



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. cxli.

An Act to amalgamate the *Glasgow and Inchbelly Bridge* and *Possil and Balmore Turnpike Road* Trusts, and to make Branch Roads; and for other Purposes. [16th July 1855.]

WHEREAS an Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to improve, repair, and maintain the Road from Inchbelly Bridge to Glasgow, and to make and maintain certain Branch Roads therefrom*; and another Act was passed in the Eleventh Year of the Reign of His Majesty King George the Fourth, intituled *An Act for maintaining and repairing the Road leading from the City of Glasgow, through Cowcaddens, to the North End of the Bridge over that Part of the River of Kelvin called the Milnford of Garscube, and for making, repairing, and maintaining the Road leading from Blackquarry Toll Bar by Possil to the Bridge across the River Allander at Langbank, in the Counties of Lanark and Stirling*: And whereas another Act was passed in the Sixth Year of the Reign of His Majesty King William the Fourth, intituled *An Act for altering*

[Local.] 25 C 5 & 6 W. 4. the c. lxxxvii.

6 & 7 Vict. c. lxxx.

11 G. 4. c. cxxviii.

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

2 & 3 Vict.
c. lxxxii.

1 & 2 Vict.
c. xlvii.

*the Line of Road from the Milnford of Garscube to the City of Glasgow, and improving the Roads leading therefrom into the said City: And whereas another Act was passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for extending and enlarging an Act passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, for making and maintaining a Turnpike Road from Annesland Toll Bar in the County of Lanark, and for making and maintaining another Branch Road, to be called Saint George's Road, in connection with the said Road: And whereas another Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act to repeal as much of an Act intituled 'An Act for making and maintaining the Road from Glasgow to Redburn Bridge, and certain other Roads in the Counties of Stirling, Dumbarton, and Lanark,' as relates to the Balmore Road, and to improve and make and maintain the said Road, and certain other Roads connected therewith, in the Parishes of Campsie and Baldernock and County of Stirling aforesaid: And whereas, in pursuance of the said several Acts, the Trustees acting in virtue thereof have made and completed the Roads thereby authorized to be made, excepting a Branch Road from the Inchbelly Road at or near the Troughstone to the Port Dundas or Garscube Road at or near to the Head of West Nile Street in Glasgow, and another Branch Road from the same Point to the Possil Road at or near to Craigbank or Hamilton Hill, both authorized by the said first-recited Act to be made: And whereas considerable Sums of Money have been borrowed upon the Credit of the Tolls authorized to be taken by the said second and fifth recited Acts, in so far as relating to the Possil Road and the Balmore Roads, which Money still remains owing, and the same cannot be paid off, nor can the present Roads under the first and fifth recited Acts, and under the second-recited Act, so far as relating to the Possil Road, be effectually improved and kept in repair, nor the proposed new Road be made, unless further Powers are granted for these Purposes: And whereas it would be of great local and public Advantage if the several Turnpike Road Trusts comprised in the first and fifth recited Acts, and also the Trust, so far as relates to the Possil Road, comprised in the second-recited Act, were consolidated and amalgamated into One Trust, and if Powers were given to the Trustees for executing this Act to make and maintain a Road connecting the Main Line of the Glasgow and Inchbelly Bridge Road with the Main Line of the Possil Road, such new connecting Road commencing at a Point in the Lands of Cowlairs, and terminating at or near Hamilton Hill: And whereas it is expedient, for the Purposes aforesaid, that the said first and fifth recited Acts, and also so much of the second-recited Act as applies to the Possil Road, should be repealed, and that further and more effectual***

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

effectual Powers should be granted in lieu thereof, as well for improving, repairing, and maintaining the said present Roads, as for making and maintaining the said proposed new Road: And whereas an Act was passed in the Second Year of the Reign of His Majesty King *William the Fourth*, intituled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland*; and it is expedient that the Powers and Provisions thereof should be applied to this Act: And whereas it is expedient that those Portions of the *Garscube* Roads which lie within the Municipal Boundaries of the City of *Glasgow*, including the said Portion of Road between *Blackquarry* Toll Bar and *Glasgow* used by the Traffic on the *Possil* Road, should be freed of Toll, and maintained and managed by the Police and Statute Labour Committee of the Town Council of the said City appointed by an Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to extend the Municipal Boundaries of the City of Glasgow; to amend the Acts relating to the Police and Statute Labour of the said City and adjoining Districts; and for other Purposes in relation to the Municipality and Police of the said City*: But these Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, in manner following; (that is to say,)

1 & 2 W. 4.
c. 43.

9 & 10 Vict.
c. cclxxxix.

I. That upon the Third *Wednesday* of the Month next after the passing of this Act the said first and fifth recited Acts, passed respectively in the Seventh Year and in the First Year of the Reign of Her present Majesty, and also so much of the second-recited Act, passed in the Eleventh Year of His Majesty King *George the Fourth*, as relates to the foresaid *Possil* Road, shall be and the same are hereby repealed; and the foresaid several Turnpike Roads, namely, from *Inchbelly Bridge* to the City of *Glasgow*, from *Allander Bridge* to the *Blackquarry* Toll Bar, and from *Allander Bridge* to the Toll Bar at or near the Village of *Torrance*, and from *Redbog* to the Parish Church of *Baldernock*, all as herein-after more particularly described, shall thereafter, under the Authority of this Act, be consolidated and amalgamated into One Trust, and this Act be put into execution during the Term and for the Purposes herein-after mentioned.

First and
fifth recited
Acts re-
pealed, and
so much of
the second-
recited Act
repealed as
relates to
Possil Road.

II. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "*The Glasgow, Kirkintilloch and Baldernock Turnpike Road Trust Act, 1855.*"

Short Title.

III. The

The Glasgow, Kirkintilloch, and Baldernock Turnpike Road Trust Act, 1855.

Provisions of
1 & 2 W. 4.
c. 43. applied
to this Act.

III. The said sixth-recited Act, passed in the Second Year of the Reign of His Majesty King *William* the Fourth, and all and every the Powers, Provisions, Exemptions, Penalties, Matters, and Things therein contained, save and except such Parts thereof as are hereby expressly varied, altered, or repealed, shall be as good, valid, and effectual, for carrying this Act into execution, as if the same were repeated and re-enacted in the Body of this Act.

All Arrears
of Tolls and
Moneys due
under re-
pealed Acts
vested in the
Trustees
under this
Act.

IV. All Moneys due to and all Property vested in the Trustees on the *Inchbelly* Road, the *Possil* Road, and the *Balmore* Roads, under the Acts hereby repealed, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, and such last-mentioned Trustees may use, sue for, and recover the same, and act in respect thereof, as effectually as if the same had been vested in them under the said first, second, and fifth recited Acts, and they shall be liable to all the Debts and Engagements to which the Trustees on the said several Roads under the Acts hereby repealed were liable at the Repeal thereof, except such of the same as are by this Act virtually extinguished; and all Bonds, Covenants, Agreements, and Securities made or entered into under the Powers and Provisions of the said recited Acts hereby repealed, to, by, or with any Person, and the Trustees on the said several Roads appointed by the said recited Acts hereby repealed, shall remain in full Force, and shall be and continue available to and in favour of such Person, and of the Trustees hereby appointed respectively, in all Courts of Law and Equity, until the same are fully satisfied and performed.

Covenants
and Agree-
ments under
former Acts
to be good.

Qualification
and Appoint-
ment of
Trustees.

V. Every Person duly qualified and entitled to act as Commissioner of Supply under the Act Seventeenth and Eighteenth *Victoria*, Chapter Ninety-one, in respect of Lands and Heritages situated in those Parts of the *Barony* Parish of *Glasgow* and *Maryhill* lying beyond the Municipality and Royalty of *Glasgow*, and to the West of the Turnpike Road from *Glasgow* to *Cumbernauld*, in those Parts of the Parish of *Cadder* lying to the West of the said Turnpike Road from *Glasgow* to *Cumbernauld*, in the Parish of *Kirkintilloch* in the County of *Dumbarton*, in the Parishes of *Baldernock*, *Campsie*, and *East Kilpatrick*, in the County of *Stirling*; the Sheriffs Depute of the Counties of *Lanark*, *Dumbarton*, and *Stirling*; the Lord Provost, Baillies, Dean of Guild, and Deacon Convener of the City of *Glasgow* for the Time being; Sir *Archibald Edmonstone* of *Duntreath*, Baronet, or the Proprietor of the Estate of *Kilsyth* for the Time being, and in his Absence the Factor on the said Estate; and the Chamberlain for the Time being of his Grace the Duke of *Montrose*, shall be Trustees for carrying this Act into execution.

VI. The

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

VI. The said Trustees shall hold their First Meeting upon the Third *Wednesday* of the Month next after the passing of this Act, between the Hours of Twelve and Four o'Clock, within some convenient Place in *Glasgow*, of which Meeting Ten Days Notice shall be given (under the Hands of any Two of the present Trustees on any of the said Roads hereby amalgamated) in some Newspaper published and usually circulated in *Glasgow*, and shall then, and from Time to Time thereafter, adjourn to and meet at such Times, and at such Places in *Glasgow*, as they shall think proper; and Three Trustees shall be a Quorum.

First Meeting of Trustees, and Quorum.

VII. This Act shall be put into execution for the Purpose of more effectually improving, maintaining, and keeping in repair the following Turnpike Roads, namely;

Roads to which this Act is applicable.

First, the present Turnpike Road from *Inchbelly Bridge* in the Parish of *Kirkintilloch* and County of *Dumbarton* to a Point where the said Road crosses the Cut of *Junction Canal* and the South Side thereof in the City of *Glasgow* and County of *Lanark*, commonly called the *Glasgow and Inchbelly* Turnpike Road:

Second, the said Turnpike Road from *Allander Bridge* at *Langbank Farm* in the Parish of *Baldernock* and County of *Stirling* to the *Blackquarry Toll Bar* in the City or Municipality of *Glasgow*, commonly called the *Possil* Turnpike Road:

Third, the said Turnpike Road from *Allander Bridge* to the Toll Bar near the Village of *Torrance*, and the Road leading from *Redbog* by *Borrowstown* to the Parish Church of *Baldernock*, all in the County of *Stirling*, commonly called the *Balmore* Turnpike Roads:

And for making and maintaining a Road connecting the Main Line of the said *Glasgow and Inchbelly* Road with the Main Line of the said *Possil* Road, the said new connecting Road commencing at a Point in the Lands of *Cowlairs* near to the *House of Flemington* in the Parish of *Inner High* or *Spring Burn* and Royalty of *Glasgow*, and terminating at or near the Junction of the existing Statute Service or Public Road leading from *Glasgow* by *Keppochhill* with the said *Possil* Road at or near *Hamiltonhill*, in the Parish of *Saint George* of *Glasgow* or *Maryhill* in the County of *Lanark*.

VIII. And whereas the Road from East to West through the Town of *Kirkintilloch* was originally a Portion of the Main Line of Highway from *Inchbelly Bridge* to *Glasgow*, and afterwards, by the Formation of an improved Line, became only a Branch thereof, and has continued to be, in whole or in part, maintained at the Expense of the Trust Funds of the said Highway: Be it enacted, That it shall be

Abandonment of the Branch Road through Kirkintilloch.

[Local.]

25 D

lawful

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

lawful for the Trustees to abandon and cease to maintain the same, either in whole or in part: Provided always, that in the event of such Abandonment the Trustees shall be bound to pay to the Magistrates of the Town of *Kirkintilloch*, for the Maintenance and Repair of the said Branch Road through the said Town, any Sum that may be agreed upon, not less than Five nor more than Ten Pounds annually.

Map or Plan
deposited at
the Office of
the Sheriff
Clerk to re-
main there,
and be open
to Inspection.

IX. And whereas a Map or Plan describing the Lines and Levels of the said connecting Road and the Lands through which the same are intended to be made, together with a Book of Reference thereto, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of such Lands, has been deposited in the Office at *Glasgow* of the Principal Sheriff Clerk of the County of *Lanark*: Be it enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Sheriff Clerk of said County, to the end that all Persons may at all seasonable Times inspect and peruse the same, and have Copies thereof or Extracts therefrom, paying to the said Clerk the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or any Copy thereof respectively or of any Part thereof, certified by the said Clerk or his Deputy for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law or elsewhere.

Power to
make new
and im-
proved Line
of Road ac-
cording to
deposited
Plan.

X. It shall be lawful for the Trustees to set out, make, and complete the said connecting Road herein-before described, in the Line and through the Lands delineated on the Map or Plan and described in the Book of Reference herein-before mentioned, of such Width as they may think proper, not exceeding Sixty Feet of finished Roadway, together with such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto as they may think requisite, and for the Purposes aforesaid to take possession of the Lands and Premises described in the said Map or Plan and Book of Reference, making Satisfaction for the same to the Owners thereof and other Persons interested therein for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the said several Lands, and to stake out the same for the Purposes of this Act, at such Times and in such Manner as the said Trustees or Surveyors shall think necessary or expedient.

Trustees em-
powered to
deviate from
Plan.

XI. It shall be lawful for the Trustees, in making the said connecting Road, to deviate from the Line delineated on the said Map or Plan:

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

Plan: Provided always, that no such Deviations shall extend to a greater Distance than One hundred Yards from the said Line, nor beyond the Limits of Deviation delineated on the said Map or Plan, nor into the Lands of any Person not described on the said Map or Plan or in the said Book of Reference, without the Consent in Writing of the Party in or through whose Lands any such Deviation shall be proposed to be made.

XII. It shall be lawful for the Trustees to make the said connecting Road in the Line in or through the Lands delineated upon the said Map or Plan, although such Lands, or the Situation thereof, or the Names of the Owners or Occupiers thereof, may happen to be omitted, mis-stated, or erroneously described in the said Map or Plan or in the said Book of Reference, in case it shall appear to Two or more Justices of the Peace for the said County of *Lanark* in Petty Sessions assembled, and be certified by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Sheriff Clerk for the Time being of the County of *Lanark*, at his Office in *Glasgow*.

Lands marked on the Plan may be used, notwithstanding Errors in the Book of Reference.

XIII. It shall not be lawful to the Trustees to take or pull down, or to use or injure, any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any enclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, except such as are mentioned in the Book of Reference deposited as aforesaid, without the previous Consent in Writing of the Owner or Proprietor thereof, and all other Persons interested therein.

Trustees restrained from pulling down Houses not in Book of Reference.

XIV. The Road by this Act authorized to be made shall be carried over the *Edinburgh and Glasgow* Railway, and the Slopes or Ground on either Side thereof, by a Beam Bridge, to be made and maintained by the Trustees, of the Span of at least Thirty Feet between the Abutments, measuring on the Square of the Railway, and of the Height at all Points of at least Sixteen Feet, measuring from the upper Surface of the Rails to the under Side or Soffit of the Bridge; and the said Bridge shall be constructed, at the Sight and to the Satisfaction of the Engineer for the Time being of the *Edinburgh and Glasgow* Railway Company, according to a Plan to be approved of by him previously to the Commencement of the Work, and so as not to interrupt or impede in any Manner or to any Extent the Traffic on the said Railway; and if any Difference shall arise between the

Regulating crossing of Edinburgh and Glasgow Railway.

Company

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

Company and the Trustees, or between their respective Engineers, as to the said Plan or the Mode of constructing the said Work, the same shall be referred to an Engineer to be appointed by the Parties, or by the Sheriff of *Lanarkshire* on the Application of either of them; but in that Case the said Work shall not be further proceeded with until an Award shall have been given by the said Engineer.

Saving
Rights of
Edinburgh
and Glasgow
Railway
Company.

XV. Nothing herein contained shall alter, vary, prejudice, or diminish any of the Rights, Powers, or Authorities vested in the *Edinburgh and Glasgow* Railway Company by virtue of the Acts relating to their Undertaking or any of them, or entitle the Trustees to take or use any of the Lands belonging to the said Company, except for the Purpose of constructing the Bridge herein-before mentioned.

As to Erec-
tion of
Screens at
Crossing.

XVI. In case any Screen is found necessary to be erected on the Bridge hereby authorized, or on the Road or Railway in the Neighbourhood thereof, for the Purpose of protecting Travellers from Danger, such Screen shall be erected by and at the Expense of the Trustees, and so as not to interfere prejudicially with the Railway or the Traffic thereon.

Limiting the
Time for
Purchase of
Property.

XVII. In case the Trustees shall not, within the Space of Three Years from the Commencement of this Act, pay for the Lands which they are by this Act authorized to take, or consign the Value thereof in a Bank, in the Manner mentioned in the said recited Act passed in the Second Year of the Reign of His Majesty King *William* the Fourth, or make Application to the Sheriff, in manner provided by the said last-mentioned Act, for a Jury, to ascertain the Value of such Lands, then and from thenceforth all the Powers by this Act or any other Act granted in relation to the taking of Lands for the Purpose of Turnpike Roads shall, so far as relates to the Lands herein-before authorized to be taken for the Purposes of this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively.

No Building
or Plantation
allowed
within 30
Feet of the
Centre of
Roads.

XVIII. No House or other Building, except Fences or Walls not exceeding Six Feet in Height, shall be erected, and no new Enclosure or Plantation shall be made, within Thirty Feet from the Centre of the said Roads, without the previous Consent of the Trustees, signified in Writing by their Surveyor; and the Sheriff and Justices of the Peace of the County in which such Roads are situate are hereby empowered, on Application by any One of the Trustees or their Clerk, to order such House, Building, Enclosure, or Plantation to be
taken

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

taken down and removed at the Expense of the Person erecting or making the same.

XIX. So much of the Statute Service or Public Road leading from *Glasgow*, by *Keppochhill*, to the *Possil* Road, delineated on the said Map or Plan, as shall be required for the Formation of the said connecting Road hereby authorized to be made, may be taken, used, appropriated, and made Turnpike by the Trustees, who shall also be entitled to shut up such Parts thereof as shall, by reason of the making of the said connecting Road, be no longer useful or necessary to the Public, which Parts so to be shut up the Trustees are hereby empowered to appropriate, sell, and convey, without any other Authority than this Act, to such Person or Persons as shall be willing to become Purchasers thereof: Providing always, that the Trustees shall make the First Offer of the same to the Proprietors of the adjoining Lands, who shall have Right of Pre-emption thereto at the Price or Prices which any other Person or Persons shall be willing to give therefor.

Provision as
to Statute
Service
Road.

XX. Notwithstanding the Repeal of the said first and fifth recited Acts relating to the *Inchbelly* Road and the *Balmore* Roads, and also of the second-recited Act, so far as it applies to the *Possil* Road, the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates or Toll Bars to be continued or erected on or on the Sides of the said Roads, until the First Term of *Whitsunday* after the passing of this Act.

Present Tolls
continued
until the
First Term of
Whitsunday
after passing
of this Act.

XXI. From and after the said First Term of *Whitsunday* after the passing of this Act, it shall be lawful to the Trustees to demand and take, at each of the several Toll Bars or Turnpike Gates which presently are or shall by virtue of this Act be upon or on the Sides of the *Inchbelly* Road, the *Balmore* Roads, the *Possil* Road, and the Road by this Act authorized to be made, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; (that is to say,)

Power to
take Tolls.

For every Horse or Beast of Draught drawing any Coach, Barouche, Berlin, Chariot, Landau, Chaise, Curricule, Calash, Chair, Hearse, or other such Carriage, or any Stage Coach, Long Coach, or Diligence, or Carriage of the like Kind, the Sum of Fourpence: For every Horse or Beast of Draught drawing any Van, Caravan, Waggon, Wain, Cart, or other such Carriage, having more than Two Wheels, if not more than One Horse or other Beast of Draught is drawing the same, the Sum of Ninepence; and for every additional Horse or Beast of Draught that shall be drawing the same, the further Sum of Fourpence:

[Local.]

25 E

For

The Glasgow, Kirkintilloch, and Baldernock Turnpike Road Trust Act, 1855.

For every Horse or Beast of Draught drawing any Two-wheeled Van, Caravan, Waggon, Wain, Cart, Sledge, or other Carriage, where only One is drawing, and where any such Carriage, and the Loading thereof, shall be under Thirty Hundredweight, the Sum of Fourpence; and if Thirty Hundredweight, Fivepence Halfpenny; and for every Hundredweight or Part of a Hundredweight which such Carriage, with the Loading thereof, shall weigh above Thirty Hundredweight, the further Sum of One Penny Halfpenny:

For every wheeled Carriage with Two or more Wheels, drawn or propelled by Man or Beast, other than above described, and weighing, with its Loading, Five Hundredweight, the Sum of One Penny; and for each Hundredweight above Five Hundredweight, a further Sum of One Halfpenny:

For every Horse, Mule, Ass, or other Beast (not drawing), laden or unladen, the Sum of One Penny:

For every Head of Oxen or Neat Cattle, the Sum of One Penny:

For every Head of Calves, Hogs, Sheep, Lambs, or Goats, the Sum of One Halfpenny:

For every Head of Horses or Fillies, unshod, the Sum of One Penny:

For every Carriage whatever, moved or propelled by Steam or Machinery, or by any Power or Agency other than Animal or Human Power, the Sum of One Shilling *per* Wheel for each Wheel thereof:

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle, or any such Carriage whatsoever, shall be permitted to pass through any Toll Bar or Turnpike Gate which shall be by virtue of this Act upon or across the said Roads or on the Sides thereof.

Tolls not to be paid again at Gates within 4 Miles of each other, on Production of Pass Tickets.

XXII. In case there are or shall be erected, in the course of any of the said Roads, any Toll Bar, Gate or Gates, Turnpike or Turnpikes, at less Distance from each other than Four Statute Miles, then any Person paying Toll Duty at any One of these Toll Bars, Gates, or Turnpikes, and obtaining a Ticket showing the Payment of such Toll Duty, and producing such Ticket at the next of the said Toll Bars, Gates, or Turnpikes at which such Person shall arrive, shall not, on the same Day, and for the same Horse or other Cattle or Carriage with the same Loading, pay any Toll Duty at such next Toll Bar, Gate, or Turnpike which shall be within Four Statute Miles of the former, at which the Toll denoted by such Ticket shall have been paid: Provided always, that from this Enactment is excepted the Portion

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

Portion of the said Roads from *Blackquarry* Toll Bar to *Allander Bridge*, on which Portion it shall be lawful to the Trustees to erect Gates, and levy the Tolls and Duties by this Act authorized, although the Space between such Toll Gates or Bars may not be distant Four Miles, anything in this Act to the contrary notwithstanding, but said Space shall not be less than Three Miles.

XXIII. And whereas by the Act Fifth and Sixth *Victoria*, Chapter Eleven, intituled *An Act to explain and amend an Act, intituled 'An Act to make, alter, improve, and maintain certain Roads in the Counties of Stirling, Dumbarton, Lanark, and Perth, and for making and maintaining certain new Roads in connection therewith,'* it is provided that the Trustees upon the said *Balmore* Turnpike Road should pay and continue to pay yearly to the Trustees acting under the Act now under recital and the Act therein recited (First District of *West Stirlingshire* Roads), One Half of the Amount, to be ascertained as therein provided, of the annual Expense of maintaining and repairing and One Third of the Expense of any necessary Improvement or Alteration which might be executed upon that Portion of Turnpike Road mentioned in the said Act now under recital, lying between the Point of Junction with the *Balmore* Road near to the Village of *Torrance* and the Point of Junction with the *Inchbelly* Road near to the Fifth Milestone from *Glasgow*: Be it enacted, That the Trustees appointed by this Act shall be bound to implement and fulfil the whole Obligations with reference to maintaining, repairing, improving, or altering said Portion of Road which are by the said recited Act laid upon the Trustees on the *Balmore* Turnpike Road, in respect whereof it shall not be lawful to the Trustees under the said Act last recited to demand or take any Toll or Duty at any Toll Bar or Turnpike Gate erected or which they may erect on the said Portion of Road, for or in respect of any Horse, Animal, Coach, Waggon, or other Carriage, or any Carriage propelled by Steam or otherwise than by Animal Power, or any other Carriage whatsoever, travelling between the said *Balmore* Turnpike Road and the *Inchbelly* Turnpike Road, and using only the said Portion of the First District of the *West Stirlingshire* Road between the said Points of Junction.

Maintenance of Road between *Balmore* and *Inchbelly* Roads, and Exemption from Toll of Traffic thereon.

XXIV. It shall be lawful for the Trustees to borrow and take up at Interest, for the Purposes of this Act, on the Credit of the Tolls hereby authorized to be raised and levied, any Sum or Sums of Money as they shall from Time to Time think proper, and to assign the said Tolls on the Roads embraced in this Act, or any Part thereof, as a Security to any Person or Persons who shall advance such Sum

Power to borrow on Credit of Tolls.

or

The Glasgow, Kirkintilloch, and Baldernock Turnpike Road Trust Act, 1855.

or Sums of Money: Provided always, that the Sum or Sums of Money so to be borrowed shall not, when computed along with the existing Debt due by the Trusts hereby amalgamated, exceed in the whole the Sum of Eight thousand Pounds.

Setting back
Toll Bars on
the Garscube
Roads and
Branches.

Transferring
Roads within
Municipality
to the Police
and Statute
Labour Com-
mittee.

XXV. At the Term of *Whitsunday* One thousand eight hundred and fifty-six the Trustees on the *Garscube* Roads shall remove and they are hereby required to remove the several Toll Bars erected on the said Roads within the Municipal Boundaries of the City of *Glasgow*, as defined by the said recited Act of the Tenth Year of the Reign of Her present Majesty; and from and after the said Term the whole Portions of the said Roads which lie within the said Municipal Boundaries shall wholly cease to be Turnpike Roads, and from thenceforth and in all Time coming shall be maintained, repaired, and managed by the said Police and Statute Labour Committee of the Town Council of the City of *Glasgow*, free of Toll, as Part and Portion of and in common with the Statute Service Roads of the City, without any further Claim, beyond what is herein-after provided for, against the Trustees upon the *Garscube* Roads, or the Trustees hereby appointed, or their respective Successors in Office, or the Tolls leviable on the other Portions of their respective Roads; and the said Police and Statute Labour Committee shall free and relieve the said Trustees on the said respective Roads, and their said respective Successors in Office, of all Liabilities connected with such Maintenance, Repair, and Management, and shall apply towards those Purposes such Part of the Assessments levied by them, and of the other Funds under their Charge, as may be necessary: Provided always, that the said Trustees on the *Garscube* Roads may at the said Term of *Whitsunday* One thousand eight hundred and fifty-six, and without any Notice or further Authority than this Act, erect in lieu of the Toll Bars so removed by them a Toll Bar upon their Main Road, at any Point beyond the said Municipal Boundaries, and levy Tolls thereat.

Payment
from the
Garscube
Trustees to
the Police
and Statute
Labour
Committee.

XXVI. It shall be lawful for the Trustees on the *Garscube* Roads appointed by the second-recited Act, and their said Successors in Office, and they are hereby required, at or before the Term of *Martinmas* One thousand eight hundred and sixty, to pay to the said Police and Statute Labour Committee the Sum of Two thousand one hundred Pounds, and which said Sum of Two thousand one hundred Pounds shall bear Interest at the Rate of Five *per Centum per Annum* from the said Term of *Whitsunday* One thousand eight hundred and fifty-six till paid, the said Interest being payable yearly out of the First Proceeds of the Tolls leviable on the said Roads,
commencing

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

commencing at the Term of *Whitsunday* One thousand eight hundred and fifty-seven for the Year preceding; and it shall also be lawful for the Trustees appointed by this Act, and their Successors in Office, and they are hereby required, to pay to the said Police and Statute Labour Committee, at the Term of *Whitsunday* One thousand eight hundred and seventy-five, the like Sum of Two thousand one hundred Pounds; provided always, that it shall be lawful to the said Trustees to pay the same at any prior Term of *Whitsunday*, in case they shall consider it expedient so to do; and until such Payment be made the Trustees shall and they are hereby required to pay yearly at *Whitsunday* to the said Police and Statute Labour Committee the Sum of One hundred and five Pounds, beginning the First Payment at *Whitsunday* One thousand eight hundred and fifty-seven; and which said Sums shall be applied *pro tanto* by the said Police and Statute Labour Committee towards the Expense of maintaining and repairing those Portions of the *Garscube* Roads which lie within the said Municipal Boundaries; provided, that when the said Two several Principal Sums of Two thousand one hundred Pounds, or either of them, shall have been paid to the said Police and Statute Labour Committee, the said Committee shall forthwith invest and keep invested the said Principal Sums or either of them upon good and sufficient Security, to the Satisfaction of the said Committee, and of the said *Garscube* Road Trustees, and of the Trustees acting under this Act respectively; and the Interest arising from such Sums or either of them, when so invested, shall be paid and applied in maintaining and repairing those Portions of the *Garscube* Roads lying within the Municipal Boundaries, in manner before provided: Providing always, that the said *Garscube* Road Trustees, and the Trustees appointed by this Act, and their respective Successors in Office, shall be entitled to enforce against the said Police and Statute Labour Committee the Obligations hereby enacted upon them in respect of the said Investment, and of maintaining and repairing the Portions of the *Garscube* Roads which lie within the said Municipal Boundaries in as good Order and Condition as any other principal Street or leading Thoroughfare within the City of *Glasgow*.

Payment
from the
Trustees
under this
Act to said
Committee.

XXVII. It shall not be necessary for the Trustees on the *Garscube* Roads, or their said Successors in Office, or for the Trustees appointed by this Act, to obtain the Consent of the said Police and Statute Labour Committee to the Reduction of any Tolls or the Removal of any Toll Bar which such Trustees may respectively resolve upon, anything in the recited Act of the Second Year of the Reign of King

Consent of
Committee
not required
in reducing
Tolls or
removing
Bars.

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

William the Fourth, or in any other Act, to the contrary notwithstanding.

Provision
between
Garscube
Trustees and
Trustees
under this
Act, as to
Maintenance
of Road
between
Blackquarry
and Glasgow
to Whitsun-
day 1856.

XXVIII. The Trustees under this Act shall, at the Term of *Whitsunday* One thousand eight hundred and fifty-six, pay to the Trustees on the *Garscube* Roads a Sum equal to the Proportion of the Expense of maintaining, repairing, managing, and improving the Portion of the *Garscube* Roads lying between *Blackquarry* Toll Bar and *Glasgow* for the Period from *Whitsunday* One thousand eight hundred and fifty-five to *Whitsunday* One thousand eight hundred and fifty-six which would have been payable under the second-recited Act by the Trustees on the *Possil* Road to the Trustees on the *Garscube* Roads if this Act had not passed: Provided always, that, in consideration of such Payment, it shall not be lawful for the Trustees on the *Garscube* Roads, or any Person authorized by them, to levy during the said Period any Toll in respect of the Use of that Portion only of the *Garscube* Road authorized by the second-recited Act which lies between *Blackquarry* Toll Bar and *Glasgow*, by any Horses, Cattle, Carriages, or Carts passing over the same and over no other Portion of the *Garscube* Roads from or to the *Possil* Road.

Power to
Trustees and
Statute
Labour Com-
mittee to
treat for
setting back
Toll Bars.

XXIX. It shall be lawful for the Trustees and the said Police and Statute Labour Committee, in regard to certain Toll Bars on the Roads embraced in this Act which are erected within the Royalty and Municipal Limits and Boundaries of the said City and Royal Burgh, to treat, contract, and agree for the Removal or setting back of such Toll Bars or any of them beyond the said Royalty and Municipal Limits and Boundaries, the Police and Statute Labour Committee allowing the Trustees such reasonable Compensation for so doing as may be agreed on: Provided always, that the Consent of the Creditors of said Road shall be obtained and had to such Contract or Agreement; and thereafter the Portions of the said Road within the said Royalty and Municipal Limits, or such Parts thereof as may be contained in such Contract or Agreement, shall be repaired, maintained, and managed by the said Police and Statute Labour Committee; and the Trustees and the said Police and Statute Labour Committee shall respectively be held to be fully authorized and indemnified in respect of all such Contracts and Agreements as may be entered into or executed by them; and the Trustees shall be entitled to levy the same Tolls as they are or were entitled to levy at the Toll Bar or Toll Bars so set back prior to the entering into such Contract or Agreement, notwithstanding that the setting back of the same should have

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

have the Effect of placing such Toll Bars or Toll Bar within a less Distance of the next adjoining Toll Bar than the Distance prescribed in this Act as the Distance within which Tolls may not be levied; and the said Police and Statute Labour Committee shall be entitled to apply the Funds vested in them, and under their Management, for the Purpose of repairing, maintaining, and managing the Portions of Road contained in such Contract or Agreement.

XXX. And whereas by the recited Acts relating to the *Garscube* Roads it was enacted that no Buildings should be erected within Thirty Feet from the Centre of the Roads thereby authorized to be made or maintained, and various Provisions were made for enforcing the said Enactments: Be it enacted, That nothing in this Act contained shall alter or affect the said Enactments or Provisions, and that the same may, after the said Term of *Whitsunday* One thousand eight hundred and fifty-six, be enforced by the said Police and Statute Labour Committee, in relation to the Portions of the said Roads placed by this Act under their Management from and after the said Term, in the same Manner as the said Enactment and Provisions may now be enforced by the Trustees on the said Roads in relation to the whole of the said Roads, or may after the said Term be enforced by the said Trustees in relation to the Portions of the said Roads remaining under their own Management.

Restriction
in former
Act as to
Buildings
continued.

XXXI. And whereas by the Seventh Section of an Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act to improve and maintain the Port Dundas Road, and to make and maintain another Road in the County of Lanark*, the Trustees thereby appointed were empowered and required, out of the Tolls, Rates, and Duties to be levied and recovered on the Road therein mentioned from the City of *Glasgow* to *Port Dundas*, to maintain and repair that Part of the Turnpike Road from *Glasgow* to *Garscube Bridge* lying between *Glasgow* and the present Road leading to *Port Dundas* which branches off from the said Turnpike Road through the Lands of *Cowcaddens*: Be it enacted, That nothing in this Act contained shall diminish, alter, or affect the Obligation imposed by the said Seventh Section of the said last-mentioned Act on the Trustees appointed by that Act, but such Obligation shall remain effectual in the same Manner as if this Act had not been passed, and may, after the said Term of *Whitsunday* One thousand eight hundred and fifty-six, be enforced by the said Police and Statute Labour Committee in the same Manner as previously to the said Term it might have been enforced by the Trustees of the *Garscube* Roads.

This Act
not to affect
Provisions in
Port Dundas
Road Act.
5 & 6 W. 4.
c. cix.

XXXII. All

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

Application
of Tolls.

XXXII. All Moneys which shall be received by the said Trustees by virtue of this Act shall be applied as follows; (that is to say,)

Firstly, in paying and discharging the Expenses of obtaining and passing this Act or incident thereto :

Secondly, in paying and discharging the Sum herein-before provided to be paid to the Trustees on the *Garscube* Roads, in making, improving, maintaining, and keeping in repair the said Roads, or any of them, and in putting this Act into execution with reference thereto, and in paying and discharging the annual Sum of One hundred and five Pounds herein-before provided to be paid to the said Police and Statute Labour Committee :

Thirdly, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may have been borrowed on the Credit of the Tolls authorized or to be taken by the said first and fifth recited Acts relating to the *Inchbelly* Road and the *Balmore* Roads, hereby repealed, and by the second-recited Act in part repealed, so far as regards the *Possil* Road, and by this Act :

Fourthly, in reducing, paying off, and discharging the several Principal Sums which shall have been borrowed on the Responsibility of the acting Trustees, or Credit of the Tolls authorized by the said first and fifth recited Acts relating to the *Inchbelly* Road and the *Balmore* Roads, hereby repealed, and by the second-recited Act in part repealed, so far as regards the *Possil* Road, and by this Act, and in paying off the said Sum of Two thousand one hundred Pounds to the said Police and Statute Labour Committee, the Balance of all Moneys so levied being always lodged in a Bank in the Name of the Trustees, till applied as aforesaid.

Trustees to
render an
annual Ac-
count, and
transmit a
Copy thereof
to the Sheriff
Clerk of the
County of
Lanark.

XXXIII. The Trustees shall once in each Year cause to be prepared an Account or Abstract of the total Receipts and Expenditure of all Funds levied and expended by virtue of this Act for the Year preceding, under the several distinct Heads of Receipts and Expenditure, with a Statement of the Balance of the said Account, duly attested and certified by the Clerk or Treasurer to the said Trustees, and shall cause a Copy of such annual Account to be transmitted, free of Charge, to the Principal Sheriff Clerk of the County of *Lanark* at *Glasgow*, on or before the subsequent Thirty-first Day of *January* in each Year, under a Penalty of Twenty Pounds in case of Default,

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

Default, to be sued for and levied by summary Process, at the Instance of any Person authorized by the said recited Act of His Majesty King *William* the Fourth to prosecute for Tolls and Penalties, in the same Manner as Penalties are authorized by the said Act to be sued for and levied, and be applied in the Manner in which Penalties not otherwise directed to be applied are thereby directed to be applied; and such Account shall be open at all seasonable Hours to the Inspection of the Public, upon Payment of One Shilling for such Inspection, or if written Extracts are required therefrom, at the Rate of Sixpence for every Folio of Seventy-two Words.

XXXIV. Nothing herein contained shall be deemed to exempt the Roads authorized by this Act to be made and maintained by the Trustees hereby appointed from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

The Roads in this Act not to be exempt from any General Act which may be passed.

XXXV. This Act shall commence on the Third *Wednesday* of the Month next after the passing of this Act, and shall continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Term of Act.

XXXVI. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of Terms.

The Word "Lands" shall be understood to include Tenements, Superiorities, Feu Duties, and Heritable Subjects of every Description:

The Expression "the Trustees" shall mean the Trustees for the Time being acting under the Authority of this Act:

The Expression "the *Inchbelly* Road" shall mean the Road authorized by the first-recited Act to be made and maintained by the Trustees thereby appointed:

The Expression "the *Garscube* Roads" shall mean the Roads authorized by the second, third, and fourth recited Acts to be made and maintained by the Trustees appointed by the second-recited Act for maintaining the Road from the City of *Glasgow* to the Bridge at the *Milnford of Garscube*:

*The Glasgow, Kirkintilloch, and Baldernock Turnpike Road
Trust Act, 1855.*

The Expression “ the *Possil* Road ” shall mean the Road from the *Blackquarry* Toll Bar on the *Garscube* Road, by *Possil*, to the Bridge across the River *Allander* at *Langbank*, authorized by the second-recited Act to be made and maintained by the Trustees thereby appointed for that Purpose :

The Expression “ the *Balmore* Roads ” shall mean the Roads authorized by the fifth-recited Act to be made and maintained by the Trustees thereby appointed.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.