



ANNO DECIMO

GEORGII IV. REGIS.

Cap. cxi.

An Act for making and maintaining certain Turnpike Roads within the County of *Dumfries*, and the other Highways, Bridges, and Ferries therein; and for more effectually converting into Money the Statute Labour in the said County.

[1st June 1829.]

WHEREAS by an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and maintaining certain Turnpike Roads within the County of Dumfries, and the other Highways, Bridges, and Ferries therein, and for more effectually converting into Money the Statute Labour in the said County*, certain Trustees were appointed for making, altering, and repairing the several Roads in the County of *Dumfries* therein mentioned, and the Bridges upon the same, and for the Management of the Statute Labour Roads of the said County, and for other Purposes: And whereas by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act to amend an Act made in the Fifty-ninth Year of His late Majesty, for making and maintaining certain Turnpike Roads within the County of Dumfries, and the other Highways, Bridges, and Ferries therein, and for more effectually converting into Money the Statute Labour in the said County*, the Trustees appointed by the said first-recited Act were authorized and empowered to borrow an additional Sum or Sums of Money for the Purposes of the said first-recited Act: And whereas the Trustees appointed by the said first-recited Act have proceeded in the Execution thereof, and great Progress has been made in making, altering, improving,

[Local.]

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improving,

59G.3.c.110.

1 G. 4. c. 4.

improving, and repairing the several Roads therein described, and the other Highways, Bridges, and Ferries in the said County, and considerable Sums have been borrowed and expended on the said several Roads, and are still owing on the Credit of the Tolls and Duties granted by the said first-recited Act: And whereas it is expedient and would be of Advantage to the Public that certain Alterations on the Lines or Direction of some of the Roads described in the said first-recited Act should be made, that a new Bridge should be erected across the River *Annan*, at or near to *Shillabill*, upon the proposed Alteration of the Road between *Lochmaben* and *Lockerbie*; and that a new Line or Branch of Road should be made from *Debate* by *Waterbeck* to the Lime Works of *Blacketridge*: And whereas it is expedient to extend the Term, and to alter, amend, and enlarge the Powers, of the said first-recited Act, and to increase the Assessment for building and repairing Bridges within certain Divisions of the said County; but these Purposes cannot be accomplished unless the said Act passed in the Fifty-ninth Year of His late Majesty be repealed, and other and further Powers granted: And whereas an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for regulating Turnpike Roads in that Part of Great Britain called Scotland*: 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 the said recited Act passed in the Fifty-ninth Year of the Reign of His late Majesty, and also the said recited Act passed in the First Year of the Reign of His present Majesty, shall be and the same are hereby repealed.

4 G. 4. c. 49.

Recited Acts
of 59 G. 3.
and 1 G. 4.
repealed.

Powers of
the Act of
4 G. 4. ex-
tended to
this Act.

II. And be it further enacted, That the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) shall respectively be as good, valid, and effectual for carrying this Act into execution as if the same had respectively been repeated and re-enacted in the Body of this Act; reserving nevertheless to the Burgh of *Dumfries*, and their Commissioners of Police, all the Rights and Privileges they already have within their Territory by any Act or Acts presently in force.

Provision as
to the exist-
ing Debt.

III. Provided nevertheless, and be it enacted, That the Securities granted for Money borrowed and Sums of Money owing upon the Credit of the Tolls authorized to be levied by the said Two first-recited Acts hereby repealed, and the other Acts therein recited and repealed, shall not be prejudiced by the Repeal thereof, but the same shall attach upon the Tolls authorized by this Act to be levied upon the several Roads, subject to such Debts, and shall be preferable thereon to any Sum or Sums of Money to be borrowed on the Credit of the Tolls granted by this Act, and Tolls shall accordingly be levied on such Roads until the Sums of Money owing are paid.

Existing
Bonds and
Securities to

IV. And be it further enacted, That all Bonds, Bills, Covenants, Leases of Toll Duties, and Securities, made or entered into by any Person or Persons to or with the Trustees for executing the said Two first-recited

Acts hereby repealed, and the other Acts therein recited and repealed, and all Arrears of Toll Duties or of Conversion Money owing to the said Trustees, shall remain in full Force and Effect, and shall continue available in all Courts of Law and Equity, until the same are fully satisfied, paid, and performed; and all Contracts, Conveyances, Assignments, Bonds, Bills, and Securities made and entered into by the Trustees for executing the said Two first-recited Acts hereby repealed, and the other Acts therein recited and repealed, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act.

remain in force; and Arrears of Toll Dues and Conversion Money to be available.

V. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said Two first-recited Acts hereby repealed, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Acts had not been repealed.

Books to continue Evidence.

VI. Provided always, and be it further enacted, That the Clerks, Surveyors, Collectors, and all other Officers, excepting the Treasurer, who have been appointed under and employed in the Execution of the said Act hereby repealed, shall respectively continue to exercise their Offices under this Act until they shall respectively be displaced or removed by the said Trustees, or be incapable of executing their Offices, and shall be subject to the like Rules and Regulations, and Pains and Penalties, in all respects whatsoever, as if they had been appointed under or by virtue of this Act, without Prejudice nevertheless to the Re-election of the said Treasurer under the Powers of this Act.

Officers to continue, except the Treasurer.

VII. And be it enacted, That every Person, in his own Right or in Right of his Wife, in the actual Possession or Enjoyment, as Proprietor or Life Renter, of the *Dominium utile* of Lands lying in the County of *Dumfries* valued in the Cess Books of the said County at One hundred and fifty Merks *Scots* or upwards, and all and every the eldest Sons of such Proprietors and Life Renters; and One Guardian, or Tutor or Curator, or Trustee of every Minor possessed of the aforesaid Qualification; and One Guardian, or Tutor or Curator, or Trustee of every Person possessed of the like Qualification who is or shall be legally cognosced fatuous or furious; and One Trustee, Commissioner, Factor, or Steward of any Proprietor or Proprietrix possessed of the Qualification aforesaid; and the Provosts of the Royal Burghs of *Dumfries*, *Annan*, *Lochmaben*, and *Sanquhar* for the Time being, or, in their Absence, the next Senior Magistrate for the Time being of the said Royal Burghs; the Chamberlain and the Master of Woods and Works on the *Eskdale* Estate of his Grace the Duke of *Buccleugh* and *Queensberry*, and their Successors in Office for the Time being; the Manager for the Lessees of the Mines of *Wanlochhead* for the Time being; Vice Admiral Sir *Pulteney Malcolm*, residing at *Irvine*; *Alexander Hay Borthwick* Esquire, residing at *Hopesrigg*; *Pulteney Mein* Esquire, residing at *Forge*; *Gilbert Young* Esquire, of *Youngfield*; *George Scott Elliot* Esquire, of *Larriston*; *James Bell* Esquire, at *Woodhouselees*; Major *William Miller*, residing in *Dumfries*; and the Reverend Doctor *William Singer*, Minister of *Kirkpatrick juxta*, shall be and they are hereby appointed Trustees for ordering,

Trustees appointed.

ordering, superintending, surveying, making, improving, altering, repairing, and keeping in repair the several Turnpike Roads herein-after mentioned; (that is to say,) the great Road from *Dumfries* by *Æ Bridge* and *Moffat* to *Tweed's Cross*, with Power to alter the present Line of Part of the said Road by leaving the same near to the South Side of the Village of *Amisfield*, from thence along or near to *Amisfieldburn*, from thence across the Water of (*Æ*) at or near to *Dal-fibble*, from thence through the Barony of *Ross* to and across the River *Kinnell* at or near to the *Carse of Kinnell*, from thence through the Estate of *Annandale*, by *Springwell*, *Lochwood*, and *Stockholm*, until it joins the present Road at or near to *Marchbankwood*, with Power also to alter the said Road by leaving the same at or near to *Annanwaterhead* by a new Line to *Tweed's Cross* aforesaid; the Road from *Stenrieshill* or *Kilbrook* in the Parish of *Wamphray*, by *Nether Boreland*, *Paddockhole*, *Debate*, *Dunnabie*, *Linnbridgeford*, *Snab*, *Branteth*, *Oakwoodhill*, *Chapelknowe*, *Stubbyknowe*, *Millikensbush*, to *Headlesscross*, and from *Stubbyknowe* aforesaid by *Staffler* to the River *Sark* at *Corriesmill*, or by leaving the said Road to the Southward of *Branteth* aforesaid, by the Farms of *Smallholms*, *Loganhouse*, *Bectonhall*, *Stoneylee*, *Southwoodfoot*, *Raeburnfoot*, *Goldieslee*, *Aitchisonsbank*, *Quintonsbill*, the Village of *Springfield*, and thence till it joins the *Glasgow and Carlisle Road* at or near to *Alisonsbank*; a new Line or Branch of Road leading from the present Road at or near *Debate*, and from thence through the Lands of *Dunnabie*, *Crrruthers*, *Crossbankhead*, and the Estate of *Springkell*, to a Point at or near the Village of *Waterbeck*, and from thence to or near to the Lime Works of *Blacketridge*; that Part of the Road from *Dumfries* by *Lochmaben* and *Lockerbie* to *Langholm* between *Dumfries* and *Fallfordbridge*, with Power to alter the present Line of Part of the said Road by leaving the same at or near *Lochmaben*, from thence by and along or near to the Side of the *Castle Loch*, and through the Lands of *Innerfield*, *Priestdykes*, and *Greenhill*, from thence by a new Bridge to be erected across the River *Annan* to or near to *Shillabill*, and from thence by *Turnmuirwood* to the Village of *Lockerbie*, with Power also to alter the present Line of Part of the said Road between *Scroggsbridge* and *Paddockhole* by a new Line near to or along the Water of *Milk*, and with Power also to alter the present Line of Part of the said Road between *Dunabie* and *Fallfordbridge* aforesaid by a new Line through the Lands of *Crowdieknowe* and others; the Road from the Burgh of *Lochmaben* by the Bridges over the Rivers of *Kinnell* and *Annan* till it joins the *Glasgow and Carlisle Road* at or near to *Nethercleuch*; the Road leading from the *Glasgow and Carlisle Road* at or near *Craikscraig*, from thence by *Landsharwbush*, *Moffat*, and *Poldean*, until it rejoins the said *Glasgow and Carlisle Road* at or near to *Dinwoodie*; the Road from the Village of *Ecclefechan*, by the Lands of *Hall*, *Mire*, *Orchard*, *Brownknow*, *Axletreewell*, *Hairgills*, *Relief*, the East End of *Burnswark*, *Burnswarklees*, *Hazleberry*, *Tundergarth*, and *Castlehill*, till it joins the said Road from *Dumfries* by *Lochmaben* and *Lockerbie* to *Langholm* near to *Castlehillgreen*; and that Part of the Road from *Beattock* by *Lochmaben* to *Charlesfieldyett*, North of *Lochmaben*; the great Road from *Dumfries* by *Annan* to the River *Sark* at or near to *Alisonsbank*, including the old Lines thereof from *Collin* by *Clarencefield* to *Annan*, and from *Steel* by *Gretna Green* to *Headlesscross*, with Power to improve and amend the Entrance into the Burgh of *Dumfries* by leaving the said Road
between

between *Noblehill* and *Milldamhead* to the High Street of the said Burgh, with a Branch leading off the said Alteration at a Point in the Lands of *Cresswell*, from thence till it joins the *Kirkgate* or *Saint Michael's Street* of the said Burgh near *Saint Michael's Churchyard*; the Road from the East End of the Town of *Annan* through *Annan Common* and *Stapleton* to *Beltenmont*, and from thence through the Lands of *Kirkpatrick-Fleming*, the Estates of *Mossknow* and *Springkell*, to the Water of *Sark* at or near the Tower of *Sark*, with Power to join the aforesaid Road from *Stubbyknow* to *Sark* at *Corriesmill* by leaving the same at or near *Stonylee* in nearly a straight Line to *Stubbyknow*; the Road from *Raeburnhead Muir* by *Howgillside* to the Parish Road near *Braehead*, and along that Road till it joins the Road from *Annan* to *Crannelpathfoot*, and along that Road to *Blackcleuch*, and from thence along the Road by the Lands of *Gair*, *Craighshaws*, *Gowkball*, and *Fallford*; the Road from the *Stapleton* Road by *Woodhall* to join the said Road from *Annan* to *Crannelpathfoot*; the Road from the Lime Quarry of *Kilhead*, by *Clayhouses*, *Beckhead*, and *Bogues*, to the Bridge over *Annan* at *Hoddam*; the Road from *Annan* to *Crannelpathfoot* on the Road between *Longtown* and *Langholm*; the Road from *Burnfoot* of *Springkell* by *Bridekirk* towards the Lime Quarry of *Kelhead*; the Road from *Howes* by *Hoddam Bridge* to the *Glasgow* or *Carlisle* Road at or near *Lockerbie*; the remaining Part of the aforesaid Road from *Beattock* by *Lochmaben* to *Charlesfieldyett*, South of *Lochmaben*; the Remainder of the Road from *Dumfries* by *Lochmaben* and *Lockerbie* to *Langholm*, between *Fallford Bridge* aforesaid and *Langholm*; the Road from *Barnglieshead* to *Gillnockiebridge*; the Road from the Tower of *Sark*, through the Estate of the Duke of *Buccleuch* and *Queensberry*, by *Becklees*, *Glenzier*, *Gillnockiebridge*, the Coal Pits at *Byreburn*, by *Clayyett* and *Harlawhill* to *Harelawhole*, on the Turnpike Road from *Cannonbie* up *Liddisdale*, being the Continuation of the aforesaid Road from *Annan* to the Tower of *Sark*; the great Road from *Dumfries* by *Thornhill* and *Sanguhar* to the March of the County of *Ayr*, the Road from *Thornhill* by *Penpont* and *Minyhive* to the March of the Stewartry of *Kirkcudbright*; the Road from *Carronbridge* by *Dalveen* to the March of the County of *Lanark* towards *Elvanfoot*; the Road from *Mennoch Toll Bar* by *Wanlockhead* to the March of the County of *Lanark* towards *Leadhills*; the Road from the said great Road to the Lime Works of *Gloseburn*, and from thence by *Lochettrick* till it joins the said great Road from *Dumfries* by *Æ Bridge* and *Moffat* to *Tweed's Cross* at or near to *Æ Bridge*; the Road from *Minyhive* by *Craigdarroch* to the March of the Stewartry of *Kirkcudbright*; a Road from the said great Road from *Dumfries* by *Thornhill* and *Sanguhar* to the March of the County of *Ayr*, by leaving the same at a Point between *Portrackhill* and *Auldgirth Bridge*, through the Lands of *Burnhead*, *Grangemill*, *Allanton*, *Moat*, *Hallidayhill*, *Glenmidge*, and *Blackwood*, and from thence by the present Road by *Penpont* and *Marburn* to the said great Road at *Glenarlie Bridge*; the Road from the said great Road at or near *Auldgirthbridge*, by *Throughgatefoot* and *Speddoch*, to the March of the Stewartry of *Kirkcudbright* at *Marglolly*; and also for ordering, superintending, surveying, improving, altering, repairing, and keeping in repair the Bridges on the said several Turnpike Roads, and erecting new Bridges thereon where the same shall be necessary; and also for ordering, superintending, surveying, making, improving, altering, repairing, and

keeping in repair all the other Roads, Highways, Bridges, and Ferries within the said County of *Dumfries*, upon which Tolls are not authorized to be levied either by this or any other Act; and for levying and applying the Conversion of the Statute Labour within the said County, and for putting in execution all the other Powers in and by the said recited Act of the Fourth Year of the Reign of His present Majesty and this Act given and granted.

Qualification of Trustees for applying Conversion Money in the County.

VIII. And be it further enacted, That as to all Matters in regard to levying and applying the Conversion Money in lieu of Statute Labour within the Limits of any of the Eight Statute Labour Divisions of the said County herein-after mentioned, every Person possessed in his own Right or in the Right of his Wife of Lands worth of real Rent yearly the Sum of Seventy-five Pounds Sterling or upwards, shall be and they are hereby appointed Trustees in the respective Divisions in which their Property is situated, jointly with the other Trustees before mentioned.

Qualification of Trustees in Burghs.

IX. And be it further enacted, That as to all Matters to be executed within the Limits of any Royal Borough or Burgh of Barony, or within the Parish in which such Borough or Burgh is situated; in respect to the levying and applying the Conversion Money in lieu of Statute Labour, in pursuance of this Act, every Proprietor of Lands or Houses in his own Right or in the Right of his Wife, worth of real Rent yearly Fifty Pounds Sterling or upwards in such Borough or Burgh, and the whole Magistrates, Dean, and Treasurer, and the Convener of the Incorporated Trades of such Borough or Burgh, shall be and they are hereby appointed Trustees jointly with the other Trustees before mentioned.

Votes of Trustees.

X. Provided always, and be it enacted, That no Trustee, Commissioner, Factor, or Steward of any Proprietor or Proprietrix shall be entitled to vote and act as such except in the Absence of his Constituent: Provided also, that no Trustee whatever under this Act shall be entitled to vote and act until he shall have attained the Age of Twenty-one Years complete: Provided also, that no Person shall be capable of being a Trustee under this Act who shall sell Ale or Spirituous Liquors by Retail: Provided also, that although a Person being a Trustee in his own Right shall claim as Trustee, Commissioner, Factor, or Steward of any absent Proprietor, or as Guardian, Tutor, Curator, or Trustee of any Minor, or of any fatuous or furious Person, or appear in Two Capacities, he shall have but One Vote; and that no Person of any Description whatever, claiming as a Trustee under this Act, shall have more than One Vote on any Pretence whatever, excepting in the Event of an Equality of Votes at any Meeting, in which Case the Preses shall also have the casting Vote.

Plans and Books of Reference deposited with the Clerk of the Peace to be open to Inspection.

XI. And whereas Maps or Plans describing the Turnpike Roads intended to be made and altered as before mentioned, and the Lands and Tenements through which the same lead, together with Books of Reference containing Lists of the Names of the Owners and Occupiers of such Lands and Tenements, have been deposited at the Office of the Clerk of the Peace for the County of *Dumfries*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the

Custody of the Clerk of the Peace for the said County, to the end that all Persons may have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, paying the said Clerk at the Rate of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Trustees in making the said Roads and Alterations before described shall not deviate more than One hundred Yards from the Lines described in the said Maps or Plans, without the Consent in Writing of the Person or Persons through whose Lands or Tenements such Deviations shall be made.

Trustees not to deviate from Plan.

XII. Provided always, and be it enacted, That it shall be lawful to and for the said Trustees to make the said Turnpike Roads or Alterations into, through, or across or over the several Lands or Tenements of any Person or Persons who is, are, or may be the Owner or Owners of Lands or Tenements over or through which the said Roads or Alterations are described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Dumfries*, and be certified by a Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees may make Roads through Lands, although Owners Names are not in the Books of Reference.

XIII. Provided always, and be it further enacted, That the said last-mentioned Powers and Authorities 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, Garden, Yard, Park, Paddock, Lawn, Shrubbery, or Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained.

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

XIV. Provided also, and be it enacted, That if the said Trustees shall not within the Space of Five Years (to be computed from the passing of this Act) agree for and cause to be valued any Houses or other Buildings the Side Walls whereof are of the Height of Twenty Feet or upwards, which are 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 Houses or other Buildings without the Consent in Writing of the Owners thereof first had and obtained.

Buildings to be purchased within Five Years.

XV. And be it further enacted, That the said Trustees shall hold their First General Meeting under this Act within the Court House of *Dumfries* in the County aforesaid on the Second *Wednesday* in *July* One thousand eight hundred and twenty-nine, or as soon thereafter as conveniently may be, which Meeting shall be convened by an Advertisement to be published in the *Dumfries* Newspapers by the Convener of the Commissioners of Supply for the said County of *Dumfries*, Fourteen Days at least previous to the said Day of Meeting; and thereafter the said Trustees shall hold Two General Meetings in every Year, that is to say, the one of such Meetings on the Day that is or shall be appointed for the Meeting of the Commissioners of Supply for imposing the Land Tax in every Year, within the said Court House, or in

Meetings of Trustees under this Act.

in such other Place as the said Trustees shall at any such General Meeting hereafter appoint for that Purpose, and the other of such Meetings on the Day on which the Freeholders of the said County shall hold their *Michaelmas* Head Court in every Year, within the said Court House, or in such other Place as aforesaid; and at such General Meetings the said Trustees shall or may proceed to determine, order, and appoint all Matters and Things whatsoever with respect to the making, surveying, repairing, and keeping in repair all and singular the said several Turnpike Roads and the Bridges thereon, and to exercise and execute all and every the Powers and Authorities vested in them under and by virtue of this Act; and the said Trustees, besides such General Meetings, shall also yearly hold such several District Meetings, and at such several Times and Places as shall at the said General Meetings be fixed for that Purpose; and at such District Meetings the said Trustees shall or may proceed to exercise and execute all and every the Powers vested in them under or by virtue of this Act, so far as relates to such respective Districts, and so far as the same shall not have been previously done or provided for at the aforesaid General Meetings; and any Five or more of the said Trustees being present at such General or District Meetings shall be a Quorum, and competent to act in all the Business of such Meetings; and it shall and may be lawful for the said Trustees, at any of the General or District Meetings to be held in pursuance of this Act, from Time to Time to adjourn themselves to such Times and Places as they shall think proper or convenient; and if it shall happen that a Quorum of the said Trustees shall not appear at the First or any other General or District Meeting, it shall be in the Power of any One or more Trustees who may attend, or the Clerk, to adjourn the Meeting to any lawful Day, not less than Fourteen Days nor longer than Three Weeks after such Meeting, Notice of any such Adjournment being to be published in the *Dumfries* Newspapers Ten Days at least before the Day of Meeting.

Trustees may divide the County into Districts.

XVI. And be it enacted, That it shall be lawful for the said Trustees at their First General Meeting aforesaid to divide the said County into Districts in so far as regards the Roads upon which Turnpike Gates or Toll Bars are hereby authorized to be erected or continued, and under such Regulations as to the Trustees may appear proper; and separate Accounts shall in that Event be kept of the Money raised within such Districts respectively; declaring nevertheless that such Districts may be afterwards altered or totally set aside by the Order of Two consecutive General Annual Meetings.

Trustees may continue and erect Turnpike Gates, and levy Tolls.

XVII. And be it enacted, That the said Trustees shall be and they are hereby empowered to continue the Turnpike Gates already erected upon any of the Roads before described, and to erect or cause to be erected Turnpike Gates upon or across any of the said Roads, together with Houses necessary for the Accommodation of the Collectors of the Tolls at each of the said Gates, and to collect, levy, and take at each of the Gates so erected and continued or to be erected, before any Carriage or Cattle shall be permitted to pass through the same respectively, the Rates and Duties not exceeding the Sums following; that is to say,

Rates of Toll.

For every Horse or Beast drawing any Coach, Barouche, Chariot, Landau, Chaise, Calash, Chair, Taxed Cart, Hearse, or such other Carriage,
One Shilling :

For

For every Horse or Beast drawing any Stage Coach, Long Coach, or Diligence, or Carriage of the like kind, the above Toll Duties, and if the said Trustees shall think proper, any Sum in addition to the aforesaid Rate not exceeding One Half more :

For every Horse or Beast drawing any Waggon, Wain, Cart, or other such Carriage, drawn by not more than Two Horses, Oxen, or Beasts of Burden, Ten-pence each, and drawn by Three or more Horses, Oxen, or Beasts of Draught, One Shilling each :

For every Horse or Mule, saddled or unsaddled, laden or unladen, and not drawing, Three-pence :

For every Ass, loaded or unloaded, Two-pence :

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

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

For every Drove of Horses or Fillies unshod Two Shillings and Six-pence *per* Score, and so in proportion for any greater or less Number.

XVIII. And be it further enacted, That the said Trustees may cause Weighing Engines to be erected upon such Parts of the said Roads as they shall think fit, for weighing all Waggons, Carts, or other such Carriages that shall pass along the said Roads; and may demand and take at the several Turnpike Gates on the said Roads, or any of them, for and in respect of all Waggons, Carts, or other such Carriages, the additional Tolls and Duties following; (that is to say,) if the Carriage, with its Loading, shall exceed Twenty-eight Hundred Weight, and shall be under Thirty-six Hundred Weight, One Half more than the Tolls and Duties before authorized by this Act to be levied; and if the said Carriage and its Loading shall be Thirty-six Hundred Weight or upwards, Double the said Tolls and Duties; which additional Tolls and Duties so authorized to be levied shall not be held to be Penalties, but the just and fair Tolls and Duties payable for such Carriage: Provided always, that every Carriage drawn on Wheels of the Breadth of not less than Five Inches in the Tread or Fellies, and the Hind Wheels rolling in a different Track from the Fore Wheels, shall pass through all the Gates and Turnpikes already erected or to be erected by virtue of this Act, on Payment of One Half of the Tolls or Duties before specified.

Tolls to be increased on Carts above a certain Weight.

Provision as to Wheels of the Breadth of Five Inches or upwards.

XIX. Provided always, and be it enacted, That there shall be the Distance of Six Statute Miles at least between every Two Gates erected on the same Line of Road, or if the said Trustees find it necessary or expedient to erect Gates within a less Distance from each other, which they are hereby empowered to do, then every Horse, Beast, Cattle, or Carriage for which Toll shall have been paid shall, on a Ticket being produced denoting the Payment of such Toll, pass Toll-free through such additional Gate on the same Line of Road on the same Day before Twelve of the Clock at Night.

Tolls to be levied once in Six Miles.

XX. Provided always, and be it further enacted, That no Person or Persons, having paid the said Tolls or Duties at any of the said Gates or Turnpikes, shall, on the same Day before Twelve of the Clock at Night, be subject or liable to pay the said Tolls or Duties again at the same Gate or Turnpike for the same Horse or Beast drawing the same Coach,
 [Local.] 30 K Chariot,

Toll to be paid but once a Day, except in certain Cases.

Chariot, Chaise, Taxed Cart, Chair, Hearse, Waggon, Wain, Cart, or other Carriage, or for the same Horse, Mule, Ass, or any other Sort of Cattle, for which such Tolls or Duties shall have been paid: Provided nevertheless, that the Horses or other Beasts drawing any Waggon, Wain, Cart, or other such Carriage, and all Stage Coaches, Diligences, and other like Carriages, and all Post Horses, returning or passing again on the same Day with a new Loading, shall be subject to the Payment of the Tolls or Duties each Time of passing or returning through any of the Gates or Turnpikes with such new Loading.

Side Gates.

XXI. And be it further enacted, That it shall be lawful for the said Trustees to continue or cause to be erected One or more Gate or Gates on the Side or Sides of the said Roads, and across any Lane or Way leading out of the same, and also a Toll House, if necessary, at each such Side Gate, and there to take and receive such Tolls as are hereby granted and made payable; but so as that a Ticket received at any such Side Gate shall entitle the Receiver thereof to pass through the next Gate or Turnpike on or across the Road on account of which such Side Gate is erected Toll-free, if within Six Miles on the same Day, reckoning the Day as aforesaid; and it shall be lawful for the said Trustees to apply such Sum or Sums of Money as they may think equitable from the Rents or Toll Duties levied at the said Side Gates, towards keeping in repair the Roads, Ways, or Lanes on which such Side Gates are erected.

Tolls to be applied to the Turnpike Roads in the Districts respectively.

XXII. And be it further enacted, That after deducting the Charges of Management, and a proportional Part of the Expence of obtaining this Act, and other Burdens legally incurred, the Tolls or Duties arising within each District of the said Roads shall be applied by the said Trustees towards making, altering, improving, repairing, and keeping in repair the several Turnpike Roads whereon such Tolls or Duties shall respectively be collected, and to the repairing the present, and building and repairing new Bridges thereupon, where the same shall be found necessary.

Power to improve the Road North of Tweed's Cross.

XXIII. And whereas the aforesaid Road from *Dumfries* by *Æ Bridge* and *Moffat* to *Tweed's Cross* forms Part of the great Road from *Dumfries* to *Edinburgh*, and connects with that Part of the said Great Road situated within the County of *Peebles* at *Tweed's Cross* aforesaid: And whereas the Turnpike Revenue in *Peeblesshire* is inadequate to the Execution of certain Alterations which have been deemed necessary within the said County, for the Improvement of the said great Road, and which Improvements will be of considerable Advantage in facilitating the Intercourse between the County of *Dumfries* and the City of *Edinburgh*; be it therefore enacted, That the Trustees appointed by this Act shall have Power to apply Part of the Revenue arising from the said Road from *Dumfries* by *Æ Bridge* and *Moffat* to *Tweed's Cross*, in conjunction with the Trustees in *Peeblesshire*, in altering and improving that Part of the said great Road between *Tweed's Cross* aforesaid and the March of the County of *Edinburgh*, and to make such Arrangements or Agreement with regard to the Repayment or otherwise of any Sum or Sums so advanced, as the said Trustees appointed by this Act may deem proper or expedient.

XXIV. Pro.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall be deemed or taken to extend or apply to any Part of the Road made or intended to be made pursuant to an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for improving the Road from the City of Glasgow to the City of Carlisle*, as the same has been amended by certain Acts passed in the Fifty-eighth and Fifty-ninth Years of the Reign of His said late Majesty, and in the First and Second Years of the Reign of His present Majesty, or to hurt or prejudice or in anywise affect the Rights and Interests of the Trustees acting in the Execution of the said Acts, or the Creditors upon the Tolls thereof, or of any Part thereof, contrary to the Provisions of the said herein-recited Acts for improving the said Road from the City of *Glasgow* to the City of *Carlisle*.

Provision as to the Glasgow and Carlisle Road.

56 G. 3. c. 83.

XXV. And whereas the Roads communicating with the said Burgh of *Dumfries* and the public Cattle Market thereof are in some Parts inconveniently narrow and even dangerous to the Passengers thereon; be it enacted, That the said Trustees shall be bound, as they are hereby empowered and required, within the Space of Twelve Years after the passing of this Act, out of the Monies raised in virtue thereof, to widen the great Line of Road from *Dumfries* by *Annan* to *Sark* at or near *Alison's Bank*, at that Part thereof lying between the said Town of *Dumfries* and the Village of *Gasstown*, to the full Width of Forty Feet, including Footpaths; and also, out of the Monies to be raised in virtue of this Act, within the like Period of Twelve Years after the passing of this Act, to make and construct so much of the Road intended to amend and improve the Entrance into the Burgh of *Dumfries* by leaving the said Road between *Noble Hill* and *Milldamhead* to the High Street of the said Burgh, with a Branch leading off the said Alteration at a Point in the Lands of *Cresswell*, from thence till it joins the *Kirkgate* or *Saint Michael's Street* of said Burgh, near *Saint Michael's Churchyard*, as relates to the Road from a Point between *Noble Hill* and *Milldamhead* to *Saint Michael's Street* aforesaid: Provided, that not more than Two thousand Pounds shall be paid for making the said Improvements out of Funds raised by virtue of this Act.

Trustees to widen Road to Dumfries.

XXVI. And be it enacted, That the said Trustees shall hold a General Meeting at *Dumfries* upon the Day appointed for the First General Meeting of the said Trustees for executing this Act in relation to the several Turnpike Roads herein-before described, and shall then proceed to execute this Act so far as relates to the Statute Labour and Statute Labour Roads within the several Parishes in the respective Divisions of the said County herein-after mentioned; and thereafter the said Trustees appointed by this Act shall hold One General Meeting yearly at *Dumfries* on the Day that is or shall be appointed for the Meeting of the Commissioners of Supply for imposing the Land Tax, and shall fix and ascertain the Rate of Conversion in lieu of Statute Labour to be levied on each One hundred Merks of valued Rent of the said County, agreeably to the Valuation of the Lands in the said Divisions, and also the Sums to be levied in the several Burghs and Villages within the said County; with Power to them at their aforesaid General Meetings respectively to adjourn themselves to such Times and Places as they shall think proper or convenient, and as often as it shall be necessary for putting this Act into execution.

First Meeting in relation to Statute Labour, and General Annual Meetings.

execution in relation to the Statute Labour and Statute Labour Roads in the said County.

Conversion
of Statute
Labour :

Rates on
Land ;

XXVII. And be it enacted, That all Persons chargeable with Statute Labour within the said County shall hereafter pay a Conversion in Money, or Composition, in lieu of such Statute Labour, to the Collectors to be appointed by the said Trustees for receiving the same, according to the Rules following ; that is to say, all Occupiers of Land, whether Heritors or Tenants, shall be liable to pay yearly a Composition in Money for the Lands occupied by them respectively, according to the valued Rent of such Lands, not exceeding the Sum of Two Pounds Sterling for each One hundred Merks of such valued Rent : Provided always, that whenever the said Composition shall exceed One Pound Ten Shillings Sterling for each One hundred Merks, the Excess shall always be paid by the Heritor or Proprietor.

Rates on
Houses, &c. ;

XXVIII. And be it further enacted, That the Occupier or Occupiers of all Houses, Shops, Cellars, Warehouses, and Store or Timber Yards within the said County, not having any cultivated or profitable Land adjoining thereto, or within any Burgh or Burghs, Village or Villages, erected or to be erected within the said County, and the Tenants and Possessors of the Burgh Roods lying within the Territory of the Royal Burghs within the said County, shall, in place of their Statute Labour, pay yearly a Composition not exceeding One Shilling Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the yearly Rent is Three Pounds and under Seven Pounds Sterling ; a Composition not exceeding Three Shillings Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the yearly Rent is Seven Pounds and under Ten Pounds Sterling ; a Composition not exceeding Four Shillings Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the yearly Rent is Ten Pounds and under Fifteen Pounds Sterling ; a Composition not exceeding Five Shillings Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the yearly Rent is Fifteen Pounds and under Twenty Pounds Sterling ; a Composition not exceeding Seven Shillings Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the yearly Rent is Twenty Pounds and under Twenty-five Pounds Sterling ; a Composition not exceeding Eight Shillings and Sixpence Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the yearly Rent is Twenty-five Pounds and under Thirty Pounds ; a Composition not exceeding Ten Shillings Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the yearly Rent is Thirty Pounds and under Forty Pounds Sterling ; a Composition not exceeding Fifteen Shillings Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the yearly Rent is Forty Pounds and under Fifty Pounds Sterling ; a Composition not exceeding One Pound

Five Shillings Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the Yearly Rent is Fifty Pounds and under Sixty Pounds Sterling; a Composition not exceeding One Pound Ten Shillings Sterling for every Dwelling House, Apartment, Room, Shop, Cellar, Warehouse, and Store or Timber Yard occupied by them, whereof the Yearly Rent is Sixty Pounds Sterling and upwards; and at a Rate not exceeding Three-pence Sterling on every Pound Sterling of the real Rent of the Burgh Roods aforesaid.

Rates on
Burgh
Roods;

XXIX. And be it further enacted, That all Carters, Carriers, and other Persons keeping Horses for Hire and Labour, residing within the said County, shall, by way of Compensation for Statute Service, pay at the Rate of Three Shillings yearly for each Horse, and One Shilling and Sixpence yearly for each Man employed with such Horses, notwithstanding that they may occupy Lands or Houses within other Counties through which they are in use to travel in the Course of their Employment: Provided always, that so far as the Carters, Carriers, and other Persons so keeping Horses for Hire or Labour shall rent or occupy any Lands, and shall be assessed in quality of Tenants or Occupiers thereof, they shall be entitled to a Deduction out of such Assessment to the Extent of the Rate or Composition to which they are hereby made subject in respect of their Horses and Men employed with such Horses.

Rates on
Horses kept
for Hire.

XXX. And be it further enacted for the above Purposes, That the said Trustees at their said General Meeting, and yearly thereafter at their General Annual Meetings aforesaid, shall and they are hereby empowered and required to nominate and appoint Two or more Assessors for each Division, Burgh, or Village within the said County of *Dumfries*, who, within Fourteen Days after their Appointment, shall yearly return upon Oath, to the Clerk to be appointed as herein-after mentioned, a List of the Occupiers of the said Houses and Lands, and Persons aforesaid keeping Horses for Hire and Labour, and a full Account of the Rents of the said Lands where the same are in Tenantry, or Value thereof where they are in the natural Possession of the Proprietor, or where the Rent payable by the Tenant cannot be discovered: Provided always, that it shall and may be lawful for the said Trustees, or any Three or more of them, to relieve such Persons as they shall know to be in indigent Circumstances from the Payment of all or any Part of the Composition or Conversion aforesaid.

Assessors
to be ap-
pointed.

Power to
relieve Poor
from Pay-
ment of Con-
version.

XXXI. And be it further enacted, That any Person appointed to be an Assessor by a General or Adjourned Meeting of the Trustees, who shall refuse or neglect to act, without sufficient Excuse, to be determined by the said Trustees, after having got Notice in Writing of his Appointment from the Clerk of the said Trustees, shall forfeit a Sum not exceeding Five Pounds, to be recovered and applied as other Penalties specified in the said recited Act passed in the Fourth Year of the Reign of His present Majesty are directed to be recovered and applied; but no Person shall be obliged to hold the said Office for more than Two successive Years, nor shall any Person having so held the Office for Two successive Years be obliged to hold such Office again until Three complete Years shall have intervened since he last held it: Provided always,

Assessors
compelled
to act.

[*Local.*]

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that

that no Person who shall be infirm, or above the Age of Sixty Years, shall be appointed to act as an Assessor under this Act, nor shall any Person who shall have paid the said Penalty be eligible to be re-appointed an Assessor within less than Three Years thereafter.

Clerk to be appointed, and a Collector for each Division.

XXXII. And be it further enacted, That the said Trustees shall at their First General Meeting and yearly thereafter at their General Meetings aforesaid appoint a Clerk for transacting such Business relating to the Conversion of the Statute Labour as they shall think proper, with an adequate Salary not exceeding Twenty Pounds Sterling *per Annum*, and they shall also at the same Time appoint a Collector or Collectors in each Division and in each of the Royal Burghs hereafter mentioned, for receiving and paying away the Composition aforesaid, for which such Collectors are to be accountable, and are to enter such their Receipts and Payments into regular Books to be kept by them; and the said Trustees may from Time to Time displace such Clerk and Collectors, or any of them, and may appoint others in their Stead, as they shall think proper; and the said Collectors shall find Security to the Satisfaction of the said Trustees to account annually, or as often as they shall be required, for all the Money which shall be received by them, and to pay the Balances in their Hands, when demanded, such Collectors being always allowed a suitable Gratification for their Trouble, not exceeding Five Pounds Sterling *per Centum* of the Sums which they shall respectively collect.

Collectors and Assessors to be appointed for Dumfries.

XXXIII. Provided always; and be it enacted, That the Trustees residing within the Burgh and Parish of *Dumfries* shall have Power annually at their First Meeting held after the General Annual Meeting in *April* to nominate and appoint a Collector or Collectors, Assessor or Assessors, within and for the Burgh and Parish of *Dumfries*, which Officers so to be appointed shall have the same Powers and shall be subject to the like Duties and Penalties as the other Officers appointed for levying and in relation to the Statute Labour at the General Annual Meetings aforesaid.

Heritors to give in States of their valued Rent.

XXXIV. And be it further enacted, That the Proprietors of Lands in the said County, or their Factors, shall and they are hereby required, within Thirty Days after the passing of this Act, or within such other Time as the said Trustees shall fix for that Purpose, to deliver to the Clerk to be appointed by the said Trustees as aforesaid a true State or Account of the Valuation of their respective Lands, according to which they are in use to pay the Land Tax and bear public Burdens; which State or Account shall specify all the Farms belonging to each Heritor, and the Parishes wherein they are situated, and the Proportion and valued Rent falling upon each Farm suitable to the yearly Rent of the same; and in case any Heritor shall fail to do so it shall be in the Power of the said Trustees, or any Person or Persons authorized by them, to compel such Heritors to pay for their whole Estates according to the valued Rent in the Cess Books of the said County, and to cause the same to be levied in manner herein-after mentioned for that Purpose; and such Heritors may recover from their Tenants such Sums as they shall be so obliged to pay; and the whole of the aforesaid Sums of Conversion or Composition so exigible shall be paid on or before the Twenty-fifth Day of *December* yearly to the Collectors to be appointed by the said

Conve sion payable yearly.

Trustees

Trustees as aforesaid, the first of such Payments being to be made on the Twenty-fifth Day of *December* One thousand eight hundred and twenty-nine for the Year then due.

XXXV. And be it further enacted, That for the better Application of the Money to be levied in lieu of Statute Labour in virtue of this Act, the said County of *Dumfries* shall be divided into Eight Divisions; *videlicet*, the First Division comprehending the Parishes of *Moffat*, *Kirkpatrick juxta*, *Wamphray*, and *Johnstone*; the Second Division comprehending the Parishes of *Lochmaben*, *Applegirth*, *Drysdale*, *Hutton*, *Saint Mungo*, and *Tundergarth*; the Third Division comprehending the Parishes of *Annan*, *Hoddam*, *Dornock*, *Graitney*, *Kirkpatrick*, *Fleeming*, *Middlebie*, and *Half Morton*; the Fourth Division comprehending the Parishes of *Cummertrees*, *Ruthwell*, *Dalton*, *Mousewald*, and *Torthorwald*; the Fifth Division comprehending the Parishes of *Dumfries*, *Kirkmahoe*, *Tinwald*, *Kirkmichael*, and *Carlaverock*; the Sixth Division comprehending the Parishes of *Sanquhar*, *Kirkconnell*, *Durrisdeer*, *Morton*, *Closeburn*, *Keir*, and *Penpont*; the Seventh Division comprehending the Parishes of *Glencairn*, *Tynron*, *Dunscore*, and *Holywood*; and the Eighth Division comprehending the Parishes of *Westerkirk*, *Eskdalemuir*, *Langholm*, *Ewes*, and *Cannobie*; and the whole of the aforesaid Conversions in Money in lieu of Statute Labour, after deducting the Charges of Management, shall be solely applicable, under the Direction of the said Trustees assembled at their General Meetings aforesaid, or of the respective Committees appointed as herein-after mentioned, to the several Roads within the respective Parishes where the said Money shall be levied, excepting in so far as regards the Conversions levied within the several Royal Burghs within the said County, Two Third Parts whereof it shall be in the Power of the Trustees for the said several Royal Burghs to apply in repairing the Roads or Streets within each such Royal Burgh, or in making and maintaining Conduits in and through the said Roads or Streets, and the remaining Third Part thereof in repairing the other Roads within the Parish in which each such Royal Burgh is situated: Provided always, that it shall be in the Power of the Trustees, with Consent of the Heritors possessing Four Fifths of the valued Rent of any Parish, to apply the Whole or Part of the Assessments arising therefrom to such Roads within other Parishes of the Division or within the Parishes of another Division lying contiguous thereto, as they may judge most necessary or expedient, or to apply and lay out a Portion or Share of the Conversion Money of the Parish, not exceeding One Half thereof, to the repairing the Turnpike Roads running through such Parish included in this Act.

The County to be divided into Divisions, for the better Application of Conversion Money.

XXXVI. And be it further enacted, That the said Trustees shall, at their First General Meeting, and yearly thereafter at their General Meetings aforesaid, held upon the Day appointed for the Meeting of the Commissioners of Supply for imposing the Land Tax, yearly appoint the whole Trustees within each of the said Divisions respectively as Committees to have the general Oversight and Direction of the Repairs of the said Roads within each such Division for the ensuing Year; which Committee shall severally have Power to choose a Preses and Clerk at the First and subsequent Meetings of the said Committees, also to appropriate the aforesaid Assessments, and to draw on the Collectors for the

Committees to be appointed for each Division.

the Sums so appropriated, to settle the Accounts of the Collectors, and direct all other Business within the respective Divisions; but the said Committees shall be obliged to report their Collectors Accounts to the next General Meeting, and to lodge the same previous to such General Meeting, with the Vouchers thereof, in the Hands of the Clerk to the General Meeting, under a Penalty not exceeding Five Pounds Sterling annually until reported; and the said General Meetings shall annually appoint Conveners of such Committees respectively, and shall fix the Days and Places of their First Meetings, at which Meetings the said Committees shall have Power to adjourn from Time to Time, and to appoint Sub-Committees for the better enabling the Trustees to execute the Business herein-before committed to them, and the said Committees are hereby generally empowered to act so as the Execution of this Act may not be frustrated or delayed; and at all Meetings of such Committees Three of the said Trustees shall be a Quorum, and be competent to act in the Business thereof.

Conveners of Committees.

Committees to meet yearly in April, and report the State of the Roads.

XXXVII. And be it further enacted, That the said Committees shall meet in the Month of *April* each Year, upon a Day to be fixed yearly by the said General Meetings; and at the Meetings in *April*, so appointed, the said Committees shall proceed to make up a particular State of the different Roads and Bridges within each of the said Divisions, with an Estimate of the Sums necessary to be levied in the ensuing Year for repairing thereof; which State and Estimate are to be by them reported to the said Trustees at their next General Meeting, who are hereby empowered to ascertain and fix the Sums to be raised upon each One hundred Merks *Scots* of the valued Rent aforesaid in each Division, and also the Sums to be raised in the several Burghs and Villages, in such Manner as to them shall seem equitable, the Rule for ascertaining and fixing thereof being the State of Repair in which the Roads in such Division shall be found by the Trustees at such Meetings of Committees to be; and the Sums appointed to be raised upon Houses and Lands within the Territory of the Burghs and Villages shall be in proportion to and corresponding with the Sum to be levied upon the Lands in the Division wherein the said Burghs and Villages lie, which Sums so ascertained are to be levied by the said Trustees within each Division as aforesaid: Provided always, that in case no such State and Estimates shall be reported as aforesaid of any of the said Divisions, then the said Trustees at their said General Meetings shall assess the Division or Divisions of which no such State or Estimate shall be reported as aforesaid, in the full Sum of Two Pounds Sterling on each One hundred Merks of valued Rent, and Three-pence Sterling on the Pound Sterling of the Rent of the Burgh Rood Lands for that Year in which no such State and Estimate shall be reported, and also the maximum Sum to be laid on Houses, Shops, Cellars, Warehouses, and Store or Timber Yards within the said several Burghs and Villages; and in case any Person shall complain to the said Trustees at One of their General Meetings, that the Report made by any of the said Divisions with respect to the State of the Roads therein is not just, then it shall be in the Power of the said Trustees at any of their General Meetings to appoint a Special Committee from among themselves to inspect the Roads in such Division or Divisions, and to report the Situation thereof to the Trustees at an Adjourned General Meeting to be

Complaints against the Report.

be held for the Purpose of receiving the same, or at their next General Annual Meeting, which Adjourned or General Annual Meeting shall have Power finally to determine with respect to the State of the said Roads and the Repairs thereof: Provided always, that the said Division Meetings in *April*, previous to the General Meetings, shall have Power, in the State or Estimate before mentioned, to specify any Parish or Parishes within any of the said Divisions where the Conversion Money ought to be more or less than the Rate of Conversion within the other Parishes of the Division, and their Reasons for thinking so; and if the same shall appear satisfactory to the General Meetings, such Parish or Parishes shall be rated agreeably to such State and Estimate, notwithstanding the other Parishes may be rated at a higher or lesser Rate: Provided always, that no such Complaint as aforesaid shall stop the Payment of any of the said several Conversions for the Year in which they are due; reserving nevertheless to the Party aggrieved Action for Redress before the Justices of the Peace for the said County at their Quarter Sessions, who may and shall award Relief as they shall see Cause, and whose Sentence shall be final.

Complaints not to stop Payment of Conversion.

XXXVIII. And be it further enacted, That if the Trustees of any Division or Parish shall produce to the Division Meeting of Trustees satisfactory Evidence that the Public might be better accommodated by an immediate Outlay of a Sum of Money beyond the yearly Amount or Income from the Composition in lieu of Statute Labour, it shall and may be lawful for such Division Meeting, with the Consent and Approbation of the Proprietors of Two Thirds in Value of the Lands in such Division or Parish, to borrow upon the Credit of the Conversion Money levied in such Division or Parish such a Sum of Money, to be employed on the Roads and Bridges in that Division or Parish, and not otherwise, as they may find to be expedient, and to assign over the Conversion Money of such Division or Parish as a Security for the Repayment of the Sums to be borrowed, with the lawful Interest thereof; provided that the whole Sums due at any Time in any One Division or Parish shall not exceed Five Years Amount of the Conversion Money of such Division or Parish, and that not more than Two Thirds of the annual Conversion Money of the Division or Parish, at the Time of borrowing such Money, shall be assigned in Security of such Loan; and every such Assignment shall be entered at the Division Meeting of the Trustees, and recorded by their Clerk in their Sederunt Books.

Trustees may borrow on the Credit of the Conversion Money.

XXXIX. And be it further enacted, That the Assignment of the Conversion Money of the said Division or Parish may be made in the Words or to the Effect following; (that is to say,)

Form of Assignment for Monies borrowed.

‘ BY virtue of an Act made in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for making and maintaining certain Turnpike Roads within the County of Dumfries, and the other Highways, Bridges, and Ferries therein; and for more effectually converting into Money the Statute Labour in the said County*; we the Trustees (or a Majority of the Trustees) for putting the said Act into execution, assembled at a stated Meeting of the Division or Parish, in consideration of the Sum of advanced by *A.B.* for the Purposes of the said Act, do hereby assign to the said *A.B.*, his
 [Local.] 30 M Executors

' Executors and Assignees, the Sum of
 ' yearly of the Conversion Money of the said Parish; this Assignation
 ' to be held by the said *A. B.*, his Executors or Assignees, from the
 ' Day of _____ in the Year of our Lord
 ' _____ until the aforesaid Sum of
 ' _____ advanced by him as aforesaid, with Interest at the
 ' Rate of _____ *per Centum per Annum*, shall be paid to him or
 ' them. In witness whereof this Assignation, written by *C. D.*, is sub-
 ' scribed by *E. F.* our Preses and *G. H.* our Clerk, authorized by us
 ' to that Effect, at _____ the Day of
 ' _____ Years, in the Presence of *I. K.* and *L. M.*
 ' of _____

Power to en-
force Pay-
ment of
Conversion
Money.

XL. And be it further enacted, That if any Person liable to pay
 the said Conversion Money shall refuse or neglect, on or before the
 Term of Payment aforesaid, yearly to pay the same, then and in such
 Case it shall be lawful for the Sheriff Depute or his Substitute,
 or for the Justices of the Peace for the said County of *Dumfries*, or any
 One or more of them, to grant Warrant for poinding the Effects of the
 Deficients in a summary Manner, by appraising them at the Spot where
 found, and afterwards selling the same for Payment of the Conversion
 Money before mentioned, together with the Charges attending such
 Poinding, and the Overplus, if any, to be paid to the Persons so deficient
 as aforesaid; which Warrant the Sheriff Depute or his Substitute, and
 Justice or Justices aforesaid, are hereby required to grant, upon any Ap-
 plication to be made to them by any of the said Collectors, and upon an
 Attestation upon Oath, subscribed by such Collector or Collectors, that
 the Persons complained of had been deficient in paying the Conversion
 Money above mentioned.

Collectors
liable in
Damages in
case of false
Accusation.

XLI. Provided always, and be it further enacted, That it shall and may
 be lawful to and for the Sheriff Depute or his Substitute, or the Justices
 of the Peace for the said County of *Dumfries*, or any One or more of
 them, to award Treble the Amount of the Conversion Money for the
 Damages which shall be sustained by any Person or Persons aggrieved
 by such Warrant or Warrants; such Damages to be paid to such
 Person or Persons by the Collector or Collectors upon whose Attestation
 such Warrant or Warrants shall have been granted, in case it shall
 appear to such Sheriff Depute or his Substitute, or Justices of the Peace,
 that the said Collectors have made a false or improper Accusation of any
 Person liable as aforesaid.

Clergymen
and School-
masters
exempted.

XLII. Provided always, and be it further enacted, That nothing in this
 Act shall subject Clergymen or Schoolmasters to be taxed or assessed
 for Statute Labour or the Conversion thereof, for or in respect of their
 Manses or Glebes, or Parish School Houses, and the Lands thereunto
 belonging, in their natural Possession.

Preventing
Obstructions
and Nui-
sances.

XLIII. And for the better Regulation of the several Statute Labour
 Roads within the said County, and the Bridges thereon, be it enacted,
 That no Person shall leave any Cart or other Carriage for a longer Time
 than may be necessary, or (with the Exception of Materials for repairing
 the said Roads) shall lay or cause to be laid any Timber, Stone, Lime,
 Dung,

Dung, Compost, Soil, or Matter whatsoever on the said Roads, or into the Ditches or Drains along the Sides thereof; and any Person or Persons so offending shall forfeit a Sum not exceeding Two Pounds for each Offence; and if any such Matter or Thing shall be allowed to lie and remain on any of the said Roads for the Space of One Day it shall moreover be lawful for the said Trustees or any Two of them, or the Collector or Overseer of the Division, to carry off and sell the same by Public Auction, and to apply the Proceeds thereof, after deducting Expences, to the Repair of the Roads within the Division; and no Person under a similar Forfeiture or Penalty of Two Pounds Sterling shall make, erect, or construct any Saw Pit, Tan Pit, Lint Pond, Quarry, Gravel Pit, Lime Kiln, Brick Kiln, Furnace, or other Nuisance, within Five Yards of the said Roads, besides being obliged immediately to remove the same, unless the same shall be fenced off in such Manner as to prevent any Danger or Detriment to Persons travelling on the said Roads.

XLIV. And be it further enacted, That if any Horse, Cattle, Ass, Sheep, Swine, or other Beast of any Kind shall be pastured or left or found straying on any of the said Statute Labour Roads, or the Sides of the same, it shall be lawful for any of the said Trustees, or their Collector, Overseer, or any other Person authorized by them, *brevi Manu*, to seize and detain the same until the Owner thereof shall for every such Animal pay a Sum not exceeding Five Shillings and Expences; and in case the said Penalty and Expences shall not be paid within Three Days after Notice of such Detention shall be given on the Church Door of the Parish wherein such Animal shall be found, the said Collector, Overseer, or other Person shall sell the same, with the Authority of any Justice of the Peace for the said County, who is hereby empowered to grant such Authority, and after deducting the Amount of the said Penalty and Expences shall pay the Surplus, if any, to the Owner of such Animal so detained.

No Animal to be pastured on the Roads.

XLV. And be it further enacted, That every Person, in ploughing any uninclosed Land adjoining any of the said Statute Labour Roads, shall make Head Ridges along the Sides of such Road of the Breadth of Twelve Feet at the least, under a Penalty not exceeding Two Pounds, to be levied as other Penalties by this Act directed.

Side Ridges to be made.

XLVI. And be it further enacted, That no Person shall haul or draw or cause to be hauled or drawn, upon any Part of the said Statute Labour Road, any Tree, Log, Piece of Timber, or any Stone or other Thing whatsoever, otherwise than upon a Wheel Carriage, nor shall any Person suffer any Tree, Log, Piece of Timber, Stone, or other Thing which shall be conveyed on a Wheel Carriage to drag upon any Part of the said Roads; nor shall any Person pull down or damage any of the Bridges on the said Roads, or any other Building, Erection, or Work made by the said Trustees thereon or on the Sides thereof, or repaired or repairable by them; and every Person who shall be convicted of any of the said Offences shall for every such Offence forfeit a Sum not exceeding Two Pounds Sterling; and no Person shall make any new Cut or Opening across any Part of the said Roads, for the Purpose of directing any Watercourse or otherwise, without the Authority of Two or more Trustees

No Timber or Stone to be drawn on the Roads, except on a Wheel Carriage.

Trustees of the Division previously obtained in Writing; and every Person who shall be convicted of any such Offence shall forfeit a Sum not exceeding Two Pounds Sterling for each Offence; and every Person committing any of the said Offences or Injuries shall, besides Payment of the said Penalties, be obliged to restore the Road, Bridge, or Work so injured to its former State.

No Buildings to be erected within 20 Feet of the Centre of the Roads.

XLVII. And be it further enacted, That no Person shall make or erect any House or other Building within Twenty Feet of the Centre of any of the said Statute Labour Roads; and every Person so offending shall forfeit a Sum not exceeding Two Pounds Sterling for every such Offence; and every Person so offending shall also be obliged, when ordered to do so by any Three or more Trustees, immediately to remove any such House or other Building, and upon failing so to do within Twenty Days from the Time that a Notification in Writing has been given by any Three Trustees of the Encroachment, it shall be lawful for the Trustees of the Division to order such Buildings to be removed, and to charge the Offender with the Expences of doing so, to be recovered and levied by the Collector in the same Manner as the Conversion in lieu of Statute Labour aforesaid is hereby directed to be levied and enforced.

Hedges and Gates.

XLVIII. And be it further enacted, That each Heritor or Occupier of Ground adjacent to any of the said Statute Labour Roads within the said County shall, at a proper Season of the Year, as soon as conveniently may be after the passing of this Act, reduce the Hedges on the Sides of the said Roads to a Height not exceeding Five Feet (excepting the Fences of Pleasure or Garden Ground), and shall, by annually lopping or cutting them at a proper Season of the Year, keep them at or under the said Height; and every Gate adjacent to the said Roads shall be so constructed as to open inwards only into each Field or Inclosure; and opposite to every Gate or Entry communicating with the said Roads there shall be laid, by the Owner or Occupier of the Ground to which such Gate or Entry leads, a covered Way or Bridge of Stones or other proper Materials over the Drain on the Side of the said Roads, which covered Way or Bridge shall be constantly kept free and clear by such Owner or Occupier, that the Water may pass through below the same; and in case any Owner or Occupier of Ground adjacent to the said Roads shall omit and fail to perform any of the Requisites above mentioned, it shall be competent for any Three of the Trustees hereby appointed, by an Order signed by them, to order the same to be performed at the Expence of the Owner or Occupier, such Expence to be recovered and levied by the Collector in the same Manner as the Conversion in lieu of Statute Labour aforesaid is directed to be levied and enforced.

Roads may be widened and altered;

XLIX. And be it further enacted, That the said Trustees or any Three of them, in a General or Division Meeting assembled, shall be and they are hereby empowered to widen or cause to be widened any Statute Labour Road to a Breadth not exceeding Thirty Feet, exclusive of the Ditches or Drains on each Side thereof: Provided always, that in the Entries to Towns or Villages the said Trustees assembled as aforesaid shall have Power to widen such Entries to a Breadth not exceeding Forty Feet, and also to alter or cause to be altered the Course of any Statute Labour

Labour Road; provided that in so altering any such Road the said Trustees shall not deviate over any inclosed Lands or Grounds more than One hundred Yards from the present Line or Course of any such Road, or in so altering or widening the same shall not take down or remove any House or Building the Side Walls of which exceed Twelve Feet in Height, or make use of any Policy, Orchard, Garden (the Contents of which exceed Half an Acre), Lawn, planted Walk, or Avenue to a House, without the Consent in Writing of the Owner thereof; and for these Purposes the said Trustees shall be empowered to take Ground, remove Fences, and any Houses or Buildings whose Side Walls do not exceed Twelve Feet in Height, or other Obstructions, Two Months Notice being always given to the Owners or Occupiers of Houses before the same are removed, and Satisfaction being always made to the Owners and Occupiers of Lands, Houses, and Buildings, for so much Land as shall be taken to widen the said Roads above and beyond Twenty Feet wide of clear passable Road, exclusive of Ditches, or for altering the Course thereof, and for the Fences and Houses or Buildings removed: Provided always, that no Road shall be widened or altered, or Houses or Fences removed, till actual Payment or Con-
 signation, in manner herein-after mentioned, of the Satisfaction ascer-
 tained, be made to the Owners and Occupiers of such Lands, Houses, or Fences.

but not till
 Payment of
 Damage.

L. And be it enacted, That it shall and may be lawful for the said Trustees or Overseers, in their respective Divisions, and any Person or Persons having an Order for so doing under the Hand or Hands of One or more Justice or Justices of the Peace, to dig, take, and carry away any Stones, Gravel, Sand, or other Materials out of any Lands or Places that shall appear to them most proper and convenient for the Purposes of the said Statute Labour Roads and Bridges, the said Trustees paying such Damages to the Owner or Occupier thereof as the said Trustees shall judge reasonable, or, in case of Difference, as shall be ascertained by any Two Justices of the Peace of the County, with Power to the said Owner or Occupier to appeal from the Decision of such Justices to the next Quarter Sessions, whose Decision shall be final.

Trustees em-
 powered to
 take Mate-
 rials.

LI. Provided nevertheless, and be it further enacted, That no Over-
 seer or Surveyor, or any other Person or Persons acting under the Autho-
 rity of this Act, shall open any new Pit or Quarry, and dig, take, or carry
 away any Materials for making or repairing the said Statute Labour
 Roads or Bridges, out of or from any inclosed Land, until Notice in
 Writing, signed by One of the said Trustees, Overseer, or other Person,
 shall have been first given to the Owner or his known Agent, or to the
 Occupier of the Land from which such Materials are intended to be
 taken, or left at such Owner's or Occupier's usual Place of Residence,
 to appear before any Two Justices of the Peace acting for the said
 County, at any Time not sooner than Ten Days after giving such Notice,
 to show Cause why such Materials shall not be had therefrom; and in
 case such Owner, Agent, or Occupier shall attend pursuant to such
 Notice, and shall not show sufficient Cause to the contrary, such Justices
 shall authorize such Overseer, or other Person or Persons, to dig, take,
 and carry away such Materials therefrom at such Time or Times as to
 such Trustees or to such Justices shall seem proper; and if such Owner

Notice to be
 given before
 Materials are
 taken.

[Local.]

30 N

or

or Occupier shall neglect or refuse to appear, by himself or herself, or his or her Agent, 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 or Occupier, or his or her Agent, had attended; and the Order of such Justices shall be final and conclusive to and upon all Parties.

Places for depositing Materials.

LII. And be it further enacted, That it shall and may be lawful for the said Trustees to give Orders for purchasing, or taking in Feu or Lease, such Pieces of Ground adjacent to the said Statute Labour Roads as shall be judged most convenient for Repositories wherein the Mud that may be raked off the Roads may be deposited, and the Stones or other Materials for repairing the said Roads may be broken or kept, so as to be laid as little as possible upon the said Roads until they are immediately to be used for repairing or amending the same, each such Repository not exceeding Six Square Yards in Extent; and in case the said Trustees, or their Overseers and Surveyors respectively, cannot agree with the Owner or Occupier as to the Price, Feu Duty, Rent, or Damages to be paid for the same, such Price, Feu Duty, Rent, or Damages shall be settled and determined by a Jury in manner herein-after mentioned.

Compensation to be made for Lands taken or Damage done.

LIII. Provided always, and be it further enacted, That in altering and widening the said Statute Labour Roads and the Bridges thereon, or any of them, or in taking Ground for Repositories for Mud, Stones, or other Materials as aforesaid, full Compensation shall be made to the Owners and Occupiers of all Lands, Houses, or other Buildings and Fences taken, for the Use of the same, and for all Damage done thereto; and for that Purpose the Trustees shall, before entering on any such Lands, Houses, Buildings, or Fences, or injuring the same, give or cause Notice to be given to the Owners and Occupiers thereof, and make an Offer to them of what the Trustees consider to be the Value or a just Compensation for the same, unless such Owners or Occupiers shall renounce all Claim for Damages or Compensation; and in case the said Trustees shall not come to an Agreement with such Owners or Occupiers relative to such Damage, or in case such Owner or Occupier shall refuse to treat for the same, such Damage or Compensation shall be ascertained by a Jury in the Manner in this Act and in the said recited Act passed in the Fourth Year of the Reign of His present Majesty directed relative to the aforesaid several Turnpike Roads, and be paid to or consigned for behoof of the Party entitled to such Damage or Compensation in the Manner provided in the said recited Act and this Act relative to the said Turnpike Roads, and subject to the like Rules and Regulations: Provided always, that it shall be in the Power of all Owners and Occupiers of Land, as well entailed as unentailed, Husbands, Trustees, Tutors and Curators, and all and every Person and Persons whatsoever, though under any legal Disability or Incapacity, to give up and renounce every Claim of Damage, or otherwise, competent to them in regard to the whole Matters aforesaid, which shall not amount in Value to the Sum of One hundred Pounds Sterling, and that such Renunciation is and shall be equally binding on the Heirs and Successors of such Persons.

Payment or Consignation thereof.

Proprietors under Entail may renounce Damage.

Incorporated Persons may convey.

LIV. And be it further enacted, That the said Trustees shall be and they are hereby empowered to take and acquire, and all Bodies Politic, Corporate,

porate, or Collegiate, Corporations, Heirs of Entail, Husbands, Trustees, Tutors, and Curators, and all and every Person and Persons whatsoever, though under any legal Disability or Incapacity, are hereby empowered to sell, feu, let, and convey all such Lands or Houses as the said Trustees are by this Act enabled to purchase, take, or make use of, for the making, altering, or widening the said Statute Labour Roads or Highways, or making the said Bridges, or any of them, or for storing Materials, or otherwise, where Ground is necessary for the Purposes of this Act, upon such Satisfaction being made to the Owner or Owners or Occupier or Occupiers as shall be agreed upon by and between the said Trustees and such Owner or Owners, Occupier or Occupiers, or as shall be awarded in manner aforesaid.

LV. And be it further enacted, That all Lands, Tenements, or Heritages which may be acquired by the said Trustees in pursuance of this Act shall be vested in the said Trustees by the simple Discharge for the agreed Price or appraised Value thereof, or by Consignation of the said Price or Value in the Bank of Scotland, or Royal Bank of Scotland, or Bank of the *British* Linen Company of *Scotland*, or in the Hands of the Manager of any Branch of the said Banks kept within the said County of *Dumfries*, in manner herein directed with regard to Consignations, as the Case may be; and it shall be sufficient to record the Discharge or the Voucher of Consignation in the Sheriff's Court Books of the said County of *Dumfries*, whereupon the said Trustees shall be entitled to take and use the said Lands, Tenements, or Heritages, and shall hold the same as validly and effectually, to all Intents and Purposes, as if the respective Owners thereof had executed in their Favour regular Dispositions of the same, and Infeftments had followed thereupon.

How Lands are to be vested in the Trustees.

LVI. And be it further enacted, That all Penalties and Forfeitures by this Act imposed in relation to the Statute Labour Roads and Bridges in the said County shall, unless otherwise herein directed, upon Proof of the Offences respectively before any Two Justices of the Peace of the said County where the Offence shall have been committed or where the Offender may reside, either by the Confession of the Party offending or by the Oath of One credible Witness or other competent Evidence, be levied by Distress and Sale of the Offender's Goods and Effects, by Warrant under the Hands of the said Justices; and the Person or Persons distraining such Goods and Effects are hereby authorized and empowered, after the Space of Ten Days after such Distress shall be made and taken, to sell the Goods so distrained by Public Roup or Auction, and return the overplus Money (if any be), upon Demand, to the Owner and Owners of such Goods and Effects, after such Penalties and Forfeitures, with the reasonable Charges of Prosecution, and of distraining, keeping, and selling the same, shall be deducted and paid; and the said Forfeitures, when recovered, shall be paid, one Half to the Informer, and the other Half towards the said Roads and Bridges, as the said Trustees shall direct; and all the said Penalties and Forfeitures shall be payable over and above all necessary Expences incurred in prosecuting for the same; and in every Case where a Warrant for distraining shall be issued under this Act, the same may be executed by the Officer alone, without the Presence of any other Party or Witness, any Law or Practice to the contrary notwithstanding.

Recovery and Application of Penalties.

LVII. And

Limitation
of Actions.

LVII. And be it further enacted, That all Actions and Complaints for all or any of the Penalties and Forfeitures imposed by this Act in relation to the said Statute Labour Roads or Bridges shall be commenced within the Space of Three Calendar Months after the Penalty or Forfeiture is incurred or Wrong done or Injury suffered, and not afterwards, and shall be sued for by and in the Name of the Clerk to be appointed as aforesaid for transacting the Business relating to the Conversion of the Statute Labour of the said County; and such Actions may be proceeded in summarily, without written Pleadings or Record of Evidence.

Clerk to sue.

Appeal.

LVIII. Provided always, and be it further enacted, That in case any Person or Persons shall think himself or themselves aggrieved by any Sentence or Judgment of the Justices of the Peace so to be pronounced upon any such Action or Complaint, it shall and may be lawful to the said Person or Persons to appeal for Redress to the next General or Quarter Sessions of the said County, at which not fewer than Three Justices shall be present; provided that Notice of such Appeal be given on the Day on which such Sentence is pronounced, and that the Appeal be lodged within Thirty Days thereafter in the Hands of the Clerk of the Peace for the said County, alongst with a Bond of Caution in the usual Form for Payment of the Penalty and Costs in the event of the Sentence being affirmed; and the Sentence of such General or Quarter Sessions shall be final and conclusive, without being subject to Review in any Court by Advocation, Suspension, Reduction, or otherwise.

Power to
shut up un-
necessary
Roads.

LIX. And be it enacted, That if any Heritor of the said County shall present a Petition to the Trustees in any General Annual Meeting assembled, stating that any Road within the said County has become useless or unnecessary to the Public, it shall be lawful for the said Trustees, and they are hereby empowered, to appoint a Spécial Committee of their Number to enquire and ascertain if the said Road has, as stated in the said Petition, become useless and unnecessary to the Public, and if the said Committee shall report to the next or any ensuing General Annual Meeting that the said Road has become useless and unnecessary to the Public, then it shall be lawful for the Trustees in the said General Annual Meeting assembled to order that the said Road shall be shut up: Provided always, that Notice that such Petition is to be presented shall be given by Advertisement at the Church Doors of the Parishes through which the said Road passes, for Two consecutive *Sundays*, Fourteen Days at the least before the said Petition shall be presented to the General Annual Meeting of Trustees, and that the like Notice shall be given when the General Annual Meeting of Trustees is to decide upon the Question.

Allowing
Appeal
against the
Order.

LX. And be it further enacted, That it shall be lawful for any Person or Persons who may be aggrieved by the making of any Order hereby authorized for stopping up and discontinuing the said Roads, or any of them, to appeal against the same at any General or Quarter Sessions of the Peace for the said County of *Dumfries*, in the Manner last hereinbefore directed.

If no Appeal
Order to be
conclusive.

LXI. Provided also, and be it enacted, That in case no such Appeal shall be made as aforesaid, the said Order or Orders shall be final and conclusive upon all Persons whomsoever.

LXII. And

LXII. And be it enacted, That if any Person or Persons who has or have subscribed or shall subscribe towards making and repairing the Roads by this Act authorized to be made or repaired, any or either of them, after Forty Days previous Notice, shall neglect or refuse to pay his, her, or their Subscription Money at such Time and Place as shall be appointed by the said Trustees, or any Three or more of them specially authorized to that Effect by a General Annual Meeting, it shall be lawful for the said Trustees to sue for and recover the same in any Court in *Great Britain*, with Interest thereof from the Time of such Demand until Payment.

Power to enforce Payment of Subscriptions.

LXIII. And be it enacted, That so much of the Sixteenth Act of the Second Parliament of King *Charles* the Second, intituled *Act for repairing Highways and Bridges*, as authorizes a Stent or Assessment not exceeding Ten Shillings *Scots* upon each One hundred Pounds *Scots* of valued Rent in One Year, for the Purpose therein mentioned, shall, in so far as the same extends to the said County of *Dumfries*, be and the same is hereby repealed.

Certain Assessments allowed by the Act of *Car. 2. 1669. c. 37.* repealed.

LXIV. And be it further enacted, That in lieu of the said Stent or Assessment, the Commissioners of Supply for the said County of *Dumfries* shall yearly assess the whole Heritors of the said County in a Sum not exceeding Five Shillings Sterling upon every One hundred Merks *Scots* of the valued Rent of the several Lands in the said County, as the same shall appear in the Cess or Valuation Roll thereof; which Assessment shall be made by the said Commissioners of Supply at their Annual Meeting for assessing the Land Tax in the said County, and shall be collected and levied by the Collector appointed or to be appointed by the said Commissioners of Supply for levying the Land Tax; which Assessment so made shall be paid by every Heritor in the said County, according to the valued Rent of his, her, or their Lands therein, to the Collector of the Land Tax aforesaid, at the Terms appointed by Law for the Payment of the Land Tax; and every Heritor failing so to pay his, her, or their Proportion of the said Assessment at the said Terms shall be liable in a Penalty of Five Pounds Sterling *per Centum* on the Amount of his, her, or their Assessment, to be sued for by and in the Name of the Collector of the Land Tax aforesaid, and paid over by him to the Trustees, alongst with the said Assessment, in Manner herein-after directed.

Assessment for Bridges in lieu thereof in the County.

LXV. Provided always, and be it further enacted, That in case the Trustees at any *April* Meeting or Meetings assembled as aforesaid in any of the Eight Divisions of Parishes shall represent to the said Commissioners of Supply at any of their Annual Meetings aforesaid for assessing the Land Tax, that a further Sum is requisite in any of the said Division or Divisions for building or repairing Bridges therein, it shall be lawful to the said Commissioners of Supply and they are hereby required to assess the whole Heritors in such Division or Divisions in a further Sum not exceeding Five Shillings Sterling on each One hundred Merks *Scots* of the valued Rent of the Lands in such Division or Divisions, to be levied in Manner aforesaid, and under the like Penalty, and to be applied in Manner after mentioned to the building or repairing Bridges within the Division or Divisions applying for the same.

Additional Assessments for Bridges in Divisions.

Application
of said As-
sessments.

LXVI. And be it further enacted, That the said several Assessments when so collected shall yearly be paid over to the Trustees appointed by this Act, or to the Treasurer, Collector, or other Persons appointed by them to receive the same, and the Amount so received shall be applied by the said Trustees towards the building and repairing Bridges within the said County and within the respective Divisions thereof.

Expence of
this Act.

LXVII. And be it further enacted, That the Expence of passing this Act, including all previous and preparatory Expences relative, shall be paid, one Half by an Assessment on the County of *Dumfries*, to be levied with the Land Tax, and the other Half out of the first Tolls to be collected under or by virtue of this Act, or Money borrowed thereon.

Public Act.

LXVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Continuance
of the Act.

LXIX. And be it further enacted, That this Act shall commence and takeplace at and after the Period of the Royal Assent being obtained thereto, and shall have Continuance from thence, in so far as relates to Turnpike Roads, for and during the Period of Thirty-one Years, and from thence to the End of the then next Session of Parliament, and in so far as relates to other Matters shall have Continuance in all Time coming.

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