



ANNO NONO

GEORGII IV. REGIS.

Cap. lxxxii.

An Act for more effectually making, amending, widening, repairing, and maintaining certain Roads and Bridges in the County of *Dumbarton*.
[23d May 1828.]

WHEREAS an Act was passed in the Forty-seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and maintaining certain Roads in the County of Dumbarton, and building Bridges thereon*, And whereas, in virtue of the Powers and Authorities granted by the said recited Act, the Roads, and the greater Part of the Bridges in the said Act mentioned, with the Exception of the Bridge or Bridges over the River *Leven* at *Balloch* and *Bonhill*, have been made, repaired, amended, and maintained, and for these Purposes considerable Sums have been borrowed on the Credit of the Tolls by the said Act granted; and the said Sums of Money cannot be repaid, nor can the said Roads and Bridges be completed, made, amended, maintained, and kept in repair, and further improved, unless Powers be granted for these Purposes: And whereas it is expedient to make, improve, repair, and maintain, under the same Powers and Authorities, the Roads after mentioned, and Bridges thereon, being Continuations of the Two Lines of Road in the said recited Act mentioned; *videlicet*, the Road from the School House at *Luss* (where the present Road along *Lochlomond*, so far as the same is made Turnpike by the said recited Act, terminates) to *Tarbert* on *Loch-*
[*Local.*] 19 Z *lomond*

47 G. 3.
Sess. 2. c.11.

4 G. 4. c. 49.

Recited Act
of 47 G. 3.
repealed.Powers of
recited Act
4 G. 4. c. 49.
extended to
this Act.Trustees ap-
pointed.

lomond Side, and from thence to the Bridge at *Lochlonghead* on the Confines of *Argyllshire*; the Road from *New Tarbert* (where the present Road along *Lochlong*, so far as the same is made Turnpike by the said recited Act, terminates), passing along *Lochlong* till its Junction with the other Road from *Tarbert* on *Lochlomond* Side leading to the said Bridge at *Lochlonghead*; and the Road from *Tarbert* on *Lochlomond* Side, along the Banks of *Lochlomond*, to the Confines of *Perthshire* at or near *Inverarnan*: And whereas another Act was passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for regulating Turnpike Roads in that Part of Great Britain called Scotland*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, That the said recited Act of the Forty-seventh Year of the Reign of His late Majesty shall be and the same is hereby repealed.

II. And be it further enacted, That the said recited Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for regulating Turnpike Roads in that Part of Great Britain called Scotland*, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) shall be as good, valid, and effectual, for carrying this Act into Execution, as if the same had been repeated and re-enacted in this Act.

III. And be it enacted, That every Person who is or shall be, in his own Right or in the Right of his Wife, in the actual Possession and Enjoyment of the Liferent or Fee of the *Dominium utile* of Lands lying in any of the Parishes through which the Roads hereinafter mentioned shall pass, and valued in the Cess Rolls of the County of *Dumbarton* at or exceeding One hundred Pounds Scots per Annum, and the eldest Son of every such Person, being the Heir Apparent to such Property, in the Absence of his Father, the Member of Parliament for the said County for the Time being, the Provost of the Town of *Dumbarton* for the Time being, and every Justice of the Peace of the said County residing in any of the Parishes through which the said Roads shall pass, shall be and they are hereby nominated and appointed Trustees for surveying, making, amending, altering, improving, widening, repairing, and keeping in repair, and for causing to be surveyed, made, amended, altered, improved, widened, repaired, and kept in repair, the following Roads from the West End of the Bridge of *Dumbarton*, leading into the County of *Argyle*, and towards the Highlands of Scotland; *videlicet*, the Road from the West End of the Bridge of *Dumbarton*, along the River *Clyde*, *Gareloch*, and *Lochlong*, to *New Tarbert*; the Road from the said West End of the Bridge of *Dumbarton*, along the River *Leven*, and a Part of *Lochlomond*, to the School House at *Luss*; and the Roads communicating betwixt the said Two Lines of Road; together with a Bridge or Bridges across the River *Leven* at or near *Balloch* and *Bonhill*, with the Passages to the same; and also the Road

Road from the said School House at *Luss* to *Tarbert* on *Lochlomond* Side, and from thence to the Bridge at *Lochlonghead* on the Confines of *Argyllshire*; the Road from *New Tarbert*, along *Lochlong* till its Junction with the Road from *Tarbert* on *Lochlomond* Side leading to the said Bridge at *Lochlonghead*; and the Road from *Tarbert* on *Lochlomond* Side, along the Banks of *Lochlomond*, to the Confines of *Perthshire* at or near *Inverarnan*; together with all Bridges thereon and necessary Appurtenances thereto; and they are hereby authorized and empowered to survey, make, amend, alter, improve, widen, repair, and keep in repair all such Roads and Bridges, with their Appurtenances, and to execute all the other Powers given and granted by the said recited Act of the Fourth Year of the Reign of His present Majesty, and by this Act.

IV. And be it further enacted, That the Monies already raised in virtue of said recited Act of the Forty-seventh Year of the Reign of His late Majesty, and to be raised in virtue hereof, and the whole Tolls authorized to be levied by or in virtue of this Act, shall be and the same are hereby made subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said Roads, or of the Tolls and Duties levied and collected by virtue of the said last-recited Act hereby repealed, and to the Payment of all Sums of Money which may be hereafter borrowed or become due or owing, by or in virtue of this Act, on the Credit of the said Roads, or of the Tolls and Duties to be levied and collected by virtue of this Act, and of all Interest due or that may become due thereon; subject always to the Limitation hereinafter provided, in case the said Trustees shall divide the said Roads and Bridges into Districts in manner hereinafter mentioned.

Monies and Tolls to be liable for Debts already contracted.

V. And whereas a Map or Plan describing the said new Roads, which the said Trustees are hereby authorized to make and maintain as Turnpike Roads (and which were not comprehended in the said recited Act of the Forty-seventh Year of the Reign of His late Majesty), and also describing the Lands through which they are carried, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace of the County of *Dumbarton* at *Dumbarton*; be it further enacted, That such 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 on the Line of the said Roads, shall, at all seasonable Times, have Access to the said Map or Plan and Book of Reference, and shall be entitled to examine and obtain Extracts from or Copies of the same, on paying to the said Clerk of the Peace for such Extract or Copy at the Rate of Sixpence for every One hundred Words of such Extracts or Copies.

Map or Plan deposited with the Clerk of the Peace to remain there, and may be inspected.

VI. Provided always, and be it enacted, That it shall and may be lawful to and for the said Trustees to make or alter the said Roads, so as to lead in, to, through, across, or over the several Lands, Grounds, or Tenements of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who is or are or shall be Owner or Owners

Misnomers not to prevent Execution of the Act.

Compensation to be made to Owners of Lands, &c.

Owners of Land over or along which the same is set out and described in the said Map or Plan, although the Name or Names of such Person or Persons, or the Occupiers thereof, may happen to be omitted or inaccurately described 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: Provided always, that the said Trustees shall make full Compensation to the Owners and Occupiers of all Lands, Grounds, Houses, or other Buildings and Fences taken for the Purpose of making such Alterations, and for all Damage done to the same, in the Manner directed by the General Laws for the Time being for the Regulation of Turnpike Roads in Scotland.

Trustees not to deviate from Plan.

VII. And be it further enacted, That the said Trustees, in making, altering, improving, or widening any of the said Roads, shall not deviate more than One hundred Yards over any inclosed, nor more than Three hundred Yards over any uninclosed Lands or Grounds, from the Line 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.

Houses, &c. not to be taken without Consent of Owners.

VIII. Provided always, and be it further enacted and declared, That the Powers and Authorities hereby given to the said Trustees shall not extend to the taking down of any Dwelling House or other Building, or taking in the Site of any Garden, Orchard, Yard, Deer Park, Paddock, inclosed Shrubbery, or planted Walk, or Avenue to a House, without the Consent of the Owners thereof respectively.

Power of purchasing limited to Five Years.

IX. Provided always, and be it enacted, That in case the said Trustees shall not purchase the said Heritages and Premises within the Space of Five Years from and after the passing of this Act, then and in such Case all the Powers hereby granted for purchasing the same shall from thenceforth cease and determine, save and except with the Consent of the Owners thereof.

Power to alter the Course of the Roads, with Consent of the Owners of Property.

X. Provided always, and be it enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to alter or divert the Course of the said Roads in such Manner as they shall think proper, for the Purpose of rendering them more commodious and useful for the Public, although such Alterations or Diversions should not be contained or described in the said Map or Plan: Provided always, that the previous Consent in Writing of the Owner or Owners of the Lands or other Property through which each such Alteration or Diversion is intended to pass, or of the respective Agents or Factors of such Owner or Owners, shall be first had and obtained by the said Trustees.

Meetings of Trustees.

XI. And be it enacted, That the said Trustees shall meet at *Dumbarton* on the first *Tuesday* of *August* One thousand eight hundred and twenty-eight, or as soon thereafter as conveniently may be, and shall thereafter yearly hold a stated Annual General Meeting

Meeting on such Day and at such Place as the Trustees present at their First Meeting under the Authority of this Act may appoint, for the Purpose of putting this Act into Execution; and in case at any such stated Annual General Meeting a Quorum of Trustees shall not attend, such Meeting shall be adjourned to the Day following; and the said Trustees shall hold such other General Meetings as shall be necessary for the due Execution of this Act, and shall adjourn such Meetings as to them shall seem expedient, and shall direct their Clerk to give such Notice of any such Adjournment as to them shall seem proper; and at all General Meetings, or Adjournments thereof, the Quorum or Number of Trustees necessary to do Business shall be Three; but if only Two or One of the Trustees shall be present at any General Meeting, or Adjournment thereof, such Trustees or Trustee shall have Power to adjourn the Meeting, if a stated Annual Meeting, to the next Day; and in case of any other Adjournment of any General Meeting, by less than a Quorum of Trustees, Ten Days previous Notice of the Day and Place to which such Adjournment shall be made shall be given by the Clerk to the said Trustees, in some one Newspaper usually circulating in the County of *Dumbarton*, and also in such other Manner as the said Trustees shall from Time to Time direct and appoint; and when any Special Meeting of the said Trustees shall be called, similar Notice shall be given of the Time and Place, and also of the Purpose or Purposes of such Special Meeting; and at any such Special Meeting, or Adjournment thereof, no Business shall be entered or decided upon other than what is specified in the Notice given as aforesaid, or, in case of Adjournment, in the Notice of such Adjournment: Provided always, that at all Committee Meetings, or Adjournments thereof, the Quorum or Number of Trustees necessary to do Business shall be Two, unless any General Meeting shall, in appointing any Committee of Trustees, direct some other greater Number of Trustees to be a Quorum of such Committee, which they are hereby empowered to do, if they shall think it expedient.

XII. Provided always, and be it further enacted, That the Clerk, Surveyors, Collectors, and all other Officers (except the Treasurer) who have been appointed under and shall at the Time of the passing of this Act be employed in the Execution of the said recited Act hereby repealed, shall respectively continue to exercise their Offices under this Act until they shall respectively be displaced or removed by the Trustees hereby appointed, or shall be incapable of executing their Offices, and shall be subject to the like Rules, Regulations, Pains, and Penalties, in all Respects whatsoever, as if they had been appointed under or by virtue of this Act; and all Tolls leviable at the Time of the passing of this Act, by virtue of the said recited Act of the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, shall continue to be levied and taken until the Term of *Whitsunday* in the Year One thousand eight hundred and twenty-nine, unless previously altered by the said Trustees.

Former Officers (except the Treasurer) to continue.

XIII. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities, made or entered into by any Person or Persons to or with any of the Trustees for executing the said recited Act of

Bonds and Securities entered into under the

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the

repealed Act
to remain in
force until
satisfied and
paid.

the Forty-seventh Year of the Reign of His late Majesty King George the Third, or to or with any of their Officers, by their Order or Direction, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity in favour of the Trustees for executing this Act, until the same are fully paid, satisfied, and performed; and all Contracts, Agreements, and Securities duly made or entered into by the Trustees for executing the said recited Act hereby repealed, or by any of their Officers by their Order or Direction, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and shall be observed and kept by them according to the Terms, Stipulations, and Tenor thereof respectively.

Treasurer
and Clerk
not to be the
same Person.

XIV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, 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 or Partners of any such Treasurer, or the Clerk or other Person or Persons in the Employ of any such Treasurer or of his Partner, the Clerk or Clerks to the said Trustees; and if any Person or Persons shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, 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 or Partners of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner or Partners, 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 to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, by Action in the Court of Session in Scotland, or in any of His Majesty's Courts of Record at Westminster, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Books used
under former
Acts to be
Evidence.

XV. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Act of the Forty-seventh Year of the Reign of His said late Majesty King George the Third, and made Evidence thereby, shall and

and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, Actions, and Proceedings whatsoever, touching any Question arising by virtue of any thing done in pursuance or under the Authority of this Act.

XVI. 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 Act of the Forty-seventh Year 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 said Trustees, in like Manner and under the like Penalties as are by the said recited Act of the Fourth Year of the Reign of His present Majesty and this Act, or any of them, inflicted in respect of Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of the said Act and this Act.

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

XVII. And be it enacted, That the Toll Gates or Bars at present existing upon the said Roads, together with the Toll Houses and other Appurtenances belonging to the same, shall continue until altered by the said Trustees; and it shall and may be lawful to the said Trustees to alter and remove such Gates or Bars, and to erect others on or across any Part of the said Roads or Branches, or on the Sides of the same, and upon the said Bridges, and in, upon, or across any Lanes or Roads leading into or from such Roads or Branch Roads, at their Junction therewith, and such Number of Toll Houses upon the Sides of the said Roads and Bridges, with proper Gardens adjacent thereto, as to the said Trustees shall seem expedient, and from Time to Time to alter the Situation of all or any of such Gates or Turnpikes, and Toll Houses and Gardens; and the said Trustees are hereby empowered to purchase or take on Lease such Pieces of Ground as they shall judge most convenient, not exceeding One Fourth Part of an Acre for each Toll House, with its Garden and other Appurtenances.

Toll Bars and Toll Houses may be continued and others erected.

XVIII. And be it further enacted, That the said Trustees, or any Person or Persons duly authorized by them, or by a Committee of their Number, shall be and they are hereby authorized and empowered to demand and take, or cause to be demanded and taken, at each of the said several Gates and Turnpikes already erected, or to be erected by virtue of this Act, a Sum not exceeding the Rates and Duties hereinafter specified, before any Carriage, or any Horse or other Cattle, shall pass through any such Gate or Turnpike erected or to be erected as aforesaid; namely,

Tolls may be levied.

For every Horse or other Beast of Draught drawing any Coach, Barouche, Chariot, Landau, Chaise, Calash, Chair, Jaunting Car, Hearse, or other such Carriage, (excepting Single Horses or other Beasts of Draught drawing any such Carriage having Four Wheels,) One Shilling:

For every Horse or Beast of Draught drawing any such Carriage with Four Wheels, where One Horse or other Beast of Draught only

Tolls.

only

only shall be employed in drawing the same, One Shilling and Sixpence :

For every Horse or other Beast of Draught drawing any Waggon, Cart, or other such Carriage, when drawn by Five or more Horses or other Beasts of Draught, One Shilling and Four-pence ; and when drawn by Three or Four Horses or other Beasts of Draught, One Shilling ; and when drawn by One or Two Horses or other Beasts of Draught, Sixpence :

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

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

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

For every Score of Horses or Fillies unshod, Two Shillings, and so in proportion for any greater or lesser Number.

Additional
Tolls for
Carriages
with certain
Weights.

XIX. And whereas much Injury is done to the Roads by Carriages carrying great Weights, and it is reasonable that such Carriages should pay Toll in proportion to their Weight ; be it therefore enacted, That it shall be lawful to the said Trustees, and they are hereby authorized and empowered, to levy, or cause to be levied, demanded, and taken, at each of the said several Gates and Turnpikes aforesaid, before any Waggon, Cart, or other such Carriage, drawn by One or more Horses, or other Beasts of Draught, shall pass through the same, the following Rates and Duties ; namely, when the Weight of such Waggon, Cart, or other such Carriage, with the Burden or Draught thereon, shall amount to Twenty Hundred Weight (of One hundred and twelve Pounds each Hundred Weight), and not exceed Thirty Hundred Weight, a Sum not exceeding Double the Tolls and Duties which the said Trustees are empowered to levy as aforesaid ; and when the Weight of such Waggon, Cart, or other such Carriage, with the Burden or Draught thereon, shall exceed Thirty Hundred Weight, a Sum not exceeding Treble the Tolls and Duties which the said Trustees are empowered to levy in manner hereinbefore mentioned.

Relief for
Carriages
with Broad
Wheels.

XX. And be it further enacted, for the Encouragement of the Use of Broad Wheels, That all Waggons, Carts, or other such Carriages, having Broad Wheels of the Description after mentioned, if drawn by One Horse or other Beast of Draught only, shall pass through each of the Gates or Turnpikes aforesaid without being liable to be weighed, or chargeable with any of the said Toll Duties in respect of Weight ; and all such Carriages having Broad Wheels of the Description after mentioned, if drawn by Two or more Horses or other Beasts of Draught, shall pass through each of the Gates or Turnpikes aforesaid on Payment of One Half of the Toll Duties before mentioned to which they would otherwise have been liable : Provided always, that such Broad Wheels shall be of the following Description ; that is, every such Waggon, Cart, or other such Carriage with Two Wheels, shall have the Soles or Bottoms of the Fellies of all the Wheels thereof of the Breadth of Five Inches at least, and be cylindrical, that is to say, of the same Diameter on the

Inside

Inside next to the Carriage as on the Outside, and in every Intermediate Part between the Inside and the Outside, so that when such Wheels shall be rolling on a flat or level Surface the whole Breadth thereof shall bear equally on such flat or level Surface, and the opposite Ends of the Axletrees of such Carriages, so far as the same shall be inserted in the respective Naves of the Wheels thereof, shall be horizontal, and in the Continuance of one straight Line, without forming any Angle with each other, and so that in each Pair of Wheels belonging to such Carriages the lower Parts, when resting on the Ground, shall be at the same Distance from each other as the upper Parts of such Pair of Wheels, and further, shall have the Nails sunk level with the Rings on the Wheels; and every Waggon, Cart, or other such Carriage with Four Wheels, the Wheels thereof being cylindrical as before mentioned, shall have the Axletrees thereof of such different Lengths that the Fore and Hind Wheels shall roll only one single Surface or Path of Seven Inches and a Half wide at least on each Side of every such Carriage: Provided always, that if the Soles or Bottoms of the Fellies of such Broad Wheels as aforesaid shall have been *bonâ fide* made of the full Breadth of Five Inches, and shall have become by Use of less Breadth than Five Inches, but not less than Four Inches and a Half, such Wheels shall entitle to the Privileges and Immunities of Wheels having the Soles or Bottoms of the Fellies thereof of the full Breadth of Five Inches: Provided also, that every Person claiming the Privilege so granted to Broad-wheeled Carriages shall permit the same to be examined and measured by any Person appointed by the said Trustees, or concerned in the Collection of the said Tolls and Duties; and in case of Refusal to permit such Examination and Measurement, the Privilege shall be forfeited, and the full Toll Duties shall be chargeable, without regard to or Exemption in respect of the Breadth of the Wheels of such Carriages.

XXI. And be it further enacted, That in case there are already erected on the said Roads, or shall be erected in virtue of this Act, any Gate or Gates, Turnpike or Turnpikes, at less Distance from each other than Six Miles, then any Person or Persons paying Toll Duty at any One of these Gates or Turnpikes, and obtaining a Ticket showing the Payment of such Toll Duty, and producing the same at the next of the said Gates or Turnpikes, such Person or Persons shall arrive at, shall not, for the same Carriage, or Horse or other Cattle, on the same Day, pay any Toll Duty at such next Turnpike, if the same shall be within Six Miles of the former, at which the Toll Duty denoted by such Ticket was paid; but this Exemption shall not be available to any Person or Persons after having repassed with such Carriage or Cattle the Turnpike where the Toll Duty was paid, nor at any Gate or Turnpike on any of the said Bridges: Provided always, that it shall be lawful to the said Trustees to levy the said Toll Duties at each of the Two Toll Gates or Turnpikes situated at *Auchindennan* and at *Drumfork*, on the Branch Road from *Helensburgh* to *Luss*, although these Gates or Turnpikes shall not be Six Miles distant from each other.

Pass Tickets
to free cer-
tain Gates
within Six
Miles of
each other.

Tolls to be
paid only
Once a Day
with the
same Lading.

Proviso as
to Stage
Coaches, &c.

Tolls, &c.
vested in
Trustees.

Application
of Monies.

Road may
be divided
into Dis-
tricts.

XXII. And be it further enacted, That if any Tolls or Duties shall be paid for any Horse or Horses or other Cattle, drawing or not drawing, passing through any Gate or Gates, Turnpike or Turnpikes, already erected on the said Roads, or to be erected in virtue of this Act, and returning on the same Day, the same shall be entitled to repass the said Gates or Turnpikes Toll-free with the same Coach, Cart, or other Carriage; but in case the same Horses or other Cattle shall return or pass with the same Waggon, Cart, or other such Carriage, with a new Lading, exceeding One Hundred Weight, a second Time or oftener on the same Day, Toll Duty shall be paid for the same for each Time they shall so pass in the same Manner as for the first Time; provided always, that this Regulation shall not affect the Provisions of the said recited Act of the Fourth Year of the Reign of His present Majesty, regarding the Tolls payable in respect of all Horses or Beasts of Draught drawing any Stage Coach, Caravan, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, and in respect of all Horses or Beasts of Draught let out for Hire, and drawing any Post Chaise or other Carriage, whenever any new Hiring thereof shall have taken place.

XXIII. And be it farther 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 or Garden, Engine for weighing, and whole Premises erected or acquired by the said Trustees under the said recited Act of the Forty-seventh Year of the Reign of His late Majesty, or to be erected or acquired by the Trustees nominated and appointed by this Act, are and shall be vested in the Trustees nominated and appointed by this Act; and the said Tolls and Duties, and every Part thereof, shall be paid over, applied, and disposed of to and for the several Uses, Intents, and Purposes of this Act, as the said Trustees shall think proper.

XXIV. And be it further enacted, That the said Tolls and Duties, and all the Monies arising by virtue of this Act, shall be applied, in the first place, towards the Expence of passing and procuring this Act; in the second Place, towards the making and maintaining, altering, widening, and improving, the said Roads and Bridges, and all necessary Purposes of this Act in relation to the same; and, lastly, to the Payment of all Bonds and Debts affecting or contracted on account of the said Roads and Bridges, and the Interest due or to become due thereon, and to no other Purpose.

XXV. And be it further enacted, That it shall be in the Power of the said Trustees, at their first General Meeting, or at any other of their General Meetings, duly called, specifying the Time, Place, and Purpose of such Meeting, to divide the said Roads and Bridges into such Districts as they shall think proper (which being once so fixed, it shall not afterwards be in their Power to change or alter), and to allocate and apportion the Produce of the Tolls collected or to be collected at the Gates and Turnpikes already erected, or to be erected in virtue of this Act, towards the surveying, making, amending, altering, improving, widening, repairing, and keeping in repair the Roads and Bridges within

within the said respective Districts, and making, building, and upholding the Gates and Turnpikes, Toll Houses, and other Erections within the same, as the said Trustees shall think fit; and as soon as the aforesaid Division, Allocation, and Apportionment shall be so adjusted, the Clerk is hereby required to enter and record the same in a Book to be kept for that Purpose.

XXVI. Provided always, and be it further enacted, That the Monies already raised or to be raised by the said Trustees in virtue hereof, for surveying, making, amending, altering, improving, widening, repairing, and keeping in repair the Roads and Bridges, Toll Houses, Gates, and other Erections within any One of such Districts, and the Produce of the Tolls within the same, shall not be liable to the Payment of any Sums now due, or which may be borrowed or become due by the said Trustees in virtue hereof, for the like Purposes, within any other of such Districts, any thing herein contained to the contrary notwithstanding.

Monies and Toll Duties of each District to be applied with- in the same.

XXVII. And be it further enacted, That it shall be lawful to the said Trustees, and they are hereby empowered, to order and direct the said Roads or any Part thereof to be made, repaired, and maintained, and to cut and make Drains and other Outlets for Water through any Grounds lying contiguous to the said Roads, and to make Causeways, and erect and repair Arches and Bridges, on the said Roads, and also, at a General Meeting assembled, to make or cause to be made and erected a Bridge or Bridges across the River *Leven* at *Balloch* and *Bonhill*, and to order and direct the Line of any of the said Roads to be altered and widened.

Power to make Roads, and Bridges.

XXVIII. And be it further enacted, That when the said Trustees shall have taken or resolved to take into their Possession any Lands, Tenements, Houses or Heritages, for making, altering, or widening the said Roads, or for Toll Houses or Gardens adjacent thereto, or for Weighing Machines, or for Repositories for storing Materials for making or repairing the said Roads, or otherwise where Grounds are necessary for the Purposes of this Act, all which they are hereby empowered to take and acquire, or when they have resolved to build the Bridge or Bridges across the River *Leven* as hereinbefore mentioned, by which the Proprietors or Occupiers of Lands, Tenements, or Ferries may suffer Loss, the said Trustees shall be obliged to satisfy and pay the Proprietors and Occupiers of such Lands, Tenements, or Ferries, the Value thereof as shall be agreed upon between the said Trustees and such Proprietors and Occupiers, or otherwise as the said Value shall be ascertained, adjudged, and disposed of in the Manner and on the Terms prescribed by the said recited Act of the Fourth Year of the Reign of His present Majesty.

Power to take Lands, &c. on making Satisfaction.

XXIX. And be it further enacted, That after the passing of this Act no Person shall make or erect any House or other Building (except only Fences or Walls not exceeding Six Feet in Height) within Twenty-five Feet of the Centre of the said Roads; and every Person offending in this respect shall forfeit and pay for every such Offence

No Buildings to be erected within 25 Feet of the Centre of the Roads.

a Sum

a Sum not exceeding Twenty Pounds, and shall be obliged, when directed to do so by any Two or more of the said Trustees, or by their Surveyor duly authorized by them, immediately to remove every such House or Building; and upon their failing so to do within Twenty Days from the Time that a Notification in Writing shall have been given to them by any Two Trustees or their Surveyor, it shall be lawful for the said Trustees, or any Two of them, or their Surveyor, to cause every such Building to be removed, and to charge the Offender with the Expence of doing so; which Expence, together with the Penalty incurred, shall be recovered and applied in the same Manner as other Penalties and Forfeitures are directed by the said recited Act of the Fourth Year of the Reign of His present Majesty to be recovered, and shall be applied to the Purposes of this Act in such Manner as the said Trustees shall think proper to direct.

Timber not
to project
over Sides of
Carriages.

XXX. And be it further enacted, That no Person shall carry or convey any Tree or Piece of Timber on the said Roads so as to project or extend over the Sides of the Waggon, Cart, or other Carriage conveying the same, or to occupy more of the said Roads in Breadth than is occupied by such Waggon, Cart, or other Carriage; and no Piece of Timber or Tree exceeding Twenty Feet in Length shall be carried along the said Roads, unless it be drawn on a Cart or double Cart or Carriage having Four Wheels, and placed parallel with the Shafts of such Carriage; and every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above the Damages occasioned thereby.

Carriers
Dogs to be
chained.

XXXI. And be it further enacted, That all Public Carriers and other Persons driving Waggons, Carts, or other such Carriages along any of the said Roads, who shall be accompanied by a Dog, shall be obliged to have such Dog chained, or so attached to the Carriage that it shall not hurt or injure any Person, or the Property of any Person travelling along the same; and every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, over and above the Damage occasioned thereby.

Public Act.

XXXII. 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 other Persons whomsoever, without being specially pleaded.

Continuance
of Act.

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

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