In witness whereof  
 ‘ I have hereunto set my Hand and Seal the \_\_\_\_\_ Day of \_\_\_\_\_  
 ‘ in the Year of our Lord \_\_\_\_\_’

Form of Conveyance.

And every such Conveyance to be made by virtue of this Act in Manner and Form aforesaid shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, and shall operate as and be a Merger of all outstanding Terms, and a complete and effectual Bar to all Estates Tail, and other Estates, Rights, Titles,

[Local.]

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Remainders,

Remainders, Reversions, Limitations, Trusts, and Interests whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Satisfaction to be made for Lands taken or Damages sustained.

XXXIII. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every Person and Persons, who is or are seised, possessed of, or interested in any Lands, Buildings, Tenements, and Hereditaments which may be taken, used, injured, or damaged by virtue of this Act, may accept and receive Satisfaction for the Value of such Lands, Buildings, Tenements, and Hereditaments, and for the Damages to be sustained by the building, making, completing, altering, enlarging, lowering, widening, and amending or using the said Bridge, Roads, Avenues, and Approaches herein directed and authorized to be made, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge; and in case the said Parties so interested in the said Lands, Buildings, Tenements, and Hereditaments, or any of them, and the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, cannot agree as to the Amount or Value of such Satisfaction, the same shall be settled and ascertained as herein-after directed.

If Parties are dissatisfied, a Jury may be impannelled to assess the Amount.

XXXIV. Provided also, and be it further enacted, That if any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executor, Administrator, Husband, Guardian, Trustee, Committee of or for any Lunatic or Idiot, or any Feme Covert, or any Person, whether Tenant for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or any other Person or Persons, so interested or entitled as aforesaid, cannot agree with the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, respecting the Purchase of any Lands, Buildings, Tenements, or Hereditaments, or the Satisfaction to be made for any Damages that may be sustained from Time to Time by him, her, or them by the making or using of the said Bridge, Roads, Avenues, or Approaches, or any of the Works to be made and maintained by virtue of this Act, and shall give Notice in Writing to the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, requiring a Jury to be summoned for the Purpose of determining such Purchase or Satisfaction; or if any such Body Politic, Corporate, or Collegiate, or any Person or Persons, so interested or entitled as aforesaid, shall, upon Notice in Writing given by the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, to the principal Officers of any such

such Body Politic, Corporate, or Collegiate, and to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee of or for any Idiot, Lunatic, Feme Covert, or to such Tenant for Life, or in Fee Tail, General or Special, or for Years determinable upon any Life or Lives, or other Person or Persons so interested or entitled as aforesaid respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or Hereditaments to be made use of for the Purpose of this Act, for the Space of Fourteen Days next after Notice, neglect or refuse to treat or shall not agree with the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or by reason of Absence, or otherwise, shall be prevented from treating, or through Disability by Nonage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or shall not within the before-mentioned Space of Fourteen Days produce and fully disclose the State of the Title to the Premises which he, she, or they respectively is or are or shall be in Possession of, and the Interest which he, she, or they respectively may claim therein; then and in every such Case the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, shall and they are hereby empowered and required, within Five Days after the Receipt of such Notice, or after the Expiration of Seven Days after the Delivery of such Notice by the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge (as the Case may be), to issue a Warrant under their Hands and Seals, directed to the Sheriff of the County of *Devon*, commanding such Sheriff to impanel, summon, and return a Jury, and the said Sheriff is hereby required accordingly to impanel, summon, and return a Jury of Forty-eight honest, sufficient, and indifferent Men, qualified according to the Laws of this Realm for the Time being to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff at such Time and Place as in such Warrant shall be appointed; and the said Sheriff is hereby required, out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, (being qualified as last aforesaid,) to make up the said Jury to the Number of Twelve; and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff is hereby empowered and required, by a Summons or Notice to be signed by such Sheriff, either previous to or at the Time of any such Meeting or Meetings, to call before him all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses, upon Oath, touching and concerning the Premises; and the said Sheriff may order and authorize the said Jury, or any Three or  
more

more of them, to view the Place or Places or Matter or Matters in question, if there be Occasion, and to use all other lawful Ways and Means, as well for his own as for the Jury's better Information in the Premises, as the said Sheriff shall think fit; which Jury, upon their Oaths, (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands and Hereditaments, or what Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Occupiers, or other Person or Persons interested, for or on account of the taking or damaging of such Lands or other Hereditaments for the Purposes of this Act; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors of the said Bridge, to the said Owners or Occupiers of or other Person or Persons interested in the said Lands or Hereditaments, according to such Verdict or Inquisition of the said Jury, and shall give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order or Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff, and shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever claiming any Estate in Fee Simple or Fee Tail, for Life or Lives, in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Aggregate or Sole, as well as all other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Courts; any Law or Statute to the contrary thereof notwithstanding.

Penalty on Persons refusing to appear or to be sworn on the Jury, and on Witnesses refusing to appear or to give Evidence.

XXXV. And be it further enacted, That if any Person so impannelled, summoned, and returned as aforesaid upon such Jury, shall not appear, without some reasonable Excuse, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, he shall be liable and subject to the same Rules and Regulations, and to the same Pains and Penalties for such Default, as if he had been impannelled, summoned, and returned for the Trial at Issue joined in any of His Majesty's Courts at *Westminster*; and if any Person so summoned and required to give Evidence before the said Jury touching the Premises shall neglect or refuse to appear, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, or Expences, or shall not allege a sufficient Excuse to the said Sheriff for not appearing, or appearing shall refuse to be sworn and examined or to give Evidence, then and in every such Case every Person so offending, upon Proof thereof made before One of His Majesty's Justices of the Peace for the County or Place in which the Matter or Question shall arise, upon



upon the Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of the said Justice; and in case any such Penalty shall not be forthwith paid, it shall and may be levied by virtue of any Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus, after such Penalty and Charges of such Distress and Sale shall be deducted; and every such Penalty which shall be paid by or recovered from any Person who shall be impannelled, summoned, and returned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice to be injured by the Default of such Persons.

XXXVI. And be it further enacted, That all and every Person or Persons who, in any Examination to be taken upon Oath by virtue of this Act, shall wilfully and corruptly give false Evidence, or otherwise forswear themselves, before any such Jury, or before any Justice of the Peace acting as such in the same, upon Conviction thereof shall be subject and liable to the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

For punish-  
ing Persons  
guilty of  
Perjury.

XXXVII. And be it further enacted, That in each and every Case when a Verdict shall be given for more Money for a Recompence or Satisfaction for the absolute Sale of any Lands, Buildings, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate whomsoever, or as a Compensation for any Damages done or to be done to any Lands, Buildings, Tenements, Hereditaments, or other Property, than had been previously offered by or on behalf of the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge; or where any Verdict shall be found for any Damages, when the Dispute is for Damages only, and when no Compensation, or a smaller Sum than shall be given by such Verdict, had been previously offered or tendered in respect thereof by or on behalf of the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge; or where, by reason of Absence in Foreign Countries, or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compensations from the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, as herein-before mentioned; then and in all such Cases all the Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled by the said Sheriff so impannelling, summoning, and returning, and taking such Verdict as aforesaid, and be defrayed by the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge; and in case of the Nonpayment thereof by the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or

Expence of  
Jury and  
Witnesses, by  
whom to be  
paid.

[*Local.*]

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Owners,

Owners, Proprietor or Proprietors for the Time being of the said Bridge, for the Space of Fourteen Days next after the same shall have been so settled, and an Account and Demand in Writing shall have been delivered and made thereof to and from the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, then the said Sheriff shall and he is hereby required, by Warrant under his Hand and Seal, to levy the same by Distress and Sale of any of the Goods and Chattels of the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, rendering to the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, the Overplus, (if any,) after deducting the reasonable Charges for making such Distress and Sale; but if any Verdict shall be given for the same Sum as had been previously offered by or on behalf of the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or for a less Sum than had been so previously offered, or for Damages, where the Dispute is for Damages only, the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Sheriff so impannelling, summoning, and returning such Jury, and taking such Verdict, and be borne and paid in the Manner following; (that is to say,) one Moiety or Half Part of such Costs and Expences shall be borne and paid by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons with whom the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, shall have such Disputes or Controversies; which said last-mentioned Moiety of the said Costs and Expences shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed and adjudged; and in case no Damages shall be given by such Verdict, when the Dispute is for Damages only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeiture incurred by this Act.

The Value of Lands and Compensation for Damages to be assessed separately.

XXXVIII. And be it further enacted, That the said Sheriff and Juries respectively, in their Awards, Determinations, Adjudications, Judgments, and Verdicts concerning the Value of Lands, Tenements, and other Hereditaments, shall separately and distinctly proportion off any particular Estate, Term, or Interests, and also any Damages sustained

sustained or to be sustained by any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or any other Person or Persons whomsoever, by or in consequence of the Execution of any of the Powers of this Act, and shall assess and adjudge the Value set upon such Estate, Term, and Interest, and the Money assessed and adjudged for such Damages as aforesaid, distinct and apart from each other.

XXXIX. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been agreed for between the Parties, or assessed by such Jury in manner aforesaid, for the Purchase of any such Lands or other Hereditaments, to the Person or Persons entitled to receive such Purchase Money respectively, or his or their Agent or Agents, within the Space of One Calendar Month next after the same shall have been so agreed for, determined, or assessed, or upon depositing the same in the Bank of *England* in manner by this Act directed, (as the Case may be,) within the same Period, it shall be lawful for the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, and his or their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively; and then and thereupon such Lands, Tenements, and other Hereditaments, together with the yearly Profit thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being, to and for the Purposes of this Act, for ever; and such Payment, Tender, or Deposit shall not only bar all Right, Title, Claim, Interest, or Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion, Remainder, Expectancy, or otherwise, of his, her, or their Issue, and of all and every other Person or Persons interested therein: Provided always, that nothing in this Act contained shall authorize and empower, or be construed to authorize and empower, the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being, or his or their Agents, Workmen, or Servants, or any of them, for the Purposes herein mentioned, to enter into and upon the Lands, Tenements, and Hereditaments so to be purchased by virtue of this Act as aforesaid, (except to examine and survey the same, to ascertain and set out such Parts thereof as may be necessary for the Purposes of this Act, as herein-before is provided,) without having first paid or legally tendered for the same such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by a Jury in the Manner herein-before directed; and in case the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being, or his or their Agents, Workmen, or Servants, or any of them, shall, for the Purposes aforesaid, enter into and upon the said Lands, Tenements, and Hereditaments, without having previously paid or otherwise legally tendered the Purchase Money for the same in the Manner herein-before directed, then and in such Case the Person or Persons making

Lands to vest in the Earl, &c. on Payment of the Sums agreed on or assessed.

making such Entry shall be deemed a Trespasser or Trespassers, and shall forfeit and pay for the doing thereof the Sum of Five Pounds.

Verdict of Juries to be recorded.

XL. And be it further enacted, That the said Judgment and Verdicts so given shall be transmitted to and be kept by the Clerk of the Peace or other Person or Persons having the Custody of the Records of the Quarter Sessions of the said County of *Devon*, and shall be deposited with and be deemed to be Records of such Quarter Sessions respectively, to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidences in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of Four-pence for every Seventy-two Words, and so in proportion for any greater or less Number of Words.

Application of Compensation when amounting to or exceeding 200*l.*

1 G. 4. c. 35.

XLI. And be it further enacted, That if any Monies shall be paid or agreed or awarded to be paid for the Purchase of or Damages to be done to any Lands, Tenements, and Hereditaments purchased, taken, used, injured, or damaged by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed 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 His Majesty's Court of Exchequer, to be placed to his Account there *ex parte* "The *Stonehouse Mills Bridge* Proprietors," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing 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, to the Intent that such Money shall 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 Body or Bodies, Person or Persons, who would have been entitled to the Rent and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or 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 when such 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,

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 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 of Exchequer, 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 Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XLII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used, injured or damaged, 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 or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the said 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, Idiocy, 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, and 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 Body or Bodies, Person or Persons, making such Option, and approved of by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, (such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in any 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 Court of Exchequer.

Application of Compensation when less than 200*l.* and more than 20*l.*

XLIII. And be it further enacted, That when such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies 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 purchased, taken, or used, injured or damaged, for the Purposes of this Act, in such Manner as the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other

Application of Compensation when less than 20*l.*

[*Local.*]

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the

the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid 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.

Directing how Monies are to be paid, in case the Parties refuse the same, or cannot make a good Title, or cannot be found.

XLIV. And be it further enacted, That in case the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands or Hereditaments to be purchased by virtue of this Act for the Purposes of the said Bridge, Roads, Avenues, Approaches, or other Works, or any of them, shall refuse to accept the same, or shall not be able to make a good Title to the said Premises to the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or in case the Person or Persons to whom any such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful for the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, to order the Sum and Sums of Money so awarded 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 Party or Parties interested in the said Lands 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 Body or Bodies, 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 Body or Bodies, Person or Persons, making claim thereunto, and to make such 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 used, for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of doubtful Titles, the Person in Possession to be deemed presumptively entitled.

XLV. And be it further enacted, That where any Question shall arise touching the Title of any Body or Bodies, 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 or in Satisfaction for any Lands or Hereditaments, or any Estate, Right, or Interest in any Lands or Hereditaments, to be purchased, taken, or used, damaged or injured, 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 Body or Bodies, Person or Persons, who shall

shall have been in Possession of the Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under them, or under the Possession of any such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased by such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful one, and that some other Person or Persons was or were lawfully entitled to such Lands or Hereditaments, or to some Estate or Interest therein.

XLVI. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands or Hereditaments to be purchased under the Authority of this Act, the Purchase Money shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and to be applied to the Purchase of other Lands 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 *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid in certain Cases.

XLVII. And be it further enacted, That every Tenant at Will or Lessee for a Year or from Year to Year shall deliver up the Possession of the Lands and Premises he, she, or they shall respectively hold, to the said *Richard* Earl of *Mount Edgcumbe* or his Heirs, or other Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or to such Person or Persons as he or they shall appoint, having Six Calendar Months Notice to quit such Possession from the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or from the Person or Persons so authorized by them to take such Possession, and shall at the End of such Six Calendar Months Notice, whether such Notice be given with reference to the Time or Times of such Tenant's holding, or not, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or to such Person or Persons authorized by them to take possession thereof, such Authority being signified under the Hand of the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, and he or they making such Satisfaction and Compensation to every such Tenant or Lessee, or other Person or Persons in Possession as aforesaid,  
in

Tenants at Will to deliver Possession.

in case he, she, or they shall be required to quit before the Expiration of his, her, or their current Year in the Premises, as the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, shall deem just and reasonable; and if any Dispute shall arise touching the Amount of such Satisfaction or Compensation, then and in such Case the same shall be settled and ascertained by a Jury in such and the like Manner as the Satisfaction and Compensation to be made for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments herein-before directed to be settled and ascertained, in case of any Dispute or Difference about the same; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, all reasonable Satisfaction being first made or tendered, it shall be lawful for the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, to issue his or their Precept or Precepts to the Sheriff of the said County of *Devon*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

For removing  
Annoyances.

XLVIII. And be it further enacted, That it shall be lawful for any Steward, Surveyor, or Agent to be appointed by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, and such Persons as he or they shall respectively appoint, from Time to Time to remove all Obstructions, Annoyances, and Encroachments on the said Bridge, or on or by the Side or Sides or any Part or Parts of the said Bridge, or the Avenues immediately leading thereto, by any Erection whatsoever within Fifty Feet of the Bridge, or by Timber, Stone, or Carriages, or by any Water Troughs, Tubs, or Things for watering Horses or Cattle, or for any other Purpose, or by Sawpits, Hovels, Ashes, Rubbish, Lime, Sand, or otherwise, or by laying or placing, (without the Consent or Leave of the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, his or their Lessee or Lessees,) or by laying or placing any Goods, Wares, Merchandize, or other Matters or Things in or upon the said Bridge, or in front of any House within Fifty Feet of the said Bridge, or by any other Ways or Means whatsoever; or to open, scour, cleanse, widen, or make deeper any Watercourse adjoining or near thereto, and make the same as deep and large as he or they shall deem necessary.

Masters of  
Vessels liable  
for Damage  
done by their  
Servants.

XLIX. And be it further enacted, That in case any Damage or Mischief shall be done to the Bridge, or any of the Works which shall be constructed in pursuance of this Act, by any Ship, Lighter, Barge, Boat, or other Vessel, or by floating Rafts or Timber, through the Mismanagement or Negligence of any Person having the Command or Charge or Ownership thereof, or any of the Mariners or Persons employed



employed therein, then and in every such Case every Master, Owner, or other Person having the Command, Charge, or Ownership of such Ship, Lighter, Barge, Boat, or other Vessel, or of such Floating Raft or Timber, shall be and is hereby made answerable and accountable to the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, for the Amount or Value of any such Damage or Mischief; and the same, provided it shall not exceed the Sum of Twenty Pounds, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

L. And be it further enacted, That in case the Master or Owner or Owners of any such Ship, Lighter, Barge, Boat, or other Vessel, or Floating Raft or Timber, shall be compelled to pay any Penalty or to make Satisfaction for any Damages, by reason of any Neglect or Default done or committed by his, her, or their Servants or Mariners, or any of them, such Servants or Mariners, and each and every of them, shall be liable to repay such Penalty or Damages, with the Costs thereof, to such Master or Owner or Owners; and in case of Nonpayment upon Demand thereof, and Oath made by such Owner and Owners of the Payment made by him, her, or them of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him, her, or them by such Servants or Mariners, or any of them, although demanded, (such Oath to be made before any One or more Justice or Justices of the County or Place where such Penalty or Satisfaction shall have been recovered,) the Amount thereof, provided the same shall not exceed the Sum of Twenty Pounds, shall be recovered in the same Manner as any Penalty is hereby directed to be recovered.

Masters to recover from their Servants.

LI. And be it further enacted, That if any Person or Persons shall wilfully or negligently injure, destroy, or otherwise damage, or shall ride or drive or lead any Horse, Beast, Cattle, or Carriage over or upon any Footpath or Causeway made or to be made on the Side or Sides of any Part of the said Bridge, or the Avenues or Approaches thereto, or shall wilfully obstruct the Passage thereof, or of any Part of the said Bridge; or if any Driver of any Waggon or other Carriage shall wilfully or carelessly break or damage any of the Posts or Stones which may be erected for the Security of the said Footpath or Causeway; or if any Person or Persons shall scrape off any Mud, Soil, or other Matter or Thing which shall be or lie upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, with any Instrument, so as to damage the said Bridge, Roads, Avenues, or Approaches thereto, or any Part thereof; or if any Person or Persons shall leave any Waggon, Wain, Cart, or Carriage, or any Plough, Harrow, or other Implement of Husbandry, without some reasonable Cause to be allowed by the Justices before whom the Person so offending shall be summoned and conveyed in order to his Conviction, or except with regard to such Waggon, Wain, Cart, or other Carriage, during such reasonable Time as the same shall be loading or unloading, and standing as near the Side of the said Roads, Avenues, or Approaches as conveniently may be, in, upon, or on the Sides of the said Bridge, Roads, Avenues, or Approaches thereto, either with

For preventing Nuisances on the Bridge and Roads.

or without any Horse or Beast harnessed or yoked thereto; or shall lay any Timber, Wood, or Bushes, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbish, or other Annoyance whatsoever upon any Part of the said Bridge, Roads, Avenues, or Approaches thereto, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance of any Person travelling thereon; or shall make or assist in making any Fire or Fires commonly called Bonfires; or shall set fire to or incautiously let off or throw any Squib, Rocket, Serpent, or other Firework upon the said Bridge; or play at Football or any other Game thereon, to the Annoyance of any Passenger or Passengers; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Persons wilfully destroying the Bridge or Works guilty of Felony.

LII. And be it further enacted, That if any Person shall wilfully or maliciously pull down or destroy the said Bridge, or any Part thereof, or any Toll House to be erected by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be deemed guilty of Felony, and shall be liable to be punished in manner as by Law directed.

Power to rebuild the Bridge when necessary, and in the meantime to provide a Ferry.

LIII. And be it further enacted, That in case the said Bridge shall at any Time become impassable or unsafe for Travellers or Carriages, the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, shall and are hereby empowered to cause the same to be forthwith rebuilt or repaired, and made safe and commodious for the Passage of Travellers, Cattle, and Carriages; and in the meantime, until the said Bridge shall be so rebuilt or repaired and made safe and commodious, it shall be lawful for the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, during all such Time as the said Bridge shall be impassable and unsafe as aforesaid, to provide a proper and convenient Ferry for the Passage of Horses, Cattle, and other Beasts, and Carriages, over the said Mill Pool, as near to the said Bridge as conveniently may be; and it shall be lawful for such Person or Persons as the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, shall appoint for that Purpose, to demand, collect, and receive, for the Passage of such Horses, Cattle, and other Beasts and Carriages in or over the said Ferry, before they respectively shall be permitted to pass, the like Tolls as are hereby authorized to be taken for passing over the said Bridge; any thing herein-before contained to the contrary notwithstanding.

In case of Nonpayment of Compensation for Damages, &c., the same to be levied by Distress.

LIV. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, or any Person or Persons acting by or under his or their Authority, and such Sum or

Sums of Money shall not be paid by the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made from him or them in pursuance of the Direction or Order of such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, under a Warrant to be issued for that Purpose by such Justice or Justices (which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid); and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said *Richard Earl of Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge.

LV. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom the Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner by this Act directed for the levying of any Penalties or Forfeitures.

Damages and Charges, in Cases of Dispute, to be settled by Justices.

LVI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing shall have been exhibited or taken before such Justice; and all such Proceedings by Summons, without Information in Writing, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

LVII. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which

Recovery of Penalties.

which the Manner of convicting the Offender is not particularly mentioned or directed, shall be adjudged by and be recovered before any Justice of the Peace for the County or Division wherein the Cause or Matter of such Complaint or Information shall arise, in a summary Way, and who is hereby authorized and empowered to take cognizance thereof, and to summon the Person complained of to appear before him, and upon the appearing or not appearing of such Person pursuant to such Summons to hear the Matter of every such Complaint and Information, by Examination of any Witness or Witnesses upon Oath, or otherwise, (which Oath such Justice is hereby empowered to administer,) and to make such Determination therein as such Justice shall think proper; and upon the Conviction of any such Person such Justice shall and may issue a Warrant under his Hand and Seal for levying the Penalty or Forfeiture by this Act imposed for such Offence by Distress and Sale of the Goods and Chattels of the Person so convicted; and all such Penalties and Forfeitures when recovered, after rendering the Overplus (if any), when demanded, to the Owner of such Goods and Chattels, (the Charges of such Distress and Sale being first deducted,) shall be paid one Half to the Informer or Informers, and the other Half to the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before such Justice, or before some other Justice of the Peace for the said County or Division, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, (such Day or Days not being more than Ten Days from the Time of taking such Security,) and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol of the said County, there to remain for any Time not exceeding Six Calendar Months, or until such Penalties or Forfeitures shall be paid or compounded for, which Composition the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs, or other the Owner or Owners, Proprietor or Proprietors for the Time being of the said Bridge, is or are hereby empowered to make.

For compelling the Attendance of Witnesses.

LVIII. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice of the Peace touching any Matter of Fact

Fact contained in any Information or Complaint for any Offence against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall, on being paid or tendered a reasonable Sum for his, her, or their Loss of Time, Costs, Charges, and Expences, refuse or neglect to appear at any Time and Place to be for the Purposes appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or, in case of a Quaker or Quakers, on solemn Affirmation,) and to give Evidence before such Justice of the Peace, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

LIX. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collector of Tolls for the Time being under this Act, be it therefore enacted, That it shall be lawful for any of the said Collectors respectively to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and forthwith to convey him, her, or them before One or more Justice or Justices of the Peace for the County where any such Offence or Offences shall be committed, without any other Warrant or Authority than this Act for so doing.

For securing transient Offenders.

LX. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or any Matter or Thing done in the Execution of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say,)

Conviction of Offenders.

‘ to wit. } **BE** it remembered, That on this Day of  
 ‘ in the Year of the Reign of  
 ‘ *A. B.* is convicted before His Majesty’s Justices of  
 ‘ the Peace for the of having [*as the Offence*  
 ‘ *shall be*]; and I [*or we*] the said do adjudge  
 ‘ him [*her or them*] to forfeit and pay for the same the Sum of  
 ‘ . Given under my Hand and Seal [*or our*  
 ‘ Hands and Seals] the Day and Year aforesaid.’

Form of Conviction.

LXI. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Judgment or Determination or by any Matter or Thing done in pursuance of this Act, such Person or Persons may appeal to the Justices of the Peace at the first General Quarter Sessions of the Peace to be holden for the County of *Devon* next after the Expiration of Thirty Days from the Time such Matter of Appeal shall have arisen, the Person or Persons appealing having first given Ten Days Notice at least of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Person or Persons appealed against, and within Two Days after such Notice entering into a Recognizance before some Justice of the Peace for such County, with sufficient Securities, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices at such Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and to make such Deter-

Allowing an Appeal.

mination thereon, and to award such Costs to either of the Parties, or otherwise, as they shall judge proper; and the said Justices may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever; and no Certiorari or other Writ or Process for the Removal of any such Conviction, or any Proceedings thereon, into any of His Majesty's Courts of Record at *Westminster*, shall be allowed or granted: Provided always, that in case there shall not be sufficient Time to give Notice and enter into Recognizances as aforesaid before the next Sessions to be holden after the Conviction of any Person or Persons appealing, then and in every such Case such Appeal may be made to the next following Sessions, and shall be there heard and determined.

Distress not unlawful for Want of Form.

LXII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity that shall afterwards be done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in any Action upon the Case.

Proceedings not to be quashed for Want of Form, or be removed.

LXIII. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceedings made touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed for Want of Form only, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

No Plaintiff to recover without Notice, or on Tender of sufficient Amends.

LXIV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Thirty Days before such Action shall be commenced, of such intended Action, signed by the Attorney of the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay the Money into Court.

LXV. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in all Actions or Suits so brought shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance or by the Authority of this Act; and if any such Action or Suit shall be brought before Thirty Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover his, her, or their Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Limitation  
of Actions.

LXVI. And be it further enacted, That if the said *Richard* Earl of *Mount Edgcumbe*, or his Heirs or Assigns, shall not within Five Years from the passing of this Act complete the said Bridge, and the several Roads, Avenues, and Approaches communicating therewith, so as to make the same passable for Horses, Cattle, and other Beasts, and Carriages, then and from thenceforth all and singular the Powers and Authorities vested in them by this Act shall cease and determine to all Intents and Purposes whatsoever (save only as to so much or such Parts as shall be completed within the said Period of Five Years).

The Bridge  
to be com-  
pleted within  
Five Years.

LXVII. Provided always, and be it further enacted, That neither this Act or any thing herein contained shall prejudice or in any Manner affect, or be deemed or construed to prejudice or in any Manner affect, any Rights of His Majesty in respect of His Duchy of *Cornwall*, or otherwise, to the Shores, Estuaries, and Waters of the *Tamer*, nor at any Time or Times be admitted in any Court of Law or Equity, or otherwise considered, as Evidence upon any Occasion to affect in any Manner such Rights of His Majesty, but that such Rights shall remain of the same Force and Effect as if this Act had not been made and passed.

Nothing in  
this Act shall  
in any Man-  
ner affect the  
Rights of His  
Majesty in  
respect of  
His Duchy of  
Cornwall.

LXVIII. 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.

Public Act.

The

## The SCHEDULE referred to by the foregoing Act.

Names of Owners or reputed Owners.	Names of Occupiers.	Description of Property.
<i>In the Parish of East Stonehouse.</i>		
The Earl of Mount Edgumbe - }	Clara Horne, sublet to William Hayman - }	Part of the House, Garden, and Yard, and Passage Yard of Stonehouse Mills.
The Earl of Mount Edgumbe - }	Clara Horne, sublet to Richard Gough - }	A Cottage.
The Earl of Mount Edgumbe - }	Clara Horne, sublet to William Hayman - }	Part of Stonehouse Mill Dam, and Part of Stonehouse Mill Pool.
The Earl of Mount Edgumbe - }	The Public - - }	Part of the Road to Stonehouse Mills.
<i>In the Parish of Stoke Damarell.</i>		
The Earl of Mount Edgumbe - }	Clara Horne, sublet to William Hayman - }	Part of Stonehouse Mill Dam, and Part of Stonehouse Mill Pool.
Sir John Saint Aubyn, Baronet - }	Thomas Baylis, sublet to Thomas King - }	Part of Two Fields adjoining the West Side of the Dedlake Lane.
Sir John Saint Aubyn, Baronet - }	John Gill, or George Foster, and Edward William Foster - }	An Arch over a Road called Dedlake Lane.
Sir John Saint Aubyn, Baronet - }	The Public - - }	Part of a Road called Dedlake Lane.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1830.