



ANNO DECIMO

GEORGII IV. REGIS.

Cap. lxxxiv.

An Act for repairing and keeping in repair the Turnpike Roads in the County of *Fife*; for rendering Turnpike certain Statute Labour and Parish Roads, and for making and maintaining certain new Roads, in the said County.

[22d May 1829.]

WHEREAS an Act was passed in the Thirtieth Year of the Reign of His late Majesty King George the Third, intituled *An Act for making and repairing the Road from New Milnbridge, by Foodie's Mill, Inverkeithing, Aberdour, Kirkcaldy, Gallatown, and Cameron Bridge, to Crail, and other Roads in the County of Fife*; and another Act was passed in the Thirty-seventh Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act passed in the Thirtieth Year of His present Majesty's Reign, intituled 'An Act for making and repairing the Road from New Milnbridge, by Foodie's Mill, Inverkeithing, Aberdour, Kirkcaldy, Gullatown, and Cameron Bridge, to Crail, and other Roads in the County of Fife; and for making and repairing other Roads in the said County'*; and another Act was passed in the Forty-seventh Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts passed in the Thirtieth and Thirty-seventh Years of His present Majesty, for making and repairing certain Roads in the County of Fife, and for making and keeping in repair several*

30 G.3. c.93.
37 G.3. c.180.
47 G.3. c.11.

[Local.] 23 B other

other Roads in the said County : And whereas by the said Acts or one or other of them certain Persons were appointed Trustees for making and repairing the Roads therein mentioned, who have proceeded to put the said Acts into execution, and great Progress has been made in completing and repairing the said Roads, and large Sums of Money have been borrowed and are still owing upon the Credit of the Tolls and Duties thereby authorized to be levied, which remain unpaid ; but the said Acts are about to expire, and the said Roads cannot be repaired or maintained, or the Money due upon the Credit of the Tolls be repaid, unless Powers be granted for these Purposes : And whereas it is expedient, and would be advantageous to the Public and to the Inhabitants of the said County, if certain of the Statute Labour or Parish Roads in the said County were rendered Turnpike, and put under the Charge of the Trustees to be appointed by this Act ; and it would also be of advantage to the Public if certain new Roads were made and maintained : 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* : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said several recited Acts passed in the Thirtieth, Thirty-seventh, and Forty-seventh Years of the Reign of His said late Majesty King George the Third shall be and the same are hereby repealed, and instead thereof this Act shall commence and shall continue in force during the Term hereinafter mentioned.

4 G. 4. c. 49.

Recited Acts of 30, 37, & 47 G. 3. repealed, and this Act to take effect instead thereof.

Powers of 4 G. 4. c. 49. 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.

Former Securities and Agreements to remain in force.

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 Acts hereby repealed, or any of them, 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 or entered into by the Trustees for executing the said Acts 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 all and every Subscription or Undertaking for any Sum or Sums of Money, by any Person or Persons, for the Purposes of the said recited Acts or any of them, shall remain in full Force, and shall be paid to and applied by the Trustees

Trustees under this Act to such Purposes; and any Covenant or Engagement entered into by the Trustees for the Repayment of or Security for such Subscriptions or Advances, for the Purposes of the said Acts or any of them, shall remain in full Force, and be binding on the Trustees under this Act.

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

Former
Books to be
Evidence.

V. And be it further enacted, That the Tolls hereby authorized to be levied shall be and are hereby made subject and liable respectively to the Payment of all Sums of Money now due and owing on the Credit of the Tolls granted by the said several recited Acts or any of them, to the Extent and in Terms of the Securities granted for such Sums.

Tolls grant-
ed by this
Act to be
liable to
Debt.

VI. And be it further enacted, That the Clerks, Surveyors, Collectors, and all other Officers who have been appointed under and employed in the Execution of the said Acts 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.

Former Offi-
cers to con-
tinue until
removed.

VII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint any Person who has 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, 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, 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, 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 shall act as Deputy of the Treasurer, or in any Manner officiate for the 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 shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, 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 Sterling to any Person or Persons who shall sue for the same, to be recovered,

Same Per-
son not to be
Clerk and
Treasurer.

recovered, with full Costs of Suit, by summary Action in the Court of Session.

Officers under the former Act to account to the Trustees for executing this Act.

VIII. And be it further enacted, That all Persons who have been employed or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts of the Thirtieth, Thirty-seventh, and Forty-seventh Years of the Reign of His late Majesty King *George* the Third, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account for, pay, and deliver over the same to the Trustees hereby appointed, in like Manner and under the like Penalties and Remedy as are by the said recited Act of the Fourth Year of the Reign of His present Majesty imposed or given in respect of Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, and refusing or neglecting to give up or account for the same.

Trustees appointed.

IX. And be it further enacted, That every Person who at present is or shall be during the Continuance of this Act, in his own Person or in the Right of his Wife, in the actual Possession and Enjoyment, as Proprietor or Life Renter, of Lands lying in the said County of *Fife* rated in the Valuation Books of the said County at One hundred Pounds *Scots*, and the eldest Son or Heir Apparent of every Person so qualified, and the Provost or Chief Magistrate of every Royal Burgh in the said County of *Fife*, for the Time being, shall be and they are hereby nominated and appointed Trustees for surveying, making, repairing, widening, or altering, and keeping in repair the Roads made or authorized to be made by the Trustees under the said recited Acts of the Thirtieth, Thirty-seventh, and Forty-seventh Years of the Reign of His said late Majesty, or any of the said Acts; *videlicet*, the Road from *Newmill Bridge*, by *Foodie's Mill*, *Inverkeithing*, *Aberdour*, *Kirkcaldy*, *Gallatown*, and *Cameron Bridge*, to *Crail*, running through or into the Parishes of *Torryburn*, *Dunfermline*, *Inverkeithing*, *Dalgetty*, *Aberdour*, *Burntisland*, *Kinghorn*, *Abbotshall*, *Kirkcaldy*, *Dysart*, *Wemyss*, *Markinch*, *Kennoway*, *Scoonie*, *Largo*, *Newburn*, *Elie*, *Kilconquhar*, *Saint Monance*, *Carnbee*, *Pittenweem*, *Anstruther Wester*, *Anstruther Easter*, *Kilrenny*, and *Crail*; the Road from *Newmill Bridge*, by *Dunfermline*, the *Crossgates* and *Auchtertool*, to *Kirkcaldy*, with the Branches from the same to *Charleston* and *Limekilns*, by *Crossford*, *Cavil*, and *Lady's Mill*, running through or into the Parishes of *Dunfermline*, *Inverkeithing*, *Torryburn*, *Carnock*, *Aberdour*, *Burntisland*, *Auchtertool*, *Kinghorn*, *Abbotshall*, and *Kirkcaldy*; the Road from *Dunfermline* Westward to the Extremity of the County of *Fife* joining the County of *Perth*, running through or into the Parishes of *Dunfermline*, *Carnock*, and *Saline*; the Road from the *Plasterers*, by *Kinglassie*, *Auchterderran*, and to the Kirk of *Beath*, running through or into the Parishes of *Kirkcaldy*, *Abbotshall*, *Auchterderran*, and *Kinglassie*; the Road from *Kirkcaldy* Northward till it joins the said Road from the *Plasterers* to the Kirk of *Beath*, running through or into the Parishes of *Kirkcaldy*, *Abbotshall*, *Kinglassie*, *Auchterderran*, and *Beath*; the Road from *Kirkcaldy*, by the *New Inn*, *Cupar*, and *Pitcullo*, to *Dundee* Waterside, running through or into the Parishes of *Kirkcaldy*, *Dysart*, *Kinglassie*,

Description of Roads contained in the Acts hereby repealed.

lassie, Markinch, Falkland, Kettle, Cult, Ceres, Cupar, Dairsie, Leuchars, Kilmany, and Forgan; the Road from the said *New Inn* by *Falkland* and *Strathmiglo* Northward to the Extremity of the County of *Fife* joining the County of *Perth*, with the Branch to *Newburgh* by *Shiel's Bridge*, running through or into the Parishes of *Markinch, Falkland, Strathmiglo, and Abernethy*, and which Branch runs through or into the Parishes of *Collessie, Abdie, and Newburgh*; the Road from *Cupar*, by *Kamesford* and *Letham*, through *Kennoway*, to *Cameron Bridge*, where it joins the Road from *Newmill Bridge* to *Crail*, running through or into the Parishes of *Cupar, Ceres, Largo, Scoonie, Kennoway, and Markinch*; the Road from *Cupar* by *Callinch Bridge* to *Balcarres*, where it joins the said Road leading from *Newmill Bridge* to *Crail*, with the Branch from *Lathockar Bridge* to *Crail*, running through or into the Parishes of *Cupar, Kemback, Ceres, Cameron, Kilconquhar, Carnbee, Kingsbarns, Denino, and Crail*; a Branch Road from the Road from *Cupar* by *Strathmiglo* Westward, leading by *Letham* and *Newburgh*, to the Extremity of the County of *Fife* joining the County of *Perth*, running through or into the Parishes of *Cupar, Monimail, Collessie, Auchtermuchty, Strathmiglo, Abdie, and Newburgh*; the Road from *Saint Andrews* by *Guard Bridge* till it joins the said Road from *Kirkcaldy* to *Dundee Waterside* at *Dronsmuir*, running through or into the Parishes of *Saint Andrews* and *Leuchars*; the Road from *Dundee Waterside* by *Guard Bridge* and *Denhead*, joining the Road from *Cupar* to *Balcarres* at *Raderny Ground*, running through or into the Parishes of *Forgan, Kilmany, Leuchars, Saint Andrews, and Cameron*; the Road from *Kirkcaldy* to *Dysart*, and from *Dysart* Eastward until it joins the said Road from *Gullatown* to *Cameron Bridge*, running through or into the Parishes of *Kirkcaldy, Dysart, Wemyss, and Markinch*; the Road striking off or branching from the Turnpike Road from *North Queensferry* at *Little Couston*, and passing by *Balmule* and *Kilrie*, to *Kirkcaldy*, running through or into the Parishes of *Dalgetty, Aberdour, Burntisland, Auchtertool, Kinghorn, Abbotshall, and Kirkcaldy*; the Road from the Toll Bar situated at the *Windygates* to *Balfarg*, through the Parishes of *Kennoway* and *Markinch*, with a Branch to *Plasterers*, running through or into the Parish of *Markinch*; the Road from or near *Damhead* in the Parish of *Arngask* till it joins the present Turnpike Road which leads to *Kirkcaldy* by *Clunie*, with a Branch from *Damhead* to *Strathmiglo*, returning through or into the Parishes of *Arngask, Strathmiglo, Ballingry, Auchterderran, Kinglassie, Abbotshall, and Kirkcaldy*; the Road from the *Dundee Ferries* to *Sheilsbridge* through the Parishes of *Forgan, Balmerino, Kilmany, Creich, Monimail, and Collessie*, with Branches from the Parishes of *Balmerino* through *Flisk* to *Newburgh*, and from *Balmerino* Parish to *Kilmany* Parish, to *Cupar* from *Creich* Parish, through *Moonzie* Parish to *Cupar*, and through the Parishes of *Abdie* and *Denboig* to *Newburgh*, and a Branch from *Monimail* Parish to *Cupar*, and another through *Collessie* Parish and *Kettle* Parish to *New Inn*; the Road from *Balmalcolm* to *Falkland*, leading through or into the Parishes of *Kettle* and *Falkland*; the Road from *Newburgh* by *Kinlock* to *Shiel's Bridge* till it joins the Branch of the Turnpike Road from *New Inn* leading through or into the Parishes of *Newburgh, Abdie, and Collessie*; the Road

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from *Falkland* to *Kennoway*, leading through or into the Parishes of *Falkland*, *Kettle*, *Markinch*, and *Kennoway*; the Road from the great Turnpike Road from *Cupar* to *Windygates*, from the Bridge at *Letham Mill Burn* to *Leven*, running through or into the Parish of *Scoonie*; the Road from *Brackmont Mill* to *Newport*, leading through or into the Parishes of *Leuchars* and *Forgan*; the Road from *Brackmont Mill* to the River *Tay* at or near *Ferry-Port-on-Craig*, running through or into the Parishes of *Leuchars*, *Ferry*, and *Forgan*; the Road from *Saint Andrews* to *Crail* by *Kingsbarns*, running through or into the Parishes of *Saint Andrews*, *Crail*, and *Kingsbarns*; the Road from *Saint Andrews* by *Lathones* to join the Turnpike Road to *Balcarres* at *Largoward*, with a Branch by *Higham Loan*, leading through or into the Parishes of *Saint Andrews*, *Cameron*, and *Kilconquhar*; the Road from *Cupar* to *Largo Burn Mouth* by *Teasses*, leading through or into the Parishes of *Cupar*, *Ceres*, and *Largo*; the Road from *Balcarres Mill* to *Ely Harbour* by *Kilconquhar*, leading through or into the Parishes of *Kilconquhar* and *Ely*; the Road branching off the Turnpike Road at or near *Balchrystie*, by *Ely*, to *Pittenweem*, leading through or into the Parishes of *Kilconquhar*, *Ely*, *Pittenweem*, *Newburn*, and *Saint Monance*; the Road from *Fawfield* through the Lands of *New Guilston*, *Teasses*, *Teuchats*, *Greenside*, and *Pratis*, to *Pratis Muir* or thereabouts, connecting the Turnpike Road to *Collinsburgh* with that from *Cupar* to *Windygates*, leading through or into the Parishes of *Scoonie*, *Ceres*, *Kilconquhar*, and *Largo*; the Road from *Saint Andrews* by *Denino* to *Anstruther Harbour*, with a Branch by *Nether Carnbee* to *Pittenweem Harbour*, leading through or into the Parishes of *Saint Andrews*, *Denino*, *Carnbee*, *Kilrenny*, *Anstruther*, and *Pittenweem*; Continuation of the Road from the East End of *Balcarres Dykes*, by *Kellie* and *Balhouffie*, to join the Road from *Saint Andrews* to *Anstruther* at *Pitkeirie*, and the proposed Branch leading by the Back of *Balhouffie* to *Crail*, through or into the Parishes of *Carnbee*, *Kilrenny*, and *Crail*; the Road from *Saint Andrews* by *Balone* to the Turnpike at *Drumcarro*, and the Road from *Saint Andrews* to the Village of *Ceres* through *Magus Muir*, and from thence to the Turnpike Road at or near *Struthers*, leading through or into the Parishes of *Saint Andrews*, *Cameron*, *Kemback*, *Ceres*, and *Scoonie*; a Branch of Road from the West Corner of *Pitlour Planting*, to pass *Balvaird Castle*, towards *Paris Bridge*, till it joins the *Perth* Turnpike Road, leading through or into the Parishes of *Strathmiglo*, *Arngask*, and *Abernethy*, in *Fife*, *Perth*, and *Kinross* Shires; the Road striking off from the great Turnpike Road from *Kirkcaldy* to *Cupar* by *New Inn* at or near *Thornton*, and running West, by *Strathore* and *Clunie*, until it joins the Kirk of *Beath* Road, and leading through or into the Parishes of *Dysart*, *Kinglassie*, *Auchterderran*, *Ballingry*, and *Beath*; a Road from *Callange* to *Pitscottie Bridge*, through *Dura Den*, to *Dairsie Bridge* or *Rumgay Ford*, so as to join the proposed Road from *Osnaburg* to *Ceres Muir*, leading through or into the Parishes of *Ceres*, *Kemback*, and *Dairsie*; the Road from the Turnpike Road at the Foot of the *Borland Loan* above *Dysart*, by *East Wemyss*, *Mooredge*, and the *Sawmill Ford*, or thereby, till it joins the Turnpike Road near to *Scoonie Bridge* leading through or into the Parishes of *Dysart*, *Wemyss*, *Markinch*, and *Scoonie*; all which Roads are by the said Three first-recited Acts made or directed to be made Turnpike Roads, and shall

continue as such under this Act; and also for repairing and maintaining and keeping in repair the following Statute Labour or Parish Roads in the said County of *Fife*, which are hereby declared to be Turnpike Roads; *videlicet*, the Road branching off from the Turnpike Road from *Cupar* to *Balcarres* at *Loans Bar* situated on the Lands of *Largoward*, to the Village of *Kirkton* of *Largo*, running into or through the Parishes of *Kilconquhar*, *Newburn*, and *Largo*; the Road branching off from the Turnpike Road from *Cupar* to *Kinross* near to the Village of *Gateside*, till it joins the great Turnpike Road from *Perth* to *Kinross* at *Beansnook*, running through or into the Parishes of *Strathmiglo*, *Arngask*, and *Abernethy*; the Road leading from *Falkland* by *Dunshelt* to *Auchtermuchty*, running through or into the Parishes of *Falkland* and *Auchtermuchty*; the Road branching off from *Kirkcaldy*, by *Sauchanbush*, *Torbain*, *Shawsmiln*, and *Lochgelly West*, to join the great Road from *Perth* to *Queensferry* at or near the Kirk of *Beath*, commencing at the Junction with the *Clunie* Road at *Bennodchy*, and terminating a little to the Westward of *Lochgelly*, running through or into the Parishes of *Abbotshall*, *Auchterderran*, and *Ballingry*; the Road branching off from the last-described Road to connect the same with the *Cluny* Turnpike, running from the South-east Part of *Wester Bogie*, by *Chapel*, till it join the *Cluny* Road running through or into the Parish of *Abbotshall*; the Road branching off from *West Bridge* of *Innertiel*, North, to join the Road from *Kirkcaldy* to *Dunfermline* at *Abbotshall Gate*, running through or into the Parish of *Abbotshall*; the Road branching off from *Leslie* by *Cabbagehall Bridge*, South, to *Inchdairnie*, being a Continuation of the *Cluny* Turnpike running through or into the Parishes of *Kinglassie* and *Leslie*; the Road from *Saint Andrews*, by *Balone*, *Claremont*, *Magask*, and *Ladedy*, falling into the *Saint Andrews* and *Ceres* Turnpike Road at or near *Blebohole*, and running through or into the Parishes of *Saint Andrews*, *Cameron*, *Ceres*, and *Kemback*; the Road from *Dunfermline* to *Hillend*, by *Pitbauchlie*, *Duloch*, *Fordel*, and *Balbougie*, leading through or into the Parishes of *Dunfermline*, *Dalgetty*, and *Inverkeithing*; the Road from *Whitehill Toll Bar* to the Harbour of *Aberdour*, leading through or into the Parish of *Aberdour*; and also for making and maintaining and keeping in repair the following new Roads, which, when made, shall be held and considered to be Turnpike Roads; *videlicet*, a Road from the Village of *Ferryport-on-Craig* by *Spearhill* to *Newport*, running through or into the Parishes of *Ferry* and *Forgan*; a Road from *Dunfermline* to *North Queensferry*, through the Farms of *Grange*, *Gelletts*, *Blackhall*, *Primrose*, *Rosyth*, and *Orchardhead*, with a Branch through the Farm of *Rosyth* connecting the same with the present Coast Road from *Newmill Bridge* to *Aberdour*, leading through or into the Parishes of *Dunfermline* and *Inverkeithing*; a Road from the Junction of the Coast Road at the East End of the Town of *Kinghorn*, leading through *Abden* Grounds at *Kinghorn* to *Pettycur*, running through or into the Parish of *Kinghorn*; and for the Repair, Management, and Regulation of all the Roads hereinbefore described, and for carrying into effect the other Powers and Authorities granted by this Act.

Statute Labour and Parish Roads to be made Turnpike.

Description of intended new Roads.

X. Provided always, That One Person only, and the eldest Son or Heir Apparent of such Person, shall be qualified in respect of the same

Trustee having the Dominium

utile to be preferred.

same Lands to act as a Trustee in the Execution of this Act ; and that the Person in Possession of the *Dominium utile* of such Lands shall always be preferred ; and that the Proprietor in Possession of the *Dominium directum* or Superiority of such Lands shall be qualified to act only in the Absence of the Proprietor of the *Dominium utile* ; and the eldest Son or Heir Apparent of the Proprietor in Possession of such Superiority shall be qualified to act only in the Absence of the eldest Son or Heir Apparent of the Proprietor of the *Dominium utile* : Provided always, that the Person in Possession of the Superiority and the Person in Possession of the *Dominium utile* of the same Lands, and their respective Sons or Heirs Apparent, shall not be both qualified, in respect of the same Lands, to act at the same Time as Trustees in the Execution of this Act.

Maps and Books of Reference deposited may be inspected.

XI. And whereas Maps or Plans describing the said new Roads intended to be made, and the Lands through which they are severally intended to pass, together with Books of Reference containing the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace of the County of *Fife* ; be it further enacted, That the said Maps or Plans, and Books of Reference, shall remain in the Custody of the said Clerk of the Peace ; and every or any Person, being an Owner or Occupier of any Lands or Tenements upon the Line of the said Roads or any of them, shall at all seasonable Times have Access to the said Maps or Plans and Books of Reference, and shall be entitled to examine and make Extracts from or Copies of the same, or require Extracts or Copies of the said Books of Reference, 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.

Trustees not to deviate from Lines laid down, nor to remove any Building, or enter any Orchard, &c., not specified in the Schedules.

XII. And be it further enacted, That the said Trustees in making or altering the said Roads hereby authorized to be made or repaired 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, neither shall they take down or remove any Dwelling House or other Building the Side Walls of which exceed Twenty Feet in Height, or take or make use of any Policy, Orchard, or Garden the Contents of which exceed Half an Acre, of any Lawn, planted Walk or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, other than the Dwelling Houses or Buildings, Policies, Orchards, Gardens, Lawns, planted Walks and Avenues, or inclosed Grounds planted as aforesaid, or any of them, described in the Schedule marked (A.) annexed to this Act, without the Consent in Writing of the Owners thereof.

Power to Trustees to alter Line of Road with Consent.

XIII. Provided also, and be it further enacted, That it shall be lawful to the said Trustees, and they are hereby authorized and empowered, to alter or divert the Course of the said new or Statute Labour or Parish Roads, or any of them, for the Purpose of rendering them more commodious and useful for the Public, although such Alterations or Diversions be not contained in the said Map or Plan : Provided always,

always, that the previous Consent in Writing of the Owner or Owners of the Lands or other Property through which any such Alteration or Diversion is intended to pass, or of the respective Agents or Factors for such Owner or Owners, shall be first had and obtained by the said Trustees.

XIV. And whereas it may be expedient that a Branch of Road leading from the *North Queen'sferry* and *Perth* Road to *Dunfermline*, and lying in the County of *Fife*, should be put under the Management of the Trustees of the *Dunfermline* District hereby appointed; be it therefore enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to treat and agree with any Trustees under whose Charge the said Branch Road last above described shall be, for the Maintenance, Management, and Regulation of the said Branch Road, upon such Terms as shall be agreed upon by such respective Trustees; and upon such Agreement being completed the said Branch Road shall thereafter be under the Management and Direction of the Trustees hereby appointed, and under and subject to the Powers and Provisions herein contained; any thing in any other Act or Acts to the contrary notwithstanding.

Branch of
Queens-
ferry and
Perth Road
may (if so
agreed upon)
be put under
this Act.

XV. Provided always, and be it further enacted, That in case the said Trustees shall not purchase such Lands, Dwelling Houses, or other Buildings, Policies, Orchards, or Gardens, Lawns, planted Walks, Avenues, or inclosed Grounds, 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 such Dwelling Houses or other Heritages so remaining unpurchased, without Consent of the Owners thereof first had and obtained thereto.

Power to
acquire Pro-
perty stated
in Schedules
limited to
Five Years.

XVI. And be it further enacted, That the First General Meeting of the said Trustees for putting this Act into execution shall be held within the County Room at *Cupar* on the last *Tuesday* of *July* after the passing of this Act, at Twelve o'Clock Noon; of which Meeting the Clerk to the General Meetings of Trustees appointed under the said Three first-recited Acts, and failing him, by Death, Incapacity, or Removal, the Sheriff Clerk of the County of *Fife* for the Time being, shall give public Notice in manner herein directed; and if the Number of Trustees present at such First Meeting shall not be sufficient to constitute a legal Meeting, another Meeting shall be held at the said Place and Hour on the Fourteenth Day thereafter, of which Seven Days public Notice shall be given; and if a sufficient Number of the said Trustees do not then attend, the same Proceeding shall be repeated till a sufficient Number of Trustees to constitute a legal Meeting shall have assembled; and the said Trustees shall also thereafter hold a like General Meeting at the same Place and Hour on the First *Tuesday* of *May* annually during the Continuance of this Act; and the First General Meeting of the Trustees for the respective Districts of the said County herein described shall in like Manner and at the like Hour be held on the First *Tuesday* of *August* after the passing of this Act, upon the like Notice, to be given by the respective Clerks of the said several Districts, and with

Meetings of
Trustees.

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the like Proceeding in case a sufficient Number of Trustees shall not attend any such Meeting, at the Places following; *videlicet*, the Trustees for the *Cupar* District at *Cupar*, and the Trustees for that District shall thereafter hold a like General Meeting at the same Place and Hour on the *Wednesday* after the First *Tuesday* of *April* annually; the Trustees for the *Saint Andrews* District at *Saint Andrews*, and the Trustees for that District shall thereafter hold a like General Meeting at the same Place and Hour on the First *Tuesday* of *April* annually; the Trustees for the *Kirkcaldy* District at *Kirkcaldy*, and the Trustees for that District shall thereafter hold a like General Meeting at the same Place and Hour on the *Thursday* after the First *Tuesday* of *April* annually; the Trustees for the *Dunfermline* District at *Dunfermline*, and the Trustees for that District shall thereafter hold a like General Meeting at the same Place and Hour on the *Friday* after the First *Tuesday* of *April* annually; and at the said respective Meetings, and all subsequent Meetings of the said Trustees, the Majority of Trustees assembled, the Number present at General Meetings not being less than Seven, and at District Meetings not being less than Five, 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 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.

District
Meetings
may appoint
Committees.

Quorum.

XVII. And be it further enacted, That for the more easy and effectual putting in execution of this Act, the said Trustees at any General Meeting of their said respective Districts may authorize and appoint such a Number of the said Trustees as they shall think proper, who may live near to each of the said Roads by this Act to be made and repaired, as a Committee, Three being a Quorum, and empower them to give such Orders and Directions for the Repair of the said Roads as to them shall seem reasonable, such Committees being always accountable to the Trustees for the District, and for that Purpose shall lay before them Once in the Year a State of their Accounts and all their Transactions, with proper Vouchers of the Disbursements made by them, to be by the said Trustees at their said District Meetings examined, audited, and approved, and to be entered in the Book kept by the Clerk for the District.

Notices of
Meetings
how to be
given.

XVIII. And be it further enacted, That all the Meetings of the said Trustees, whether General or District Meetings, or Statutory or Special, of which Intimation is hereby, or by the said recited Act of the Fourth Year of the Reign of His present Majesty, directed to be made, shall be called by Notice to be given Twice at least, and Fourteen Days at least previous to such Meeting, in One or more of the Newspapers published in the said County of *Fife*, or if no Newspaper shall at the Time be published in the said County, in One or more of the *Edinburgh* Newspapers usually circulated in the said County.

The present
Districts to
continue.

XIX. And whereas the Roads in the said County of *Fife* contained in the said recited Acts hereby repealed are at present under the Authority

Authority of the said Acts divided into Four Districts; *videlicet*, First, the *Cupar* District, consisting of the Parishes of *Arngask*, *Abdie*, *Abernethie*, *Auchtermuchty*, *Balmerino*, *Ceres*, *Cupar*, *Creich*, *Cult*, *Collessie*, *Darsie*, *Denboig*, *Falkland*, *Flisk*, *Kettle*, *Kilmany*, *Logie*, *Monimail*, *Moonzie*, *Newburgh*, and *Strathmiglo*; Second, the *Saint Andrews* District, consisting of the Parishes of *Anstruther Easter*, *Anstruther Wester*, *Cameron*, *Carnbee*, *Crail*, *Denino*, *Ely*, *Ferry*, *Forgan*, *Kemback*, *Kilconquhar*, *Kilrenny*, *Kingsbarns*, *Largo*, *Leuchars*, *Newburn*, *Pittenweem*, *Saint Leonards*, *Saint Monance*, and *Saint Andrews*; Third, the *Kirkcaldy* District, consisting of the Parishes of *Abbotshall*, *Auchterderran*, *Auchtertool*, *Ballingry*, *Burnt-island*, *Dysart*, *Kennoway*, *Kinglassie*, *Kinghorn*, *Kirkcaldy*, *Leslie*, *Markinch*, *Scoonie*, and *Wemyss*; and, Fourth, the *Dunfermline* District, consisting of the Parishes of *Aberdour*, *Beath*, *Carnock*, *Dalgetty*, *Dunfermline*, *Inverkeithing*, *Saline*, and *Torryburn*; be it enacted, That the said County shall for the Purposes of this Act continue to be and be divided into the Four Districts aforesaid.

XX. And be it further enacted, That the Trustees of the said several Districts shall within their respective Districts have and enjoy the like Powers and Authorities with respect to the erecting Gates, imposing Tolls, raising and diminishing the same, borrowing Money on the Credit thereof, and granting Securities for the Sums borrowed, as are hereby conferred upon the General Trustees hereby appointed: Provided always, that the said Trustees shall not have Power in future to borrow any Sum or Sums of Money upon the Credit of the said Tolls, or to assign the said Tolls existing previous to the passing of this Act in Security for the Money so borrowed, unless the annual Produce of the said Tolls so assigned or to be assigned in Security shall amount to Ten Pounds *per Centum per Annum* of the Sum so borrowed as aforesaid, beyond the Amount of the Sums required for the annual Repair of the Roads upon which the said Tolls shall be collected, and the Interest of all Money previously borrowed upon the Credit thereof: But which Enactment and Provision shall not affect the Sum of Money subscribed for, advanced, or borrowed for making or repairing the said Roads at or previous to the passing of this Act, and for all which Assignments and Securities may be granted in the same Manner as might have been done under the before-recited Acts hereby repealed.

District Trustees to enjoy the Powers of General Trustees, except as to borrowing Money in certain Cases.

XXI. Provided always, and be it enacted, That if the Trustees for any District shall at a District Meeting order any existing Gate or Toll Bar to be removed, or any new One to be erected, and shall by such Removal or Erection place the same in such a Position as to be so much nearer to any existing Gate or Toll Bar in any other District, that by reason of the Limitation in this Act contained (whereby it is provided that Toll shall not be collected more than once in every Six Miles, except in so far as is hereinafter excepted), the Right to collect and receive Tolls at such existing Gate in such other District shall be diminished or affected, the Trustees of the District ordering such Removal or Erection as aforesaid shall be bound to give Pass Tickets to Passengers at such removed or newly-erected Gate, and

District Trustees removing or erecting Gates, so as to interfere with Gates of adjoining District, shall account to the District so interfered with.

to

to account to the Trustees of such other District for the Amount of all such Tolls as shall from such Tickets appear to have been taken or received, to the Prejudice or Diminution of the Produce of the existing Gate, in such other District as aforesaid.

Power to
erect Turn-
pikes and
Toll Houses.

XXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, to continue or erect, or to cause to be continued or erected, a Gate or Gates, Turnpike or Turnpikes, in, upon, or across any Part or Parts of the said 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 Site of each such Toll House and 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.

Tolls.

XXIII. 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 Carriage, Horse or other Cattle, shall pass through any Gate or Turnpike to be continued or erected on the said Roads; (that is to say,)

For every Horse or Beast of Draught drawing any Coach, Barouche, Berlin, Chariot, Landau, Chaise, Curricie, Calash, Chair, Hearse, or other such Carriage, or any Stage Coach, Long Coach, or Diligence, or Carriage of the like Kind, where only One is drawing any such Carriage, Nine-pence; and where more than One is employed in drawing any such Carriage, One Shilling for each Horse not exceeding Six; and for One Horse or Beast drawing a Taxed Cart, Sixpence:

For every Horse or Beast of Draught drawing any Waggon, Wain, Cart, or other such like Carriage, where One only is drawing, and where any such Carriage and the Loading thereof taken together shall not exceed Twenty-five Hundred Weight, Four-pence; and where such Carriage and Loading shall exceed Twenty-five Hundred Weight, and shall not exceed Thirty Hundred Weight, Six-pence; and where such Carriage and Loading shall exceed Thirty Hundred Weight, and shall not exceed Thirty-five Hundred Weight, Eight-pence; where any such Carriage and Loading shall exceed Thirty-five Hundred Weight, and shall not exceed Forty Hundred Weight, Ten-pence; and in addition, for every Hundred Weight which such Carriage and Loading shall weigh above Forty Hundred Weight, and not exceeding Forty-five Hundred Weight, Two-pence; and for every Hundred Weight which such Carriage and Loading shall weigh above Forty-five Hundred Weight, Sixpence *per* Hundred Weight:

And for every Horse or other Beast of Draught that shall be employed in drawing any such Waggon, Wain, Cart, or other like Carriage, more than One, for each such additional Horse or Beast of Draught, Two-pence:

For every Horse, Mule, or Ass, whereon any Person shall ride, Three-pence :

For every Horse or Mule, laden or unladen, and not drawing, Two-pence Halfpenny :

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.

XXIV. Provided always, and be it further enacted, That if the Toll Collector at any of the said Gates shall, by reason of the Imperfection or bad Condition of any Weighing Machine erected and used on any of the said Roads in virtue of this Act, make any Charge for Toll on Overweight exceeding the Amount of the Toll on Overweight which would have been due if such Machine had been perfect and in good Order, such Collector shall be liable to pay a Penalty of double the Amount of the whole of the Toll so charged and taken by him. Penalty on Collector overcharging by reason of Weighing Machine not being in Order.

XXV. Provided always, and be it further enacted, That every Waggon, Wain, Cart, or such other like Carriage as aforesaid, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, and being cylindrical, that is to say, of the same Diameter on the Inside next to the Carriage and on the Outside, and in every intermediate Part between the Inside and Outside, so that when rolling on a flat Surface the whole Breadth of such Fellies shall bear so equally on such flat Surface that the opposite Ends of the Axletrees of such Carriages, as far as the same shall be inserted in the Naves of the Wheels, shall not form an Angle with each other, but shall be in the Continuance of One straight Line, so that in each Pair of Wheels belonging to such Carriages the lower Parts which shall rest on the Ground shall be at the same Distance from each other as the upper Part of the said Pair of Wheels, and further, having the Nails sunk level with the Rings on the Wheels, shall be chargeable with only One Half of the Toll hereinbefore granted upon Waggon, Wains, Carts, or other such like Carriages, or upon each Horse or Beast of Draught drawing the same ; and every Waggon, Wain, Cart, or such like Carriage with Four Wheels, having the Fellies thereof of the Breadth of Six Inches or upwards, and being cylindrical, and the Nails sunk level with the Ring, as particularly before specified, or Horse or Horses, Beast or Beasts of Draught, drawing the same, shall be chargeable with only Two Fifth Parts of the Toll hereinbefore granted upon Waggon, Wains, Carts, or other such like Carriages ; provided also, that every Person claiming the Privilege hereby granted to Broad-wheeled Carriages shall permit the same to be examined and measured by any Person concerned in the Collection of the said Tolls. Broad-wheeled Waggon of a certain Description to pay Two Fifths only of the Toll payable by other Waggon.

XXVI. And be it further enacted, That the Wheels of all Carriages shall run a flat Surface upon the Road ; and if any Wheels shall be otherwise constructed such Carriage shall be subjected to the Payment of Double Toll. Double Toll for Wheels not having a flat Surface.

[*Local.*]

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XXVII. And

Penalty for drawing Timber except on Carriages.

XXVII. And be it further enacted, That it shall not be lawful for any Person or Persons to carry on the public Roads and Highways any Wood or Timber exceeding Thirty Feet in Length; save and except such Wood or Timber so exceeding Thirty Feet in Length shall be drawn upon a Cart, or Carriage or Carriages, having Four Wheels, and placed parallel with the Shafts of the Carriage or Cart; and every Person offending in manner aforesaid shall, for each and every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, over and above the Damages thereby occasioned.

Tolls payable only Once a Day at Gates within 6 Miles for passing and repassing with same Load.

XXVIII. And be it further enacted, That upon Payment of the Tolls or Duties by this Act granted the Collector or Receiver thereof shall deliver to the Person paying such Tolls or Duties a Note or Ticket denoting such Payment, which Note or Ticket shall entitle the same Person, with the same Carriages, and Horses or other Cattle, to pass through any other Turnpike Gate or Turnpike Gates placed on the said Roads at a Distance not exceeding Six Statute 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 who shall return the same Day before Twelve of the Clock at Night with the same Carriages, and Horses or other Cattle: Provided always, that in case any Waggon, Wain, Cart, or Carriage of the like Descriptions shall pass through any such Turnpike Gate or Turnpike Gates with a new Loading a Second or more Times in the same Day, the Tolls and Duties by this Act granted shall be paid for each Time the same shall so pass, in the same Manner as for the First Time; and that nothing under Two Hundred Weight shall be reckoned a new Loading in any such Waggon, Wain, Cart, or other such Carriage.

Exemptions in 4 G. 4. c. 49. not to be affected.

XXIX. Provided always, and be it enacted, That nothing in this Act contained shall be construed to limit or affect the Exemptions from Tolls provided and enacted by the aforesaid Act of the Fourth Year of the Reign of His present Majesty, nor to subject to the Payment of Toll more than Once in Twenty-four Hours any Cart, Waggon, Wain, or other Carriage passing a Toll Bar empty, and returning through the same Gate with a Loading, although the Second Passage shall not take place before Twelve of the Clock at Night of the same Day with the First.

Tolls may be exacted in certain Cases within Six Miles.

XXX. Provided nevertheless, and be it enacted, That nothing herein contained shall prevent the said Trustees, if they shall deem it expedient, from levying or causing to be levied the Tolls and Duties hereby granted at any Gate or Gates specified in the Schedule annexed to this Act marked (B.), although within Six Miles of each other, or within Six Miles of any other Gate or Gates now existing, and also at any Gate or Gates not specified in the said Schedule, although within Six Miles of any Gate or Gates therein specified.

Further Exception as to new and

XXXI. Provided always, and be it enacted, That in case any Monies shall be subscribed and advanced for the making and main-
taining

taining any new Road, or improving any of the Statute Labour or Parish Roads hereby authorized to be made, improved, and maintained as Turnpike Roads, and the Trustees shall assign the Tolls and Duties hereby granted at any Gate to be erected on such new Road, or Statute Labour or Parish Road as aforesaid, it shall and may in such Case be lawful for the said Trustees to levy the Tolls and Duties hereby granted at any Gate to be erected on such new or Statute Labour or Parish Roads as aforesaid, notwithstanding that such Gate shall be situated within Six Miles of any other Gate, and also at any of the Gates at present existing or specified in the Schedule aforesaid, notwithstanding the same or any of them shall be within Six Miles of each other.

Statute
Labour
Roads, for
which any
Money shall
be borrowed.

XXXII. And be it further enacted, That the Trustees of each District of the said Roads shall, at the Annual General Meeting of such District, and they are hereby required annually to elect and appoint some Person who shall be the Auditor of Accounts of such District to the Effect herein mentioned for the ensuing Year, making to such Auditor such Remuneration for his Trouble as such Trustees shall think fit.

Auditors
to be ap-
pointed.

XXXIII. And be it further enacted, That the Clerk and Treasurer of each Trust upon any of the said Roads shall severally be bound, under a Penalty of Fifty Pounds each in case of Failure, to keep an exact and accurate Account of all the Monies received or disbursed by them respectively on account of the said Trust; and One Month at least annually before the General Meeting in the Month of *May* herein directed to be held, such Clerk and Treasurer severally shall render a Statement of such Accounts, showing distinctly the Receipt and Expenditure by them respectively on account of such Trust for the preceding Year, and also the Amount of Debt owing by such Trust, to the Auditor to be appointed for the District in which such Clerk and Treasurer severally shall act in manner herein directed; which Statement of Accounts the said Auditor shall examine with the Documents or Vouchers instructing the same, which the said Clerk or the Treasurer to the said Trusts shall respectively be obliged, when called upon, to produce; and the Auditor shall audit and docquet the said Statements, and shall report the same to the said Annual General Meeting in *May*; and the said Annual General Meeting shall direct the said Statements of Accounts to be printed and circulated among the Trustees of all the said Roads, One Week at least previous to the *Michaelmas* Head Court.

Accounts to
be kept, au-
dited, and
reported.

XXXIV. And be it further enacted, That the Tolls and Duties hereby granted and made payable and authorized to be levied, and any Sums of Money which shall be borrowed on the Security thereof, together with the Right of Property of every Toll Bar, Weighing Machine, and Toll House already erected or to be erected on or adjoining to any of the said several Roads, and of every Garden and other Property belonging to the Trustees on any of the said Roads, under the said recited Acts of the Thirtieth, Thirty-seventh, and Forty-seventh Years of the Reign of His late Majesty, or which shall be acquired by virtue of this Act, are and shall be vested in the Trustees acting in

Tolls, Toll
Houses, and
Property,
vested in the
Trustees.

in virtue of this Act; and the said Tolls and Duties, and any Sums of Money which shall be or shall have been borrowed, subscribed, or advanced on the Security thereof shall be paid over and applied to and for the several Uses and Purposes of this Act.

Borrowed Money to be laid out on Road on which borrowed.

XXXV. And be it further enacted, That any Money borrowed in virtue of the said recited Acts of the Thirtieth, Thirty-seventh, and Forty-seventh Years of the Reign of His said late Majesty, or to be borrowed in virtue of this Act upon the Credit of the Tolls of any particular Road or Line of Road, shall be laid out and applied towards the making and maintaining of such Line of Road exclusively.

Application of the Tolls.

XXXVI. And be it further enacted, That the several Sum or Sums of Money hereby authorized to be levied and demanded in Name of Toll or Duty shall be applied and disposed of in Repayment of the Money borrowed upon the Credit of the Tolls to be levied on the said respective Roads, and of the Sums subscribed and advanced for the said Roads or any of them, and the Interest thereof, and in making and repairing and keeping in repair the Roads herein mentioned and described: Provided always, that the Tolls and Duties to be levied on each particular Line of Road shall, in the first place, be applied in Repayment of the Sum of Money already borrowed and secured by Assignment on the Credit thereof, and Interest of the said Sum, and in making and repairing that particular Line of Road; and in the second place for the Payment and Security of such Sums as have been already subscribed or advanced, or hereafter may be subscribed or advanced, for the said Lines of Road, and no otherwise.

Tolls apportioned between Districts to be so continued.

XXXVII. And whereas it was in some Instances found necessary and expedient by the Trustees under the said Three first-recited Acts hereby repealed to erect Toll Bars upon the Confines of Two adjoining Districts, and to divide and apportion the Tolls and Duties collected at such Bars between such adjoining Districts, to be laid out and applied by the Trustees thereof respectively: And whereas the said Apportionment has been agreed upon and deemed satisfactory by the Trustees of such Districts respectively; be it enacted, That it shall not be lawful for the Trustees hereby appointed to alter or discontinue such Division and Apportionment, unless with the Consent of Two Thirds of the Trustees of each of the Districts interested therein, and qualified by the Possession of Lands as aforesaid lying within such Districts respectively, to be given at a General Meeting at each of such Districts, to be held upon Intimation to be given as herein directed by Notice expressing the special Purpose of such Meeting.

District Trustees may eventually order the Tolls to be applied generally in the District.

XXXVIII. Provided always, and be it further enacted, That it shall be lawful and competent to the Trustees of any District, at any General or Special Meeting of such District, to determine, order, and direct that all the Tolls and Duties collected at the several Toll Bars within such District, or payable to them as the Proportion due by any other District in respect of any Road common to both Districts, to be applicable and to be applied generally, in the first place, in Payment of the Interest of all the Debts owing on the Credit of the

the Tolls within the said District, and, in the second place, to be applied generally towards the making and maintaining the Roads within the said District: Provided also, that no such Determination and Order shall be made unless at a General Meeting of such District, called in manner herein directed, by Notice specifying the special Purpose for which such Meeting is intended to be held, nor unless Notice in Writing shall also have been sent to every Creditor upon the Tolls of such District, or in his or her Absence to the known Agent or Factor of such Creditor.

XXXIX. Provided always, and be it further enacted, That if, in order to make or repair any of the Roads hereby authorized to be made or repaired, any Sum or Sums of Money shall have been or shall be subscribed or advanced upon the Credit and Security of any Gate or Toll Bar erected or to be erected upon a separate Branch or Line of Road, it shall be found expedient to except the said Toll Bar and separate Branch or Line of Road from the general Arrangement and Order to be made by the Trustees of any District as aforesaid, whereby all the Tolls shall be directed to be applied generally to pay the Interest of all the Debts owing on the Credit of the Tolls within the said District, and towards the making and maintaining all the Roads within the same, it shall and may be lawful and competent to the said Trustees at such District Meeting as aforesaid to make such Exception for such separate Branch or Line of Road, without Prejudice to the Powers and Authority hereby given to make such Order for the Consolidation and general Application of all the Tolls collected within the District as aforesaid, subject only to such special Exception of such separate Line or Branch of Road as aforesaid.

Particular Roads may be excepted in certain Cases from Consolidation.

XL. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons to be employed by them, to enter on the Lands and other Property through which or whereupon the said Roads hereby authorized to be made and repaired, or any Alteration thereof, are or is intended to pass, and to mark out the said Roads and Alterations; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used in laying out any Part of such Road, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds: Provided always, that before entering on or using any private Property for the Purpose of this Act Fourteen Days previous Notice shall be given to the Proprietor or Occupier thereof.

Trustees may enter upon Lands.

XLI. And be it further enacted, That where it shall appear necessary or convenient to the said Trustees to alter the Course and Situation of any of the Roads in this Act specified, and hereby authorized to be maintained, made, and repaired, although such Alteration should not be contained in the said Map or Plan, then the said Trustees, at a General Meeting for the County assembled, shall be and they are hereby authorized and empowered to alter the Line of Direction and Course or Situation of any of the said Roads or any Part thereof: Provided always, that the previous Consent in Writing of the Owner or Owners of the Land on or through which such Alteration shall take

Power to widen Roads.

[Local.]

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place,

place, or of the Factor or Agent of such Owner or Owners respectively, be first had and obtained thereto.

Materials of
old Bridges,
&c. to be
disposed of.

XLII. And be it further enacted, That it shall be in the Power of the said Trustees to pull down any old Bridges that are useless, by the Roads being turned about, or otherwise, and to sell the Materials, or apply these Materials to building new ones, or as they shall see proper, for repairing the said Roads.

Trustees
may com-
pound with
Persons
using the
Roads.

XLIII. And be it further enacted, That the said respective Trustees, or any Seven or more of them, at their Annual General Meeting in *May* assembled, shall and they are hereby authorized, as they shall see convenient and think fit, to compound and agree by the Year with any Person or Persons in the use to travel through the Turnpikes, and living within Three Miles of any Turnpike or Turnpikes erected or to be erected on the said Roads, with any Coach, Landau, Berlin, Chariot, Chaise, Curricule, Waggon, Wain, Cart, or other Carriage, Horse, Mule, or Ass, or any other Beast of Draught, for any Sum or Sums of Money as to the said Trustees shall seem reasonable, to be paid quarterly in advance, from Time to Time, after such Agreement is made; but such Compositions or Agreements so made by the Trustees as aforesaid shall continue in force for One Year only from the making thereof.

Toll Collec-
tors to be
competent
Witnesses.

XLIV. And be it further enacted, That in all Cases where any Dispute, Suit, or Litigation shall arise touching, concerning, or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under Authority of the said Trustees, shall not by reason thereof be disqualified from giving Evidence in any such Dispute, Suit, or Litigation, excepting always where such Person or Persons shall be personally interested.

District
Trustees
may appeal
to General
Trustees.

XLV. And be it further enacted, That any Three or more Persons, qualified to be Trustees in respect of Land situated within the District, or as Chief Magistrate of any Royal Burgh within the same, who shall think themselves aggrieved by the Resolutions passed at a District Meeting, shall have full Power, within Ten Days thereafter, to appeal for Redress to the Annual General Meeting of the Trustees for the County in *May*, whose Determination shall be final; but during the Dependence of the said Appeal the Operations of the said District Trustees shall not be suspended in consequence of the same.

Leases not
to be affect-
ed.

XLVI. And be it further enacted, That none of the Exemptions granted by this Act, or by the said recited Act of the Fourth Year of the Reign of His present Majesty, shall affect or be construed to affect in any way any existing Lease of the Tolls entered into by the Trustees and any Person or Persons, under the said recited Acts of the Thirtieth, Thirty-seventh, and Forty-seventh Years of the Reign of His said late Majesty; any thing herein or therein contained to the contrary notwithstanding.

XLVII. And

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

XLVIII. And be it further enacted, That the Expence of procuring and passing this Act shall be paid out of the Tolls and Duties levied in the several Districts of the said County of *Fife*, as the same shall be ascertained and apportioned upon the said Districts by a General Meeting of Trustees for the said County; and the Trustees of the several Districts shall thereupon divide and apportion the Sum with which their District shall be so charged respectively upon each of the several Toll Gates within the same, according to the Produce that has accrued from each of such Gates respectively in the last Twelve Months, which Portions shall be charged upon the same, and paid accordingly. Expence of Act to be paid out of Tolls.

XLIX. And be it further enacted, That this Act shall commence from and after the passing thereof, and remain in force during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament. Commencement and Continuance of Act.

SCHEDULE (A.) referred to in this Act.

KIRKCALDY DISTRICT.

1. SCHEDULE specifying certain Houses in the Burgh and Town of KIRKCALDY, to be taken for the Purposes of this Act, upon making Compensation for the same.

No.		OWNERS.	OCCUPIERS.	LENGTH.		BREADTH.	
				Feet.	Inches.	Feet.	Inches.
1	N	David Clephane -	(Uninhabited) -	22	—	11	4
2	N	David Clephane -	Stair -	17	6	4	9
3	S	Alexander Hutcheson -	Misses Bett and others -	25	8	10	8
4	S	Ann Ogilvie -	Ann Ogilvie -	18	—	10	—
5	S	Burgh Trustees -	Samuel Ogg and others -	20	—	6	10
6	S	Sir John Oswald -	Robert Salmon -	18	—	6	—
7	N	John Hutcheson -	Robert Younger and others -	21	3	10	—
8	S	Miss Wigham's Heirs -	William Paul and others -	36	—	28	—
9	S	Archibald Simpson's Heirs -	Mrs. Smith and others -	39	—	28	—
10	S	Robert Robertson -	Mrs. Strang -	33	—	28	—
11	N	Robert Younger -	Robert Younger -	31	3	34	—
12	N	Robert Roger -	Robert Roger -	28	8	26	6
13	N	Deacon Page -	John Leech and others -	24	6	26	6
14	S	Robert Dowie -	Robert Dowie -	43	—	25	—
15	N	David Forbes -	David Forbes -	32	10	8	9
16	N	Robert Inglis's Heirs -	Mrs. Inglis -	16	10	8	5

If the House (No. 5.) belonging to the Trustees under the Act for improving the Burgh of Kirkcaldy were taken down, there would be a Space opened of 38 Feet Width between the two adjoining Houses.

SAINT ANDREWS DISTRICT.

2. SCHEDULE specifying certain Houses, &c. in the Burgh and Town of ANSTRUTHER WESTER.

1	N	{ Robert Wilkie, Wright, Pittenweem - }	{ John Thomson, Alexander Batchelor, and others - }	41	—	21	3
2	S	{ Charles Gray, Residenter, Anstruther Wester - }	Stair -	11	6	4	6
3	S	{ William Taylor, Mason, ditto - }	William Taylor -	25	6	18	2
4	S	Miss Isabel Patrick, ditto -	Mrs. Isabel Patrick -	30	9	17	9
5	S	{ Robert Peebles, Mason, and Mrs. Janet Louthian, or Wilson, both of West Anstruther - }	{ Andrew Thomson and Mary Peebles - }	13	9	17	6
6	S	Ditto ditto -	{ Janet Louthian and Mrs. Archer - }	30	—	20	—
7	S	{ James Raiker, Baker, West Anstruther - }	James Raiker -	32	6	19	—
8	S	Ditto ditto -	James Raiker and others -	20	6	20	7
9	N	{ James Miller, Mariner, Anstruther Wester - }	John Swinton -	12	10	8	6

The Letters S. and N. are in reference to the Situation of the Properties on the South or North Side of the Street.

3. SCHEDULE specifying certain Houses situated on the Line of Road from the DUNDEE FERRIES to KINROSS-SHIRE.

No.		OWNERS.		OCCUPIERS.		LENGTH.		BREADTH.	
						Feet.	Inches.	Feet.	Inches.
1	N	Charles Landale	- -	(Uninhabited)	- -	24	6	17	6
2	N	Arthur Baird	- -	Arthur Baird	- -	25	—	18	—
3	S	Thomas Just	- -	Mrs. Philp and others	- -	35	6	18	6
4	S	Thomas Just	- -	Ann Gourlay	- -	17	—	16	—
5	S	William Berry	- -	Mrs. Cramond	- -	37	—	12	—
4. SCHEDULE specifying a House in the Burgh of CRAIL.									
1	N	{ William Robertson, Shoe-maker in Crail , - }		William Robertson	- -	44	6	20	4

SCHEDULE (B.) referred to in this Act.

DESCRIPTION and Situation of Toll Gates at which Toll is to be demandable and levied, although the said Gates may be situated within Six Miles of each other, or of any other Gate or Gates not specified in the said Schedule.

CUPAR DISTRICT.

1. The Toll Bar erected on the Lands of Balgarvie, on the Road from Cupar to Newburgh.
2. The Toll Bar erected on the Lands of Arnots Comb, on the Road from Cupar to Fernie Mill.
3. The Toll Bar erected at Sandilands near Cupar; on the Road from Cupar to Largo Burnmouth, by Teasses.
4. The Toll Bar erected at Teuchats, on the Road from Fawfield, through the Lands of New Guilston and others, to Pratismuir.
5. The Toll Bar erected at Pitscottie, on the Road from Saint Andrews to the Village of Ceres, through Magask Muir, and from thence to the Turnpike Road at or near Struthers.
6. The Toll Bar erected on the Lands of Kinnimont, on the Road from Callange to Pitscottie Bridge, through Dura Den to Dairsie Bridge.
7. The Toll Bar erected near to the Village of Strathmiglo, on the Road from New Inn to Strathmiglo, in the Event of that Bar being removed and erected farther South from its present Situation on the said Line of Road.

SAINT ANDREWS DISTRICT.

1. The Toll Bar erected at Saint Andrews, Shore Bridge, on the Road from Saint Andrews to Crail by Kingsbarns, and from Saint Andrews by Denino to Anstruther Harbour.
2. The Toll Bar erected on the Lands of Rathalpie at Saint Andrews, Argyle Port, on the Road from Saint Andrews to the Village of Ceres, through Magask Muir, and from thence to the Turnpike Road at or near Struthers.
3. The Toll Bar erected at or near Ferry Port on Craig, on the Road from Brackmont Mill to the River Tay at Ferry Port on Craig.
4. The Toll Bar erected near Lathones, on the Road from Saint Andrews by Lathones, to join the Turnpike Road to Balcarres at Largo Ward, with Branch by Higham Loan.
5. The Toll Bar erected at Elie, on the Road branching off from the Turnpike Road at or near Balchrystie by Elie to Pittenween.
6. The Toll Bar erected at Woodhaven, on the Lands of Woodhaven, in the Parish of Forgan.
7. The Toll Bar erected at Newport, on the Road from Brackmont Mill to Newport.

DUMFERMLINE DISTRICT.

1. The Toll Bar erected on the Lands of Whitehill at Whitehill, on the Road striking off or branching from the Turnpike Road from North Queensferry at Little Couston, and passing by Balmule and Kilry to Kirkcaldy.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1829.