



ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

Cap. 1.

An Act for more effectually maintaining and repairing the Road leading from the West Side of the Entry to the New or *Jamaica Street* Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*. [1st July 1839.]

WHEREAS an Act was passed in the Thirty-fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of an Act made in the Fourteenth Year of the Reign of His present Majesty, intituled 'An Act to continue the Terms of Two Acts, made in the Twenty-sixth and Twenty-seventh Years of the Reign of His late Majesty King George the Second, for repairing the several Roads leading into the City of Glasgow, so far as the same relate to the Roads from the City of Glasgow to Yoker Bridge, to Renfrew Bridge, to the Three Mile House, to the Town of Airdrie, and from the Village of Gorbals to the Chapel of Cambuslang, in the Counties of Lanark and Renfrew,' so far as respects the Road from the Toll House in Paisley Lane at the West Side of the Entry to the New Bridge of Glasgow, by or near Parkhouse, to the East End of the Bridge at Renfrew, and from Parkhouse to the Three Mile House in the County of Lanark; and for more effectually making, repairing, widening, and keeping in repair the said Roads, whereby certain Persons were appointed Trustees for surveying, making, amending, altering, widening, repairing, and keeping in repair the said Road leading from the Toll House in Paisley Lane at the West Side of the Entry to the New Bridge of Glasgow, by or near Parkhouse, to the East End of the Bridge at Renfrew, and were*

34G.3.c.140.

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thereby

thereby empowered to levy the Tolls specified in the said Act: And whereas another Act was passed in the Thirty-seventh Year of the
 37G.3.c.161. Reign of His Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of so much of an Act passed in the Thirty-fourth Year of His Majesty's Reign as relates to the Road from the Toll House in Paisley Lane at the West Side of the Entry to the New Bridge of Glasgow, by or near Parkhouse, to the East End of the Bridge at Renfrew*, whereby the Term and Powers of the said Act of the Thirty-fourth Year of the Reign of His Majesty King *George* the Third were amended and enlarged: And whereas
 58G.3.c.27. an Act was passed in the Fifty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of certain Acts, in so far as the same relate to the Road leading from the Toll House in Paisley Lane, on the West Side of the Entry, to the New Bridge of Glasgow, by or near Parkhouse, to the East End of the Bridge at Renfrew*, whereby the Term and Powers of the said recited Acts were further enlarged and continued: And whereas considerable Sums of Money borrowed on the Credit of the Tolls arising on the said Road from the City of *Glasgow* to *Renfrew Bridge*, under the Authority of the before recited Acts, for the widening, levelling, and otherwise improving the said Road, are still unpaid, and the same cannot be repaid, and the said Road cannot be properly amended and kept in repair, and the Improvement thereof continued, unless Provision be made for these Purposes; and it is expedient that the said Three recited Acts should be repealed, so far as they relate to the said Road, and other Powers granted in lieu thereof: And whereas an Act was passed in the First and Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland*: May it therefore please
 1 & 2 W. 4. c. 43. Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,
 Recited Act 34G.3.c.140. in part repealed;
 37G.3.c.161. and
 58G.3.c.27. wholly repealed.
 That the said recited Act of the Thirty-fourth Year of the Reign of His Majesty King *George* the Third, in so far as the same relates to the said Road leading from the West Side of the Entry to the New Bridge of *Glasgow*, by or near *Parkhouse*, to the East End of the Bridge at *Renfrew*, and also the said Two recited Acts of the Thirty-seventh and Fifty-eighth Years of the Reign of His Majesty King *George* the Third, be and the same are hereby repealed.

Appoint-
ment of
Trustees.

II. And be it enacted, That every Person who is at present or hereafter shall be, in his own Right or in the Right of his Wife, in the actual Possession and Enjoyment as Proprietor of the Dominium Utile of Lands in the Parish of *Govan* in the County of *Lanark*, or in the Parish of *Renfrew* in the County of *Renfrew*, valued in the Cess Books of the said respective Counties at One hundred Pounds *Scots* of valued Rent, and all and every the eldest Sons of such Persons being the Heirs Apparent of such Property, and also the Sheriffs Depute of the said Counties of *Lanark* and *Renfrew*, the Lord Provost, and Baillies, Dean of Guild, and Deacon Convenor of the City of *Glasgow*, the Provost and eldest Baillie of the Burgh of
Renfrew,

Renfrew, the Chief Magistrate of *Gorbals*, all for the Time being, *George Rowan* of *Holinfould Head*, *Michael Rowand* of *Linthouse*, *Andrew Rowand* younger, of *Linthouse*, *Daniel Walkinshaw* of *Parlhouse*, Merchant in *Glasgow*, *Alexander Johnston* of *Shieldhall*, *James Oswald* late of *Shieldhall*, *Henry Ritchie* of *Bushby* in the County of *Ayr*, *James White* of *Fairfield*, *Colin Dunlop Donald*, Writer in *Glasgow*, *Andrew Wilson* residing at *Deanside*, *Robert Galbraith* of *Greenhead*, *James Campbell* of *Moore Park*, *Henry Dunlop* of *Craigton*, *Robert Robertson* of *Whitefield*, *William Dixon* of *Govan*, *William M'Lean* of *Plantation*, *Charles Tod* of *Springfield*, and *Neale Thomson* Merchant, *Glasgow*, shall be and they are hereby nominated and appointed Trustees for surveying, making, amending, widening, repairing, and keeping in repair, and for causing to be surveyed, made, amended, widened, repaired, and kept in repair, the aforesaid Road leading from the West Side of the Entry to the New or *Jamaica Street* Bridge of the City of *Glasgow*, by or near *Parlhouse*, to the East End of the Bridge at *Renfrew*, and for executing all the other Powers given and granted by this Act, and by the said recited Act of the First and Second Year of the Reign of His late Majesty King *William* the Fourth.

III. Provided always, and be it enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act unless he shall be infeft in or possessed as Proprietor or Liferenter of the Property or Dominium Utile of Lands valued in the Tax Roll of one or other of the said Counties of *Lanark* and *Renfrew* to the Extent of One hundred Pounds *Scots per Annum* (excepting the eldest Sons and Heirs Apparent of Persons who are so infeft in Lands of the Extent and Valuation aforesaid, and also excepting the said Magistrates and other Office Bearers of the said Burghs of *Glasgow*, *Renfrew*, and *Gorbals* respectively), or unless the Trustees so appointed be severally possessed of a Personal Estate of the Value of Five hundred Pounds Sterling.

Qualification
of Trustees.

IV. And be it enacted, That the said recited Act passed in the First and Second Year of the Reign of His late Majesty King *William* the Fourth, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed,) shall be as good, valid, and effectual for carrying this Act into execution as if the whole Clauses thereof had been repeated and re-enacted in the Body of this Act.

Powers of
recited Act
of 1 & 2
W. 4. c. 43.
extended to
this Act.

V. And be it enacted, That the said Trustees shall meet at *Glasgow* on the Third *Wednesday* after the passing of this Act, and proceed to put this Act into execution, and the Meeting to be then held may be adjourned from Time to Time by any One or more Trustees who may be present at such Meeting; and at all General Meetings of the said Trustees the Majority of the Trustees present shall decide as to all Matters and Things to be done or ordered by the said Trustees in the Execution of this Act, the whole Number present not being less than Five, which is hereby declared to be a legal

Meetings of
Trustees.

legal Quorum for the whole Purposes of this Act; 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.

Trustees
may order
Tolls to
be levied.

VI. And be it enacted, That from and after the passing of this Act it shall be lawful for the Trustees herein-before named or appointed, or any Person or Persons authorized by them or any Three or more of them, to ask, demand, levy, and receive, at every Gate, Turnpike, or Side Bar already erected or to be erected by them upon or across the said Road, or on the Side or Sides of the same, the Tolls and Duties following, before any Horse, Mule, Ass, Cattle, great or small, Coach, Landau, Chariot, Berlin, Chaise, Hearse, Chair, Calash, Litter, Waggon, Wain, Cart, Sledge, Hurley, Wheelbarrow, or other Carriage whatsoever, shall be permitted to pass through the same:

Tolls.

For every Horse, Mule, or Beast of Draught drawing any Coach, Chariot, Berlin, Landau, Calash, Chaise, Chair, or Hearse, where Six or any lesser Number are or is drawing, the Sum of One Shilling each:

For every Horse, Ox, or other Beast of Draught drawing any Waggon, Wain, Cart, Sledge, or other Carriage, where Six are drawing, the Sum of One Shilling and Two-pence; and where Five Horses, Oxen, or other Beasts of Draught are drawing, the Sum of One Shilling and Two-pence; and where Four Horses, Oxen, or other Beasts of Draught are drawing, the Sum of One Shilling and Two-pence; and where Three Horses, Oxen, or other Beasts of Draught are drawing, the Sum of One Shilling and One Penny; and where Two Horses, Oxen, or other Beasts of Draught are drawing, the Sum of Eight-pence; and where One Horse or other Beast of Draught is drawing, the Sum of Eight-pence.

Additional
Tolls for
Weight.

VII. And be it enacted, That the Trustees hereby appointed, or their Quorum aforesaid, shall and may, from and after the passing of this Act, 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 the West Side of the Entry to the New or *Jamaica Street* Bridge of *Glasgow*, by or near *Park-house*, to the East End of the Bridge at *Renfrew*, before any Waggon, Wain, Cart, or other Wheel Carriage drawn by One or more Horses or Mules pass through the same, the Weight of which Carriage with the Loading thereof shall exceed Twenty-one Hundred Weight, the following respective Tolls and Duties; (*videlicet,*)

If the said Waggon, Wain, Cart, or other Wheel Carriage, with the Burden or Loading thereof, shall exceed Twenty-one Hundred Weight and not exceed Twenty-five Hundred Weight, the Sum of One Shilling; and if the same shall exceed Twenty-five Hundred Weight and not exceed Thirty Hundred Weight, the Sum of One Shilling and Eight-pence; and if the same shall exceed Thirty Hundred Weight, the Sum of Two Shillings:

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

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 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 :

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For every Hurley, Wheelbarrow, or other Carriage of that Description, drawn by Man or Beast, not loaded, or weighing with its Loading under One Hundred Weight, the Sum of One Penny:

For every such Hurley, Wheelbarrow, or other Carriage of that Description, drawn by Man or Beast, and weighing with its Loading from One to Two Hundred Weight, the Sum of Two-pence; from Two to Four Hundred Weight, the Sum of Three-pence; and above Four Hundred Weight, the Sum of Four-pence:

For every Horse or Mule, laden or unladen, and not drawing, the Sum of Four-pence:

For every Ass, laden or unladen, and not drawing, 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 Ten-pence *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.

Application
of Tolls.

VIII. And be it enacted, That the Tolls and Duties hereby authorized to be levied shall be applied, in the first place, in keeping in repair the said Road, and in the second place in Payment and Extinction of the Debt due thereon, and the Interest thereof; and it shall not be lawful for the said Trustees to increase the Debt upon the said Road beyond the Amount now due; and as soon as the said Debt shall be paid off and satisfied the said Trustees shall diminish the Amount of the Tolls leviable on the said Road so as that such Amount shall not be more than is requisite for the Maintenance and Repair of the said Road, and the necessary Expences of the Execution of this Act.

Trees, not
to be planted
near the
Road.

IX. And be it enacted, That it shall not be lawful to nor in the Power of any Proprietor or Proprietors, or any other Person or Persons, possessing or occupying the Ground on the South Side of the said Road, to plant any Tree or Trees within Fifty Feet of the Centre of the said Road, including the Footpath.

Houses not
to be erect-
ed within
Thirty Feet
of the Centre
of the Road.

X. And be it enacted, That from and after the passing of this Act all Houses and every other Building whatever to be built or rebuilt on the Sides of the said Road, or in any Villages through which the same shall pass, shall be erected at the Distance of Thirty Feet at least from the Centre of the said Road, including the Footpath, under the Penalty of Forty Shillings for each Offence; and the Expence of demolishing such House or Edifice; and any One Justice of the Peace for the County where such House or Building shall be situated is hereby authorized to stop the Erection thereof within the aforesaid Distance from the Sides of the said Road, including the Footpath; and if any House or Building shall be erected hereafter, whether upon an old or new Foundation, within the Distance aforesaid, any Two Justices of the Peace for the Counties of *Lanark* or *Renfrew*, upon Application made to them by any One of the Trustees or their Clerk

Clerk or Surveyor, 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 Erector thereof, or the Occupier of the Ground upon which the same shall stand, and grant Warrant for levying the same by Distress of the Offender's Effects, in manner prescribed by the said Act of the First and Second Year of the Reign of His late Majesty King *William* the Fourth with respect to the Tolls, Penalties, and Forfeitures thereby due and exigible.

XI. Provided always, and it is hereby declared and enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, and the *Glasgow, Paisley, and Greenock* Railway Company, or either of them, under the several Acts passed in the First Year of the Reign of Her present Majesty for establishing the same Companies respectively, but all the Rights, Powers, and Authorities in the said Acts or either of them contained shall be as good, valid, and effectual as if this Act had not been made, save only and except that the Bridge to be erected for carrying the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway over that Part of the said Road which is called *King Street*, in *Tradeston*, shall and may be constructed by the said Company of Stone instead of Iron, and so as that the Centre Arch of such Bridge shall be of the clear Width of not less than Thirty-six Feet, and the Arches for the Footpath on each Side of such Road shall not be less than Eight Feet each in Width, and the Abutments on each Side of such Bridge shall be Four Feet each in Width, making in all Sixty Feet; and the said Bridge shall be of the clear Height of not less than Seventeen Feet from the present Surface of the said Road to the under Side of the Centre of such Arch, and the Springing of such Arch shall and may be of a Height of not less than Twelve Feet from the present Surface of the said Road, if such Arch form a Segment of a Circle, or of a Height of not less than Ten Feet from the present Surface of the said Road if such Arch form an Ellipsis; and the Form of such Arch shall and may be a Segment of a Circle or elliptical, as the said Company may elect and determine, and the Piers of the Centre Arch over the said Street, and also the Piers of the Side Arches, shall be founded of sufficient Depth to allow of the said Street and the Footpath on each Side thereof being lowered to the Extent of Two Feet below the present Surface thereof respectively, which shall be done by and at the Expence of the said Company, if required by the said Trustees, and to their Satisfaction.

Saving Rights of Glasgow, Paisley, Kilmarnock, and Ayr, and Glasgow, Paisley, and Greenock Railway Companies.

XII. And be it enacted, That the said Trustees shall once in each Year cause to be prepared an Account in Abstract of the total Receipts and Expenditure of all Funds levied by virtue of this Act for the Year preceding, under the several distinct Heads of Receipts and Expenditure, with a Statement of the Balance of the said Account, duly attested and certified by the Clerk to the said Trustees; and shall cause a Copy of such annual Account to be transmitted, free of Charge, to the Sheriff Clerks respectively of the Counties of *Lanark* and

Trustees to render an annual Account.

and *Renfrew*, on or before the First Day of *January* in each Year, under a Penalty of Twenty Pounds in case of Default, to be levied by summary Process in the same Manner as Penalties are authorized by the said last-recited Act to be levied, and which Penalty shall be sued for at the Instance of any Person authorized by the said last-recited Act to prosecute for Tolls and Penalties in the same Manner as Penalties are thereby authorized to be recovered, and shall be applied in the Manner in which Penalties not otherwise directed to be applied are thereby directed to be applied; and the said Account shall be open at all seasonable Hours to the Inspection of the Public, upon Payment of One Shilling for such Inspection, or if written Extracts are required therefrom at the Rate of Sixpence for each Folio of Seventy-two Words.

Expences of
the Act.

XIII. And be it enacted, That the Expences of procuring and passing this Act shall be paid out of the Money borrowed on the Credit of the said Tolls and Duties, or out of the Tolls and Duties levied by virtue of the said repealed Acts and of this Act.

Commence-
ment and
Continuance
of the Act.

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

Public Act.

XV. And be it 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.

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