



ANNO PRIMO

GEORGIIV. REGIS.

Cap. lxxxiii.

An Act to explain and amend an Act for amending and consolidating several Acts for making and repairing Turnpike Roads in the Counties of *Renfrew, Lanark, and Ayr.* [15th July 1820.]

WHEREAS by an Act passed in the Forty-fourth Year of the Reign of His late Majesty, intituled *An Act for altering, amending, and consolidating several Acts for making and repairing Turnpike Roads in the Counties of Renfrew, Lanark, and Ayr; repairing other Roads branching therefrom; and amending an Act passed in the Thirty-second Year of His present Majesty, for making effectual the Statute Labour in the County of Renfrew;* certain Rates of Toll are thereby granted upon all Carts and other Carriages of ordinary Weight; and Power is thereby given to erect Weighing Machines upon the said Roads, and the Trustees thereby appointed are authorized to levy additional Tolls, from Carriages of certain Weights, at the several Turnpike Gate or Gates on the said Roads, as follows; *videlicet,* 'Before any Waggon, Wain, Cart, or other Wheel Carriage, not upon Springs, drawn by One or more than One Horse, Mare, Gelding, or Mule, pass through the same, the Weight of which Carriage with the Burden or Draught therein shall exceed Twenty Hundred Weight, and the Fellies of the Wheels of which shall not measure Four Inches at least, if drawn by One, and Nine Inches in Breadth if drawn by more than One Horse, Mare, Gelding, or Mule, One-half more in addition to the Tolls and Duties authorized to be levied by this Act; and if the Weight of the same shall exceed Twenty-five hundred Weight, and the Fellies of the Wheels of such Carriage shall not measure as above mentioned, Double the Tolls and Duties granted by this Act; and

[Local.] 27 A if

44G. 3. c. 52.

What is to be considered Double Tolls leviable under recited Act.

if the Weight shall exceed Thirty hundred Weight, and the Fellies of the Wheels of such Carriage shall not measure as aforesaid, One-half more, in addition to Double the Tolls and Duties authorized to be levied as aforesaid: And whereas Doubts have recently arisen in regard to the said progressive Rates of Toll leviable on Overweight, which it is necessary to explain and remove: May it therefore please Your Majesty that it may be enacted; and be it enacted, explained, and declared 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 in all Cases the Double Tolls and Duties granted by the said Act, as above recited, are and shall be and be deemed to be the Double of such ordinary Toll, together with the Double of the One-half more granted upon the Weight expressed in the said Act; and that the One-half more in addition to Double the Tolls and Duties thereby granted, is and shall be One-half of such last-mentioned gross Toll.

Clerk restrained from acting as Treasurer, and vice versa.

II. Provided always, and be it further enacted, That it shall not be lawful 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 the said Act and this Act, or any of them; 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 the said Act and this Act, or any of them; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said Act and this Act, or any of them, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer, shall act as Clerk in the Execution of the said Act and this Act, or any of them, every Person so offending, 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.

Accounts to be kept of Receipts and Disbursements.

III. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Road, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit the said Trustees, or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in Manner in the said Act directed.

IV. And

IV. And be it further enacted, That all Gates to be hereafter made and placed in any Hedge or other Fence of any Field, Ground, Yard, or other Place adjoining to the said Road, shall be so made, hung, and constructed as to open inward toward such Field or Ground, and not outward towards the said Road, except the Hanging Posts thereof shall be so far distant from the Centre of the said Road, as that no Part of such Gates respectively shall, when opened, swing or hang over any Part of the said Road; and in case any Person or Persons shall hang or construct any Gate or Gates contrary to the Directions of this Act, or shall, after the same shall have been hung so as to open inward towards such Field or Ground again alter the same, so as to open outwards towards the said Road, every such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings; and it shall be lawful for the said Trustees to cause all or any of such Gates as are now erected and open outward towards the said Road, to be altered and made to open inward towards such Field, Ground, Yard, or other Place, in Manner hereby directed, as they the said Trustees shall think proper.

Gates to
Fields, &c.
to open in-
wards.

V. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time to cause to be erected Guide Posts upon such Parts of the said Road, where the same may be crossed or joined by other Roads, as they shall think proper; and if any Person or Persons shall wilfully pull up or damage any Direction Post erected or fixed, or to be erected or fixed in or near the Side or Sides of the said Road, or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon; or if any Person shall ride upon any Footpath formed by the said Trustees upon or on the Side of or adjoining the said Road, or shall drive any Horse, Beasts, or Swine, or any Carriage upon, or cause any Damage to be done to any Footpath, or shall leave or suffer any Horse, Beast, Cattle, Sheep, or Swine to graze, or be and remain loose on the said Road, or any Part thereof; or if any Person shall cause to be drawn upon any Part of the said Road any Timber, Stone, or other Thing, otherwise than upon wheeled Carriages, or shall suffer any Timber, Stone, or other Thing which shall be carried upon wheeled Carriages to drag upon the said Road to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Road, shall suffer the same to root up and damage the said Road, or the Fences on either Side thereof; or if any Person driving any Carriage upon the said Road shall ride upon the Shafts, or other Part of the said Carriage, without holding the Reins of the Horse or Horses, or meeting another Carriage shall not keep his or her Carriage on his or her left or near Side of the said Road, and also keep on the same Side himself; or if any other Person shall in any other Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care upon the said Road; or if any Person shall make or assist in making any Fire or Fires, or shall set fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever, on any Part of the said Road, or within Eighty Feet of the Centre thereof, or play at Football or any other Game or Games on any Part of the said Road, to the Annoyance of any Passenger or Passengers; or if any Person shall leave any Carriage (except in Cases of Accident) upon or on the Side of the said Road, longer than may be necessary to load or unload the same, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or in case such

In erecting
Guide Posts,
&c.

Carriage

Carriage shall not during such Time be drawn up to the Side of the said Road as near as conveniently may be ; or if any Person after having blocked or stopped any Waggon, Cart, or other Carriage in going up any Hill or rising Ground, shall not immediately remove from the said Road the Stone or other Thing with which such Waggon, Cart, or other Carriage shall have been so blocked or stopped ; or in case any Person shall lay any Timber, Stone, Chalk, Marl, Lime, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever upon the said Road, or on the Side or Sides thereof between the said Road and the Fences to be erected on the Sides thereof, or shall plough up, dig up, or break up any of the Soil between the said Road and such Fences as aforesaid, for the Purpose of making Compost or Manure, or otherwise shall scrape off any Soil or other Thing from the said Road or the Sides thereof, or shall take up and carry away any Scrapings thereof, or any Dung, Mould, Soil, Compost, or Manure from the Sides thereof, except such as may be lying in his own Grounds, and be carried away without being brought over any Part of the said Road, or that the same may be done at such Times and under such Regulations as the Trustees shall direct and order, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as by the said Act is directed.

Recited Act
to be in force
except alter-
ed by this
Act.

VI. And be it further enacted, That the said recited Act, and all and every the Clauses, Exceptions, Powers, Authorities, Articles, Rules, Penalties, Forfeitures, Matters, and Things therein contained, shall remain in full Force and Effect, except in so far as the same are altered or varied by this present Act.

Public Act.

VII. 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.

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