



ANNO QUINQUAGESIMO OCTAVO

GEORGI III. REGIS.

Cap. xxvii.

An Act for altering and enlarging the Terms and Powers of certain Acts, in so far as the same relate to the Road leading from the Toll House in *Paisley Lane*, at the West Side of the Entry to the New Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*.

[8th May 1818.]

WHEREAS by an Act passed in the Thirty-fourth Year of His present Majesty's Reign, intituled *An Act for enlarging the Term and Powers of an Act made in the Fourteenth Year of the Reign of His present Majesty, intituled 'An Act to continue the Terms of Two Acts made in the Twenty-sixth and Twenty-seventh Years of the Reign of His late Majesty King George the Second, for repairing several Roads leading into the City of Glasgow, so far as the same relate to the Roads from the City of Glasgow to Yoker Bridge, to Renfrew Bridge, to the Three Mile House, to the Town of Airdrie, and from the Village of Gorbals to the Chapel of Cambuslang, in the Counties of Lanark and Renfrew;'* so far as respects the Road from the Toll House in *Paisley Lane*, at the West Side of the Entry to the New Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*, and from *Parkhouse* to the Three Mile House in the County of *Lanark*; and for more effectually making, repairing, widening, and keeping in Repair the said Roads; certain Persons were appointed Trustees for surveying, making, [Local.] 6 8 amending, 34 G. 3.

37 G. 3.

New Trustees.

amending, altering, widening, repairing, and keeping in Repair the said Road leading from the Toll House in *Paisley Lone*, at the West Side of the Entry to the New Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*; and were thereby empowered to demand and take certain Tolls specified in the said Act: And whereas by another Act passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term and Powers of so much of an Act passed in the Thirty-fourth Year of His present Majesty's Reign, as relates to the Road from the Toll House in Paisley Lone, at the West Side of the Entry to the New Bridge of Glasgow, by or near Parkhouse, to the East End of the Bridge at Renfrew*, the Term and Powers of the said Act of the Thirty-fourth of the King were amended and enlarged: And whereas the Tolls authorized to be levied by the said recited Acts are not sufficient for defraying the Expences of altering, widening, repairing, and keeping in Repair the aforesaid Road, and repaying the Money authorized to be borrowed by the said Acts upon the Credit of the Tolls thereby granted; and it is expedient and necessary that the Powers thereby granted should be altered and enlarged: 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 besides the Persons appointed Trustees by the said Acts of the Thirty-fourth and Thirty-seventh of the King, upon the said Road leading from the late Toll House in *Paisley Lone*, at the West Side of the Entry to the New Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*; *James Oswald of Shieldhall, Alexander Spiers younger, of Elderslie, Robert Watson of Linthouse, David Watson younger, of Linthouse, John Cuming of Fairfield, John Mair younger, of Plantation, James McCall of Braehead, John Paterson of Merryflatts, and Richard Alexander Oswald, Merchant in Glasgow*, (being qualified in manner required by the said recited Acts), shall be and they are hereby appointed Trustees for the Purpose of executing the same and this Act.

Trustees may order new Tolls to be levied.

II. And be it enacted, That from and after the passing of this Act, the Tolls, Rates, and Duties granted by the said recited Acts upon the aforesaid Road leading from the Toll House in *Paisley Lone*, at the West Side of the Entry to the New Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of or near to the Bridge at *Renfrew*, shall be and the same are hereby repealed; and the Trustees upon the said Road, or any Person or Persons authorized by them or any Three or more of them, who are hereby declared to be a legal Quorum, for the Purposes of the said recited Acts and of this Act, may, at every Gate or Turnpike erected or to be erected by them upon or across the said Road, or on the Side or Sides of the same, and across any Lane or Way leading out of the same, demand, levy, and take the Tolls and Duties following, before any Horse, Mule, Ass, Cattle, Great or Small, Coach, Landau, Chariot, Berlin, Chaise, Hearse, Chair, Calash, Litter, Waggon, Wain, Cart, Sledge, Hurley, Wheelbarrow, or other Carriage whatsoever, shall be permitted to pass through the same:

For every Coach, Chariot, Berlin, Landau, Calash, Chaise, Chair, or Hearse, drawn by Six Horses, Mules, or other Beasts of Draught, the Sum of Six Shillings; and drawn by Four Horses, Mules, or other

Beasts of Draught, the Sum of Four Shillings; and drawn by Three Horses, Mules, or other Beasts of Draught, the Sum of Three Shillings; and drawn by Two Horses, Mules, or other Beasts of Draught, the Sum of Two Shillings; and drawn by One Horse, Mule, or other Beast of Draught, the Sum of One Shilling:

For every Waggon, Wain, Cart, Sledge, or other Carriage, drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Seven Shillings; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of Six Shillings; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Four Shillings and Eight-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Three Shillings and Four-pence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Four-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Eight-pence:

For every Hurley, Wheelbarrow, or other Carriage of that Description, drawn by Man or Beast, not loaded, or weighing with its Loading under One Hundred Weight, the Sum of One Penny:

For every such Hurley, Wheelbarrow, or other Carriage of that Description, drawn by Man or Beast, and weighing with its Loading from One to Two Hundred Weight, the Sum of Two-pence; from Two to Four Hundred Weight, the Sum of Three-pence; and above Four Hundred Weight the Sum of Four-pence:

For every Horse or Mule, laden or unladen, and not drawing in a Carriage, the Sum of Four-pence:

For every Ass, laden or unladen, and not drawing in a Carriage, the Sum of One Penny:

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number:

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

For every Drove of Horses or Fillies unshod, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number.

III. And be it further enacted, That the Trustees appointed by the said recited Acts and this Act, or their Quorum, shall and may, from and after the passing of this Act, levy or cause to be levied, demanded or taken, at the several Turnpike or Turnpikes, Gate or Gates, erected or to be erected on or across the foresaid Road leading from the Toll House in *Paisley Lane*, at the West Side of the Entry to the New Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*, before any Waggon, Wain, Cart, or other Wheel Carriage, drawn by One or more Horses or Mules, pass through the same, the Weight of which Carriage, with the Loading thereof, shall exceed Twenty-one Hundred Weight, the following respective Tolls and Duties; *videlicet*,

If the said Waggon, Wain, Cart, or other Wheel Carriage, with the Burden or Loading thereof, shall exceed Twenty-one hundred Weight, and not exceed Twenty-five hundred Weight, the Sum of One Shilling; and if the same shall exceed Twenty-five hundred Weight, and not exceed

Additional
Tolls for
Weight.

exceed Thirty hundred Weight, the Sum of One Shilling and Eightpence; and if the same shall exceed Thirty hundred Weight, the Sum of Two Shillings.

Carriages with Wheels of a certain Description chargeable with less Toll or Duty.

IV. Provided always, and be it further enacted, That it shall be in the Power of the said Trustees, or any Three or more of them, and they are hereby authorized, if they shall think fit, to exempt from Payment of any Part of the said Tolls and Duties, not exceeding One Half thereof, every Waggon, Wain, Cart, or other Carriage as aforesaid, with Two Wheels, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, and being cylindrical, that is to say, of the same Diameter on the Inside next to the Carriage as on the Outside, so that, when rolling on a flat Surface, the whole Breadth thereof shall bear equally on such flat Surface, and that the opposite Ends of the Axletrees of such Carriages, as far as the same shall be inserted in the Naves of the Wheels, shall not form an Angle with each other, but shall be in the Continuance of one straight Line, so that in each Pair of Wheels belonging to such Carriages the lower Parts which shall rest on the Ground shall be at the same Distance from each other as the upper Parts of such Pair of Wheels, and further, having the Nails sunk level with the Rings on the Wheels; and also to exempt from the Payment of the said Toll Duties, not exceeding One Half thereof as aforesaid, every Waggon, Wain, Cart, or Carriage with Four Wheels, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Nine Inches or upwards, and being cylindrical, and having the Axletrees straight, as before mentioned; and to exempt from Payment of any Part of the said Tolls and Duties, not exceeding Three-fourth Parts thereof, every Waggon, Wain, Cart, or other Carriage with Two Wheels, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Nine Inches or upwards, and of the Construction particularly before specified; provided also, that every Person claiming the Privileges granted to Carriages with Wheels so constructed as aforesaid, shall at all Times permit the same to be examined or measured by the said Trustees, or their Clerk or Surveyor, or by any Person or Persons employed in the Collection of the said Tolls or Duties.

Exemption of Toll for Carts employed in carrying off the Mud, and conveying Materials for making and repairing the Statute Labour Roads in the Parish of Govan.

V. And be it also enacted by Authority aforesaid, That no Toll or Duty shall be exigible for any Cart or other Carriage employed in carrying off the Soil, Mud, or other Materials which may be raked off and collected on the said Road; and that no Toll Duty shall be exacted, under the Authority of this or any other former Act or Acts, at any Turnpike or Turnpikes now erected or hereafter to be erected on the said Road leading from *Glasgow* to *Renfrew Bridge*, for any Cart or other Carriage employed in carrying Stones, Gravel, Sand, Lime, or any other Materials for making, altering, or repairing the Statute Labour Roads or Bridges in the Parish of *Govan*, or any of them.

Exemptions from Toll.

VI. And be it further enacted, That all Exemptions from Toll granted by the said recited Act of the Thirty-fourth of His present Majesty shall be and the same are hereby repealed, and that from and after the passing of this Act, no Toll or Duty shall be demanded or taken at any of the Turnpikes erected by virtue of the aforesaid Acts, or to be erected by virtue of this Act, for or in respect of any Horses or Carriages which shall be employed

ployed in carrying Stones or other Materials for repairing the aforesaid Roads or Bridges, or Causeways belonging to or upon the same; nor shall any Toll or Duty be demanded from any Person or Persons resident in the Parish or Parishes through which the said Road respectively passes, going on *Sunday* to or from any Place of religious Worship tolerated by Law; nor for any Horses or Cattle going to or returning from Pasture or Watering Places, nor for any Horses or Carriages employed in carrying or conveying the Mails of Letters or Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying the same, or in returning after having conveyed the same, except in so far as such Horses or Carriages are specially made liable to the Payment of Tolls by virtue of an Act made in the Fifty-third Year of the Reign of His present Majesty, intituled *An Act to repeal the Exemption from Toll granted for or in respect of Carriages with more than Two Wheels carrying the Mail in Scotland, and for granting a Rate for Postage as an Indemnity for the Loss which may arise to the Revenue of the Post Office from the Payment of such Tolls*; 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, Barrack, or Commissariat or other Public Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor for the Horses or Carriages of Officers or Soldiers upon their March or upon Duty; nor for any Horses, Cattle, or Carriages employed in carrying and conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers, or in returning from carrying or conveying the same; nor for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise: Provided always, that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations appointed for such Corps respectively; nor for Carts, Carriages, or Waggons travelling with and conveying Vagrants or Criminals sent with legal Passes, or returning from conveying the same; and if any Person shall claim and take the Benefit of any of the said Exemptions, not being legally entitled to the same, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds Sterling.

Penalty of claiming Exemption where not entitled.

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

Exempting Carriages with Stores.

Toll not to be paid more than once within Six Miles.

VIII. And be further enacted, That if any Gate or Turnpike is or shall be erected upon the said Road within a less Distance of any other Gate or Turnpike than Six Miles, any Person or Persons producing a Ticket to shew that he, she, or they have paid the Tolls at one Gate shall not be liable to pay any further Tolls on the same Day at any other Gate within the said Distance of Six Miles upon the said Road.

Tickets to be provided.

IX. And be it further enacted, That upon Payment of the Tolls by the said Acts granted, the Collector or Receiver thereof shall, and he is hereby required to deliver *gratis* to the Person paying such Tolls, a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Trustees; and there shall be printed and specified thereon the Names of the several and respective Gates freed by such Payment.

Settling Disputes concerning Tolls.

X. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls due for the Passage of any Horse, Cattle, or Carriage on the said Roads pursuant to the said recited Acts, or the Charges of making, keeping, or selling any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof, (as the Case may happen) until the Amount of the Tolls due, and of the Charges of the Distress and Sale, and of keeping the Distress, (as the Case shall happen), shall be ascertained by some Justice of the Peace for the County in which such Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties, or other Witnesses or Witnesses, and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Non-payment thereof forthwith, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) on Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

Toll Collectors to put up their Names, &c.

XI. And be it further enacted, That all and every Toll Collector appointed, either by the Trustees for executing the said Acts and this Act, or any Three or more of them, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll Gate erected by virtue of the said Acts or this Act, shall, and he is hereby required, to place his Christian and Surname painted on a Board in legible Characters in the Front or on some other conspicuous Part of the Toll House or Toll Gate, immediately upon his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted in white Letters on a black Ground, or black Letters on a white Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of the said Acts and this Act, or shall demand or take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption,

emption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his 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 give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket denoting the Payment of the Toll, and naming and specifying the several Gates to be freed by such Payment, or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said Roads, or shall, without sufficient Cause, detain or delay any Person or Persons travelling thereon, then and in every such Case every such 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 the said first-recited Act directed to be recovered and applied.

XII. Provided always, and be it further enacted, That it shall not be law-
ful for the said Trustees to continue or appoint the Person who has been or
may be appointed to act as their Clerk in the Execution of this Act, or
the Partner of any such Clerk, the Treasurer for the Purposes of this Act,
or to continue or appoint the Person who has been or may be appointed
Treasurer, or the Partner of any such Treasurer, the Clerk to the said
Trustees for executing this Act; and if any Person shall act in both the
Capacities of Clerk and Treasurer for the Purposes of this Act, or if any
Person being the Partner of any such Clerk shall act as Treasurer for the
said Purposes, or being the Partner of such Treasurer shall act as Clerk in
the Execution of this Act, every Person shall for every such Offence,
forfeit and pay the Sum of Fifty Pounds to any Person or Persons who
shall sue for the same, to be recovered in any of His Majesty's Courts in
Scotland, by summary Complaint.

Same Person
not to be
Clerk and
Treasurer.

XIII. And be it further enacted, That the said Trustees shall, and they are
hereby required from Time to Time to cause to be entered in a Book to
be kept by the Clerk to the said Trustees, true and regular Accounts of
all Sums of Money received and expended by them in the Execution of
the said Acts and this Act, and of the several Articles, Matters, and Things
for which such Sums of Money shall have been disbursed, laid out, and paid;
which Book shall at all seasonable Times be open to the Inspection of the
said Trustees, or any Creditor or Creditors on the Tolls hereby or by
the said recited Acts granted, without any Fee or Reward; and the said
Trustees and Creditors shall and may take any Copies or Extracts from
such Book, without paying any thing for the same; and in case such Clerk
shall refuse to permit such Trustees or Creditors, or any of them, to inspect
or take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay
any Sum of Money not exceeding Five Pounds.

Books of Ac-
counts to be
kept.

XIV. And be it further enacted, That if any Person or Persons shall,
after the passing of this Act, drive any Cart, Carriage, Wheelbarrow,
Hurley, or any other Carriage, whether drawn by Man or Beast, or shall
ride or drive any Horse, Mule, Ass, Cattle, Sheep, Swine, or other
Beast, on the Footpaths along the said Road, or break or destroy any
Post or Board to be set up with Notices prohibiting Persons from riding
or driving as aforesaid on the said Footpaths, or for any other Purpose,

Penalty for
trespassing on
the Footpath.

or

or destroy, throw down, or injure the Ledges of any Bridge erected or to be erected on the said Road, or the Cape Stones or the Walls of any Part of the same, or pull up or destroy the Fences, Paling, or Railing on the Sides of the said Road, or shall interrupt the weighing of any Carriage, or injure or damage any Weighing Machine on the said Road, or shall carry along it, upon any Cart or Carriage, Timber, Iron, or other Article projecting beyond the Breadth of such Carriage or Cart, or shall lay down Lime, Dung, or other Manure, for the manuring of Land, or any other Purpose, within Five Yards of the Sides of the said Road, including the Footpath or Paths, or shall lay down or cause to be laid down Stones, Gravel, Sand, Lime, Rubbish, or any other Article or Material, for any Purpose whatever, whereby the Passage of the said Road or Footpath, or any Part thereof, shall be any way stopped, impeded, or interrupted; every Person offending in any of these Particulars, and being convicted thereof on a summary or *viva voce* Complaint, at the Instance of any of the said Trustees, or of the Clerk or Surveyor of the said Road, by the Confession of the Party or the Oath of One or more credible Witness or Witnesses, before any One or more Justice or Justices of the Peace for the Counties of *Lanark* or *Renfrew* respectively (whose Decree or Decrees shall be final, and not subject to the Review of any Court whatever), shall be liable in the whole Damages and Expences thereby sustained and occasioned, and shall also for every such Offence forfeit and pay the Sum of Forty Shillings, One Half whereof shall be paid to the Informer; and such Justice or Justices shall have Power, upon Non-payment of the said Penalty, Damages, and Expences, to commit the Offender or Offenders to Gaol for any Time not exceeding One Calendar Month, unless the same shall be sooner paid or satisfied.

Trees, at
what Distance
to be planted.

XV. And be it further enacted, That it shall not be lawful to, nor in the Power of any Proprietor or Proprietors, or any other Person or Persons possessing or occupying the Ground on the South Side of the said Road, to plant any Tree or Trees within Fifty Feet of the Centre of the said Road, including the Footpath.

Houses not
to be erected.

XVI. And be it further enacted, That from and after the passing of this Act, all Houses and every other Building whatever to be built or rebuilt on the Sides of the said Road, or in any Villages through which the same shall pass, shall be erected at the Distance of Thirty Feet at least from the Centre of the said Road, including the Footpath, under the Penalty of Forty Shillings for every Offence, and the Expence of demolishing such House or Edifice; and any One Justice of the Peace for the County where such House or Building shall be situated, is hereby authorized to stop the Erection thereof within the aforesaid Distance from the Sides of the said Road, including the Footpath; and if any House or Building shall be erected hereafter, whether upon an old or new Foundation, within the Distance aforesaid, any Two Justices of the Peace for the Counties of *Lanark* or *Renfrew*, upon Application made to them by any One of the Trustees, or their Clerk or Surveyor, and upon Proof being given that the said House or Building is within the Distance aforesaid, may order such House or Building to be pulled down and removed at the Expence of the Erecter or Occupier of the Ground upon which the same shall stand, and grant Warrant for levying the same by Distress
of

of the Offender's Effects, in Manner prescribed by the said Act of the Fourteenth Year of His present Majesty's Reign, with respect to the Tolls, Penalties, and Forfeitures thereby due and exigible.

XVII. And be it enacted, That it shall not be lawful for any Surveyor or any other Person or Persons, under the Authority of the said Acts or of this Act, to dig, gather, take, and carry away Materials for making or repairing the said Roads from any Lands or Grounds, until Ten Days previous Notice in Writing shall be given to the Owner and Occupier of the Premises from which such Materials are intended to be taken, or left for such Owner and Occupier at his usual Place of Residence, to appear before Two Justices of the Peace acting for the said County of *Lanark*, to shew Cause why such Materials should not be had from such Lands or Grounds; and in case such Owner and Occupier shall attend pursuant to such Notice, such Justices shall, if they think proper, authorize such Surveyors or other Persons to dig, gather, take and carry away such Materials at such Time or Times as to such Trustees or any Three or more of them, or to such Justices shall seem proper; and if such Owner and Occupier shall neglect or refuse to appear by himself or his Agent, the said Trustees or any Three or more of them, or such Justices, shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner and Occupier or his Agent had attended.

Materials not to be taken from inclosed Lands, with-Notice to the Occupier.

XVIII. And be it enacted; That where any Stones or other Materials shall be so taken for the Use of the said Road, the Value thereof shall be ascertained, and paid for as the same shall be agreed upon between the Proprietor or Proprietors thereof and any Three of the said Trustees; and in case of any Difference of Opinion between the said Parties relative to the Value of the same, such Value shall be ascertained by Two or more Justices of the Peace of the said County: Provided always, that any Person who shall think himself or herself aggrieved by any Order, Judgment, or Determination of such Justices as aforesaid, may within Three Calendar Months after such Order, Judgment, or Determination shall have been made or given, (first giving Fourteen Days Notice to the Person or Persons against whom such Complaint is intended to be made) complain to the Justices of the Peace at the General Quarter Sessions to be held for the said County, who shall in a summary Way hear and determine such Complaint; and the Determination of the Justices of Peace at such Quarter Sessions shall be final, and not liable to review by Suspension or Advocation; any Law or Statute to the contrary notwithstanding

Value of Materials to be ascertained.

XIX. And be it further enacted, That where the Course of any Part of the said Road has already been altered in virtue of the former Act or Acts, or where the same shall hereafter be altered by virtue thereof or of this Act, and a new Road opened and made in and upon the adjoining Land, the Offer of the Purchase of such old Road shall be first made by the Trustees, or their Clerk or Treasurer for the Time, to the Person who shall be the Proprietor at the Time of the Ground lying alongside the said old Road; and if he refuses to purchase, then the Offer shall be made to the Owner of the Land which shall be cut and used for the new Road; and in case either of such Persons shall be desirous of becoming the Purchaser of such old Road, and cannot agree with the said Trustees

Old Road to be sold to Owners of adjoining Lands.

[Local.]

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for the Price to be paid for the same, then and in such Case the Price and Value shall be settled and ascertained by Two Justices of the Peace for the County of *Lanark*, One to be named by each Party, with Power to name an Overseer in case of their differing in Opinion, and such Justices or Overseer shall and may adjudge, assess, and finally determine the Price to be paid to the said Trustees for the said old Road; and their Decree shall not be subject to Appeal, or to the Review of any Court whatever; and in case the Persons before named shall respectively refuse, within the Time to be specified in the Offer by the said Trustees (which shall not be less than One Calendar Month), to purchase the said old Road, then it shall be lawful to and in the Power of the said Trustees, or any Three or more of them, to sell and dispose of the said old Road as they shall think proper.

Not to deviate 100 Yards from present Line.

XX. Provided always, and be it enacted, That it shall not be lawful to or in the Power of the said Trustees in making any new Road to deviate more than One hundred Yards from the present Line of the said Road, without the Consent of the Owner or Owners of the Land through which such Deviation is intended to be made, first had and obtained thereto.

Gates to open inwards.

XXI. And be it further enacted, That all Gates of any Park, Paddock, Field, Garden, or Inclosure of any Description whatsoever, opening into or from the said Road, shall be made to open inwards only to such Park, Paddock, Field, Garden, or Inclosure, and not outwards towards the said Road, under a Penalty not exceeding Forty Shillings, to be paid by the Owner or Occupier of such Park or other Place as aforesaid; and that it shall be lawful for the said Trustees or their Surveyor or Surveyors to cause all such Gates as are now or may hereafter be erected or constructed, so as to open outwards towards the said Road, to be altered and made so as to open inwards and from the said Road only, and to defray the Expence thereof out of the Tolls arising by virtue of the said Acts and this Act.

Conveyance of such old Road by Trustees to be valid, although no prior Title be produced.

XXII. And be it further enacted, That the Disposition or Conveyance of the old Road, or any Part thereof, to be granted by the said Trustees or any Three or more of them, to the Purchaser or Purchasers, shall be valid and effectual to him or them, although no Conveyance to the said Trustees or their Predecessors in Office, or prior Title in their Persons is produced; and the Purchaser or Purchasers shall be obliged to pay the Price or Prices without any other Right or Title than the Disposition or Conveyance by the said Trustees, or their Quorum aforesaid.

Trustees may borrow Money upon the Credit of the said Tolls.

XXIII. And be it further enacted by Authority aforesaid, That the Trustees acting under the Authority of the said recited Acts and of this Act, or their Quorum aforesaid, shall have Power and Authority to borrow upon the Credit of the said Tolls, and for the Use of the said Road leading from the Toll House in *Paisley Lane*, at the West Side of the Entry to the New Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*, the Sum of Three thousand Pounds in addition to the Sums which they are authorized to borrow by the said recited Acts or either of them, and to assign over the Tolls for Security of the Repayment thereof with legal Interest, but without Prejudice to the Security created for any prior Loan or Loans by virtue of said Acts.

XXIV. And be it further enacted, That the said Trustees may sue or be sued, for any Matter or Thing to be done in the Execution of this Act, in the Name of their Clerk or Treasurer for the Time being; and no Action or Suit wherein the said Trustees shall be concerned in Name of their Clerk and Treasurer in virtue of this Act, shall abate by the Death or Removal of any such Clerk or Treasurer, but that the Clerk or Treasurer to the said Trustees for the Time being shall be deemed to be the Party suing or defending in every Action.

Trustees may sue or be sued in the Name of their Clerk or Treasurer.

XXV. And be it further enacted, That the said recited Acts, and all the Powers, Clauses, Penalties, and Forfeitures granted by and contained in the same, in so far as not altered by this present Act, and in so far as respects the said Road leading from the late Toll House in *Paisley Lone*, at the West End of the Entry to the new Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*, shall continue and be extended to this Act as fully as if the same were herein repeated and re-enacted, and shall be executed and enforced by the Trustees appointed by the said former Acts and this present Act, during the Term hereby granted.

Powers of former Acts continued so far as not hereby altered.

XXVI. And be it further enacted, That if any Person shall think him or herself aggrieved by any of the Proceedings in the Execution of this Act for which no particular Method of Relief has been hereby provided, such Person or Persons may, within Six Months after the Matter complained of shall be done (but not afterwards), appeal to the Sheriff Depute or Substitute of the County where the Cause of Appeal shall have arisen, the Person or Persons appealing first giving Fifteen Days previous Notice of such Appeal, to the Clerk of the said Trustees, and to the Sheriff Clerk of the said County, and lodging with him at the Time of entering such Appeal a Recognizance to prosecute the same, and also giving legal Notice of such Appeal to the Defender or Defenders; then the said Sheriff Depute or Substitute is hereby authorized and required to take cognizance of such Complaints and Appeals, and to make such Determination therein as he shall think proper, and such Determination shall be final.

Proceedings may be appealed from.

XXVII. And be it further enacted, That the Expences of procuring and passing this Act shall be paid out of the Money borrowed on the Credit of the said Tolls and Duties, or out of the Tolls and Duties levied by virtue of the said former Acts and of this Act.

Expences of the Act.

XXVIII. And be it enacted, That the Powers granted by this Act shall commence from and after the passing of the same, and shall continue from thenceforth for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commencement and Continuance of the Act.

XXIX. And be it enacted, That this Act shall be deemed and judged and taken to be a Public Act; and shall be judicially taken Notice of as such by all Judges, Justices, or other Persons whomsoever, without specially pleading the same.

Public Act.

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