



ANNO SEXTO

GEORGII IV. REGIS.

Cap. cxc.

An Act for making and maintaining the Road from *Glasgow* to *Redburn Bridge*, and certain other Roads in the Counties of *Stirling*, *Dum-barton*, and *Lanark*. [27th June 1825.]

WHEREAS an Act was passed in the Forty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled 44 G. 3. c. 65. *An Act for repealing an Act passed in the Forty-third Year of His present Majesty, intituled 'An Act for continuing the Term and consolidating into One Act several Acts relating to the Road from Glasgow to Redburn Bridge, and for making and repairing the Road therein mentioned; and for granting other Powers for the Amendment and Repair of the said Roads; whereby certain Persons were appointed Trustees for making and maintaining the Roads following; videlicet, the Road from the City of Glasgow to Redburn Bridge and Bonnywater, and from thence to or near Loanhead, in the County of Stirling; and the Road from Glasgow by or near Possil and Balmullie Bridge to or near the Bridge across the River Alander, at Langbank Farm, and from thence till it joins the Turnpike Road from Glasgow to Inchbelly Bridge, and to Strathblane; and for building and repairing the Bridges on the same: And whereas an Act was passed in the Fourth Year of the Reign of His present Majesty King George the Fourth, intituled An Act for regulating Turnpike Roads in that Part of Great Britain called Scotland: And whereas the Trustees appointed by the said first-recited Act have proceeded to put the same into Execution, and have borrowed sundry large Sums of Money upon the Credit*

[Local.] 64 R of

of the Tolls thereby granted, and expended the same upon the said Roads, which Sums cannot, as the said Act is about to expire, be repaid, or the said Roads be kept in Repair, unless Provision be made for these Ends; and it is expedient that the said Act should be repealed, and other and further Powers granted in lieu of the Powers therein contained: And whereas the making and maintaining certain new Lines of Road, and the repairing and maintaining and rendering Turnpike certain existing Roads after mentioned, and erecting the Bridges necessary for the Formation of such Roads, would be advantageous to the Public, and beneficial and convenient to the Inhabitants of the Districts through which the said Roads pass or are intended to pass, namely, a Road branching from the original Turnpike Road from *Glasgow* to *Redburn Bridge*, about One-half Mile East of *Cumbernauld Inn*, and leading in a Direction North to cross the *Forth* and *Clyde* Canal at *Windford Bridge*, until it join the present Road leading from *Glasgow* to *Falkirk* by *Kilsyth*, at or nearly opposite to *Bankier Mill*, and a Road branching from the said original Turnpike Road opposite the Road last above mentioned, and leading in a Southern Direction till it join the present Parish Road at or near *Garbethill Burn*; but as these Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first-recited Act (excepting in as far as the same repeals the Acts thereby repealed) shall, from and after the passing of this Act be, and the same is hereby repealed, and instead thereof this Act shall commence and take Effect, and shall continue in Force during the Term hereinafter mentioned.

First-recited Act repealed.

Act of 4 G. 4. applied to this Act.

II. And be it further enacted, That the said recited Act of 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 expressly varied, altered, or repealed,) shall be as good, valid, and effectual for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

Covenants and Agreements under former Act to be good.

III. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with the Trustees for executing the said recited Act hereby repealed, according to the Provisions and Directions thereof, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same are fully satisfied and performed; and all Contracts, Agreements, Bonds, Assignments, and Securities duly made and entered into by the Trustees for executing the said Act hereby 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 and the said recited Act of the Fourth Year of the Reign of His said present Majesty, and be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively.

Books kept under former Act, Evidence.

IV. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Act hereby repealed

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 Act had not been repealed.

V. And be it further enacted, That Vice Admiral the Honourable *Charles Flemming*, of *Biggar* and *Cumbernauld*; the Right Honourable *John Lord Elphinstone*, the Honourable *William Fullarton Elphinstone*, of *Carberry*; *John Elphinstone* the Younger, of *Carberry*; Lieutenant Colonel *William Elphinstone*, *John Murray Gartshore*, of *Gartshore*; Sir *Archibald Edmonstone*, of *Duntreath*, Baronet; *Robert Stewart*, of *Stewarthall*; *Peter Speirs*, of *Culcreuch*; *William Gray*, of *Oxgang*; *James Loch*, *Thomas F. Kennedy*, of *Dunure*, Esquire, M.P.; the Right Honourable Lord *Archibald Hamilton*; *Robert Brown*, Factor to His Grace the Duke of *Hamilton*; *Robert Buchanan*, of *Drumpellier*; *David Erskine*, of *Cardross*; Sir *Peter Murray*, of *Auchtertyre*, Baronet; and every Person who is or shall be infest and possessed as Proprietor or Liferenter, or by Courtesy in Right of his Wife, of the *Dominium utile* of Lands valued in the Cess Books of the respective Counties through which the said Roads, or any of them, pass, at One hundred Pounds Scots or upwards of valued Rent, and situated within One or more of the Parishes after mentioned; *videlicet*, *Strathblane*, *Killearn*, *Campsie*, *Baldernock*, *Kilsyth*, *Falkirk*, and *Denny*, in the County of *Stirling*, *Easter Kilpatrick*, partly in the County of *Stirling* and partly in the County of *Dumbarton*; *Kirkintilloch* and *Cumbernauld*, in the County of *Dumbarton*, Barony of *Glasgow*, and *Cadder*, in the County of *Lanark*, and the eldest Sons of such Persons being Heirs Apparent of such Property, and every other Person who shall subscribe and advance the Sum of One hundred Pounds Sterling or upwards for the Purposes of this Act, shall be and they are hereby appointed Trustees for making, repairing, widening, altering, and maintaining the said several Roads; *videlicet*, the said Roads contained in the said first-recited Act hereby repealed, and the said other Roads hereinbefore mentioned intended to be made or to be repaired and rendered Turnpike.

Trustees
appointed.

VI. Provided always, That no Person shall be qualified or capable of acting in the Execution of this Act, unless he shall be possessed of the Qualification above mentioned, or unless he shall be possessed of a Personal Estate alone, or a Real and Personal Estate together, of the Value of Five hundred Pounds Sterling yearly.

Qualification
of Trustees.

VII. And whereas Maps or Plans describing the said Roads intended to be made, and the Lands through which they severally lead, together with References to the Owners and Occupiers of such Lands, have been deposited with the Clerks of the Peace of the several Counties of *Stirling* and *Dumbarton*; be it further enacted, That the said Maps or Plans, and References, shall remain in the Custody of the said several Clerks of the Peace, and every or any Person being an Owner or Occupier of any Lands or Tenements upon the Line of the Roads, or any of them, shall, at all seasonable Times, have access to the said Maps or Plans, and References, and shall be entitled to examine and make Extracts from or Copies of the same, paying to the Clerk for such Copy or Extract from the same after the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts.

Map to re-
main with
Clerk of
Peace.

VIII. And

Trustees not to deviate more than 100 Yards, or take down Houses, &c. without Consent.

Road may be made notwithstanding Error in Description of Owner or Occupier.

Lands or Heritages not to be taken after Five Years.

First Meeting of Trustees.

Power to erect Turnpike Gates.

VIII. And be it further enacted, That the said Trustees in making or altering the said Roads, shall not deviate more than One hundred Yards from the Lines described in the said Maps or Plans without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made, or to take down or remove any Dwelling House or other Building the Side Walls of which exceed Twenty Feet in Height, or to take down or make use of any Policy, Orchard, or Garden, the Contents of which exceed Half an Acre, or any Lawn, Planted Walk, or Avenue to a House, or any enclosed Ground planted as an Ornament or Shelter to a House, without the Consent in Writing of the Owner thereof: Provided always, that it shall and may be lawful to and for the said Trustees to make the said Roads into, through, across, or over the several Lands, Grounds, or Tenements of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who is, or are, or shall be, Owner or Owners of Land over, in, or through which the same is set out and described in the said Maps or Plans, although the Name or Names of such Person or Persons may happen to be omitted in the said References, in case it shall be made to appear to any Two or more Justices of the Peace for the County in which the Question shall arise, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

IX. Provided also, and be it further enacted, That in case the said Trustees shall not purchase such Lands, Houses, Tenements, or other Heritages, authorized by this Act or the said recited Act of the Fourth Year of the Reign of His present Majesty, for the Purposes of this and the said Act, within the Space of Five Years from the passing of this Act, then and in such Case it shall not be lawful for the said Trustees to purchase any of the said Lands, Houses, Tenements, or other Heritages so remaining unpurchased, without the Consent in Writing of the Owners thereof first had and obtained.

X. And be it further enacted, That the said Trustees shall meet on the Third *Wednesday* after the passing of this Act, and proceed to put the said last-recited Act and this Act into Execution; and at the said Meeting, and all subsequent Meetings of the said Trustees, the Majority of Trustees assembled, the Number present not being less than Three, shall be and they are hereby authorized to do, order, and perform all Acts, Matters, and Things which the Trustees appointed by this Act are by the said last-recited Act and this Act authorized to do, order, or perform; and all such Acts, Matters, and Things so done shall be as good, valid, and effectual, as if the same were done by the whole of the said Trustees; and at all such Meetings the said Trustees shall choose a Chairman, who, in case of Equality of Votes on any Occasion, shall, in addition to his own Vote, have the decisive or casting Vote.

XI. And be it further enacted, That it shall and may be lawful for the said Trustees at a General Meeting assembled, and they are hereby authorized and empowered to continue or to erect, or cause to be continued or erected, a Gate or Gates, Turnpike or Turnpikes, in, upon, or across any Part or Parts of the said several Roads, or on the Sides thereof; and also such Number of Toll Houses, with proper Gardens adjacent thereto, as to them shall appear to be expedient, the Scite of such Toll House and
Garden

Garden not exceeding the Eighth Part of an Acre, and from Time to Time to alter the Situation of such Gates or Turnpikes, and Toll Houses, and Gardens.

XII. And be it further enacted, That the said Trustees, or any Person or Persons duly authorized by them, shall be and they are hereby authorized and empowered to demand and take, or cause to be demanded and taken, at the several Gates or Turnpikes which shall be continued or erected by virtue of this Act, a Sum not exceeding the Rates and Duties hereinafter specified, before any Horse or other Cattle shall pass through any Gate or Turnpike to be erected on the said Road; that is to say,

For every Horse or Beast of Draught, drawing any Coach, Landau, Chaise, Calash, Chair, Taxed Cart, Hearse, or other such Carriage, or any Stage Coach, Long Coach, or Diligence, or Carriage of the like Kind, One Shilling; and for any Number of Horses or Beasts of Draught exceeding Five, drawing any such Carriage, Six Shillings; and, if the said Trustees shall think proper, for every Horse or Beast of Draught, not more than Six in Number, drawing any Stage Coach, Long Coach, or Diligence, or Carriage of the like Kind, any Sum, in addition to the aforesaid Rates, not exceeding One-half more thereof:

For every Horse, Ox, or Beast of Draught, if more than Three in Number, drawing any Waggon, Wain, or Cart, or other such Carriage, One Shilling;

For every Horse, Ox, or Beast of Draught, if not more or less than Three in Number, drawing any Waggon, Wain, or Cart, or other such Carriage, Ten-pence:

For every Horse, Ox, or Beast of Draught, if not more or less than Two in Number, drawing any Waggon, Wain, or Cart, or other such Carriage, Six-pence:

For every Horse, Ox, or Beast of Draught, where not more than One is drawing any Waggon, Wain, or Cart, or other such Carriage, Eight-pence:

For every Saddle Horse or Mule, with or without a Rider, Four-pence:

For every other Horse or Mule, laden or unladen, and not drawing, Four-pence:

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

For every Score of Oxen or Neat Cattle, Two Shillings and Sixpence; 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 Sixpence Sterling *per* Score; and so in proportion for any greater or less Number.

XIII. And be it further enacted, That upon Payment of the Tolls by this Act granted the Collector or Receiver thereof shall, and he is hereby required to deliver *gratis* to the Person paying such Toll a Note or Ticket denoting such Payment, which Note or Ticket shall be provided by the said Trustees; and there shall be printed and specified thereon the Name of the Gate at which such Ticket shall have been delivered, and also the Name or Names of the Gate or Gates freed by such Payment; which Note or Ticket, Notes or Tickets, shall entitle the same Person or Persons,

[Local.]

Tolls may be taken.

Tolls.

Tolls to be paid but once a Day at any Turnpike within Four Miles from where first Payment was made.

with the same Carriages or Horses, or other Cattle, to pass through any other Turnpike Gate or Turnpike Gates placed on the said Roads at a Distance not exceeding Four Miles from the Turnpike Gate where such Note or Ticket was delivered, without being liable to pay the said Tolls more than once for passing through such Turnpike Gate or Turnpike Gates, and returning the same Day before Twelve of the Clock at Night with the same Carriages or Horses, or other Cattle: Provided always, that the said Tolls and Duties shall be levied from any Person or Persons travelling upon any of the branching Roads made or to be made or maintained under the Authority of this Act and of the said recited Act of the Fourth Year of the Reign of His present Majesty.

Tolls to be taken for new Loading.

XIV. Provided always, and be it enacted, That in case any Waggon, Wain, Cart, or Carriage of the like Description, shall pass through such Turnpike Gate or Turnpike Gates with a new Loading a second or more Times in the same Day, the Tolls by this Act granted shall be paid for each Time they shall so pass, in the same Manner as for the first Time: Provided always, that nothing under One Hundred Weight shall be reckoned a new Loading in any such Carriage.

Table of Tolls to be put up.

XV. And be it further enacted, That a Table of the Tolls payable under this Act shall be affixed on all the Toll Houses erected or to be erected on the said Roads, and the Name of the Turnpike Gate adjoining thereto respectively shall be placed over the Table of Tolls; and the said Trustees shall also cause a List of all the Penalties imposed by this Act to be so affixed, together with the various Regulations which are by this Act made, for the Regulation of those who may travel or drive Carriages or Carts, or who may ride along the said Roads.

Side Bars may be erected.

XVI. And be it further enacted, That it shall and may be lawful to and for the said Trustees to erect or cause to be erected One or more Gate or Gates, Bar or Bars, on or across the said Roads, or on the Sides thereof, and also a Toll House, with a proper Stable and Garden adjoining to each such Toll House at such Bar or Gate; and from Time to Time to alter the Situation of such Side Gates or Bars and Toll Houses, Stables and Gardens, and there to demand, take, and receive such Tolls as are by this Act granted and made payable; but so as that a Ticket received at any such Side Gate or Bar shall entitle the Receiver thereof to pass through the next Gate or Bar on the same Day, and on the same Road, if within Four Statute Miles, Toll-free.

Weighing Engines to be erected.

XVII. And be it further enacted, That the said Trustees shall, if they find it necessary, cause Weighing Engines to be erected upon such Part of the said Roads as they shall think fit, for weighing all Waggons, Wains, Carts, and other Carriages which shall pass along the said Roads, and receive and take, over and above the Tolls hereby granted, the following Sums of Money as additional Toll for every Hundred Weight of One hundred and twelve Pounds to the Hundred, which any Waggon, Wain, Cart, or any such Carriage, together with its Loading, shall weigh at any of the said Weighing Engines over and above the Weights which such Waggon, Wain, Cart, or other such Carriage is allowed to weigh without paying additional Toll; (that is to say,)

For

For the First and Second Hundred Weight of such Overweight, the Sum of Three-pence for each Hundred :
 For every Hundred of such Overweight above Two hundred and not exceeding Five hundred, the Sum of Sixpence :
 For every Hundred of such Overweight above Five hundred and not exceeding One thousand, the Sum of Two Shillings and Sixpence :
 For every Hundred of such Overweight above One thousand and not exceeding One thousand five hundred, the Sum of Five Shillings :
 For every Hundred of such Overweight above One thousand five hundred, the Sum of Twenty Shillings :

Tolls for
Overweight.

And that before they respectively shall be permitted to pass through such Gate or Turnpike ; and the same shall be applied as the other Tolls are by this Act respectively directed to be applied ; and every Person travelling with any Waggon, Wain, Cart, or such Carriage shall, when required thereto by any Collector of Tolls or Duties, permit the same to be weighed, and shall assist in weighing the same ; and in case any Person or Persons shall hinder or obstruct the weighing of any such Carriage as aforesaid, or shall refuse to assist in weighing the same, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

XVIII. And be it further enacted, That every Waggon, Wain, Cart, or other such Carriage, shall be allowed to pass without paying any additional Toll, provided it, with its Loading, does not weigh more than the Weight following ; (*videlicet,*)

Weight of
Carriages
which shall
be permitted
to pass with-
out paying
additional
Tolls.

Every Waggon, Wain, Cart, or other such Carriage, drawn by One Horse, Ox, or Beast of Draught, One Ton five hundred Weight ; and drawn by Two Horses, Oxen, or Beasts of Draught, One Ton and a Half ; and drawn by Three Horses, Oxen, or Beasts of Draught, One Ton One thousand five hundred Weight ; and drawn by Four Horses, Oxen, or Beasts of Draught, Two Tons ; and drawn by Five Horses, Oxen, or Beasts of Draught, Two Tons One thousand five hundred Weight ; and drawn by Six Horses, Oxen, or Beasts of Draught, Three Tons five hundred Weight ; and drawn by Seven Horses, Oxen, or Beasts of Draught, Three Tons One thousand five hundred Weight ; and drawn by Eight Horses, Oxen, or Beasts of Draught, Four Tons five hundred Weight.

XIX. Provided always, and be it further enacted, That it shall be in the Power of the said Trustees at a General Meeting assembled, and they are hereby authorized and empowered, if they shall think fit, to exempt from Payment of any Part of the said additional Tolls and Duties for Overweight, not exceeding One-half thereof, every Waggon, Wain, Cart, or other such Carriage as aforesaid, with Two Wheels, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Five Inches or upwards, and being cylindrical ; that is to say, of the same Diameter on the Inside next to the Carriage and on the Outside, so that when rolling on a flat Surface the whole Breadth thereof shall bear equally on such flat Surface, and that the opposite Ends of the Axletrees of such Carriages, as far as the same shall be inserted in the Naves of the Wheels, shall not form an Angle with each other, but shall be in the Continuance of One straight Line, so that in each Pair of Wheels belonging to such Carriages the

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

the lower Parts which shall rest on the Ground shall be at the same Distance from each other as the upper Parts of said Pair of Wheels; and further, having the Nails sunk level with the Rings on the Wheels; and every Waggon, Wain, Cart, or Carriage with Four Wheels, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Seven Inches and a Half, or upwards, and being cylindrical as before mentioned: Provided also, that every Person claiming the Privileges granted to Carriages with Wheels so constructed as aforesaid shall permit the same to be examined or measured by any Person employed in the Collection of the said Tolls.

No Erections within 30 Feet of Centre of Roads.

XX. And be it further enacted, That from and after the passing of this Act no House or other Building exceeding Ten Feet in Height shall be erected within Thirty Feet of the Centre of any of the said Roads.

Certain Exemptions in General Turnpike Act not altered.

XXI. Provided always, and be it enacted, That nothing herein contained shall limit or alter the Enactments of the said Act of the Fourth Year of the Reign of His present Majesty relative to Exemptions from Toll Duty, in certain Cases of Horses travelling for Hire under the Post-horse Duties Acts, or the Carriages drawn by such Horses.

Rates may be lowered, and there- after raised.

XXII. And be it further enacted, That it shall and may be lawful for the said Trustees in a General Meeting assembled, (provided that Two-thirds of the Persons who have subscribed the Bonds and are actually bound for the Debts on the said Roads shall concur,) to lower the Tolls and Duties hereby granted, and again to raise the same as they shall see expedient, provided such Tolls and Duties do not exceed the Tolls and Duties authorized by this Act to be levied and collected.

Tolls, &c. vested in Trustees.

XXIII. And be it further enacted, That the said Tolls and Duties hereby granted and made payable, together with the Right of Property of every Gate or Turnpike, Toll House and Garden, and whole Premises vested in the Trustees under the said Act hereby repealed, but subject to the Debts affecting the said Roads generally, or any particular Part or Portion thereof, and the Right of Property of every Gate, Turnpike, Toll House, Garden, or other Premises to be acquired by virtue of this Act, are and shall be vested in the said Trustees hereby appointed; and the said Tolls and Duties, and every Part thereof, shall be paid over and applied and assigned to and for the several Uses, Intents, and Purposes of this Act.

Application of Money.

XXIV. And be it further enacted, That the said Trustees in General Meeting assembled shall, out of the Tolls to arise at the Gates or Turnpikes continued and to be erected on the said Roads, direct the Costs and Expences relative to the obtaining of this Act to be paid, and the Remainder of all such Monies to be applied, first, towards the making, completing, widening, and repairing and keeping in repair the said Roads, and the other necessary Purposes of this Act relating thereto; and, secondly, towards the Payment of the Interest of the Sums already borrowed and advanced in virtue of the said Act hereby repealed, or to be subscribed or borrowed by virtue of this Act, and thereafter to the Repayment of the Principal Sum so borrowed, advanced, or subscribed for the Purposes of the said Act hereby repealed; and the Clerk to the said Trustees shall be and he is hereby authorized and required to record

record and enter all such Orders and Directions as regard the Applications of such Money in a Book to be kept for that Purpose.

XXV. Provided always, and be it enacted, That in the Application of such Monies as aforesaid nothing herein contained shall prejudice, impair, or affect the Security of any Creditor upon the Tolls granted by the said recited Act hereby repealed; but the Interest to become due on any such Debt shall, after the Maintenance of the Road out of which such Debt is due, be in the first place payable out of the Tolls levied upon the Roads assigned in Security for such Debt; and the Money subscribed or borrowed shall be applied towards the making, repairing, or maintaining any of the Roads hereby authorized to be made, altered, or maintained, in respect and on behalf of which such Money was subscribed or borrowed.

Security of
Creditors
preserved.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, and for their Surveyor or Surveyors and Workmen, from Time to Time to enter upon the Land and Premises through which or whereupon any of the said Roads hereby authorized to be made, altered, or repaired, is or are intended to pass, and also upon any adjoining Lands or Grounds, and to stake out the said Roads or any of them, and to cut and make any Drains, or Ditches, or Arches through or into any Lands or Grounds adjoining or lying contiguous to any Part thereof, and to make a temporary Way or Ways through or over any such adjoining Lands (not being a Garden, Yard, Orchard, Park, Paddock, Planted Walk, or Avenue to a House, or inclosed Ground planted and set apart as a Nursery for Trees,) as the said Trustees shall think fit, without being subject or liable to any Fine, Penalty, or Punishment for entering and continuing upon any Part or Parts of such Lands or Grounds respectively for any of the Purposes of this Act, the said Trustees making Satisfaction to the Owners and Occupiers of such Lands and Grounds for the Damages that shall be thereby occasioned; such Damages being ascertained and settled, in case of Dispute concerning the same, in the Manner that the Value of Land to be purchased or used by virtue of this Act is by the said recited Act of the Fourth Year of the Reign of His present Majesty directed to be ascertained and settled in case of Dispute; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used, or the Fences made in laying out any Part of such Roads, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Trustees to
enter upon
Lands for
making
Roads.

XXVII. Provided always, and be it further enacted, That the Clerks, Surveyors, Collectors, and all other Officers, save and except 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 Trustees hereby appointed, 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.

Former Of-
ficers to con-
tinue.

Treasurer
and Clerk
not to be the
same Per-
son.

XXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint any Person or Persons who may have been or may be appointed the Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, to be the Treasurer for the Purposes of this Act; or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, to be the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, shall accept the Office of Clerk in the Execution of this Act; or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer; every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue or prosecute for the same, to be recovered with Expences by summary Action in the Court of Session.

Public Act.

XXIX. 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.

Commence-
ment and
Continu-
ance.

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

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1825.