



ANNO NONO

# GEORGII IV. REGIS.

\*\*\*\*\*

*Cap. cii.*

An Act to amend certain Acts for making and maintaining Roads and converting the Statute Labour in the Counties of *Ross* and *Cromarty*, and Part of *Nairn* locally situated in the County of *Ross*.  
[19th June 1828.]

**W**HEREAS an Act was passed in the Forty-seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act for regulating and converting the Statute Labour in the Counties of Ross and Cromarty, and that Part of the County of Nairn which is locally situated in the County of Ross, and for more effectually making and repairing the Roads and Bridges within the same; and for making and maintaining the great Post Road from the Confines of Inverness-shire to the Confines of the Shire of Sutherland: And whereas another Act was passed in the Fiftieth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend and enlarge the Powers of an Act passed in the Forty-fifth Year of His present Majesty, for assessing the Proprietors of Lands in the County of Ross towards the Expence of making and supporting certain Roads and Bridges therein; and of an Act passed in the Forty-seventh Year of His present Majesty, for regulating and converting the Statute Labour in the Counties of Ross and Cromarty, and Part of the County of Nairn locally situated in the County of Ross: And whereas another Act was passed in the Fifty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend and enlarge the Powers of an Act* 47 G.3. c.13.  
50 G.3. c.189.  
53 G.3. c.136.  
[Local.] 28 F passed**

*passed in the Forty-fifth Year of His present Majesty, for assessing the Proprietors of Lands in the County of Ross towards the Expence of making and supporting certain Roads and Bridges therein; and of an Act passed in the Forty-seventh Year of His present Majesty, for regulating and converting the Statute Labour in the Counties of Ross and Cromarty, and Part of the County of Nairn locally situated in the County of Ross; and of an Act passed in the Fiftieth Year of His present Majesty, for amending and enlarging the Powers of the Two first-mentioned Acts: And whereas another Act was passed in the Sixth Year of the Reign of His present Majesty, intituled*  
*An Act to amend certain Acts for making and maintaining Roads and converting the Statute Labour in the Counties of Ross and Cromarty, and Part of Nairn locally situate in the County of Ross: And whereas Difficulties have arisen in the Execution of the said last-recited Act, and it is expedient that these Difficulties be removed, and that the said Act should be altered, amended, and explained: 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 last-recited Act, excepting in as far as the same is hereinafter varied, altered, or repealed, shall continue and be put in force for and during the Term and Period hereinafter granted.*

6 G. 4.  
c.110.

Recited Act  
of 6 G. 4.  
continued,  
except as  
herein al-  
tered.

Additional  
Trustees.

II. And be it further enacted, That the eldest Sons, being of lawful Age, of every Person qualified by the said last-recited Act, and of Females possessing Qualifications, shall be and are hereby appointed Trustees for the Purposes of the said recited Acts, in as far as the same are not repealed, and of this Act, in addition to the Trustees appointed by the said last-recited Act: Provided always, that the Property from which such Persons as aforesaid derive their Qualifications be locally situated in the District at whose Meetings such Persons claim to act and vote as Trustees; and provided farther, that Proprietors of Heritages and Fishings, not valued in the Valuation Books, although of the annual Value of Two hundred Pounds Sterling of yearly Rent, shall not be qualified to act or vote as Trustees under the said recited Acts or this Act.

Districts  
may be al-  
tered.

III. And be it further enacted, That the Districts in the said Counties as presently divided may, from and after the passing of this Act, for the Purposes of the same, be altered by the said Trustees at any stated or special General Meeting, or adjourned stated or special General Meeting, on the Application of the Trustees of any One or more of the said Districts, or a Majority of the Trustees of such District or Districts, Notice of such intended Application being given in Manner herein directed for calling General Meetings: Provided always, that the respective Heritors of such Part or Parts of a District or Districts to be so altered shall continue subject and liable to any Assessment that has been or may be laid on for the Payment of any Debts affecting the respective Districts as at present established, but for such Debts only as were incurred under the Authority and in Terms of the said recited Acts, or any of them: Provided always, that such Heritor or Heritors whose Lands or other Heritages are so transferred shall not be liable for any Part of the Debts contracted and due prior to such

such Transference by the District or Districts into which his, her, or their Lands or other Heritages may be so transferred.

IV. And be it further enacted, That it shall be lawful for the Trustees at the First General Meeting held after the passing of this Act, or at any subsequent adjourned stated or special General Meeting, to appoint a Committee, consisting of not fewer than Three Trustees, to ascertain by splitting, or otherwise, where necessary, the Amount of the valued Rent of the Lands and other Heritages belonging to each Heritor or Life Renter in the respective Districts as at present existing, and that in Manner hereafter directed, or, in the District or Districts on which any Alteration shall be made, in the Manner herein authorized, at any Time after the passing of this Act, and to transfer, if necessary, from any one District or Districts to any other District or Districts the Lands or other Heritages, and the valued Rent at which such Lands or other Heritages stand rated in the Cess or Valuation Books of any of the said Counties; and it shall also be lawful for the said Trustees, or their Committee aforesaid, at the Expence of the Heritors of the Districts in which the Valuation is to be split, to apportion and split, and to transfer in Manner herein mentioned, the valued Rent of any Lands or Heritages rated as aforesaid, whether possessed in Life Rent or Fee, or by or in Locality, Terce, or Courtesy, valued *in cumulo* with any other valued Rent in different Districts; and the Trustees of such District or Districts, or such Committee as aforesaid, are hereby empowered to adopt such a Splitting of such valued Rent as they may agree upon with the respective Heritors, and such agreed on Splitting shall be binding on the Heritors then in Possession, and their Successors in the said Lands or other Heritages, during the Currency of this Act, for the Purposes of Assessments imposed or to be imposed for the Purposes of this Act and of the said last-recited Act; and failing such Splitting being so effected by Agreement, it shall and may be lawful for the said Trustees, or Committee aforesaid, to call for the Production from the Proprietors of all such Lands or Properties, and also from the Occupiers or Tenants of such Lands and Properties, or other Persons, of all Rentals, Leases, and other Writings necessary for enabling the said Trustees, or Committee, to ascertain and fix such valued Rents as aforesaid; and also, for that Purpose, to examine such Proprietors, Tenants, or other Persons, upon Oath, if necessary, and to call upon or cite them to make such Productions, or to appear before the said Trustees, or Committee, in order to undergo such Examination, by a Writing under the Hand of any One of such Trustees and their Clerk, to be delivered at least Fourteen Days previous to the Day appointed for such Production or Examination; and failing such Production or Appearance, or if any Person appearing shall refuse to be examined, the Person failing or refusing shall be liable in a Penalty of not more than Twenty Pounds Sterling for every such Offence, such Penalty to be levied and applied in the Manner hereinafter provided; and it shall be lawful for the said Trustees, when such Appearance and Production is made, after examining such Rentals, Leases, Writings, or Parties, to split (but for the Purposes of this Act only) the valued Rents of such Lands or Properties, in such Manner as they shall see just; and upon such Splitting being declared, it shall be lawful to the said Trustees, or Committee aforesaid, and they are hereby authorized and empowered, to transfer from One or more

Valued Rent of Lands in the respective Districts may be split, and transferred from one District to another.

more Districts to any other District or Districts the valued Rent of any such Lands or other Heritages, or Portion thereof, as may be necessary for the proper Arrangement of the Districts as aforesaid; and where such Appearance or Production is not made, or is withheld by any of the Parties interested in such Splitting, it shall and may be lawful for the said Trustees, or Committee, upon their own Knowledge, or on such Information or Evidence as they may be able to obtain, to split the valued Rents for the Purposes aforesaid, which Splittings or Splitting, after being approved of at a General Meeting of Trustees, shall be entered in the Sederunt Book of the District or Districts interested in such Splittings or Splitting, and the Collector appointed, or any Collector or Collectors who may be hereafter appointed, under the Authority of the said last-recited Act, in Manner therein specified, shall levy the Assessments hereby apportioned to the Valuation so ascertained.

Assessments laid on prior to the passing of this Act may be levied.

V. And be it further enacted, That all Assessments laid on before the passing of this Act, under the last-recited Act, or Arrears of Assessment, including the Assessments and Arrears of Assessment due from Lands or other Heritages where the precise valued Rent was not formerly split, but ascertained under this Act, with the Exception of such Assessments as may not have been applied for in any District or Districts, unless such Assessments as were imposed by a General Meeting of Commissioners of Supply under the last-recited Act be approved of by a Majority of the Trustees at the first stated Meeting of the Districts respectively after the passing of this Act, shall be collected by the foresaid Collector, and shall be applied by the respective District Trustees for the Purposes of the said last-recited Act and this Act.

For Payment of Assessments where Valuation of Lands is not ascertained.

VI. And be it further enacted, That in all Cases where any Lands or Properties hereafter may be sold or disposed, of which the precise Valuation has not been ascertained, or regarding which any Question relative to the splitting of the Valuation thereof is in dependence and undecided at the Time of such Sale, the Seller or former Proprietor of such Land or Property, as well as the Purchaser or Disponee, shall, until the Valuation thereof be split and transferred to the respective Districts in which the same is thereafter to be considered as included, continue to be liable, and be liable for all the Assessments made before such Sale, upon any such Lands or other Heritages, according to the valued Rent thereof, as aforesaid.

District Trustees to assess annually.

VII. And be it further enacted, That the Trustees of each District into which the said Counties and Part of *Nairn* are at present or may hereafter be divided, or a Majority of them, at the Meetings to be held in the Month of *August* annually, under the Authority of the said last-recited Act or this Act, shall fix and determine the particular Rate of Assessment required by the District for the current Year, such Assessments not being less than nor exceeding the Amount of the Assessments authorized by the said last-recited Act; Notice of such Annual Meetings, specifying when and where they are to be severally held, being given by the Clerks of these Districts at least Fourteen Days before the Day of Meeting, by Advertisement in any Newspapers published in the Counties of *Ross* and *Cromarty*, or Part of *Nairn* locally situated in the County of *Ross*, or in any of the next adjoining Counties in which a Newspaper is pub-

published: Provided always, that the First Assessment imposed by District Meetings, in virtue hereof, shall be laid on in the Month of *August* of the Year One thousand eight hundred and twenty-nine, and shall be payable on the Twenty-fifth Day of *June* of the Year following: And provided also, that the District Trustees, according to such Determination, shall make an Assessment on every Proprietor of the *Dominium utile* of Lands or other Heritages in each District, whether possessing in Life Rent or Fee, or in virtue of any Right of Locality, Terce, Courtesy, or otherwise; and all the Powers, Authorities, or Obligations granted to or imposed upon the Commissioners of Supply by the said last-recited Act, to make such Assessment, and to meet for that Purpose, shall, after the passing of this Act, cease and determine, and are hereby repealed; and the Trustees at their said Meeting, or a Majority of them, shall have the Power and they are hereby authorized to allocate the Assessments authorized to be levied under this or the said last-recited Act to the Discharge of Debts incurred under the Three first-recited Acts or any of them, and the Expences which may be necessarily incurred, and to the making and maintaining Roads and Bridges, in such Proportions as they, or a Majority of them, may see fit.

VIII. And provided also, and be it enacted, That nothing herein contained shall repeal, or be construed as repealing, the Powers conferred by the last-recited Act to impose additional Assessments on the old County of *Cromarty*, or to increase Assessments in certain Cases, or the Provision respecting Heirs of Entail charging their Estates with One Year's free Rent thereof; and all the Powers, Authorities, or Obligations granted to or imposed upon the Commissioners of Supply by the said last-recited Act to make such Assessments, or to approve of an Heir of Entail charging his Estate with One Year's free Rent, and to meet for these Purposes, shall, after the passing of this Act, cease and determine, and are hereby repealed, and the same shall, after the passing of this Act, be vested in the general Annual Meeting of Trustees.

Power to assess old County of *Cromarty*, &c. continued.

IX. And be it further enacted, That it shall be lawful for the Trustees, at their annual General Meeting, or at any Adjournment thereof, or at any special General Meeting, or Adjournment thereof, as is hereinafter provided for, to assess such Districts as fail to lay on Annual Assessments, as directed by the said last-recited Act or this Act; such Assessments not being under or above the Amount authorized to be levied by the said last-recited Act or this Act.

Trustees may assess Districts failing to assess themselves.

X. And be it further enacted, That within Six Weeks after the passing of this Act, the Collector or Collectors shall and they are hereby required to transmit to each and every Heritor in the Counties of *Ross* and *Cromarty* and Part of *Nairn* who is in arrear of any Assessments made previous to the Thirtieth Day of *April* One thousand eight hundred and twenty-eight, a State of his said Arrears, including the legal Interest thereof from the Periods at which they were severally made payable till paid, requiring that the same be paid within One Month from the Date of such Requisition; and unless Payment be so made, the said Assessments, and every Part and Portion thereof, and the Interest of such as are in arrear, shall be levied and recovered as provided by the last-recited Act, exclusive of all necessary Expences.

Collectors to prosecute for Assessments in arrear.

[*Local.*]

28 G

XI. And

Penalty on  
Collectors  
retaining  
Assessments  
in their  
Hands.

XI. And be it further enacted, That any Collector who shall retain in his Hands the Assessments collected by him, and shall not have paid into the Bank Accounts of the respective Districts, as by the said last-recited Act is provided, the Assessments effeiring to them when the same exceed the Sum of Ten Pounds Sterling belonging to any One District, within the Space of Twenty Days after his Receipt of the said Assessments, shall forfeit and pay a Sum of double the Amount of the Assessments so unduly retained by him ; which Penalty, and all other Penalties by this Act imposed, shall be recoverable by a summary Complaint to the Judge Ordinary, or to any Two or more of His Majesty's Justices of the Peace for the County of *Ross*, at the Suit of and shall be payable to the Clerks of the Districts respectively interested, and shall be applied to the making and maintaining of Roads and Bridges within the said Districts respectively.

Trustees to  
recover ac-  
cording to  
Cess and  
Valuation  
Books.

XII. Provided always, and be it further enacted, That the Trustees of the said several respective Districts, and their Collector, shall be entitled to recover the said Assessments imposed by the said last-recited Act and this Act from the Person or Persons in whose Names, as Proprietors, the Lands or other Heritages assessed stand in the Cess or Valuation Books of the County in which the same are situated ; and to facilitate such Recovery, the Disponers and Disponees of any Lands or other Heritages liable in such Assessments sold or transferred since the Year One thousand eight hundred and seven, if the Transference has not been already recorded as herein provided, shall, within Six Months after public Advertisement calling upon them to do so has been made in the Newspapers aforesaid, under a Penalty of Fifty Pounds Sterling, and the Disponers and Disponees of all Lands and Heritages which may hereafter be sold or transferred shall, in like Manner, within Two Months after the Completion of such Transference, without any public Notice, and under the same Penalty, notify the Transference, and the Proportion of valued Rent legally ascertained effeiring thereto, to the Clerk of Supply of the County of *Ross*, who shall, if the Subjects be situated within the said County, enter the Transference in the Valuation Books thereof, and; if not so situated, in a separate Record applicable hereto ; and the said Clerk of Supply shall, for the ordinary Fees of Extract, within Fourteen Days of his Receipt of the said Notification, intimate the same, under a Penalty of Ten Pounds Sterling, to the Collector or Collectors.

Burghs only  
liable in once  
and single  
Payment.

XIII. And be it further enacted, That nothing in the said last Act contained, relative to the Assessments directed to be levied or paid by the Magistrates of the Royal Burghs of *Dingwall*, *Tain*, or *Fortrose*, or by the said Burghs, and the Superior of the Burgh of Barony of *Cromarty*, or the said Burgh of Barony, and to be collected by the Treasurer of the said Burghs, and paid over to the Collector of the said Trustees, and to be recovered in case of Failure in Manner in the said last-recited Act mentioned, shall be construed to render the said Burghs, or any of them, liable in more than once and single Payment of the said annual Rates or Assessments, together with the Penalties and Costs by the said recited Act authorized to be demanded and levied.

Rents of  
Tenements  
within the

XIV. Provided also, and be it enacted, That for the more efficient and speedy Recovery of the Sums leviable from the Proprietors of Tenements within

within the said Royal Burghs and Burgh of Barony, in Terms of the said last-recited Act, it shall be lawful to and in the Power of the Magistrates of the said Royal Burghs, and the Bailie of the said Burgh of Barony, to issue summary Warrants, authorizing their Collectors to arrest the Rents payable by the Tenants or Occupiers of such Tenements for their respective Possessions, and to compel Payment from such Tenants of such arrested Rents in the same Manner as arrested Money is by the Law of *Scotland* at present recoverable ; and provided also, that such Payments as shall be made by Tenants within the said Burghs, in consequence of such Arrestments, shall, when vouched by Receipts under the Hands of the Collectors respectively, form legal Articles of Credit to the Tenants in settling with the Proprietors of such Tenements.

Burghs may be summarily arrested for Payment of Assessments.

XV. Provided always, and be it further enacted, That from and after the passing of this Act it shall not be competent by Suspension, Appeal, or otherwise, to stop or resist the Payment of any Assessments fixed and imposed by the said Trustees in virtue of the said last-recited Act, or this Act ; but such Assessments shall in the first instance be payable, notwithstanding any such Suspension or Appeal : Provided also, that if upon Trial of such Suspension or Appeal such Assessments or any Part thereof shall be found to have been wrongfully fixed, imposed, or levied, such Assessments, or such Part thereof as shall be so found to have been wrongfully fixed, imposed, or levied, shall, with the lawful Interest thereof, be allowed and deducted out of the next Year's Assessment, to be fixed and imposed in virtue of the said recited Acts and of this Act.

Not competent to stop Payment by Suspension or Appeal.

XVI. And be it further enacted, That the general Clerk of the Trustees shall, when required by a Writing under the Hands of any Three or more Trustees, call a General Meeting of the Trustees under the said last-recited Act and this Act, by Two Advertisements in the Newspapers published in *Inverness*, or in any Newspaper published in the Counties of *Ross* and *Cromarty*, or Part of *Nairn* locally situated in the County of *Ross*, or in any of the next adjoining Counties in which a Newspaper is published, the first of such Advertisements being at least Fourteen Days before the Day of such Meeting, and signifying the Purpose of such Meeting ; and it shall be in the Power of all such special General Meetings, or of any annual General Meeting, or annual or special District Meeting, to consider and dispose of the Matters stated in such Requisition or Requisitions, with Power to such District Meeting or Meetings to assemble at any convenient Place beyond the Bounds of the District in Cases where a Quorum of Trustees are not resident within the same, and with Power to all General and District Meetings to adjourn from Time to Time as they may see fit.

Meetings of Trustees may be called.

XVII. And whereas Difficulties have been experienced in ascertaining the Number of Houses liable to be assessed under the Provision in the said last-recited Act respecting Villages, be it enacted, That from and after the passing of this Act it shall be lawful for the Trustees of any District to cite before them, by a Writing, in the Manner directed regarding the citing Proprietors or Tenants in relation to the splitting of the valued Rents as aforesaid, all Heritors or Proprietors of Villages, and all Feuars or other Persons, and to call for Production from them of all Leases or Feu Rights, or other Writings, to enable the Trustees to ascertain the

Number of Houses in Villages how to be ascertained.

Number

Number of Houses in the different Villages liable to Assessment under the said last-recited Act, or in Villages hereafter to be formed of the same Description, and to impose and levy a Penalty, not exceeding Ten Pounds Sterling, upon and from any Person failing to appear, or to make such Production.

Power to  
borrow/  
Money.

XVIII. And be it further enacted, That it shall and may be lawful for the Trustees of the several Districts, or a Majority present at any stated District Meeting, to borrow Money on the Credit of the Assessments provided for in this and the last-recited Act, in the Form and Manner specified in the said last-recited Act with regard to the Security or Securities to be granted for the Money to be borrowed for the Purposes thereof, and that for the Purpose of paying off existing Debts, when the Trustees find it to be for the Advantage of their respective Districts, or any of them, to pay off Creditors, when they can do so, by borrowing Money at a lower Interest than they are at present paying, or to enable them to pay off urgent Creditors.

Form of  
Assignments  
for Monies  
borrowed.

XIX. And whereas Difficulties have arisen in borrowing Money under the last-recited Act, through the Form of Assignment therein given being imperfect; be it enacted, That instead thereof Assignments of the Funds of the Districts for Monies borrowed, shall, after the passing of this Act, be agreeable to the following Form, or in other Words to the same Purport; (that is to say,)

“ BY virtue of An Act made in the Ninth Year of the Reign of His  
 “ Majesty King *George* the Fourth, intituled *An Act* [*here insert*  
 “ *the Title of the Act,*] We, the Trustees [*or a Majority of the Trustees*]  
 “ for putting the said Act into Execution, assembled at a stated Meeting  
 “ of the District, in consideration of the Sum of  
 “ advanced by *A. B.* for the Purposes of the said Act, do hereby  
 “ assign to the said *A. B.*, his Executors and Assignees, the Sum of  
 “ yearly from the Funds of the said District, the said Sum  
 “ assigned to the said *A. B.* being in the Proportion to the said Sum  
 “ advanced by him that the Whole Debts of the said District bear to  
 “ Two Third Parts of the free Funds thereof; this Assignment to be held  
 “ by the said *A. B.*, his Executors or Assignees, from the Day  
 “ of in the Year of our Lord  
 “ until the aforesaid Sum of  
 “ advanced by him as aforesaid, with Interest at the Rate of  
 “ *per Centum per Annum*, shall be repaid to him or them by his or their  
 “ yearly Receipts of the said Sum of hereby  
 “ assigned. In witness whereof this Assignment, written by *C. D.*, is  
 “ subscribed by *E. F.*, our Preses, and *G. H.*, our Clerk, authorized by  
 “ us to that Effect, at the Day of  
 “ Years; in the presence of *J. K.* and *L. M.* of .”

And all the Provisions regarding Assignments (excepting the Form thereof, as herein amended,) specified in the last-recited Act shall continue and be in force during the Currency of this Act.

Amount of  
Debt due by  
Districts,  
and the Pro-

XX. And be it further enacted, That the Trustees at their First stated District Meeting in *August* after the passing of this Act, or at any special Meeting called for the Purpose of ascertaining the exact

exact Amount of the Debt due, in Terms of the said recited Acts or any of them, by the respective Districts, or at any Adjournment of either, shall ascertain and determine what Debts have been incurred, under the Authority and in Terms of the said recited Acts, by the respective Districts or any of them, and shall, if necessary, with the Aid of an Accountant or other Person, ascertain the Amount of such Debts, and shall fix the Proportions of the Amount so ascertained and determined effecting to and due by the several Heritors or other Persons or Estates liable in Assessments respectively, the Amount of the said Debts, and the said Proportions thereof payable by individual Heritors or other Persons or Estates liable in Assessment, to be ascertained by a State thereof, authenticated by the Signatures of the Preses and Clerk of the Meeting whereat the Amount of the said Debts and the said Proportions have been ascertained; and the aggregate Amount of the said Debts, and the Proportions thereof due by the several Heritors or other Persons or Estates liable in Assessments respectively, having been thus ascertained, any individual Heritor or Heritors, or any Trustee of any Estate vested in Trust, or the Tutor or Curator of any Infant or Lunatic, or other Person under any Disability or Incapacity, possessed of or entitled to a Real Estate, or Heir of Entail in Possession, his or her Tutor or Tutors, Curator or Curators, or any other Person liable in Assessment, with Consent of the Trustees of such District, or a Majority of them, shall have Power to pay up his or her Proportion or Quota of such Assessment, and so to extinguish the Proportion of the Debt for which such Heritor or Heritors or others, or Estate vested in Trust, or such entailed Estate, was or were assessed or liable to be assessed, by depositing, to the Credit of the District in its Bank Account, the Amount of the Proportions ascertained as above to be payable by the said Heritors or other Persons or Estates respectively; and every such Heritor or Heritors or other Persons, or Estate vested in Trust, or the Trustee thereof, or the Heir of Entail, or his or her Tutor or Tutors, Curator or Curators, who shall have paid his, her, or their Proportion of such Assessment, and shall produce to and lodge with the Clerk of the District the Bank Receipt therefor, in favour of the District, shall not be liable to be again assessed for any Arrear of the Debt so ascertained and assessed for, and which may remain due in consequence of any other Heritor having failed to pay his or her Part of such Assessment, or for any Interest to become due thereon, but such Arrears and Interest shall be payable by the Heritor or Heritors only who have failed to pay as aforesaid, unless it shall be made to appear to some Meeting of such District that such Arrears cannot be recovered from such Defaulter or Defaulters, in which Case it shall and may be lawful for the said Trustees again to assess such District generally therefor, and to levy and recover such Assessment in the same Manner as the original Assessment might have been levied and recovered: Provided always, that the Tutor or Curator of any Infant, Lunatic, or any other Person under any Disability or Incapacity, possessed of or entitled to a Real Estate, or any Heir of Entail in Possession, shall be a Creditor to the succeeding Heirs of Entail for such Proportion of the Debt as shall have been so paid as would have remained unpaid by the Assessment at the Demise of the Heir in Possession.

XXI. And be it further enacted, That the Amount of the Assessments for making and repairing Roads and Bridges, imposed or to be imposed  
 [Local.] 28 H and Application of the Assessments.

and levied under the said last-recited Act or this Act, shall be applied, except as hereinbefore provided, in the making and maintaining such Roads and Bridges, in paying the Expences of procuring and passing this Act, and in carrying the said last-recited Act and this Act, and the Purposes thereof, into Execution; and the Assessments imposed or to be imposed and levied under the said last-recited Act and this Act, for the Payment of the Debts contracted under the first Three recited Acts, as the same shall be ascertained and determined as aforesaid, or to be contracted under this Act, for the Payment of Monies borrowed for discharging the said Debts, shall be applied in the Payment of such Debts, and the Interest thereof, according to the Provisions of the said last-recited Act and this Act, and also of the Expences which may be necessarily incurred in the Premises: Provided always, that nothing herein contained shall impair or diminish, or be construed in any way to impair or diminish, the Rights or Securities of any Creditor under the said recited Acts or any of them.

Assessments  
hereby au-  
thorized  
only for  
Debts con-  
tracted un-  
der the re-  
cited Acts.

XXII. Provided always, and be it enacted, That the foresaid Assessments, in so far as respects the Payment of Debts and Interest, shall only be collected for the Payment of such Debts as have been contracted and secured under the Authority and in Terms of the said recited Acts; and that nothing herein contained shall prejudice any Question between the Persons who were the Proprietors of Lands when the Securities were granted and those now in Possession, as to their Liability for the Sums so borrowed.

Trustees to  
have Power  
to establish  
Ferries, &c.

XXIII. And be it further enacted, That the Trustees, at any District Meeting, shall have Power, with the Approbation of the Justices of the Peace for the Counties of *Ross* or *Cromarty*, respectively assembled in General Quarter or Adjourned Quarter Sessions, to contract with the Owners or Lessees of any established Ferries for their Rights thereto, and to take the same into their own Management, and to levy the Rates exigible thereat, and apply the same towards the maintaining such Ferries, and the Roads and Bridges hereby authorized to be made and maintained.

No Resolu-  
tion of any  
Meeting to  
be altered  
without No-  
tice.

XXIV. And be it further enacted, That no Resolution of any General Meeting, or of any District Meeting, shall be rescinded or altered by any subsequent Meeting, unless previous specific Notice shall be given to all the District Trustees at least Fourteen Days previous to the Meeting called to rescind or alter the said Resolutions.

Public Act.

XXV. 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.

Term of Act.

XXVI. And be it further enacted, That this Act shall commence from and after the passing thereof, and subsist for the Period of Eighteen Years, and from the Expiration of that Period to the End of the then next Session of Parliament.