



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. cxxviii.

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*.

[17th June 1830.]

WHEREAS an Act was passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for maintaining and repairing the Road* 49 G. 3. c. 30.
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, whereby certain Persons were appointed Trustees for making, amending, widening, maintaining, repairing, and keeping in repair the aforesaid Road leading from the said City of *Glasgow*, through *Cowcaddens*, to the North End of the Bridge at

[Local.]

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the

4 G. 4. c. 49.

the Place formerly called the *Milnford* of *Garscube*, and also for maintaining, widening, and repairing the said Bridge, and for executing all the Powers given and granted by the said recited Act: And whereas an Act was passed in the Fourth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for regulating Turnpike Roads in that Part of Great Britain called Scotland*: And whereas the Trustees appointed by the first-recited Act have proceeded to put the same into execution, and have borrowed sundry Sums of Money upon the Credit of the Tolls thereby granted, and expended the same upon the said Roads, which Sums cannot, as the said Act is about to expire, be repaid, or the said Road and Bridge be kept in repair, unless Provision be made for these Ends; and it is expedient that the said Act should be repealed, and other and further Powers granted in lieu of the Powers therein contained: And whereas the making, repairing, maintaining, and rendering Turnpike the Road after mentioned would be advantageous to the Public, and beneficial and convenient to the Inhabitants of the District through which such Road is intended to pass, namely, the Road branching from the said original Turnpike Road at or near the *Blackquarry* Toll Bar leading to the *Forth* and *Clyde* Canal at *Hamilton Hill*, and passing under the same by the present Tunnel or Archway, and from thence by or near *Hamilton Hill* in the Parish of *Saint George's* within the Royalty of the City of *Glasgow*, *Possil* and *Lambhill* in the Barony Parish of *Glasgow*, *Lochfauld*, *Blackhill*, and *Balmuldy* in the Parish of *Cadder*, and *Sommerston* and *Millichen*, to the Bridge across the River *Allander* at *Lathbank* in the Parish of *East Kilpatrick*, which Parishes before mentioned, so far as the said Road passes or is intended to pass through the same, are situated in the Counties of *Lanark* and *Stirling*: But as these Purposes cannot be effected without the Aid and Authority of Parliament, 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 first-recited Act (excepting in so far as the same repeals the Acts thereby repealed) shall from and after the passing of this Act be and the same is hereby repealed, and instead thereof this Act shall commence and take effect, and shall continue in force during the Term herein after mentioned.

Recited Act
49 G. 3. c. 30.
repealed.

Powers of
4 G. 4. c. 49,
applied to
this Act.

II. And be it further enacted, That the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed,) shall be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in the Body of this Act.

Covenants
and Agree-
ments under

III. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons,

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

former Act
to be good.

IV. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said first-recited Act hereby repealed, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Act had not been repealed.

Books of Accounts used
under former
Act to be
Evidence.

V. And whereas it would be advantageous and beneficial, and render the making and repairing and keeping in repair of the said Roads more convenient, if the Management of the said Road branching from the said original Turnpike Road at or near to *Blackquarry* Toll Bar, and leading by *Hamilton Hill, Possil, Lambhill, Lochfauld, Blackhill, Balmuldy, Sommerston, and Millichen*, to the Bridge across the River *Allander* at *Langbank*, were kept separate and distinct from the Management of the Road contained in the first-recited Act hereby repealed, and if different Trustees were appointed for the Management of the last-mentioned Road from the Trustees appointed for the Management of the said Road branching from the said original Turnpike Road at or near to *Blackquarry* Toll Bar, and leading by *Hamilton Hill, Possil, Lambhill, Lochfauld, Blackhill, Balmuldy, Sommerston, and Millichen*, to the said Bridge across the River *Allander* at *Langbank*; be it enacted, That every Person who is or shall be infest and possessed, as Proprietor or Life Renter, or by Courtesy in Right of his Wife, of the *Dominium utile* of Lands situated within the Parish of *Easter Kilpatrick* partly in the County of *Stirling* and partly in the County of *Dumbarton*, or in that Part of the Barony Parish of *Glasgow* in the County of *Lanark*, situated upon the West of the present Turnpike Road leading from *Glasgow*, by *Kirkintulloch* and *Inchvelly Bridge*, to *Stirling*, valued in the Cess Books of the said respective Counties at One hundred Pounds *Scots* or upward of valued Rent, and the eldest Sons of Persons having Property situated as aforesaid of the Valuation of Two hundred Pounds *Scots* or upwards, such eldest Sons being Heirs Apparent of such Property; One of the Guardians or Trustees of Minors, such Minors having Property situated as aforesaid of the Valuation of Two hundred Pounds *Scots* or upwards; and the Factors of Heritors having Property situated as aforesaid of the Valuation of Four hundred Pounds *Scots* or upwards, in the Absence of their respective

Trustees appointed upon
the Road
leading from
Glasgow to
Garscube
Bridge.

Constituents;

Trustees appointed upon the Road leading by Possil, Lambhill, Balmuldy, &c. to Allander Bridge.

Constituents; as also the Persons after named and described; *videlicet*, the Lord Provost and Dean of Guild of the City of *Glasgow*, *William Colquhoun*, second Son of the late Lord Register *Colquhoun*, *John Cross Buchanan* of *Auchintoshan*, and *James Hamilton* younger, of *Barnes*; shall be and they are hereby appointed Trustees for making, amending, altering, widening, maintaining, repairing, and keeping in repair, and for causing to be made, amended, altered, widened, maintained, repaired, and kept in repair, the said Road contained in the said first-recited Act hereby repealed, and for executing all the other Powers given and granted by this present Act, and by the said recited Act of the Fourth Year of the Reign of His present Majesty; and that every Person who is or shall be infest and possessed, as Proprietor or Life Renter, or by Courtesy in Right of his Wife, of the *Dominium utile* of Lands situated within the Parish of *Baldernock* in the County of *Stirling*, of *Easter Kilpatrick* partly in the County of *Stirling* and partly in the County of *Dumbarton*, and that Part of the Barony Parish of *Glasgow* in the County of *Lanark* situated upon the West of the present Turnpike Road leading from *Glasgow*, by *Kirkintulloch* and *Inchbelly Bridge*, to *Stirling*, valued in the Cess Books of the said respective Counties at One hundred Pounds *Scots* or upwards of valued Rent, and the eldest Sons of Persons having Property situated as aforesaid of the Valuation of Two hundred Pounds *Scots* or upwards, such eldest Sons being Heirs Apparent of such Property; the Proprietor of the Estate of *Cadder* and his Commissioner or Factor; the Chamberlain of the Duke of *Montrose*, the Factor upon the Estate of *Dougalston*, the Factor on the Estate of *Possil*, in the Absence of their respective Constituents; and One of the Guardians or Trustees of Minors having Property situated as aforesaid of the Valuation of Two hundred Pounds *Scots* or upwards; as also the Persons following; *videlicet*, the Lord Provost and Dean of Guild of the City of *Glasgow*; *Colin Campbell*, residing at *Possil*; shall be and they are hereby appointed Trustees for making, amending, altering, widening, maintaining, repairing, and keeping in repair, and for causing to be made, amended, altered, widened, maintained, repaired, and kept in repair, the said Road branching from the said original Turnpike Road at or near to *Blackquarry Toll Bar*, and leading by *Hamilton Hill*, *Possil*, *Lambhill*, *Lochfauld*, *Blackhill*, *Balmuldy*, *Sommerston*, and *Millichen*, to the Bridge across the River *Allander* at *Langbank*, and for executing all the other Powers given and granted by this Act, and by the said recited Act of the Fourth Year of the Reign of His present Majesty.

Qualification of Trustees.

VI. Provided always, and be it further enacted, That no Person, other than Proprietors of Lands as aforesaid, or their eldest Sons, being their Heirs Apparent as aforesaid, shall be capable of acting as a Trustee in the Execution of this Act, unless he shall be, in his own Right or in the Right of his Wife, in the actual Possession or the Receipt of the Rents and Profits of Lands or Heritages of the clear yearly Value of One hundred Pounds Sterling *per Annum*, or be possessed of or entitled to a Personal Estate alone, or a Real and Personal

Personal Estate together, of the Value of Five hundred Pounds Sterling.

VII. And whereas a Map or Plan, describing the said Road intended to be altered and improved, and the Lands through which such Road will lead, together with a Book of Reference, containing the Names of the Owners and Occupiers of such Lands, has been deposited with the Clerks of the Peace of the Counties of *Lanark* and *Stirling*; be it enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerks of the Peace, and every or any Person, being an Owner or Occupier of any Lands or Tenements upon the Line of the said Road, shall at all seasonable Times have Access to the said Map or Plan and Book of Reference, and shall be entitled to examine and make Extracts from or Copies of the same, paying to the Clerk for such Copy or Extract from the same after the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts.

Plan to remain with Clerk of the Peace, and be open to Inspection.

VIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to make the said Road into, through, across, or over the several Lands, Grounds, or Tenements of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who is or are or shall be Owner or Owners of Land over, in, or through which the same is set out and described in the said Map or Plan, although the Name or Names of such Person or Persons may happen to be erroneously set forth or omitted in the said Book of Reference, in case it shall be made to appear to any Two or more Justices of the Peace for the County in which the Question shall arise, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Lands may be taken notwithstanding Errors in the Book of Reference.

IX. Provided always, and be it enacted, That the old Line of Road shall be preserved from where it enters the Estate of *Possil* till it reaches Four hundred and forty-eight Yards beyond the Porter's Lodge situated on the North Approach to the Mansion House of *Possil*, and to be continued for Ninety-eight Yards more on the present Road leading to the Lands of *Over Possil*.

Description of Road through the Lands of *Possil*.

X. And be it further enacted, That the said Trustees in making or altering the said Roads hereby authorized to be made or repaired shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, except as aforesaid, without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made; neither shall they take down or remove any Dwelling House or other Building the Side Walls of which exceed Twenty Feet in Height, or take or use any Policy, Orchard, or Garden, or any Lawn, Planted Walk, or Avenue to a House, without the Consent in Writing of the Owners thereof.

Not to deviate beyond 100 Yards, or to take any Houses, &c. above 20 Feet in Height.

Lands to be
acquired
within Five
Years.

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

As to the
Drawbridge
over Forth
and Clyde
Canal.

XII. Provided always, and be it enacted, That in case the said Trustees shall determine to remove the present Drawbridge by which the said Road passes over the *Forth* and *Clyde* Canal at *Lambhill*, and to erect another Bridge in lieu thereof at a Place farther East, as shown in the Map or Plan deposited with the Clerk of the Peace for the County of *Lanark* at *Glasgow*, they shall have Power to do so, after obtaining the Consent and Approbation of the Committee of Council of the Company of Proprietors of the *Forth* and *Clyde* Navigation, as to the Form, Construction, and Materials of such new Drawbridge, and as to the Situation and Position over the said Canal in which it shall be placed, and also as to the Operations on the Banks of the said Canal which will be requisite for securing the Safety of the same, and for widening and strengthening those Parts of the said Canal situated to the East and West of such new Drawbridge, and all other Operations requisite for enabling the Vessels navigating the said Canal to pass freely to and from the said new Drawbridge, and through that Part of the Canal over which the same shall be placed; and that the said Trustees shall bear and pay the whole Expence of constructing, making, and placing the said new Drawbridge, and of all the other Operations aforesaid, and free and relieve the said Company of Proprietors therefrom; and also that the said Trustees shall, at their own Expence, erect a good and sufficient House, built with Stone and covered with Slates, in lieu of the House to be taken down, sufficient to accommodate a Keeper of such new Drawbridge, in such convenient Situation as shall be appointed by the said Committee of Council of the said Company of Proprietors, which House, when so erected, shall be the Property of the said Company of Proprietors; and that the said Trustees shall, as soon as the said new Drawbridge shall be erected, shut up the Road leading to and from the present Drawbridge at *Lambhill*, and remove the present Drawbridge, and the whole Materials and Mason Work of the same, and make the Canal at and adjoining to the Side of the present Drawbridge as wide as any other Part of the said Canal in its Course through the Lands of *Lambhill*, and shall bear and pay the whole Expence of those Operations, and free and relieve the said Company of Proprietors of and from all Claims at the Instance of any Person or Persons whomsoever, for preserving or keeping the present Drawbridge in its present Situation, or for Damages for removing the same, or for shutting up the aforesaid Road leading thereto; and the said Trustees shall also, as soon as the said new House is built, remove the Materials of the present House: Provided also, that nothing herein contained shall extend or be construed to extend to empower or enable the said Trustees to carry a Road

across or over the said Canal at the Canal Foundry adjoining the old Basin at *Hamilton Hill*; and provided farther, that the Materials of the said old Bridge, and of the present House connected with the same, shall, when removed, be the Property of the said Trustees.

XIII. And be it further enacted, That the said Trustees on the said respective Roads shall severally meet on the Third *Tuesday* of *July* after the passing of this Act, and proceed to put this Act and the said recited Act of the Fourth Year of the Reign of His present Majesty into execution; and at the said Meeting, and all subsequent Meetings of the said Trustees, the Majority of Trustees assembled, the Number present not being less than Three, shall be and they are hereby authorized to do, order, and perform all Acts, Matters, and Things which the Trustees appointed by this Act are by the said recited Act of the Fourth Year of the Reign of His present Majesty and by this Act authorized to do, order, or perform; and all such Acts, Matters, and Things so done shall be as good, valid, and effectual as if the same were done by the whole of the said Trustees; and at all such Meetings the said Trustees shall choose a Chairman, who, in case of Equality of Votes on any Occasion, shall, in addition to his own Vote, have the decisive or casting Vote.

First and other Meeting of Trustees.

XIV. And be it further enacted, That it shall and may be lawful for the said Trustees on the said respective Roads, at General Meetings assembled, and they are hereby authorized and empowered, to continue or to erect, or cause to be continued or erected, a Gate or Gates, Turnpike or Turnpikes, in, upon, or across any Part or Parts of the said several Roads or on the Sides thereof, and also such Number of Toll Houses, with proper Gardens adjacent thereto, as to them shall appear to be expedient, the Site of such Toll House and Garden not exceeding the Sixth Part of an Acre, and from Time to Time to alter the Situation of such Gates or Turnpikes, and Toll Houses and Gardens.

Power to erect Turnpikes, &c.

XV. And be it further enacted, That the said Trustees, or any Person or Persons duly authorized by them, shall be and they are hereby authorized and empowered to demand and take, or cause to be demanded and taken, at the several Gates or Turnpikes which shall be continued or erected by virtue of this Act, a Sum not exceeding the Rates and Duties herein-after specified, before any Horse, Mule, Ass, Cattle, great or small, Coach, Landau, Chariot, Berlin, Chaise, Hearse, Chair, Calash, Litter, Waggon, Wain, Cart, Seldge, Hurley, Wheelbarrow, or other Carriage whatsoever, shall be permitted to pass through any Gate or Turnpike continued or erected or to be erected on the said Roads; (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,

Tolls.

Diligence, or Carriage of the like Kind, Nine-pence; and, if the said Trustees shall think proper, for every Horse or Beast of Draught drawing any Stage Coach, Long Coach, Diligence, or Carriage of the like Kind, any Sum in addition to the aforesaid Rates not exceeding One Half more thereof; and for One Horse or Beast of Draught, drawing a Taxed Cart, Sixpence:

For every Horse or Beast of Draught drawing any Van, Caravan, Waggon, Wain, Cart, or other such Carriage, where One only is drawing, and where any such Carriage and the Loading thereof taken together shall not exceed Twenty Hundred Weight, Sixpence; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Twenty Hundred Weight and not exceeding Twenty-five Hundred Weight, the additional Sum of One Halfpenny; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Twenty-five Hundred Weight and not exceeding Thirty Hundred Weight, the additional Sum of One Penny; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Thirty Hundred Weight and not exceeding Thirty-five Hundred Weight, the additional Sum of Two-pence; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Thirty-five Hundred Weight and not exceeding Forty Hundred Weight, the additional Sum of Three-pence; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Forty Hundred Weight and not exceeding Forty-five Hundred Weight, the additional Sum of Four-pence; and for every additional Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Forty-five Hundred Weight, the Sum of Sixpence;

And for every Horse or Beast of Draught that shall be employed in drawing any such Van, Caravan, Waggon, Wain, Cart, or other like Carriage, more than One, for each such additional Horse or Beast of Draught, Three-pence:

For every Coach, Barouche, Berlin, Chariot, Landau, Chaise, or other such Carriage, or any Stage Coach, Long Coach, Diligence, or other Carriage of the like Kind, drawn or propelled otherwise than by Animal Power, when such Carriage and the Loading thereof taken together shall not exceed Twenty Hundred Weight, Two Shillings; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Twenty Hundred Weight and not exceeding Twenty-five Hundred Weight, the additional Sum of One Halfpenny; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Twenty-five Hundred Weight and not exceeding Thirty Hundred Weight, the additional Sum of One Penny; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Thirty Hundred Weight and not exceeding Thirty-five Hundred Weight, the additional Sum of Two-pence; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Thirty-five Hundred Weight, and not exceeding Forty Hundred Weight, the additional

Sum

Sum of Three-pence; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Forty Hundred Weight and not exceeding Forty-five Hundred Weight, the additional Sum of Four-pence; and for every additional Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Forty-five Hundred Weight, the additional Sum of Sixpence:

For every Van, Caravan, Waggon, Wain, Cart, or other such Carriage, drawn or propelled otherwise than by Animal Power, when such Carriage and the Loading thereof, taken together, shall not exceed Twenty Hundred Weight, One Shilling; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Twenty Hundred Weight and not exceeding Twenty-five Hundred Weight, the additional Sum of One Halfpenny; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Twenty-five Hundred Weight and not exceeding Thirty Hundred Weight, the additional Sum of One Penny; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Thirty Hundred Weight and not exceeding Thirty-five Hundred Weight, the additional Sum of Two-pence; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Thirty-five Hundred Weight and not exceeding Forty Hundred Weight, the additional Sum of Three-pence; and for every Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Forty Hundred Weight and not exceeding Forty-five Hundred Weight, the additional Sum of Four-pence; and for every additional Hundred Weight which such Carriage, with the Loading thereof, shall weigh above Forty-five Hundred Weight, the additional Sum of Sixpence:

For every Hurley, Wheelbarrow, or other Carriage of that Description, drawn or propelled by Man or Beast, where such Carriage with its Loading shall not exceed One Hundred Weight, One Halfpenny; and for each additional Hundred Weight which such Carriage and Loading shall weigh above One Hundred Weight, One Halfpenny:

For every Horse or Mule whereon any Person shall ride, the Sum of Four-pence:

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

For every Ass, laden or unladen, and not drawing, Two-pence:

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

For every Score of Calves, Hogs, Sheep, Lambs, or Goats, the Sum of Ten-pence; 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.

XVI. And be it further enacted, That in all Cases under this Act, a Hundred Weight shall be deemed and taken to be One hundred and twelve Pounds Imperial Weight.

Tolls may be apportioned.

XVII. Provided always, and be it enacted, That if there shall be Two or more Toll Bars erected on or across the said Road from the City of *Glasgow* to the North End of the Bridge of *Garscube*, then and in such Case or Cases the Tolls and Duties hereby granted may be levied at any of the said Turnpikes, in the whole or in part, provided that, before the Toll is taken at Two or more of the said Turnpikes, equal Tolls shall be taken at each such Turnpike or Gate, and that the total Tolls and Duties so levied upon the whole Line of the said Road shall not exceed the Amount of the Tolls and Duties hereby granted.

Tolls to be paid but once a Day at any Turnpike within Four Miles from where the first Payment was made.

XVIII. And be it further enacted, That upon Payment of the Tolls by this Act granted, the Collector or Receiver thereof shall and he is hereby required to deliver, *gratis*, to the Person paying such Toll, a Note or Ticket denoting such Payment, on which there shall be printed and specified the Name of the Gate at which such Ticket shall have been delivered, and also the Name or Names of the Gate or Gates freed by such Payment; which Note or Ticket, Notes or Tickets, shall entitle the same Person or Persons, with the same Carriages, or Horses or other Cattle, to pass through any other Turnpike Gate or Turnpike Gates placed on the said Roads at a Distance not exceeding Four Miles from the Turnpike Gate where such Note or Ticket was delivered, without being liable to pay the said Tolls more than Once for passing through such Turnpike Gate or Turnpike Gates, and returning the same Day before Twelve of the Clock at Night with the same Carriages, or Horses or other Cattle.

Tolls to be taken for new Loading.

XIX. Provided always, and be it enacted, That in case any Waggon, Wain, Cart, or Carriage of the like Description shall pass through such Turnpike Gate or Turnpike Gates with a new Loading a second or more Times in the same Day, the Tolls by this Act granted shall be paid for each Time they shall so pass in the same Manner as for the first Time: Provided always, that nothing under One Hundred Weight shall be reckoned a new Loading in any such Carriage.

Trustees may erect Side Bars.

XX. And be it further enacted, That it shall and may be lawful to and for the said Trustees to erect or cause to be erected One or more Gate or Gates, Bar or Bars, on or across the said Roads or on the Sides thereof, and also a Toll House, with a proper Stable and Garden adjoining to each such Toll House, at such Bar or Gate, and from Time to Time to alter the Situation of such Side Gates or Bars, and Toll Houses, Stables, and Gardens, and there to demand, take, and receive such Tolls as are by this Act granted and made payable, but so as that a Ticket received at any such Side Gate or Bar shall entitle the Receiver thereof to pass through the next Gates or Bars on the same Day, if within Four Statute Miles, Toll-free.

XXI. And be it further enacted, That every Person travelling with any Waggon, Wain, Cart, or other such Carriage, shall, when required thereto by any Collector of Tolls or Duties, permit the same to be weighed, and shall assist in weighing the same; and in case any Person shall hinder or obstruct the weighing of any such Carriages as aforesaid, or, being the Party travelling therewith, shall refuse to assist in weighing the same, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Persous travelling with Waggons, Carts, &c. to permit and assist in weighing the Carriages, &c.

XXII. Provided always, and be it enacted, That not more than One Half of the Tolls and Duties levied under the Authority of this Act shall be paid for Horses or Carriages which shall be employed in carrying Dung from *Glasgow* or elsewhere, at any Toll Bars at present erected or to be erected under the Authority of this Act.

Regulations as to Toll on Dung.

XXIII. Provided always, and be it further enacted, That it shall be in the Power of the said Trustees at a General Meeting assembled, and they are hereby authorized and empowered, if they shall think fit, to exempt from Payment of any Part of the said additional Tolls and Duties for Overweight, not exceeding One Half thereof, every Waggon, Wain, Cart, or other such Carriage as aforesaid with Two Wheels, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Five Inches or upwards, and being cylindrical, that is to say, of the same Diameter on the Inside next to the Carriage and on the Outside, so that when rolling on a flat Surface the whole Breadth thereof shall bear equally on such flat Surface, and that the opposite Ends of the Axletrees of such Carriages as far as the same shall be inserted in the Naves of the Wheels shall not form an Angle with each other, but shall be in the Continuance of one straight Line, so that in each Pair of Wheels belonging to such Carriages the lower Parts which shall rest on the Ground shall be at the same Distance from each other as the upper Parts of the said Pair of Wheels, and farther, having the Nails sunk level with the Rings on the Wheels, and every Waggon, Wain, Cart, or Carriage, with Four Wheels, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Seven Inches and a Half or upwards, and being cylindrical, as before mentioned: Provided always, that every Person claiming the Privileges granted to Carriages with Wheels constructed as aforesaid shall permit the same to be examined or measured by the Surveyor of the Trustees, and by any Person employed in the Collection of the said Tolls.

Carriages with Wheels of a certain Description may be charged with less Toll.

XXIV. Provided always, and be it enacted, That it shall not be lawful to or in the Power of the said Trustees upon the said Road from *Glasgow* to the *Milnford* of *Garscube*, commonly called the *Garscube* Road, to demand or take, or to authorize any Person or Persons to demand or take any Toll or Duty for the Space of the said Road between the Place at *Blackquarry* Toll Bar where the said Branch Road by *Hamilton Hill*, *Possil*, and *Lambhill* to *Allander Bridge* strikes off and *Glasgow* from or in respect of any Horse or Horses, Cattle, or Carriages or Carts travelling upon the said Branch Road,

Travellers on Possil and Balmuldy Road using only a certain Part of the Garscube Road, to be exempted from Toll thereon.

Toll in Garscube Road.

Road, and only using that Part of the Road contained in the said first-recited Act hereby repealed which lies betwixt the Place where the said Branch Road at *Blackquarry* Toll Bar, by *Hamilton Hill*, *Possil*, and *Lambhill* strikes off and *Glasgow*.

Payment by Possil Road Trust to Garscube Road Trust in consequence of the said Exemption.

XXV. Provided always, and be it enacted, That in consequence of the said Exemption from Toll the Trustees upon the said Branch Road striking off at *Blackquarry* Toll Bar shall be subject and liable to pay yearly to the Trustees upon the said *Garscube* Road a proportional Part, as herein-after set forth, of the Amount of the annual Expence incurred in maintaining, repairing, and keeping in repair, and of the Management of and Outlay, whether in Improvement or otherwise, upon that Part of the Road contained in the said first-recited Act hereby repealed which lies betwixt the Place where the before-described Branch Road at *Blackquarry* Toll Bar strikes off and *Glasgow*.

Mode of ascertaining such Payment.

XXVI. Provided always, and be it enacted, That for ascertaining the annual Expence of maintaining, repairing, and keeping in repair, and Management of and Outlay upon, the said Space of Road betwixt where the said Branch Road at *Blackquarry* Toll Bar strikes off and *Glasgow*, an Account thereof shall be kept by the Clerk of the Trustees upon that Road; and such Account, accompanied by the Vouchers or Documents of the Expenditure thereon, and approved of and docquetted by a Meeting of the Trustees, shall be held and deemed sufficient Evidence of such annual Expence.

Proportions of Expence of maintaining the Piece of Road between *Blackquarry* Toll Bar and *Glasgow*.

XXVII. Provided always, and be it enacted, That the Amount of the annual Revenue arising from the Tolls of the said *Garscube* Road, and from the Tolls of the said Branch Road by *Hamilton Hill*, *Possil*, and *Lambhill* to *Allander Bridge* respectively, shall establish the Rule for ascertaining the Proportion which the Trustees on the said Branch Road shall pay to the Trustees on the said *Garscube* Road of the Expence of maintaining, repairing, and keeping in repair, and Management of and Outlay upon, the said Space of Road betwixt the Place where the said Branch Road at *Blackquarry* Toll Bar strikes off and *Glasgow*; the said Two respective Trusts contributing and defraying the Expence of maintaining, repairing, and keeping in repair, and Management of and Outlay upon, the Portion of Road last described, proportionally according to their respective Revenues or Sums at which the Toll Bars upon the respective Roads shall be let; and the proportional Part of such Expence, as after mentioned, shall be payable and paid upon an Order by the Trustees of the last-mentioned Road upon the Trustees of the said Branch Road, which Order, accompanied by the Vouchers or Documents of Expenditure, shall be sufficient Authority for the Payment: Provided always, that in the event of different Rates of Toll being at any Time exacted by the Two Trusts upon the said respective Roads, which would have a consequent Effect upon their respective Revenues, the Rates of Toll which shall be exacted upon the said *Garscube* Road shall be the Rule for computing the Proportion of the said Expence to be contributed

tributed by the said Trustees on the said Branch Road, so that in case of the Rates of Toll levied on the said Branch Road being higher than the Rates of Toll levied upon the said *Garscube* Road, then the Increase of Rent thereby produced to the said Branch Road shall be deducted from the gross Rent in computing the Proportion to be paid by the Two Trusts respectively of the Expence of maintaining, repairing, and keeping in repair the Portion of Road aforesaid; and in like Manner, in case of the Rates of Toll levied upon the said Branch Road being lower than the Rates exacted upon the said *Garscube* Road, then a proportional Addition shall be made on that Account to the Revenue of the said Branch Road in computing the Proportions to be paid by the Trusts respectively of the Expence of maintaining, repairing, and keeping in repair, Management of and Outlay upon, the Portion of Road aforesaid.

XXVIII. Provided nevertheless, and be it enacted, That in case the Trustees on the said Branch Road shall not place and continue a Toll Bar at the Point of Junction of that Road with *Garscube* Road at *Blackquarry*, the Trustees upon the said *Garscube* Road shall be entitled to place and maintain a Side Bar upon the said Branch Road at the said Point of Junction, and to exact Toll at such Side Bar from Persons passing from the said Branch Road to the said *Garscube* Road, as long as the Trustees on the said Branch Road shall not maintain and continue a Bar at such Point of Junction, but any Person producing a Ticket indicating Payment of Toll at any Toll Bar upon the said Branch Road (which the Collector at such Bar shall be obliged to provide) shall be entitled to pass free at such Side Bar; and in like Manner any Person producing a Ticket indicating Payment of Toll at any Toll Bar on the said *Garscube* Road situated between the Point where the said Branch Road at *Blackquarry* Toll Bar strikes off and *Glasgow* (which Ticket the Collector at such Bar shall be obliged to provide) shall be entitled to pass free at any Toll Bar or Bars upon the said Branch Road.

As to placing a Toll Bar at the Junction of the said Roads.

XXIX. And be it further enacted, That from and after the passing of this Act no Houses shall be built or rebuilt, or any Building be erected, within the Distance of Thirty Feet from the Centre of the said Roads, under the Penalty of Five Pounds Sterling for every Offence, and the Expence of demolishing such House or Building; and any One Justice of the Peace of the County where such House or Building is situated is hereby authorized to stop the Erection of such Houses or Buildings within the aforesaid Distance from the Centre of the said Roads; and if any House or Building shall be erected hereafter, whether upon an old or new Foundation, within the Distance aforesaid, any One Justice of the Peace of the County where the said House or Building shall be situated, upon Application made to them by any One of the Trustees, or by the Clerk of the Trustees, and upon Proof being given that the said House or Building is within the Distance aforesaid, may order such House or Building to be pulled down and removed, at the Expence of the Person or Persons erecting the same, or of the Occupier or Owner of the Ground on

Houses, &c. not to be built within Thirty Feet of the Centre of the Road.

[*Local.*]

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which

which the same shall stand, and grant the Warrant for levying the same by Distress and Sale of the Offender's Effects, in the Manner prescribed by the said Act of the Fourth Year of His present Majesty's Reign.

Nothing herein to limit the Exemptions contained in 4 G. 4. c. 49.

XXX. Provided always, and be it enacted, That nothing herein contained shall limit or alter the Enactments of the said Act of the Fourth Year of the Reign of His present Majesty, relative to the Exemptions from Toll Duty in certain Cases of Horses travelling for Hire under the Post Horse Duties Acts, or the Carriages drawn by such Horses.

Rates may be lowered, and again raised.

XXXI. And be it further enacted, That it shall and may be lawful for the said Trustees, in a General Meeting assembled, to lower the Tolls and Duties hereby granted, and again to raise the same, as they shall see expedient, provided such Tolls and Duties do not exceed the Tolls and Duties authorized by this Act to be levied and collected.

Tolls, &c. vested in Trustees.

XXXII. And be it further enacted, That the said Tolls and Duties hereby granted and made payable, together with the Right of Property of every Gate or Turnpike, Toll House and Garden, and whole Premises vested in the Trustees under the first-recited Act hereby repealed, and the Right of Property of every Gate, Turnpike, Toll House, Garden, or other Premises to be acquired by virtue of this Act, are and shall be vested in the said Trustees hereby appointed; and the said Tolls and Duties, and every Part thereof, shall be paid over and applied and assigned to and for the several Uses, Intents, and Purposes of this Act.

Application of Money.

XXXIII. And be it further enacted, That the said respective Trustees in General Meeting assembled shall, out of the Tolls to arise at the Gates or Turnpikes continued and to be erected on the said Roads respectively under their Charge, direct the Costs and Expences relative to the obtaining of this Act to be paid by the said respective Trustees in manner herein-after mentioned, and the Remainder of all such Monies to be applied, first, towards the making, completing, widening, and repairing and keeping in repair the said Roads and Bridges respectively under their Charge, and, secondly, the Trustees upon the said *Garscube* Road shall apply the Remainder of such Monies towards the Payment of the Interest of the Sums already borrowed and advanced in virtue of the said first-recited Act hereby repealed, or to be borrowed and advanced by virtue of this Act, and thereafter to the Payment of the Principal Sums so borrowed or advanced for the Purposes of the said first-recited Act, hereby repealed, and of this Act; and the Trustees upon the said Branch Road shall apply the Residue of the Tolls to arise as aforesaid towards the Payment of the Interest to become due upon the Money to be borrowed or advanced upon the Credit of the Tolls leviable upon the said Roads under their Charge, and thereafter to the Payment of the Principal Sums to be so borrowed or advanced; and the Clerk to the said

respective Trustees shall be and he is hereby authorized and required to record and enter all such Orders and Directions as regard the Applications of such Money in the proper Books of their respective Trusts.

XXXIV. And be it further enacted, That it shall be lawful for the said Trustees, and for their Surveyor or Surveyors, and Workmen employed by them, from Time to Time to enter upon the Land and Premises through which or whereupon any of the said Roads hereby authorized to be made, altered, or repaired is or are intended to pass, and also upon any adjoining Lands or Grounds, and to stake out the said Roads or any of them, and to cut and make any Drains or Ditches or Arches through or into any Lands or Grounds adjoining or lying contiguous to any Part thereof, and to make a temporary Way or Ways through or over any such adjoining Lands, (not being a Garden, Orchard, planted Walk, or Avenue to a House, or inclosed Ground planted and set apart as a Nursery for Trees,) as the said Trustees shall think fit, without being subject or liable to any Fine, Penalty, or Punishment for entering and continuing upon any Part or Parts of such Lands or Grounds respectively for any of the Purposes of this Act, the said Trustees making Satisfaction to the Owners and Occupiers of such Lands and Grounds for the Damages that shall be thereby occasioned, such Damages being ascertained and settled, in case of Dispute concerning the same, in the Manner that the Value of Land to be purchased or used by virtue of this Act is by the said recited Act of the Fourth Year of the Reign of His present Majesty directed to be ascertained and settled in case of Dispute; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used or the Fences made in laying out any Part of such Roads, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Trustees may enter upon Lands for making Roads.

XXXV. And be it further enacted, That it shall be lawful to and in the Power of the said Trustees or any Three or more of them at a General Meeting assembled, from Time to Time to direct such Part of the Tolls and Duties by this Act granted as they shall think proper, not exceeding One Third of the annual Produce thereof in One Year, to be laid out and applied for the repairing other Roads branching out of or leading into the said Road from the City of *Glasgow* to the North End of the Bridge of *Garscube*.

Power to repair Branch Roads.

XXXVI. And be it further enacted, That no Person shall suffer any Tree, Log or Piece of Timber, or any Stone or other Thing conveyed on a Wheel Carriage, to project on either Side of the Carriage more than One Foot beyond the Wheels thereof; and every Tree, or Log or Piece of Timber, exceeding Twenty Feet in Length, shall be carried on Four Wheels, or on a double Carriage, under the Penalty of a Sum not exceeding Two Pounds for each Offence.

Regulations as to Carriage of Timber, &c.

XXXVII. And be it further enacted, That any Person or Persons occupying or using any Foundry, Smelting House, Iron or Brass Work,

Lights to be screened at Night.

Work, Boiler-making Work, Soda, Soap, or Chemical Work, at which there might be at Night a Glare of Light dangerous or detrimental to Travellers on said Roads, shall, by good and close Shutters at their Premises, every Evening after it becomes Twilight, bar and prevent the Light from such Premises from shining into or upon the said Roads, and being dangerous and detrimental to Travellers thereon, under a Penalty of Forty Shillings for each Offence, over and above the Damages occasioned thereby.

For protect-
ing Fences.

XXXVIII. And be it further enacted, That if any Person shall break, injure, destroy, or remove any Fence, Frame, or Paling, used or erected by the said Trustees, or by any Person by their Authority, for protecting or fencing the said Roads while under repair, or the Workmen repairing the same, any such Person shall for every such Offence forfeit and pay a Penalty not exceeding Five Pounds Sterling, over and above the Damage and Expence thereby occasioned and incurred.

Persons
breaking up
the Roads or
Causeways
to rein-
state them.

XXXIX. And whereas the said Roads, and the Causeways and Footpaths thereof, from their Vicinity to *Glasgow*, are subject to be broken up for the Purpose of laying Pipes for Water and Gas, Tunnels, or Rail Roads, and other Purposes, and not to be sufficiently repaired; be it therefore enacted, That if at any Time hereafter the said Roads, Causeways, and Footpaths, or any Part thereof, shall be opened up by any Person or Persons, for the laying of Pipes for Water, Gas, Tunnels, or Railroads, or for any other Purpose whatever, and the same shall not be immediately thereafter repaired, renewed, and rendered completely sufficient and good, by the Person or Persons breaking up the same, to the Satisfaction of the said Trustees or their Surveyor, then the said Trustees or their Surveyor shall have full Power and they are hereby authorized to execute the necessary Repairs on the Part or Parts of the said Roads or Footpaths so broken up, and to restore the same completely, and to charge the Expence thereof against the Person or Persons breaking up the same, which shall be ascertained by an Account under the Hands of the said Trustees or a Quorum of them, or of their Clerk or Surveyor; and if any Damage shall happen to the Public from the Operations of the Persons who shall break up the Roads, Causeways, and Footpaths as aforesaid, such Persons shall be solely liable for the same, and be obliged to relieve the said Trustees thereof, and of all Expences attending the same; and such Expence or Damage shall and may be sued for and recovered at the Instance of the Trustees or their Clerk, or of the Trustees, Commissioners, or other Persons having the Care and Management of the said Roads, Causeways, and Footpaths as aforesaid, in the same Way and by the like Process in and by which Persons prosecuting for any Expence, Toll Duty, Penalty, Forfeiture, or Fine may prosecute for and recover the same by the said recited Act of the Fourth Year of the Reign of His present Majesty.

Former Offi-
cers to
continue.

XL. Provided always, and be it further enacted, That the Clerk, Collector, Surveyor, and other Officers, except the Treasurer, who have

have been appointed under and employed in the Execution of the said Act hereby repealed, shall continue to exercise their Offices under this Act until they shall be displaced and removed by the Trustees hereby appointed, or be incapable of executing their Offices, and shall be subject to the like Rules and Regulations and Pains and Penalties in all respects as if they had been appointed under or by virtue of this Act.

XLI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person or Persons who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to appoint any Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer or Treasurers, or in any Manner officiate for such Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer or Treasurers shall hold or accept any Place or Office of Trust or Profit under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in the same Way in which any of the Penalties by this Act imposed may be sued for and recovered.

Same Person
not to be
Clerk and
Treasurer.

XLII. And be it further enacted, That the Expences of passing and procuring this Act, and incident thereto, shall be paid as follows; *videlicet*, Two Third Parts thereof by the Trustees on the said *Garscube* Road, and One Third Part thereof by the Trustees on the said Branch Road.

Expences of
Act.

XLIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

[*Local.*]

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XLIV. And

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11° GEORGII IV. *Cap.* cxxviii.

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

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