



ANNO TERTIO

# GEORGII IV. REGIS.

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## Cap. xvii.

An Act for altering and enlarging the Terms and Powers of certain Acts, so far as the same relate to the Roads from *Inchbelly Bridge to Glasgow*, and leading over *Garngad Hill to Provan Mill*, and other Roads branching therefrom or connected therewith. [15th May 1822.]

**W**HEREAS by an Act passed in the Thirty-fifth Year of the Reign of His late Majesty, intituled *An Act for enlarging the Term and Powers of an Act passed in the Twenty-sixth Year of the Reign of His late Majesty King George the Second, for repairing several Roads leading into the City of Glasgow; and of another Act, passed in the Twenty-seventh Year of the Reign of His said late Majesty, to explain, amend, and render more effectual the said Act; and of another Act passed in the Sixth Year of the Reign of His present Majesty, to enlarge the Term and Powers of an Act made in the Twenty-sixth Year of the Reign of King George the Second, for repairing several Roads leading into the City of Glasgow, so far as the same relates to the District of Roads from Inchbelly Bridge to Glasgow, and from Glasgow to Redburn Bridge; and for altering and ascertaining the Course of the last-mentioned District of Road, so far as the same relate to the said Road from Inchbelly Bridge to Glasgow; and for more effectually making, repairing, widening, and keeping in Repair the said Road, and the Road branching from the aforesaid Road from Inchbelly Bridge to Glasgow, and leading to Calder Bridge, and from thence, by or near Balmore, to or near the Church of New Kilpatrick, and from thence by or near Lawmuir, to the Town of Old Kilpatrick beginning at the Bridge across the Allander, on the Road from Longbank Farm, by Balmulie Bridge* 35G.3.c.155.

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41G. 3. c. 25. to Glasgow on the East, and ending at the said Town of Old Kilpatrick on the West, and the Road branching from the aforesaid Road from Inchbelly Bridge to Glasgow, and leading over Garngad Hill to Provan Mill, and to the present Turnpike Road leading to Cumbernauld; and by another Act passed in the Forty-first Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of so much of an Act passed in the Thirty-fifth Year of His present Majesty's Reign, for repairing the Road from Inchbelly Bridge to Glasgow, and certain Roads branching from the same, as relates to the said Road from Inchbelly Bridge to Glasgow, and to the Road branching from the aforesaid Road from Inchbelly Bridge to Glasgow, and leading over Garngad Hill to Provan Mill, and to the present Turnpike Road leading to Cumbernauld*; certain Powers and Authorities were committed to the Trustees thereby appointed; and certain Tolls and Duties were authorized to be levied, and Sums of Money to be borrowed: And whereas the said Road over *Garngad Hill* has been in Part improved in Terms of the Powers by the said Acts granted, by carrying the same along the North Side of the said Hill to *Provan Mill*, but the said Road is not yet improved to the *Cumbernauld Road*: And whereas the said last-mentioned Road cannot be completed, and the same and the said Road from *Inchbelly Bridge to Glasgow*, cannot be kept in Repair, nor can the Money which has been advanced and borrowed on the Credit of the Tolls, be repaid, unless the Terms of the said Acts be extended, and the Powers and Authorities thereof be continued and enlarged; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; That the said several Acts, and all the Clauses, Exemptions, Powers, Authorities, Articles, Rules, Penalties, Forfeitures, Matters, and Things, (except as the same are altered, varied, or repealed), in as far as the same relate to the aforesaid Road from *Inchbelly Bridge to the City of Glasgow*, and the said Road branching from the aforesaid Road from *Inchbelly Bridge to Glasgow*, and leading by or over *Garngad Hill to Provan Mill*, and to the present Turnpike Road leading to *Cumbernauld*, shall continue to be executed, and shall be extended to and form a Part of this Act, for and during the Term herein mentioned, as fully and effectually to all Intents and Purposes as if the same were herein repeated and re-enacted.

Powers of former Acts, except so far as altered or repealed, extended to this Act.

Appointing additional Trustees.

II. And be it further enacted, That in addition to the Trustees nominated and appointed by the said recited Act of the Thirty-fifth Year of the Reign of His late Majesty King George the Third, to be Trustees upon the said Road from *Inchbelly Bridge to Glasgow*, all the Magistrates of the City of *Glasgow*, and also all the Persons appointed Trustees for putting in execution an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for amending an Act of His late Majesty, relating to the Conversion of the Statute Labour within the Royalty of Glasgow*, and another Act of His said late Majesty, relative to the Sale of live Cattle in the City of *Glasgow*, and for opening certain Streets, and otherwise improving the said City, shall be and are hereby appointed Trustees for the Purposes of the said recited Acts and of this Act.

Meetings of Trustees.

III. And be it further enacted, That all Meetings of the Trustees by the said recited Acts appointed to be held upon the Business of the said Roads,

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or for the Purpose of authorizing Money to be borrowed for the same, or for any Matter or Thing relative to the said Roads, shall be called by Advertisement, to be subscribed by the Clerk of the Trustees, or by a Quorum of their Number, and inserted in any Two of the *Glasgow* Newspapers, Fourteen Days at least before such Meetings; and it shall not be necessary for any such Advertisement to be inserted in any other Newspaper; any thing in the said recited Acts to the contrary notwithstanding.

IV. And be it further enacted, That at all General Meetings of Trustees under this Act Five Trustees shall be a Quorum. Quorum of Trustees.

V. And be it further enacted, That no Person appointed by this Act a Trustee for putting the same into Execution shall have or accept of any Place of Profit arising out of or by reason of any Toll by this Act granted, or at least such Person shall be incapable of acting as a Trustee from the Time of accepting and holding such Place of Profit as aforesaid; and no Person who shall keep a Public House for the selling or retailing of Beer, Ale, or Spirituous Liquors, shall be capable to act as a Trustee, or to hold or enjoy any Office or Situation of Trust or Profit under this Act. Trustees not to accept of Places of Profit.

VI. And be it further enacted, That the said Trustees shall be and they are hereby required to take such Security from the Treasurer or Treasurers, Collector or Collectors, to be appointed for the Purposes of this Act, for the due Execution of their Offices, and for their faithfully accounting for all the Monies received by them in virtue of their said Offices, as to the said Trustees shall seem meet; or failing to take any Security, the Trustees making such Appointment shall be individually responsible for the Default of the Persons by them so appointed. Treasurer or Collector to find Security.

VII. And be it further enacted, That from and after the Fifteenth Day of *May* One thousand eight hundred and twenty-three, the Tolls and Duties granted and payable by the said recited Acts, and also the Authority to levy higher Tolls on *Sunday*, and likewise all the Exemptions from additional Tolls on Overweight granted by the said Acts, or any of them, in favour of Waggon, Carts, or other Wheel Carriages, the Fellies of the Wheels of which shall be of a flat Surface and of the Breadth therein specified, so far as the same regard the Roads under this Act, shall be and the same are hereby repealed, and it shall and may be lawful for the said Trustees, or their Collectors or Tacksmen under their Authority, to take and levy at each of the Gates erected by the Authority of the said recited Acts, or to be erected by the Authority of this Act, before any Passage be permitted, any Sum or Sums of Money not exceeding the Tolls and Duties following; that is to say, Power to levy new Toll Duties.

For every Coach, Berlin, Landau, Calash, Chaise, Chair or Hearse, drawn by Six Horses, Mules, or other Beasts of Draught, the Sum of Three Shillings; and drawn by Four Horses, Mules, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Three Horses, Mules, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horses, Mules, or other Beasts of Draught, the Sum of One Shilling; and drawn by One Horse, Mule, or other Beast of Draught, the Sum of Sixpence: Rates of Toll Duties.

For every Waggon, Wain, Cart, Sledge, or other Carriage, drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Three Shillings

Shillings and Sixpence; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of Three Shillings; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings and Four-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Eight-pence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Eight-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Four-pence:

For every Horse, Gelding, or Mule, laden or unladen, and not drawing in a Carriage, the Sum of Two-pence:

For every Ass, laden or unladen, and not drawing in a Carriage, the Sum of One Penny:

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence *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 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 One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number.

One Half of the Tolls to be taken on Waggon, &c. the Wheels whereof shall be of a certain Breadth.

VIII. Provided always, and be it enacted, That no more than One Half of the Tolls imposed or leviable by this Act, shall be paid for or in respect of any Waggon, Wain, Cart, or other Wheel Carriages, the Fellies of the Wheels of which shall be of a flat Surface, and measure Five Inches in Breadth at least if drawn by One, and Seven Inches in Breadth at least if drawn by Two or more Oxen, Horses, or other Beasts of Draught, passing through any of the Gates or Turpikes erected, or to be erected, upon or across the aforesaid Road, from *Inchbelly Bridge* to *Glasgow* or the said Road, branching from the aforesaid Road from *Inchbelly Bridge* to *Glasgow*, and leading by or over *Garngad Hill* to *Provan Mill*, and to the present Turnpike Road leading to *Cumbernauld*, or on the Side or Sides of the same, or across any Lane or Way leading out of the same.

Tickets to be delivered.

IX. And be it further enacted, That upon Payment of the Tolls hereby granted, the Collector or Receiver thereof shall and he is hereby required to deliver *gratis* to the Person paying such Tolls, a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Trustees, and there shall be printed and specified thereon the Names of the several and respective Gates freed by such Payment.

Table of Tolls to be put up.

X. And be it further enacted, That a Table of the Tolls payable under this Act shall be affixed on all the Toll Houses erected or to be erected on the said Roads, and the Name of the Turnpike Gate adjoining thereto respectively shall be placed over the Table of Tolls.

Limitation of Tolls.

XI. Provided always, and be it further enacted, That in case there are or shall be erected upon any of the said Roads any Gate or Gates, Turnpike or Turnpikes, at less Distance from each other than Five Statute Miles, then any Person or Persons producing a Ticket, to show that Toll has been paid at any one of such Gates, shall not for the same Carriage

riage or Horse or other Cattle, on the same Day, pay any Toll at any other Gate on the same Road which shall be within Five Statute Miles of the former, at which the Toll denoted by such Ticket shall have been paid.

XII. And be it further enacted, That all Horses travelling for Hire, and drawing or having drawn any Chaise or other Carriage for which any Toll shall have been paid at any Turnpike erected or to be erected on the said Roads, shall, on returning either on the same or on the immediately following Day, be permitted to repass Toll-free, unless returning under a fresh Hiring.

Exempting return Horses, &c. from Payment of Toll.

Half of Toll Duties to be applied in keeping the Road branching from Inchbelly Road in Repair.

XIII. And be it further enacted, That the said Trustees shall apply at least One Half of such Tolls and Duties as may be levied on any Road branching from the *Inchbelly* Road in keeping such branching Road in repair.

XIV. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls due for the Passage of any Horse, Cattle, or Carriage on the said Roads, pursuant to the said recited Acts or this Act, or the Charges of making, keeping, or selling any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Amount of the Tolls due, and of the Charges of the Distress and Sale, and of keeping the Distress (as the Case shall happen), shall be ascertained by some Justice of the Peace for the County, or Judge Ordinary of the Bounds in which such Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses, and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party, as to the said Justice or Judge Ordinary shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Non-payment thereof forthwith, by Warrant under the Hand and Seal of such Justice or Judge Ordinary, rendering the Overplus, if any, on Demand, after deducting the Costs and Charges of making such Distress and Sale to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

Settling Disputes concerning Tolls.

XV. And be it further enacted, That all and every Toll Collector appointed by the said Trustees, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of this Act, shall be and is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House or Toll Gate, immediately upon his coming upon Duty, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any such Collector shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of the said recited Acts or of this Act, or shall demand or take a Toll from any Person or Persons who shall be exempt from the Payment thereof and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to

Toll Collectors to put up their Names.

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any Person or Persons who shall demand the same, on having paid the said Tolls, or any of them; or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll, and naming and specifying the Gate at which such Payment shall have been made, and also the several Gates freed by such Payment, or shall make use of any scurrilous or abusive Language to any Person or Persons travelling upon the said Road, or shall without sufficient Cause detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Complaint shall be brought shall adjudge; and such Penalty shall be recovered and applied as other Penalties are by the said recited Acts or by this Act directed to be recovered and applied.

Same Person  
not to be  
Clerk and  
Treasurer.

XVI. Provided, always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, shall act as Treasurer for the said Purposes, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, every Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts in Scotland, by summary Complaint.

Additional  
Toll on Wag-  
gons carrying  
above certain  
Weights.

XVII. And be it further enacted, That the Trustees appointed by the aforesaid Act of the Thirty-fifth Year of His late Majesty, and by this Act, shall and may continue, or cause to be erected, Weighing Engines upon such Parts of the said Roads as they shall think fit, for weighing all Waggon, Wain, Cart, and other Carriages not on Springs, which shall pass along the same; and shall and may, from and after the Fifteenth Day of May One thousand eight hundred and twenty-three, levy or cause to be levied, demanded, or taken, at the several Turnpike or Turnpikes, Gate or Gates, erected or to be erected on or across the aforesaid Road leading from *Inchbelly Bridge to Glasgow*, and on or across the said Road branching from the aforesaid Road from *Inchbelly Bridge to Glasgow*, and leading by or over *Garngad Hill to Provan Mill*, and to the present Turnpike Road leading to *Cumbernauld*, or on the Side or Sides of the said Roads, or across any Way or Lane leading out of the same, before any Waggon, Wain, Cart, or Wheel Carriage, drawn by One or more Horses or Mules, pass through the same, the Weight of which Carriage, with the Burden or Loading thereof, shall exceed Twenty-two Hundred Weight, and the Fellies of the Wheels of which Carriage shall not be of a flat Surface, and measure Five Inches in breadth at least, if drawn by One; and Seven Inches in breadth at least if drawn by Two or more Horses or Beasts of Draught, the following additional Tolls and Duties; *videlicet*,

If the Waggon, Wain, Cart, or other Wheel Carriage, with the Burden or Loading thereof, shall exceed Twenty-two Hundred Weight, and not

exceed Twenty-five Hundred Weight, the Sum of Two pence Sterling; and if the same shall exceed Twenty-five Hundred Weight, and not exceed Thirty Hundred Weight, the Sum of Sixpence Sterling; and if the same shall exceed Thirty Hundred Weight, the Sum of Eight-pence Sterling.

XVIII. And be it further enacted, That every Person driving or conducting any Waggon, Wain, Cart, or other such Carriage, not on Springs, shall when required thereto by any Collector of the Tolls and Duties, permit the same to be weighed; and shall assist in weighing the same; and in case any Person or Persons shall hinder or obstruct the weighing of any such Carriages as aforesaid, or shall refuse to assist in weighing the same as aforesaid, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty for refusing to assist in weighing Waggons, &c.

XIX. And be it further enacted, That from and after the Fifteenth Day of May, One thousand eight hundred and twenty-three, no Toll or Duty shall be demanded or taken for any Horses, or Carriages attending His Majesty or any of the Royal Family; nor for any Horses or Carriages employed in carrying or conveying the Mails of Letters or Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, or in returning after having conveyed the same, excepting so far as such Horses, or Carriages are specially made liable to the Payment of Tolls, or Duties by virtue of an Act made in the Fifty-third Year of His late Majesty, intituled *An Act to repeal the Exemption from Toll granted for or in respect of Carriages with more than Two Wheels carrying the Mail in Scotland, and for granting a Rate for Postage as an Indemnity for the Loss which may arise to the Revenue of the Post Office from the Payment of such Tolls*; nor shall any Toll Duty be demanded for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor for the Horses or Carriages of Officers or Soldiers upon their March or upon Duty; nor for any Horses, Cattle, or Carriages employed in carrying and conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers, or returning from carrying or conveying the same; nor for any Horse furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise: Provided always, that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations appointed for each Corps respectively; nor for Carts, Carriages, or Waggons travelling with and conveying Vagrants or Criminals sent with legal Passes, or returning from conveying the same; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, not being legally entitled to the same, every such Person shall, for every such Offence, forfeit and pay a Sum not exceeding Five Pounds Sterling.

XX. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance or Barrack

Exempting Carriages conveying King's Stores

&c. from  
Penalties for  
Overweight.

Barrack or Commissariat or other Public 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, or the Horse or Horses drawing the same while so employed, 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 the 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.

Gates not to  
open into the  
Road.

XXI. And be it further enacted, That no Gate of any Park, Paddock, Field, or Inclosure whatsoever, shall be made to open into or towards any Part of the said Road, or be suffered to continue so to open, except the Hanging Post thereof shall be so far removed, so that no Part of the Gate when open shall project over any Part of the said Road, or any Footpath belonging thereto; and if the Occupier of any Land in which any Gate is or shall be so constructed so as to open or swing outward towards the said Road, contrary to the true Meaning of this Act, shall not within Ten Days after Notice to him or her, given in Writing from the Clerk or Surveyor of the said Road, cause such Gate to be hung, so that no Part of such Gate shall, when open, project over any Part of the said Road, or any Footpath belonging thereto, then and in every such Case the Surveyor of the said Road is hereby authorized to cause the Gate to be hung according to the Direction of this Act, and the Person or Persons guilty of such Neglect or Default shall, upon Complaint made to any Justice of the Peace acting for the County, or other Judge Ordinary of the Bounds where the Cause of Complaint shall arise, upon Conviction, upon the Oath of One credible Witness, pay to such Clerk or Surveyor, such Sum of Money as the said Justice or Judge Ordinary shall direct; to defray the Expence of making the Alteration and hanging such Gate in a proper Manner, and shall also forfeit and pay a further Sum not exceeding Forty Shillings for his, her, or their Neglect therein, to be fixed by and at the Discretion of the Justice before whom such Conviction shall be made; and such Penalty shall be levied, recovered, paid, and applied in the same Manner as the other Penalties under this Act or the said recited Acts may be levied or recovered.

Trustees to  
erect Guide  
Posts, &c.

XXII. And be it further enacted, That the said Trustees shall, and they are hereby required from Time to Time to cause to be erected Guide Posts upon such Parts of the said Roads where the same may be crossed or joined by other Roads, as they shall think proper; and if any Person or Persons shall wilfully pull up or damage any Direction Post, Mile Stone, or Toll Gate erected or fixed, or to be erected or fixed on or near the Side or Sides of the said Roads, or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon; or if any Person shall ride upon any Footpath formed by the said Trustees, upon or on the Side of or adjoining the said Roads, or shall drive any Horse, Beast, or Swine, or any Carriage or Wheelbarrow upon, or cause any Damage to be done to any Footpath, or shall leave or suffer any Horse, Beast, Cattle, Sheep, or Swine, to graze or be and remain loose on the said Roads, or any Part thereof; or if any Person shall cause to be drawn upon any Part of the said Roads  
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any Timber, Stone, or other Thing otherwise than upon Wheeled Carriages, or shall suffer any Timber, Stone, or other Thing which shall be carried upon Wheeled Carriages, to drag upon the said Roads to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Roads shall suffer them to root up and damage the same, or the Fences on either Side thereof; or if any Person driving any Carriage upon the said Roads, shall ride upon the Shafts or other Part of the said Carriage without holding the Reins of the Horse or Horses, or meeting another Carriage shall not keep his or her Carriage on his or her Left or Near Side of the said Road, and also keep on the same Side himself; or if any other Person shall in any other Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, upon the said Roads; or if any Person shall make or assist in making any Fire or Fires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever on any Part of the said Roads, or within Eighty Feet of the Centre thereof, or play at Football or any other Game or Games on any Part of the said Roads, to the Annoyance of any Passenger or Passengers; or if any Person shall leave any Carriage (except in Cases of Accident) upon or on the Side of any Part of the said Roads longer than may be necessary to load or unload the same, either with or without any Horse or Beast of Draught, harnessed or yoked thereto, or in case such Carriage shall not during such Time be drawn up to the Side of the said Road as near as conveniently may be; or if any Person after having blocked or stopped any Waggon, Cart, or other Carriage in going up any Hill or rising Ground, shall not immediately remove from the Road the Stone or other Thing with which such Waggon, Cart, or other Carriage shall have been so blocked or stopped; or in case any Person shall lay any Timber, Stone, Chalk, Marl, Lime, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, upon any Part of the said Roads, or on the Side or Sides thereof, between the said Roads and the Fences to be erected on the Sides thereof, or shall plough up, dig up, or break up any of the Soil between the said Roads and such Fences as aforesaid, for the Purpose of making Compost or Manure, or otherwise shall scrape off any Soil or other Thing from the said Roads, or the Sides thereof, or shall take up and carry away any Scrapings thereof, or any Dung, Mould, Soil, Compost, or Manure from the Sides thereof, except such as may be lying in his own Grounds, and be carried away without being brought over any Part of the said Roads, or that the same may be done at such Times and under such Regulations as the Trustees shall direct and order, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; to be recovered and applied in the same Way and Manner as any other Penalties are by the said Acts or this Act directed to be recovered and applied.

XXIII. And whereas Offences may be committed against this Act by Persons unknown to the Trustees, Collectors, Surveyors, Workmen, or other Persons appointed or employed to put the same in execution; be it therefore further enacted, That it shall be lawful for the said Trustees, Collectors, Surveyors, Workmen, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and to take him, her, or them before any Justice of

For securing  
transient  
Offenders.

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the Peace of the County or Place or Judge Ordinary of the Bounds where the Offence or Offences shall be committed.

Same Toll  
to be taken  
at Kirkin-  
tulloch and  
Infirmary Bar.

XXIV. And be it further enacted, That the Toll Bar upon the said Road from *Inchbelly Bridge* to *Glasgow*, situated at or near to the End of the Infirmary, and commonly called the *Infirmary Bar*, shall be deemed and taken to be and be the Southern Extremity of the said Road; and it shall not be lawful to or in the Power of the said Trustees to demand or take any greater or less Rate of Toll at *Kirkintulloch* than shall be at the Time demanded or taken at the said Toll Bar, at the Infirmary, or at any other main Bar, erected or to be erected on the said Road.

Proviso as to  
Road within  
Royalty.

XXV. And be it further enacted, That in case the Trustees appointed to carry into Execution the said herein-before recited Act, passed in the First Year of the Reign of His present Majesty, shall at any Time hereafter undertake to maintain and keep in repair such Portion of the said Road from *Inchbelly Bridge* to *Glasgow*, as lies between the said Infirmary Bar and the Northern Extremity of the Royalty of the said City; and in case so much of the Debt then owing on the Credit of the Tolls granted by the said first recited Acts or this Act, as corresponds in amount to the Proportion that the Expence of making and maintaining such Portion of the said Road bears to the Expence of making and maintaining the whole of the said Road shall be at the same time paid or secured to the Satisfaction of the said Trustees on the said Road from *Inchbelly Bridge* to *Glasgow*, then and in such Cases the said last-mentioned Trustees shall remove the said Infirmary Bar, and all or any other Bars which may then be upon the said Road between that Bar and the said Northern Extremity of the Royalty of the said City, and it shall no longer be in the Power of the said last-mentioned Trustees to erect, keep, or maintain any Bar, or to levy any Tolls, Rates, or Duties at the said Infirmary Bar, or at any other Bar between such Bar and the Northern Extremity of the Royalty aforesaid; and the Proportion of the Debt to be paid or secured as aforesaid shall be ascertained and determined by the Professor of *Scots Law* in the University of *Edinburgh* for the Time being, whose Decision shall be final, and not subject to Review or Challenge by Reduction, Suspension, or Advocation, or in or by any Court of Law; any thing in any Law or Practice to the contrary notwithstanding.

Regarding  
Materials.

XXVI. And be it further enacted, That it shall and may be lawful for the Surveyor or Surveyors to the said Trustees, and all such Persons as he or they shall appoint, to search for, dig, get, gather, take, and carry away any Materials in or out of the Land or Quarries of any Person in any Parish or Place in which the said Roads are situated (not being a Garden, Orchard, Yard, Park, Paddock, Planted Walk, or Avenue to any House, or any Piece of Ground planted and set apart as a Nursery for Trees, or any Land or Ground being or used as Water Meadow); making or rendering such Satisfaction for such Materials, and for the Damages done to the Owners or Occupiers of the Lands, and of the Quarries where and from whence the same shall be dug, gathered, and carried away, or over which the same shall be carried, as the said Trustees shall judge reasonable; and also to land on and carry through or over any inclosed Lands or Grounds (not being a Garden, Orchard, Yard, Park, Paddock, Planted Walk or Avenue to a House, or any Piece of Ground planted and set apart as a Nursery for Trees, or any Land or Ground being or

used as Water Meadow), or on, through, or over any Open Land or Common, any Stone or other Materials for making or repairing the said Road; or for building or repairing any Toll House or Toll Houses on or by the Sides thereof, conveyed by any River, Stream, or Canal, in any Parish, Hamlet, or Place, in which any Part of the said Road lies, paying or tendering for the Damages done on landing on or going through or over any inclosed Land or Ground for or with such Materials, such Sum or Sums as the said Trustees shall judge reasonable; and in case of any Difference between such Trustees, Surveyors, or other Persons appointed or employed as aforesaid, and the Owners and Occupiers of such Lands and Materials, or any of them, concerning such Payments and Damages as aforesaid, any Two or more Justices of the Peace for the County wherein the Place from whence such Materials shall have been taken shall be situated, on Fourteen Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payments and Damages, and the Costs attending the hearing and determining the same.

XXVII. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor or any other Person or Persons employed in the Execution of this Act to dig, gather, get, take, or carry away any Materials for making or repairing the said Road out of or from any inclosed Land or Ground, or any Quarry, until Notice in Writing, signed by the Surveyor, shall have been given to the Owner or Owners of the Premises from which such Materials are intended to be taken, or his known Agent, or to the Occupier of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner or Occupier, to appear before any Two Justices of the Peace acting in and for the County where the Lands from whence such Materials are intended to be taken shall lie, to show Cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice but shall not shew sufficient Cause to the contrary, such Justices shall if they think proper authorize such Surveyor or other Person to dig, get, gather, take, and carry away such Materials, at such Time or Times as to such Justices shall seem proper; and if such Owner, Agent, or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, such Justices shall and may (upon Proof on Oath of the Service of such Notice, and which Oath they are hereby empowered to administer), make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes, as if such Owner or Occupier or his or her Agent had attended.

XXVIII. And be it further enacted, That the said Trustees for making, repairing, widening, and keeping in Repair the said Road from *Inchbelly Bridge to Glasgow*, shall have Power and Authority to borrow, upon the Credit of the said Tolls, and for the Use of the said Road leading from *Inchbelly Bridge* to the Infirmary Bar at *Glasgow*, the Sum of Two thousand Pounds, in addition to the Sums which they are empowered to borrow by the said recited Acts, and to assign over the Tolls for Security of the Repayment thereof, with the Interest not exceeding the Rate of Five Pounds *per Centum per Annum*, and that from Time to Time to any Creditor or Creditors willing to advance the same from Time to Time, or at once, or to any of their own Number, for their Relief

Relief, who may be willing at any Time to interpose their personal Responsibility, and grant Bonds, Bills, or other Vouchers to the Persons willing to advance the same, but without Prejudice to the Security for any prior Debt contracted upon the Credit of the Tolls and Powers to borrow granted by any of the said recited Acts; for all which prior Debts now due and owing on the Credit of the said recited Acts the said additional Term hereby granted shall be and is hereby declared to be subject and liable.

Power of borrowing 1,000*l.* on the Road leading over Garngad Hill.

XXIX. And be it further enacted, That the said Trustees for making, repairing, widening, and keeping in Repair the said Road branching from the aforesaid Road from *Inchbelly Bridge* to *Glasgow*, and leading by or over *Garngad Hill* to *Provan Mill*, and to the present Turnpike Road leading to *Cumbernauld*, shall have Power and Authority to borrow on the Credit of the said Tolls, on the Road leading over *Garngad Hill*, and for the Use of the said last-mentioned Roads, the Sum of One thousand Pounds, in addition to the Sums they have already borrowed, or which they are empowered to borrow by the said recited Acts, and to assign over the Tolls for the Security of the Re-payment of the Whole thereof, with the Interest not exceeding the Rate of Five Pounds *per Centum per Annum*, and that from Time to Time to any Creditor or Creditors willing to advance the same from Time to Time, or at once, or to any of their own Number, for their Relief, who may be willing at any Time to interpose their personal Responsibility, and grant Bonds, Bills, or other Vouchers to the Persons willing to advance the same, but without Prejudice to the Security for any prior Debt contracted by virtue of any of the said Acts; for all which prior Debts now due and owing on the Credit of the said recited Acts the said additional Term hereby granted shall be and is hereby declared to be subject and liable.

Expences of this Act how defrayed.

XXX. And be it further enacted, That the Expence of procuring this Act shall be paid out of the Money borrowed, or to be borrowed, on the Credit of the said Tolls and Duties, or out of the Tolls and Duties levied by virtue of the said former Acts, and of this Act.

Public Act.

XXXI. And be it further enacted, That this Act shall be deemed, adjudged, 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.

Commencement and Continuance of this Act.

XXXII. And be it further enacted, That this Act shall commence and take place, as to the Tolls, Duties, and Exemptions hereby granted or allowed, from and after the Fifteenth Day of *May* One thousand eight hundred and twenty-three, and in all other respects from and after the passing hereof; and the Powers granted by the said recited Acts and by this present Act shall continue from and after the passing of this Act for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.