



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 38.

An Act for building and maintaining a Bridge over the Water of *Doon*, which runs between the Parishes of *Ayr* and *Maybole*, in the County of *Ayr*.
[6th May 1814.]

WHEREAS the Bridge commonly called *The Brig of Doon*, situated over the Water of *Doon*, which runs between the Parishes of *Ayr* and *Maybole*, in the County of *Ayr*, has become so dangerous and unfit for Travellers, that it cannot be repaired so as to afford the requisite Accommodation between the Eastern and Western Parts of the County, wherefore it has become necessary to build a new Bridge at or near the Situation of the old Bridge; but the same cannot be accomplished without levying a Pontage, and borrowing Money on the Credit thereof: 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 all Persons who are or may be Trustees on the Road from *Ayr* by *Maybole* to *Girvan*, passing through the Parishes of *Ayr*, *Maybole*, *Kirkoswald*, *Kirkmichael*, *Dailly*, and *Girvan*, which Road divides at the *Red Brae* near *Maybole* into Two Branches, one of which goes by *Kirkoswald*, *Dalwhat*, *Drumbeg*, *Curra*, and *Chapel-donnan*, where it joins the old *Shore Road* between *Ayr* and *Girvan*, and the other Branch by *Garpin Bridge* and *Dailly*, pursuant to an Act passed in the Forty-fifth Year of the Reign of His present Majesty, [Loc. & Per.]

Trustees.

intituled, *An Act for altering, amending, and consolidating several Acts for repairing Turnpike Roads, in the County of Ayr; for repairing other Roads therein; and for making more effectual the Statute Labour in the said County*; shall be Trustees for building and maintaining a Bridge over the said Water of *Doon*, to be erected at or near the Situation of the said old Bridge; and if any Person not qualified or appointed to act as a Trustee upon the aforesaid Roads, pursuant to the said Act, shall act as a Trustee under this Act, every such Person shall, for every such acting, forfeit the Sum of Twenty Pounds Sterling, besides the Expences of Prosecution, to be recovered in the same Manner as the Penalty for a Person not qualified or appointed to act as a Trustee on the said Roads pursuant to the said Act may be recovered.

Penalty for acting if not qualified.

Meetings.

II. And be it enacted, That the Trustees appointed by this Act, or any Three or more of them, shall hold their First Meeting at *Maybole* on the Third *Wednesday* after the passing of this Act, and during the Continuance of this Act shall hold such and so many Meetings, and shall and may adjourn in such and the same Manner, and shall and may enter their Proceedings in a Book to be kept by their Clerk; and all the Powers and Authorities granted to the said Trustees by the said Act for making and repairing the said Roads, are hereby given and granted to the same Trustees for making and maintaining the said Bridge, subject to the Provisoes, Rules and Regulation made and enacted by the said Act.

Power to build Bridge, and give Access thereto.

III. And be it enacted, That the said Trustees shall have Power, and they are hereby empowered not only to build the said Bridge, in such Manner as to them shall seem proper, but also to give Access to the said Bridge when built, by making such Roads on either Side thereof, as shall be necessary for opening and maintaining a Communication between the said Bridge and the Roads at present leading to the said old Bridge, and to make such Roads of Communication of such Length as may be necessary for the Purpose of such Access, not exceeding the Breadth to which the said Roads may be made by virtue of the said Act.

Toll House and Tolls.

IV. And be it enacted, That the said Trustees shall have Power and they are hereby empowered to build a Toll House with suitable Accommodation for a Toll Keeper, and to erect a Toll Bar at or adjoining to the said Bridge, and to take thereat a Pontage and Tollage not exceeding the following Sums; (*videlicet*),

For every Coach, Chariot, Berlin, Landau, Calash, Chair, Hearse, or other such Carriage, drawn by Six Horses, Mares, Geldings, or Mules, the Sum of Four Shillings; and drawn by Four Horses, Mares, Geldings or Mules, the Sum of Two Shillings; and drawn by Three Horses, Mares, Geldings, or Mules, the Sum of One Shilling and Four Pence; and drawn by Two Horses, Mares, Geldings, or Mules, the Sum of One Shilling; and drawn by One Horse, Mare, Gelding or Mule, the Sum of Sixpence Sterling;

For every Waggon, Wain, Cart, or other Wheel Carriage, drawn by Six Horses, Oxen or other Beasts of Draught, the Sum of Four Shillings; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of Three Shillings and Four-pence; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings and Eight-pence; and drawn

drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Oxen or other Beasts of Draught, the Sum of Sixpence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Four-pence; and where there shall be more than Six Horses or Oxen or other Beasts of Draught, drawing any such Carriage, there shall be further paid the Sum of Four-pence for every additional Beast:

For every Sledge or Carriage without Wheels the Sum of Two-pence:

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence:

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling *per* Score, and so in Proportion for any greater or less Number:

For every Drove of Horses or Fillies, unshod, the Sum of Two Shillings *per* Score, and so in Proportion for any greater or less Number:

For every Drove of Calves, Sheep, Lambs, Hogs or Goats, the Sum of Sixpence *per* Score, and so in Proportion for any greater or less Number.

V. And be it enacted, That Double the said Tolls or Duties shall be levied for Carriages of the following Description; *videlicet*, Where the Waggon, Wain, Cart, or other such Carriage, with the Burthen or Loading thereof, shall exceed One thousand eight hundred Weight, and the Fellies of the Wheels thereof shall not measure Four Inches in breadth, if drawn by One Horse, Mare, Gelding, or Mule, or Six Inches in Breadth, if drawn by Two or Three Horses, Mares, Geldings, or Mules, and Nine Inches if drawn by Four Horses, Mares, Geldings or Mules; and Treble the Tolls or Duties specified aforesaid, shall be levied for each such Carriage, where the same, with the Burthen or Loading thereof, shall exceed Two thousand five hundred Weight, the Fellies of the Wheels whereof shall not measure as above mentioned, and if above Three thousand Weight, Six Times the aforesaid specified Rate of Toll.

Additional
Tolls for
Heavy
Weights.

VI. And be it enacted, That all the Persons, Carriages, Horses, Animals, Matters and Things exempted from the Tolls or Duties granted by the said Act, passed in the Forty fifth Year of His present Majesty, shall be exempted from the Tolls or Duties granted by this Act.

Exemptions.

VII. Provided always, and be it enacted, That no Person owning or driving or causing to be owned or driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other Publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

Stores.

VIII. And be it enacted, That no Person who shall have paid the Toll by this Act imposed shall be subject to the Payment of any Toll, for returning through the Toll Bar to be erected at or adjoining to the said Bridge the same

Toll to be
paid but once
a Day.

Day before Twelve of the Clock at Night with the same Horse or Horses, Cattle, Coach, Waggon, or other Carriage, but shall repass Toll free upon producing to the Collector at such Toll Bar a Note or Ticket, which such Collector is hereby required to give *gratis* upon Receipt of the Toll; but in case the said Horse or Horses, Cattle, Coach, Waggon, Wain, Cart, or other Carriage, after having repassed Toll free as aforesaid, shall repass the said Toll Bar a Third Time, or more than Twice in One Day, Toll shall be demanded and taken for each Time they shall so repass in the same Manner as for the First Time.

Power to acquire Land and Application of Compensation.

IX. And be it enacted, That the said Trustees shall have Power and are hereby empowered to take and acquire, and all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate or Sole, Heirs of Entail, Husbands, Trustees, Tutors, and Curators, and all and every Person or Persons soever, though under any legal Disability or Incapacity, are hereby empowered and required to sell, convey, or let all such Land and Houses, as may be necessary for building the said Bridge, Toll House and Toll Bar, with suitable Accommodation for the Toll Keeper, not exceeding for such Accommodation One Fourth Part of an Acre, and also for making such Roads of Communication as aforesaid, as may be necessary to give Access to the said Bridge, upon Satisfaction being made to the Proprietor or Proprietors, and Occupier or Occupiers, in such Manner as is directed by the said Act passed in the Forty-fifth Year of His present Majesty, for the Purposes of that Act; and all Sums of Money to be agreed or awarded to be paid for any Lands, Tenements, or Heritages taken for the Purposes of this Act, shall be paid and applied in the Manner in which Sums of Money are by the said Act directed to be paid and applied, which shall have been agreed or awarded to be paid for Lands, Tenements, or Heritages, taken for the Purposes thereof.

Old Road to be taken into Account and allotted to Owner of adjoining Land.

X. Provided always, and be it enacted, That if the Ground required for making any such Road of Communication as aforesaid, shall belong to the same Proprietor through whose Ground the Road or Roads leading to the said old Bridge at present does or do pass, and the Ground required for any such new Road is of equal or greater Value than the Ground occupied by any such old Road, the said Ground occupied by the said old Road shall be allotted to the said Proprietor, and its Value shall be deducted from the Value of the Ground required for such new Road; and in case the new and the old Road do not pass through the Grounds of the same Proprietor, the Proprietor or Proprietors of the Ground through which the old Road passes shall have the First Offer of the same; and if any Dispute shall arise as to the Value of such Ground, the same shall be settled by a Jury, summoned in the Manner directed by the said Act passed in the Forty-fifth Year of His present Majesty: Provided always, that upon Affidavit made by the Clerk of the said Trustees of such Offer or Preference having been made, it shall be lawful for the said Trustees, within Ten Days thereafter, to sell and dispose of such old Road to any Person or Persons willing to purchase the same, either by public Sale or private Bargain.

Penalty for destroying Works.

XI. And be it further enacted, That if any Person or Persons shall wilfully damage or destroy any of the Abutments, Pillars, Parapets, Walls, or any Part of the said Bridge, or any Banks or Works necessary for

for the Support or Preservation thereof, or shall break down or injure any Part of the said Toll House, or any Bar, Gate, Post, Chain, or Rail placed for collecting the said Tolls or Duties, every Person so offending, and being thereof lawfully convicted, by the Oath or Oaths of any One or more credible Witness or Witnesses, or by his own Confession, before any Justice or Justices of the Peace of the said County, shall not only pay the Damages and Expences occasioned by such Offence, but shall further be subject and liable to a Fine not exceeding Twenty Pounds Sterling.

XII. And be it enacted, That it shall and may be lawful for the said Trustees, from Time to Time to borrow upon the Credit of the Tolls or Duties authorized to be levied by this Act, any Sum or Sums of Money not exceeding in the Whole such Sum or Sums as the said Tolls or Duties may be equal to pay the Interest of, and to set apart a further Sum in each Year equal to One Fifth Part more as a Sinking Fund, to discharge the Principal, besides paying the Interest of any Sum or Sums so to be borrowed, and keeping the said Bridge in Repair, and defraying the Expences attending the Execution of this Act. Money to be borrowed.

XIII. And be it enacted, That the said Trustees shall set apart in every and each Year, a Sum equal One Year with another to at least One Fifth Part of the said Tolls and Duties, after paying the Interest of any Sum or Sums so to be borrowed, and defraying the Expences attending the Execution of this Act, as a Sinking Fund, to discharge the Principal of the Monies so borrowed, which Sum of Sinking Fund shall be annually lodged with such Banking Company as the said Trustees shall direct, and the Interest allowed by such Banking Company shall be Once a Year, or oftener, added to the Principal, until the Money thus accumulated shall be from Time to Time applied in paying off the Monies borrowed under the Authority of this Act. Sinking Fund.

XIV. And be it enacted, That the Money so to be borrowed, shall be applied solely to the building the said Bridge, and erecting a Toll Bar and Toll House, and in making the said Roads of Communication between the said new Bridge and the said Roads leading to the said old Bridge, and in purchasing the Ground necessary for these Purposes, and all Monies to arise from the said Tolls and Duties shall be applied in paying the Interest of the Money so borrowed, and of maintaining the said Bridge, and in defraying the Expence of Management, and in repairing and keeping in Repair as well the said Roads of Communication as the said Roads mentioned in the said Act of the Forty-fifth Year of His present Majesty, which lead to the said Bridge. Application of Money.

XV. And be it enacted, That all the Powers and Authorities, Pains, Penalties, and Forfeitures, Provisions, Privileges, and Limitations given and granted, and Clauses, Matters and Things enacted by the said Act of the Forty-fifth Year of His present Majesty, for making, maintaining, and preserving the Roads authorized to be made and repaired by the said Act, and the Works thereby authorized to be made, and with References to Persons aggrieved, or any Wrong done or Injury suffered in the Execution of the said Act, shall be, and the same are hereby given and granted, and shall be enforced and observed for the making, maintaining and preserving the said Bridge, and the Erections and Works necessary or belonging Powers extended to this Act.

[Loc. & Per.]

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ing thereto, and with Reference to Persons aggrieved or any Wrong done, or Injury suffered in the Execution of this Act, as far as the same are applicable to the Purposes of this Act.

Expences of
this Act.

XVI. And be it enacted, That the Expences of this Act shall be paid and defrayed out of the Tolls or Duties granted or the Monies authorized to be borrowed by virtue of this Act.

Commence-
ment and En-
durance of
Act.

XVII. And be it enacted, That this Act shall commence from and after the passing thereof, and shall continue and endure as long as the said Act of the Forty-fifth Year of the Reign of His present Majesty shall continue and endure.

Public Act.

XVIII. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of by all Judges, Justices, and others, without being specially pleaded.

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