



ANNO QUINTO

# GEORGIIV. REGIS.



## Cap. cvii.

An Act for making and maintaining a Road from  
the City of *Glasgow* to the Village of *Parkhead*.  
[3d June 1824.]

**W**HEREAS it would be for the Convenience and Advantage of the City of *Glasgow* and the Inhabitants thereof, if a Road were formed leading from at or near the East End of *Monteith Row* and *Great Hamilton Street* in the said City, Eastward by or near *Barrowfield Bridge*, and terminating at or near the Village of *Parkhead*: And whereas an Act was passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for regulating Turnpike Roads in that Part of Great Britain called Scotland*: 4 G. 4. c. 49. 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 *William Smith* Merchant in *Glasgow*, *Andrew Templeton* Banker, *Mungo Nutter Campbell* Merchant, *Kirkman Finlay*, *Robert Findlay*, *Henry Monteith*, *Michael Rowand*, *Patrick Playfair*, *James Lumsden junior*, *Thomas Lawrie*, *William M'Tyer*, *James Oswald*, *William Hussey*, *William Gilmour*, *Andrew Reid*, and *Moses M'Culloch*, and every Person or Persons who has or have subscribed and paid, or who shall subscribe and pay a Sum not less than Fifty Pounds Sterling towards the making and maintaining the said Road, being qualified as herein-after mentioned, and the eldest Sons of the Persons above-named, or of the Person or Persons who have subscribed and paid, or shall subscribe and pay as aforesaid, being qualified as herein-after mentioned,

Trustees appointed.

[Local.]

mentioned,

mentioned, in the Absence and after the Decease of their Fathers, shall be and they are hereby nominated and appointed Trustees for surveying, making, maintaining, keeping, and repairing the said Road, and for executing all the Powers given and granted by this Act.

Qualification  
of Trustees.

II. Provided always, That no Person shall be qualified or capable of acting as a Trustee in the Execution of this Act, unless he shall be in Possession, as Proprietor or Life-renter, of the full Property, or *Dominium utile*, of Lands valued in the Tax Rolls or Cess Books of the County of *Lanark*, to the Extent of One hundred Pounds *Scots per Annum*, or unless he shall be possessed of or entitled to a Personal Estate alone, or Real and Personal Estate together, of the Value of Two thousand Pounds.

Recited Act  
applied to  
this Act.

III. And be it further enacted, That the said recited Act, 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 by this Act, 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.

First Meeting  
of Trustees.

IV. And be it further enacted, That the Trustees shall meet on the First *Tuesday* of *September* next, and proceed to put the said 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 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 by the said 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.

Map to re-  
main with  
Clerk of  
Peace.

V. And whereas a Map or Plan describing the said Road intended to be made, and the Lands through which it leads, together with Books of Reference containing Lists of the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace of the County of *Lanark* at *Glasgow*; be it further enacted, That the said Map or Plan and Book 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 Road, shall at all seasonable Times have access to the said Map or Plan and Book of Reference, and shall be entitled to examine and make Extracts from or Copies of the same, paying to the said Clerk for such Copy or Extract from the same, after the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts.

Not to devi-  
ate more than  
100 Yards.

VI. And be it further enacted, That the said Trustees in making the said Road shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, 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: Provided always, that it shall and may be lawful to and for the said Trustees to make the said Road in, to, through, across, or

Road may be  
made not-  
withstanding

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 which the same is set out and described in the said Map or Plan, although the Name or Names of such Person or Persons may happen to be omitted in the said Book of Reference, in case it shall be made to appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Error in Description of Owner or Occupier.

VII. And be it further enacted, That it shall and may be lawful for the said Trustees in a General Meeting assembled, and they are hereby authorized and empowered to erect or cause to be erected a Gate or Gates, Turnpike or Turnpikes, in, upon, or across any Part or Parts of the said Road, or of any Lanes or Roads branching off from the said Road, at their Junction therewith, and also such Number of Toll Houses, with proper Gardens adjacent thereto, as to them shall appear to be expedient, the Site of 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.

Power to erect Turnpike Gates.

VIII. 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 erected by virtue of this Act, a Sum not exceeding the Rates and Duties herein-after specified, before any Horse, or other Cattle, shall pass through any Gate or Turnpike to be erected on the said Road: Provided always, that for and in respect of any Horse or other Cattle passing along the said Road, such Tolls shall not be exacted more than Once for passing along the whole of the said Road, or any Part of it; that is to say,

Tolls may be taken.

For every Horse or Beast of Draught drawing any Coach, Barouche, Chariot, 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, Sixpence:

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, drawing any Waggon, Wain, or Cart, or other such Carriage, Sixpence:

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

For every Ass, laden or unladen, One Penny:

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

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

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

IX. And be it further enacted, That when any of the said Tolls shall have been paid for or in respect of any Horse, Cattle, or other Beast at any

Tolls only to be paid Once a Day.

Number of Tolls limited.

any Gate upon the said Road, whether such Gate shall stand across or on the Side thereof, then and in such Case no Toll shall be demanded or taken for or in respect of the same Horse, Cattle, or other Beast, drawing or not drawing, at any other Gate or Turnpike on or across the said Road, or the Sides thereof; and in no Case shall the Tolls hereby granted be demanded or taken more than Once on the same Day for the same Horse, Cattle, or other Beast, drawing or not drawing; but in each such Case the Collector or Collectors of the Tolls shall, on the Receipt of such Toll, deliver *gratis* to every Person requiring the same a Ticket or Tickets denoting such Payment or respective Payments, which Ticket or Tickets shall be sufficient Evidence to all other Collectors on the said Road of such Payment or respective Payments, and the Horse, Cattle, or other Beast in respect of which such Payment or Payments was or were made shall be allowed to pass and repass any Number of Times in the same Day, without any further Demand of Toll on that account: Provided always, that nothing herein contained shall prevent or be construed to prevent the taking the Tolls hereby granted for any such Horse, Cattle, or other Beast, for or in respect of which Toll has been already paid, as often as such Horse, Cattle, or other Beast shall pass or repass any of the said Gates drawing or bearing any Cart, Carriage, Burden or Fare, other than the Cart, Carriage, Burden or Fare which such Horse, Cattle, or other Beast was drawing or bearing when Toll was before on the same Day paid in respect of such Horse, Cattle, or other Beast.

Rates not to be lowered without Consent of Creditors.

X. And be it further enacted, That it shall and may be lawful for the said Trustees in a General Meeting assembled, to lower, with Consent in Writing of Two-thirds in Value of the Creditors thereon, for the Time being, 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 full Tolls and Duties authorized by this Act to be levied and collected.

Tolls, &c. vested in Trustees.

XI. 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 to be acquired by virtue of this Act, are and shall be vested in the said Trustees; 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.

XII. And be it further enacted, That the said Trustees in General Meeting assembled shall, out of the Monies subscribed for the Purposes of this Act, and the Tolls to arise at the Gates or Turnpikes to be erected on the said Road, direct the Costs and Expences relative to the obtaining of this Act to be paid with Interest for the same, and the Remainder of all such Monies to be applied towards the making, completing, and repairing and keeping in Repair the said Road, and other necessary Purposes of this Act in relation to the same, and thereafter towards the Payment of the Interest of the Sums subscribed or to be subscribed and borrowed by virtue of this Act, and then to the Repayment of the principal Sum so subscribed or borrowed; and the Clerk to the said Trustees shall be and he is hereby authorized and required to record and enter

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

XIII. 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 Lands and Premises through which or whereupon the said Road hereby authorized to be made is intended to pass, and also upon any adjoining Lands or Grounds, and to stake out the said Road, 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 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 Road, 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 Road.

XIV. Provided always, and be it enacted, That the Powers and Authorities granted by this Act, shall be exercised without Prejudice to the Powers and Authorities granted by an Act passed in the Fifty-first Year of the Reign of His late Majesty King George the Third, intituled *An Act for altering and enlarging the Powers of several Acts for making and repairing the Roads from Livingstone by the Kirk of Shotts, to the City of Glasgow, and other Roads and Bridges therein mentioned*, and the Powers and Authorities granted by the several Acts therein recited.

Provision as to Shotts Road.  
51 G. 3. c. 18.

XV. Provided further, and be it enacted, That nothing herein contained shall take away or hurt the Right of the Proprietors of Coal and other Minerals in the Four Pound Lands of Toll Cross, to carry a Railway or Road for the Conveyance of Coals and other Minerals taken out of the said Lands across the said Road, to any other Part of the said Lands: Provided always, that such Railway shall be made to cross the said Road direct, in the shortest Way which the Lie of Ground and Direction of the Railroad will admit of, and that the same be made so as not to project above the Surface of the said Road.

Provision as to Railway on the Lands of Toll Cross.

XVI. Provided always, and be it enacted, That the Powers and Authorities granted by this Act shall be exercised without Prejudice to the Rights, Powers, and Authorities granted by an Act of the Fifty-ninth Year of His late Majesty's Reign, intituled *An Act for continuing, altering, and enlarging the Terms and Powers of several Acts for making and maintaining certain Roads in the Counties of Lanark, Ayr, and Renfrew, and building a Bridge over the River Clyde at Dalmarnock; and for making and maintain-*

Provision as to Muirkirk Trust.  
59 G. 3. c. 59.

[Local.]

ing a Road from the Confines of the County of Ayr toward Sanquhar, in the County of Dumfries, and by certain other Acts therein recited, except in so far as the said Trustees acting under the said first recited Act and this Act may require in the Execution thereof, to widen, improve, and maintain that Part and Portion of the present Road lying between the City of Glasgow and Barrowfield Bridge, which makes Part of the Road under the said last recited Act and other Acts thereby continued.

Respecting the Maintenance of the Portion of Road between Barrowfield Bridge and Glasgow.

XVII. And be it further enacted, That it shall and may be lawful to the said Trustees acting under the said first recited Act and this Act, to contribute and pay a Sum from the Funds under their Charge towards the widening of that Portion of the *Cambuslang* and *Muirkirk* Road lying betwixt the City of *Glasgow* and the Junction of the proposed *Glasgow* and *Parkhead* Road, at or near *Barrowfield Bridge*, and to contribute to the Extent of One-third Part along with the said Trustees on the said *Cambuslang* and *Muirkirk* Turnpike Roads, acting under the said recited Act of the Fifty-ninth Year of His late Majesty, and other Acts therein referred to, towards the Expence of improving the Surface of the said widened Road, and of the yearly Expence of maintaining the same: Provided always, as it is hereby provided and required, that all such Improvements on the Surface of the said widened Road shall be executed, and the said Portion of Road maintained in a sufficient Manner by the said *Cambuslang* and *Muirkirk* Road Trustees: Provided also, that no Toll Dues shall be levied by the said Trustees on the *Cambuslang* and *Muirkirk* Turnpike Roads upon Carriages, Beasts of Burden, or other Cattle passing to and from the said proposed *Glasgow* and *Parkhead* Road, while the said *Glasgow* and *Parkhead* Road Trustees continue to contribute such One-third Part of the yearly Expence of maintaining the said Portion of Road: Provided nevertheless, that the said Portion of Road from the City of *Glasgow* to the Junction of the said *Glasgow* and *Parkhead* Road shall remain an integral Part of the said *Cambuslang* and *Muirkirk* Road Trust; and that no Toll Bars or Side Bars shall be placed by the said *Glasgow* and *Parkhead* Road Trustees nearer to the said City of *Glasgow* than the Junction of the said Roads, at or near *Barrowfield Bridge*, nor upon any Part of the said *Cambuslang* and *Muirkirk* Road.

Treasurer and Clerk not to be the same Person.

XVIII. Provided also, 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 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

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 and prosecute for the same, to be recovered with Expences by summary Action in the Court of Session.

XIX. 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. Public Act.

XX. 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. Commence-  
ment and  
Continuance  
of Act.

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