



ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

Cap. lxxiii.

An Act for more effectually repairing certain Roads from *Kingsbridge* to *Dartmouth*, and for making new Branches to and from the same, all in the County of *Devon*. [27th June 1834.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually making, repairing, and maintaining certain Roads from Kingsbridge to Dartmouth, Modbury, Salcombe, and other Places in the South Part of the County of Devon*: And whereas the Trustees acting under or by virtue of the said recited Act have proceeded to put the same into execution, and a considerable Sum of Money hath been borrowed, and is still due and owing, upon the Credit of the Tolls granted by the said Act, which cannot be paid off, nor can the said Roads nor the new Roads hereinafter mentioned be effectually made, amended, widened, diverted, altered, improved, and kept in repair, unless the Term granted by the said Act be further continued, and some additional Powers and Authorities granted: And whereas it is expedient that Powers should be granted for making and maintaining the several new Lines of Road, and for widening and improving the several Highways hereinafter mentioned; (that is to say,) a new Line of Road commencing at the End of the present Turnpike Road in the Village of *Stokefleming*, and passing through or by the Villages of *Blackpool Street*, *Torr Cross*, *Stokenham*, and *Chillington*, and terminating at the End of the present Turnpike Road in the Village of *Frogmore*; a new Line of Road commencing at the present Turnpike Road leading from *Dartmouth*

[Local.] 24 B to

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to *Totnes* at *Collaton Cross* otherwise *Blackawton Cross* in the Parish of *Blackawton*, and terminating at the present Turnpike Road leading from *Dartmouth* to *Modbury* at *Morley Cross* in the Parish of *Morley*; a new Line of Road commencing at *Cox's Bridge* in the Parish of *Diptford*, and terminating in the present Turnpike Road at or near *Comber's Cross* in the Parish of *Modbury*; a new Line of Road commencing at or near *Black Down Gate* in the Parish of *Loddiswell*, and terminating in the present Turnpike Road leading from *Dartmouth* to *Modbury on Lee Moors* in the said Parish of *Modbury*; a new Line of Road commencing at *Mary Cross* in the said Parish of *Modbury*, and passing along the present Highway by *Shipham Mill* and *Crownwell Cross*, to unite with the present Turnpike Road leading from *Totnes* to *Plymouth* near the *Fawn Hotel* in the said Parish of *Modbury*; to widen and improve the present Turnpike Road leading to *Dodbrook Quay* from the Town of *Kingsbridge*; to widen and improve the present Turnpike Road through the Village of *Loddiswell*; to make Turnpike, widen, and improve the present Highway leading from the present Turnpike Road at *Week Cross* in the Parish of *Stokefleming*, by *Ven Cross* and *Riversbridge*, to *Blackpool*; to make Turnpike, widen, and improve the present Highway leading from the Village of *Chillington*, by *Coleridge Cross*, *Frittiscombe*, *Petty France*, and *South Ground*, to *Slapton Cellars*; to make Turnpike, widen, and improve the present Highway leading from *Penny's Cross* in the Parish of *Stokenham* to *Coleridge Cross* aforesaid; and to make Turnpike, widen, and improve the Highway leading from the present Turnpike Road at *Sorely Green* to the present Turnpike at or near the Village of *Churchstow*, all in the County of *Devon*: And whereas it would be more convenient if the said recited Act was repealed, and further, better, and more effectual Powers and Provisions granted instead thereof, as well for repairing, amending, widening, diverting, and otherwise improving the said Roads, as also for making and maintaining the new Roads herein mentioned; but inasmuch as the same cannot be effected without the Aid and Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act of the Ninth Year of the Reign of His said late Majesty King *George* the Fourth shall be and the same is hereby repealed.

Recited Act
repealed.

Trustees em-
powered to
make cer-
tain new
Lines of
Road.

II. And be it further enacted, That this Act shall commence and take effect and be put in execution, for and during the Term hereinafter mentioned, for the Purpose of more effectually amending, improving, and keeping in repair the Road from the North Entrance of the Churchyard in *Kingsbridge*, by way of *Aveton Gifford* and *Stoliford Bridge*, through *Modbury*, to unite with the present Turnpike Road leading from *Modbury* to *Plymouth*; and from the said North Entrance to the Churchyard in *Kingsbridge* to *Frogmore Bridge*, and by *Mill Street*, *Westalvington*, and *Marlborough*, to *Salcombe*; and from a certain Point of the said Road to *Frogmore*, situate upon *Highhouse Farm*, to *Ranscombe Bridge*; and from the

North

North Entrance to the Churchyard in *Kingsbridge* aforesaid, by way of *Knowle* and *Sorely Green*, and by way of *Sugar Lane* and *Bell Cross*, to unite with the Turnpike Road to *Totnes* at or near *Farmston*, and to unite with the Turnpike Road from *Dartmouth* to *Modbury* at or near *Morley Cross*; and from the South End of *Batt's Lane*, by *Well Cross* and a new Line or Cut of Road, to unite with the present Road to *Totnes* and *Dartmouth*; and also from the East Side of the Millpond adjoining the Town of *Dartmouth*; and from the *Ship in Dock*, by way of *Townstal Farmhouse* and *Halwell Cross*, to unite with the Turnpike Roads to *Kingsbridge* and *Totnes* at or near *Farmston* aforesaid; and a certain new Cut or Line of Road leading from and out of the said Road, at or near *Collaton Cross*, to or near *Ritson Lane End*; and from a certain Spot in the Parish of *Saint Petrox* near a House called *Stoke Cliff*, adjoining the South End of the Town of *Dartmouth*, by *Warfleet* and *Week Cross*, to *Deadman's Cross*, and thence to unite with the Turnpike Road from *Dartmouth* to *Kingsbridge* at or near *Long Cross* and *Townstal Farm* aforesaid; and also from the Village of *Stokefleming* to *Week Cross* and *Swannaton Cross*, and from *Soreley Green* aforesaid to *Ven Cross*, and from a certain Point in the said Road to *Ven Cross* at or near the new County Bridge across the River *Avon* to *Aveton Gifford* aforesaid; and also from *Halwell Cross*, by *Halwell* and *Morley*, to *Morley Post*, and thence, by way of *Yeo* and *Topsham Bridge*, to *Mary Cross*, and thence to unite with the Turnpike Road from *Kingsbridge* to *Plymouth* at or near the Cross in *Modbury*; and from *Morley Post* aforesaid, by way of *Gara Bridge*, to *Mary Cross* aforesaid; and which said Roads will run to, into, or through the several Parishes following; (that is to say,) *Southpool*, *Townstal*, *Stokefleming*, *Saint Petrox*, *Halwell*, *Blackawton*, *Modbury*, *Stokenham*, *Diptford*, *North Huish*, *South Brent*, *Loddiswell*, *Dodbrooke*, *Kingsbridge*, *Westalvington*, *Churstow*, *Malborough*, *Buckland-Tout-Saints*, *Charlton*, *Sherford*, *South Milton*, *South Huish*, *East Allington*, *Woodleigh*, *Morley*, *Cornworthy*, *Dittisham*, *Saint Saviour's*, *Aveton Gifford*, and *Ugborough*, or some of them, all in the County of *Devon*: Provided always, that if the said Road from *Morley Post* by way of *Gara Bridge* to *Mary Cross* aforesaid shall be first made, then the Powers and Authorities given by this Act for making the said Road from *Morley Post*, by way of *Yeo* and *Topsham Bridge*, to *Mary Cross* aforesaid, shall cease and determine; and if the said Line of Road from *Morley Post*, by way of *Yeo* and *Topsham Bridge*, to *Mary Cross*, shall be first made, then the Powers and Authorities given by this Act for making the said Road from *Morley Post* by Way of *Gara Bridge* to *Mary Cross* aforesaid shall cease and determine, except as to a certain Portion of Road contained in the Line between *Gara Bridge* and *Mary Cross* aforesaid, and leading from or near a certain Spot called *Churchland Green*, to unite with the Turnpike Road to *Ven Cross* at or near *Comer's Cross*; and also a certain Parish Road or Highway from *Stoliford Bridge* by the Poorhouse to its Junction with a certain Road leading from *Galpin Street* to *Elston Cross*, and Two hundred Yards from the said Junction towards *Elston Cross*; also Fifty Yards of a certain other Road leading from or near *Mary Cross* towards *Shipham*, and a certain Diversion or new Line of Road leading from and out of the said Turnpike Road

Road between *Stoliford Bridge* and *Modbury*, and uniting with the said Road from *Modbury* to *Bigbury* at or near the Top of *Prigdon Hill*, and continuing therein Two hundred Yards towards *Bigbury*; also from *Scoldon's Lane* One hundred and twenty Yards in a certain Lane called *Back Lane*, and One hundred and Twenty Yards from the Entrance to *Modbury* up *Galpin Street*; and also, from or near *Berry Gate*, Two hundred Yards of a certain Highway towards *Salcombe*; and from or near the Turnpike Gate called the *Quay Gate* to *Tacket Wood Bridge*, and a certain Lane leading thereout to *Square's Quay*, called *Sand Lane*; and from or near *Greenhill* to *Foxhole Bridge*, and to unite with the Road to *Salcombe* at or near the Pump in *Kingsbridge*, and with the Road to *Frogmore* at or near *Salt Mill Quay*; also Two hundred Yards in each of the Roads leading from *Bell Cross* to *Addlehole* and *Washbrook Mill*; and a certain Lane leading from *Bell Cross* to unite with the Turnpike Road to *Ven Cross*, called *Wallingford Lane*; and also a certain Road leading from *Stanborough Cross* to or near *Ritson Lane End*, and Two hundred Yards in a certain Lane called *Blackawton Lane*, leading out of the Turnpike Road near *Stanborough Heights* towards *Blackawton*; and Two hundred Yards in each of the Roads leading from *Swannaton Cross* to *Swannaton* and *Cousins's Barn*, and Two hundred Yards in a certain Road leading from *Deadman's Cross* to *Waterpool*; and also for making, improving, and maintaining a new Line of Road commencing at the End of the present Turnpike Road in the Village of *Stokefleming*, and passing through or by the Villages of *Blackpool Street*, *Torr Cross*, *Stokenham*, and *Chillington*, and terminating at the End of the present Turnpike Road in the Village of *Frogmore*; a new Line of Road commencing at the present Turnpike Road leading from *Dartmouth* to *Totnes* at *Collaton Cross* otherwise *Blackawton Cross* in the Parish of *Blackawton*, and terminating at the present Turnpike Road leading from *Dartmouth* to *Modbury* at *Morley Cross* in the Parish of *Morley*; a new Line of Road commencing at *Cox's Bridge* in the Parish of *Diptford*, and terminating in the present Turnpike Road at or near *Comber's Cross* in the Parish of *Modbury*; a new Line of Road commencing at or near *Blackdown Gate* in the Parish of *Loddiswell*, and terminating in the present Turnpike Road leading from *Dartmouth* to *Modbury* on *Lee Moors* in the said Parish of *Modbury*; a new Line or Branch of Road commencing at *Mary Cross* in the said Parish of *Modbury*, and passing along the present Highway, by *Shipham Mill* and *Crownwell Cross*, to unite with the present Turnpike Road leading from *Totnes* to *Plymouth* near the *Fawn Hotel* in the said Parish of *Modbury*; to widen and improve the present Turnpike Road leading to *Dodbrooke Quay* from the Town of *Kingsbridge*; to widen and improve the present Turnpike Road through the Village of *Loddiswell*; to make Turnpike, widen, and improve the present Highway leading from the present Turnpike Road at *Week Cross* in the Parish of *Stokefleming*, by *Ven Cross* and *Riversbridge*, to *Blackpool*; to make Turnpike, widen, and improve the present Highway leading from the Village of *Chillington*, by *Coleridge Cross*, *Frittiscombe*, and *Petty France* and *South Ground*, to *Slapton Cellars*; to make Turnpike, widen, and improve the present Highway leading from *Penny's Cross* in the Parish of *Stokenham* to *Coleridge Cross* aforesaid; and to make Turnpike widen, and improve the

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the present Highway leading from the present Turnpike Road at *Sorely Green* to the present Turnpike at *Churchstow Cross* near the Village of *Churchstow*, all in the said County of *Devon*.

III. And whereas a Map or Plan describing the said new Lines of Roads herein-before described, and the Lands, Tenements, and Hereditaments through or over which the same are respectively intended to be made or carried, together with a Book of Reference containing the Names of the Owners and Occupiers of such Lands, Tenements, and Hereditaments, hath been deposited with the Clerk of the Peace for the said County of *Devon*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts: Provided always, that the said Trustees, in making the said several new Lines of Road, or any Part or Parts thereof, shall not deviate more than One hundred Yards from the Line described in the said Map or Plan without the Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

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

Limiting Deviations from Plan.

IV. And be it further enacted, That nothing in this Act or any other Act contained shall authorize the said Trustees to make any Diversion or Deviation of or in the Line of Road by this Act directed to be made Turnpike between *Shipham Bridge* and Four hundred Yards on the Road leading from *Shipham Bridge* towards *Mary Cross*, except so far as may be necessary for widening and embanking the said Road.

Trustees not to deviate in the Line of Road between *Shipham Bridge* and *Mary Cross*.

V. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said several new Lines of Road through, across, or over the Lands of any Person or Persons who is or are or may be Owner or Owners of the Lands, Tenements, and Hereditaments through or over which the same are respectively set out and described in the said Map or Plan and Book of Reference, although such Lands, Tenements, and Hereditaments, or the Name or Names of such Person or Persons, may be erroneously described, omitted, or mis-stated in the said Map or Plan and Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the County in which the Lands, Tenements, and Hereditaments shall be situate, and be certified in Writing under their Hands, that such Omission or Mis-statement happened by Mistake.

Lands marked in the Plan may be used, although erroneously described in Book of Reference.

VI. Provided also, and be it further enacted, That the Powers and Authorities hereby given for making the said new Lines of Roads herein-before described shall not extend or be construed to extend to authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage,
[Local.]

Trustees restrained from pulling down Dwelling Houses, &c. without Consent.

Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Grounds planted and set apart as a Nursery for Trees or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, save and except those specified in the Schedule hereunto annexed.

Limiting
Period of
purchasing
Property.

VII. Provided also, and be it further enacted, That if the said Trustees shall not, within the Space of Three Years (to be computed from the passing of this Act) agree for and cause to be valued the Buildings, Grounds, and Hereditaments to be purchased for the Purposes of this Act, it shall not thereafter be lawful for the said Trustees to take or use any such Buildings, Grounds, or Hereditaments without the Consent in Writing of the Owners thereof first had and obtained.

Trustees dis-
charged from
Repairs of
old Road on
Completion
of new Lines.

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

Trustees.

IX. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Devon*, together with the Right Honourable *Edmund Parker* commonly called *Lord Viscount Boringdon*, *John Allen*, *John Andrews*, *George Baker*, *John Crocker Bulteel*, *Courtenay James Cooper Bulteel* Clerk, *Edmund Pollexfen Bastard*, *John Bastard*, *Nicholas Brown* the younger, *William John Clark*, *Erving Clarke*, *Samuel Cornish*, *John Carter*, *Samuel Codner*, *Faby Dimond*, *Edward Edgell* Clerk, *William Elliott*, *Thomas Lakeman Elliott*, *Thomas Freke* Clerk, *Arthur Fawcett* Clerk, *Arthur Farwell*, *Anthony Goodridge*, *Richard Gillard*, *John Gillard*, *George Rowney Green* Clerk, *John Matthew Glub* Clerk, *Charles Hayne*, *Seale Hayne*, *Arthur Howe Holdsworth*, *Arthur Bastard Eastabrooke Holdsworth*, *Robert Holdsworth* Clerk, *Arthur Hunt*, *Thomas Holdsworth Hunt*, *William Lamb Hockin*, *William Hockin* Clerk,

Clerk, *William Cholwick Hunt* Doctor of Medicine, *Robert Harris*, *Arthur Harris*, *Philip Hine*, *Henry Hare* Clerk, *Joseph Hingston* the younger, *John Huxham*, *Abraham Mills Hawkins*, *Treby Hele Hays*, *Luke Howard*, *Robert Ibbetson Bazette Henshaw* Clerk, *Hugh Harris*, *Thomas Harris*, *Henry Holdsworth*, *Rice Price-Higgins*, *William Roope Ilbert*, *Peregrine Ilbert*, *William Jackson*, *John King*, *Thomas Kevill*, *James King*, *Thomas King*, *William Langworthy*, *John Lowe*, *John Luscombe*, *Robert Leach*, *William Lear*, *William Langmead*, *George Martin* Clerk, *Nicholas Adams Moysey*, *George Mitchell*, *George Mitchell* the younger, *Robert William Newman*, *Thomas Newman*, *Richard Newman* Clerk, *John Netherton*, *Jasper Parrott*, *William Mackworth Praed*, *William Mackworth Praed* the younger, *Walter Lambie Prettejohn*, *William Pearse*, *William Lyfe Pearse*, *Robert Parsons*, *Roger Ilbert Prideaux*, *Nicholas Pitts*, *Edward Prettejohn*, *William Prout*, *William James Pinzwell* Clerk, *Sir John Leman Rogers* Baronet, *Henry Richard Roe*, *Charles Henry Seale*, *Edward Taylor Seale*, *John Beaumont Swete*, *William Stackhouse* Clerk, *John Servington Savery*, *Servington Savery*, *John Thomas Savery*, *Thomas Square*, *Henry Roe Square*, *John Browne Smith*, *Henry Taylor* Clerk, *Henry Duncan Trysden*, *Thomas Trysden* Clerk, *John Line Templer*, *Richard Tours*, *Edward Tor*, *John Teage*, *William Doidge Taunton*, *Benjamin Kerr Vaughan* Clerk, *Samuel Wroth*, *William Wells* Clerk, *George Furlong Wise*, *George Furlong Wise* the younger, Clerk, *William Furlong Wise*, *Samuel Wells*, *Fortescue Wells*, *Thomas Bury Wells*, *Abraham Welland*, *Nicholas Wyatt*, *Arthur Wise*, *Thomas Wise*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying this Act and the several Acts in force for regulating Turnpike Roads in *England* into full and complete Execution.

X. And be it further enacted, That it shall be lawful for the said Trustees, at their First or Second Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons not exceeding Three in the whole, being duly qualified to be Trustees for the Purposes of this Act, and such Persons when so elected and appointed shall have the same Powers and Authorities as if they had been nominated or appointed Trustees in or by this Act.

Power to appoint additional Trustees.

XI. And be it further enacted, That the said Trustees shall hold their First Meeting at the *King's Arms* Inn in the Town of *Kingsbridge*, or at some other convenient House or Place on the Line of the said Roads, on the Third *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then and there proceed to put this Act and the General Turnpike Acts in execution, and shall then and there afterwards adjourn to and meet at such Time or Times, and such Place or Places on or near to the said Roads, as the said Trustees or the major Part of them present at any such Meetings shall think proper and appoint, so that Two General Meetings at the least shall be held during each Year within the Town of *Dartmouth*.

First Meeting of Trustees.

XII. And

Power to
take Tolls.

XII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons appointed or continued or to be from Time to Time appointed by them a Collector or Collectors, Lessee or Lessees of Tolls, or otherwise authorized by them for that Purpose, to demand and take at each Toll Gate, Toll Bar, Turnpike, Side Bar, and Chain which now is or hereafter shall be erected or standing across or at the Sides of the said Roads by this Act authorized or directed to be amended, widened, diverted, improved, and kept in repair, on each and every Day (such Day to be computed from Twelve of the Clock on one Night to Twelve of the Clock on the next succeeding Night) the several Tolls following; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Berlin, Landau, Chaise, Curricule, Calash, Chair, Caravan, Van, Hearse, Litter, Car, Gig, or other such like Carriage, the Sum of Nine-pence:
 For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, the Sum of Nine-pence:
 For every Coach, Barouche, Chaise, or other Carriage with Four Wheels affixed to any Waggon or Cart, the Sum of One Shilling:
 For every Carriage with Two Wheels affixed to any Waggon or Cart, the Sum of Nine-pence:
 For every Horse or other Beast drawing any Waggon, Wain, Cart, Tumbril, Dray, or other such like Carriage laden with Timber, the Sum of One Shilling and Three-pence:
 For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence:
 For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any less Number:
 And for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Ten-pence *per* Score, and so in proportion for any less Number:

Which said Tolls shall be and they are hereby vested in the said Trustees, and the same shall be recovered, paid, and applied in manner by this directed.

Power to
take Toll
from Foot
Passengers
upon the
Embank-
ment.

XIII. And whereas the Trustees for executing the said recited Act hereby repealed have, under the Authority of the said Act, made an Embankment and built a Bridge at a great Expence for carrying the said Road across the Estuary at *Bowcombe*, and the same are of great Benefit and Convenience to Foot Passengers; be it therefore further enacted, That the said Trustees, or any Person or Persons to be appointed Collector or Collectors by virtue of this Act, shall demand and take of and from every Foot Passenger who shall cross the said Embankment the Toll or Sum of One Halfpenny, which said Toll shall be and is hereby vested in the said Trustees, and the same shall be recovered by such Means, and subject to such Penalties for Evasion, as any other Tolls by this Act granted can or may be recovered, and shall be paid and applied by the said Trustees in such Manner as is by this Act directed concerning any other Tolls hereby granted.

Limiting the
Number of
Tolls.

XIV. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend
 to

to empower the said Trustees, or any Collector or Collectors to be by them appointed for that Purpose, to demand or take more than Six full Tolls for passing over the whole Line of Road; and One full Toll only shall be payable for passing over the Road from *Kingsbridge* to *Modbury*, including the double Line from *Stoliford Bridge* by the Poorhouse into the Road towards *Elston Cross*, and the Extensions in *Back Lane* and *Galpin Street*; and One full Toll only shall be payable for passing over the Road from *Kingsbridge* to *Salcombe*; and One full Toll only shall be payable for passing over the Road from *Kingsbridge* to *Ven Cross*; and One full Toll only shall be payable for passing over the Road from *Kingsbridge* to *Frogmore* or *Ranscombe Bridge*; and Two full Tolls only shall be payable for passing over the Road from *Kingsbridge* to *Dartmouth* by way of *Stanborough*; and Two full Tolls only shall be payable for passing over the Road from *Dartmouth*, by way of *Topsham Bridge* or *Gara Bridge*, to *Modbury*, or to the *Fawn Hotel*; and Two full Tolls only shall be payable for passing over the Road hereby authorized to be completed from *Dartmouth* to *Kingsbridge*, by way of *Stokefleming*, *Blackpool Street*, *Tor Cross*, *Stokenham*, and *Frogmore*, or by way of *Frittiscombe* and *Petty France*.

XV. Provided also, and be it further enacted, That after the respective Tolls shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any Turnpike or Gate to be continued or erected by virtue of this Act, or by any Foot Passenger for passing over the said Embankment, such Horse, Cattle, Beast, or Carriage, and such Foot Passenger, shall, upon producing a Ticket denoting such Payment on that Day, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and over the said Embankment, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time or Times during the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night (except as herein-after mentioned), any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid but once a Day.

XVI. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for or in respect of any Horse, Beast, or other Cattle carrying or conveying, or going for or returning after having been only employed in carrying or conveying, on the same Day, any Lime or Sea Sand to be used only for the Purposes of Manure, on passing through any of the Turnpikes or Toll Bars on the said Road, provided that the Fellies of the Wheels of every Cart, Waggon, or other Carriage used for that Purpose, and drawn by Two Horses, are of the Breadth of Four and a Half Inches, and if by Three or more Horses, of the Breadth of Six Inches.

Lime and Sea Sand for Manure exempt from Toll.

XVII. And be it further enacted, That for the Purpose of defraying the Costs, Charges, and Expences of obtaining and passing this Act, and of every Matter and Thing in anywise relating thereto, it shall be lawful for the said Trustees to borrow and take up at Interest, upon the Credit of the Tolls by this Act authorized to be taken or

Expences of Act how to be defrayed.

[Local.]

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levied,

levied, such Sum or Sums of Money as may be required for that Purpose, and to charge and make chargeable therewith the said Tolls.

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

XVIII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or other Beast drawing any Stage Coach, Caravan, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward for each Time of passing or repassing along the said Roads: Provided nevertheless, that no further or additional Toll shall be payable in respect of the Horses or other Beasts drawing any such Stage Coach, Caravan, Stage Waggon, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Post Chaises
on every
new Hiring.

XIX. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or other Beast let out to Hire, and drawing any Post Chaise or other Carriage, for each Time of passing or repassing along the said Roads, whenever any fresh Hiring thereof shall take place.

Road to be
divided into
Districts.

XX. And whereas the said recited Act provided that the Roads thereby intended to be made should be divided into the following Districts; (that is to say,) that the Roads from or near *Dartmouth* and *Stokefleming* to or near *Farmston*, at the Junction of the *Totnes* Road in the Parish of *Halwell*, should be formed into one District of Roads to be called the First District; the Road from or near the Junction of the *Totnes* Turnpike aforesaid to *Kingsbridge* and *Addlehole* into one other District of Road to be called the Second District; the Road from *Kingsbridge*, through *Aveton Gifford* and *Modbury*, to unite with the *Plymouth* Turnpike and to *Mary Cross* aforesaid, into one other District to be called the Third District; the Road from *Soreley Green* to *Ven Cross* into one other District to be called the Fourth District; the Road from *Kingsbridge* to *Salcombe* into one other District to be called the Fifth District; the Road from *Kingsbridge* to *Frogmore* into one other District to be called the Sixth District; the Road from *High-house Farm* to *Ranscombe Bridge* into one other District to be called the Seventh District; the Road from *Halwell Cross* by *Morley* to the Junction of the Fourth District into one other District to be called the Eighth District; the Road from the Fourth District to *Mary Cross* into one other District to be called the Ninth District: And whereas the several Roads included in the above Districts have been completed, and it is desirable that the several new Lines and Branches of Road authorized by this Act to be made should be in like Manner divided into Districts; (that is to say,) the new Line of Road commencing at the present Turnpike Road in the Village of *Stokefleming*, and passing through or by the Villages of *Blackpool Street*, *Tor Cross*, *Stokenham*, and *Chillington*, and terminating at the End of the present Turnpike Road in the Village of *Frogmore*, shall be the First District; that the new Line of Road commencing at *Collaton Cross* in the Parish of *Halwell*, and terminating at the present Turnpike Road leading from *Kingsbridge* to *Totnes* near the Village of *Halwell*, shall be the Second District; that the intended new Cut from, at, or near the Termination of the

Second

Second District to *Morley Cross* in the Parish of *Morley* shall be the Third District; that the new Line of Road commencing at or near *Cox's Bridge* in the Parish of *Diptford*, and terminating in the present Turnpike Road at or near *Comber's Cross* in the Parish of *Modbury*, shall be the Fourth District; that the new Line of Road commencing at or near *Black Down Gate* in the Parish of *Loddiswell*, and terminating in the present Turnpike Road on *Lee Moors* in the Parish of *Modbury* shall be the Fifth District; that the Road from *Mary Cross* in the Parish of *Modbury*, by *Shipham Mill* and *Crownwell Cross*, to unite with the *Totnes* and *Plymouth Road* near the *Fawn Hotel* in the Parish of *Modbury*, shall be the Sixth District; that the Road from *Week Cross* in the Parish of *Stokefleming*, by *Ven Cross* and *Riversbridge*, to *Blackpool*, shall be the Seventh District; that the Road from the Village of *Chillington*, by *Coleridge Cross*, *Frittiscombe*, *Petty France*, and *South Ground*, to *Slapton Cellars*, and the present Road from *Penny's Cross* in the Parish of *Stokenham* to *Coleridge Cross* aforesaid, shall be the Eighth District; be it therefore enacted, That the said Trustees shall and may divide the said new Roads into such additional Districts as aforesaid, and they are hereby required, previous to commencing the making or altering any of the Roads described in the said Districts, to have the estimated Cost of completing the Roads included in such respective District subscribed.

XXI. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Branch Road authorized to be made by this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road or on the Side thereof, nor unless the said Toll shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any of the Branch Roads authorized to be made by this Act than shall be collected thereat or borrowed on the Credit of the Tolls collected thereon.

No more Money to be laid out on Branch Roads than collected thereon.

XXII. And be it further enacted, That all Monies which shall or may be collected or received under the Powers or Authorities of this Act shall be applied, in the first place, in defraying the Costs, Charges, and Expences attending the applying for and obtaining this Act, with lawful Interest for the same; in the next place, in paying and discharging the Interest of all Sums of Money now due and owing on the Credit of the Tolls granted by the said recited Act hereby repealed, together with the Interest of all Sums of Money which shall hereafter be borrowed or taken at Interest on the Security of the Tolls hereby granted, and in defraying the Expence of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, and in making, repairing, supporting, widening, and altering the said Roads and Embankments by this Act directed to be made or kept in repair as aforesaid; and the Residue of the Monies so to be collected and received shall be applied in paying all Principal Monies due and owing on the Credit of the Tolls hereby granted, or borrowed for the Purposes of this Act,

Application of Tolls.

Act, and in defraying all other Costs, Charges, and Expences attending the same, in such Manner as the said Trustees shall from Time to Time appoint.

Tolls not to be laid out in repairing Streets.

XXIII. Provided always, and be it further enacted, That none of the Tolls authorized by this Act to be taken upon the said Roads, nor any of the Monies raised by virtue of the said recited Act or to be raised by virtue of this Act, shall be laid out or expended in the Repair or Improvement of any of the Streets of any Town through which the said Roads shall pass, nor shall any Turnpike or Toll Gate be erected or Tolls taken thereon by virtue of this Act: Provided always, that nothing herein contained shall extend or be construed to extend to prohibit the Trustees from taking Toll at any such Turnpike or Toll Gate as has been erected previous to the First Day of *May* One thousand eight hundred and thirty-four, nor to prevent the Trustees from setting up new Gates or Bars or erecting any Toll House or Houses as may be required in the Place and Stead of those which are now standing, for the Purpose of taking and receiving Tolls.

No Toll to be taken on new Lines of Road until the same are certified to be completed by Two Justices of the Peace.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the levying, taking, or demanding of any Toll at or upon any Line of Road hereby made Turnpike or authorized to be made, until the whole of the same Line of Road shall be properly made and completed and opened to the Public, and shall be certified by Two or more Justices of the Peace for the County of *Devon* to have been so made and completed, and a Certificate thereof under their Hands shall have been filed with the Clerk of the Peace for the said County of *Devon*.

Certain unnecessary Roads may be stopped up.

XXV. And whereas since the Completion of the Turnpike Road leading from *Stanborough Cross* to or near *Ritson Lane End* in the Parish of *Halwell* aforesaid, a certain Highway or Parish Road leading from *Stanborough Cross* to or near *Ritson Lane End* aforesaid has become useless; be it therefore further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to stop up and discontinue the said Highway or Parish Road, leaving open a certain Highway or Parish Road which crosses the same called *Blackawton Lane*, leading from *Blackawton* towards *Morley*: Provided always, that the said Highway or Parish Road shall not be stopped up unless the Concurrence and Approbation in Writing of Two of His Majesty's Justices of the Peace for the said County shall be first had and obtained; and their Determination in the Premises shall be subject to Appeal in the Manner and Form directed and prescribed by an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to amend an Act of the Thirteenth Year of the Reign of His present Majesty, for the Amendment and Preservation of the public Highways, in so far as the same relates to Notice of Appeal against turning or diverting a public Highway, and to extend the Provisions of the same Act to the stopping up of unnecessary Roads.*

55G. 3. c. 68.

XXVI. And be it further enacted, That if any Person or Persons shall with any Boat or Vessel, or in any other Way whatever, wilfully or carelessly injure, pull down, or damage any Part of the Embankment across the Estuary at or near *Bowcombe* aforesaid, or the Bridges, Arches, Walls, Posts, Rails, or Fences thereof, or the Drawbridge, or any Erection or Building made thereon by the said Trustees, or repaired or repairable by them, any Person or Persons so offending shall for each and every such Offence forfeit and pay any Sum not exceeding Ten Pounds, over and above the Damages occasioned thereby.

For preventing Damage to the Embankment at Bowcombe.

XXVII. 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.

Public Act.

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

Commencement and Duration of Act.

The SCHEDULE to which the foregoing Act refers.

No. on the Plan.	Description of Property.	Proprietors Names.	Lessees Names.	Occupiers Names.	Parish.	
1	Dwelling House -	John Nicholson -	- - -	Richard Prowse	Kingsbridge.	
2	Ditto - -	} Feoffees of the Town Lands of Kingsbridge	{ John Ball -	John Ball -	Ditto.	
3	Ditto - -			} William Beer	William Beer -	Ditto.
4	Part of House and Garden.				Roger Ilbert Pri- deaux.	R. I. Prideaux -
5	Parish Road from Frog- more to Stokefle- ming, &c. }	- - -	- - -	- - -	{ Sherford and Stokenham.	
6	Garden and Waste -	Edward Garland	John Elworthy	William Shephe d	Southpool.	
7	Orchard - -	Ditto - -	Ditto - -	Ditto - -	Ditto.	
8	Meadow - -	} Ditto - -	- - -	Edward Garland	Sherford.	
9	Pasture - -					
10	Public Road.					
11	Orchard - -	Nicholas Pitts -	- - -	Nicholas Pitts -	Stokenham.	
12	Garden - -	} - - -	- - -	} - - -	Ditto.	
13	Dwelling House and Garden - -				William Dare	William Dare.
14	Public Road.					
15	Court-yard, Barn, and Garden.	A. H. Holdsworth	- - -	Philip Loye -	Ditto.	
16	Meadow - -	R. W. Newman -	- - -	George May -	Ditto.	
17	Pasture - -	A. H. Holdsworth	- - -	Philip Loye -	Ditto.	
18	Garden - -	Ditto - -	- - -	James Shephard	Ditto.	
19	Orchard - -	R. W. Newman -	John Pike -	John Pike -	Ditto.	
20	Meadow - -	Ditto - -	- - -	Thomas May -	Ditto.	
21	Public Road to Torr Cross	- - -	- - -	- - -	Ditto.	
29	Slapton Lands -	- - -	- - -	- - -	{ Stokenham and Slapton.	
30	Public Road from Street Gate to Blackpool.	- - -	- - -	- - -	Blackawton.	
31	Arable - -	Capt. Toll - -	- - -	B. Hayman -	Ditto.	
32	Brake and Arable -	} Ditto - -	- - -	Ditto - -	Ditto.	
33	Ditto - ditto -					
34	Arable and Brake -	} Abraham Wel- land - -	- - -	Ditto - -	Ditto.	
35	Ditto - ditto -					
36	Ditto - ditto -					
37	Ditto - ditto -	Capt. Toll - -	- - -	B. Hayman -	Ditto.	
38	Ditto and Pasture -	Ditto - -	- - -	Ditto - -	Ditto.	
39	Brake - -	William Oldrieve	- - -	William Oldrieve	Ditto.	
40	Ditto - -	Ditto - -	- - -	Ditto - -	Ditto.	
41	Ditto - -	} - - -	- - -	- - -	Ditto	
42	Ditto - -					
43	Ditto - -					
44	Meadow - -					John Oldrieve -
45	Arable - -	} - - -	- - -	- - -	Ditto.	
46	Cliff Waste - -					
47	Arable - -					
48	Ditto - -	} Diamond Church- ward - -	} - - -	John Oldrieve -	Ditto.	
49	Cliff Waste - -					
50	Pasture - -	} R. W. Newman	- - -	Elizabeth Oldrieve	Ditto.	
51	Ditto - -					
52	Ditto and Orchard -	John Ford - -	- - -	William Clapp -	Ditto.	
53	Orchard and Garden -	Nicholas Browse	- - -	Nicholas Browse	Ditto.	
54	Meadow - -	Miss Southcott -	- - -	William Pepperell	Stokefleming.	
55	Ditto - -					

No. on the Plan.	Description of Property.	Proprietors Names.	Lessees Names.	Occupiers Names.	Parish.	
56	Public Road from Blackpool by Venn Cross to Swanaton Cross.	- - -	- - -	- - -	Stokefleming.	
57	Public Road from Blackpool to the present Turnpike Road near the Village of Stokefleming.	- - -	- - -	- - -	Ditto.	
58	Arable	} Dickson Laud	- - -	Elizabeth Oldrieve	Stokefleming.	
59	Ditto		- - -	Ditto	Ditto.	
60	Ditto		Teage.	- - -	- - -	- - -
61	Pasture	} A. B. Holdsworth.	- - -	William Brownson	Ditto.	
62	Arable		- - -	Ditto	Ditto.	
63	Ditto		- - -	Ditto	Ditto.	
64	Ditto		- - -	Ditto	Ditto.	
65	Orchard		- - -	Ditto	Ditto.	
66	Pasture		- - -	Ditto	Ditto.	
67	Part of Barn and Yard		- - -	Ditto	Ditto.	
68	Dwelling House	William Brownson	- - -	Edward Wills	Ditto.	
69	Orchard	John Brownson	- - -	John Brownson	Ditto.	
70	Garden	John Martin	- - -	John Martin	Ditto.	
71	Ditto	John Brownson	- - -	James Brownson	Ditto.	
1	Arable	Heles' Charity, Plymouth.	John Perring	William Hewett	Halwell.	
2	Public Road.	- - -	- - -	- - -	- - -	
3	Arable	} Heles' Charity, Plymouth.	John Perring	William Hewett	Ditto.	
4	Ditto		- - -	Ditto	Ditto	Ditto.
5	Ditto		- - -	Capt. John Edwards	Capt. John Edwards	Ditto.
6	Ditto		- - -	Ditto	Ditto	Ditto.
7	Ditto		- - -	Ditto	Ditto	Ditto.
8	Ditto		- - -	John Perring	William Hewett	Ditto.
9	Ditto		- - -	Ditto	Ditto	Ditto.
10	Ditto		- - -	Ditto	Ditto	Ditto.
11	Ditto		- - -	Mrs. Lane	Robt. Lang	Ditto.
12	Ditto		- - -	Ditto	Ditto	Ditto.
13	Ditto		- - -	- - -	- - -	- - -
14	Ditto		The Misses Full	- - -	William Steer	{ Ditto.
15	Ditto		Pepy's Family in Trust	- - -	Edmond Whiteway	{ Ditto.
16	Parish Road		- - -	- - -	- - -	Ditto.
17	Arable	Pepy's Family in Trust	- - -	Edmond Whiteway	Ditto.	
18	Ditto	Field's Charity, Plymouth.	Rev.—Bradridge	John Perring	Ditto.	
19	Ditto	- - -	- - -	Ditto	Ditto.	
20	Present Turnpike.	- - -	- - -	- - -	- - -	
21	Road from Halwell to Morley Cross.	- - -	- - -	- - -	- - -	
22	Pasture	} The Right Hon.orable the Earl of Morley	- - -	Mary Rogers	Morley.	
23	Ditto		Serjeant Praed	- - -	- - -	- - -
24	Marsh	- - -	- - -	Peter Rogers	Diptford.	
25	River Avon.	- - -	- - -	- - -	- - -	
26	Arable	Serjeant Praed	- - -	Peter Rogers	Loddiswell.	
27	Public Road.	- - -	- - -	- - -	- - -	
28	Arable	} Serjeant Praed	- - -	- - -	Ditto.	
29	Ditto		- - -	- - -	- - -	Ditto.
30	Wood		- - -	- - -	Peter Rogers	North Huish.
31	Meadow		- - -	- - -	- - -	Ditto.
32	Arable	} Serjeant Praed	- - -	Peter Rogers	Ditto.	
33	Ditto		- - -	- - -	- - -	Ditto.
34	Ditto	- - -	- - -	- - -	Ditto.	
35	Old Orchard	} Feoffees of Ashprington Charity School.	- - -	John Holmes	Ditto.	
36	Brake		- - -	- - -	- - -	Ditto.
37	Arable		- - -	- - -	- - -	Ditto.
38	Brake		- - -	- - -	- - -	Ditto.

No. on the Plan.	Description of Property.	Proprietors Names.	Lessees Names.	Occupiers Names.	Paish.				
39	Arable	} Nicholas Moysey	- - -	Nicholas Moysey	North Huish.				
40	Pasture								
41	Ditto								
42	Arable	Serjeant Praed	- - -	Peter Rogers	Ditto.				
43	Ditto	Poor of Loddiswell	- - -	Ditto	Ditto.				
44	Ditto	} Jane Phillips	- - -	} Jane Phillips	Ditto.				
45	Ditto								
46	Meadow								
47	Arable								
48	Ditto	} Jane Phillips	- - -	Ditto	Ditto.				
	Occupation Road								
49	Meadow								
50	Arable	Nicholas Moysey	- - -	Nicholas Moysey	North Huish.				
51	Pasture	Jane Phillips	- - -	Jane Phillips	Ditto.				
52	Arable	} Nicholas Moysey	- - -	Nicholas Moysey	Ditto.				
53	Ditto								
54	Ditto	Poor of Loddiswell	- - -	Andrew Guest	Ditto.				
	Turnpike Road to Mary Cross.								
55	Parish Road from Mary Cross by Shipham Mill to Crownwell Cross.	- - -	- - -	- - -	Modbury.				
56	Parish Road from Crownwell Cross to the Fawn Hotel.	- - -	- - -	- - -	Ditto.				
1	Orchard	John King	- - -	John King	Loddiswell.				
2	Garden	Ditto	- - -	Ditto	Ditto.				
3	Dwelling House and Garden.	- - -	William Tucker	John Kerswell	Ditto.				
4	Orchard	The Poor of Loddiswell.	James Friend	- - -	Ditto.				
5	Arable and Brake	} Catherine Wise	- - -	John Denbow	Ditto.				
6	Ditto								
7	Ditto								
8	Ditto								
9	Ditto								
10	Ditto								
11	Ditto								
12	Ditto					} Thos. King	- - -	} Wm. Denbow	Ditto.
13	Ditto								
14	Ditto								
15	Ditto								
16	Ditto	} Philip Trant	- - -	} Philip Trant	Ditto.				
17	Ditto								
18	Fir Plantation	Rev. R. H. Froude	- - -	Rev. R. H. Froud	Aveton Gifford.				
19	Public Road	- - -	- - -	- - -	Ditto.				
20	Brake	{ The Trustees of the late Rich ^d King.	- - -	Philip Jeans	Ditto.				
21	Ditto	John Sweet	- - -	John Kerswell	Ditto.				
22	Arable	John White	- - -	John White	Ditto.				
23	Ditto	Ditto	- - -	Ditto	Ditto.				
24	Ditto	} John Sweet	- - -	John Brown	Ditto.				
25	Ditto								
26	Commons.	- - -	- - -	- - -	Ditto.				