



ANNO TERTIO

# VICTORIÆ REGINÆ.

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## Cap. lxvi.

An Act for further and more effectually repairing and maintaining several Turnpike Roads in the County of *Roxburgh*. [4th June 1840.]

**W**HEREAS an Act was passed in the Fifty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making and maintaining several Roads* 59 G. 3. c. cxxiii. in the Counties of *Roxburgh* and *Selkirk*: And whereas another 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*: And 1 & 2 W. 4. c. 43. whereas the Trustees appointed by and under the Powers of the said first-recited Act have proceeded to put the same into execution, and have borrowed and expended considerable Sums of Money in repairing, improving, and maintaining the Roads therein and herein after described, and carrying into effect the other Purposes mentioned in the said first-recited Act; but the said Roads cannot be effectually repaired and kept in repair, nor the Money owing in respect thereof be repaid, unless the Term granted by the said first-recited Act be extended, and the Powers and Authorities thereby given and granted be altered and enlarged: 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

[Local.] 16 N Queen's



Recited Act  
59G. 3.c.123.  
repealed,  
and this Act  
to take effect  
instead  
thereof.

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, That the said recited Act of the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third be and the same is hereby repealed, and instead thereof this Act shall from and after the passing of the same commence and be put in execution for and during the Term herein-after mentioned: Provided always, that nothing herein contained shall extend, or be deemed, taken, or construed to extend, in any Manner to affect, prejudice, or interfere with any Prosecution, Cause, Bill of Suspension, Interdict, or any other Proceeding now pending, suing, or prosecuting in the Court of Session, or in any other Court, or before any other Tribunal, against the Trustees under the said recited Act hereby repealed, or their Clerk, or at the Instance of the said Trustees or their Clerk, in respect of or concerning any of the Enactments, Provisions, Matters, and Things contained in the said recited Act hereby repealed, or in the said recited Act of the First and Second Year of the Reign of His said late Majesty King *William* the Fourth, but the same shall be prosecuted, carried on, adjudged, and concluded in such and the same Manner as if this Act had not been passed.

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

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

Trustees.

III. And be it further enacted, That every Person who, in his own Right or in Right of his Wife, now is or hereafter shall be in the actual Possession or Enjoyment, as Proprietor or Life Renter, of the full Property or Dominion utile of Lands which stand valued in the Cess or Valuation Books of the said County of *Roxburgh* at the Sum of One hundred Pounds *Scots* at least, and are all, or a Portion thereof, in one or other of the Parishes through which some Portion of the said Roads have their Course; and all and every the eldest Sons of such Proprietors of Lands which stand valued in the Cess or Valuation Books of the said County at the Sum of Two hundred Pounds *Scots* at least; One Guardian, Tutor, or Curator for each Minor Proprietor, and One Trustee for each Estate vested in Trust, so valued as aforesaid at the Sum of Two hundred Pounds *Scots*, and so situated as aforesaid; the Factor or Chamberlain for his Grace the Duke of *Buccleuch* and *Queensberry* over his Grace's Estates in the County of *Roxburgh*; the Factor or Chamberlain for his Grace the Duke of *Roxburghe* over his Grace's Estates in the County of *Roxburgh*; the Factor or Chamberlain for the Most Honourable the Marquis of *Tweeddale* over his Lordship's Estates in the County of *Roxburgh*; the Factor or Chamberlain for the Most Honourable the Marquis of *Lothian* over his Lordship's Estates in the  
County



County of *Roxburgh*; the Factor or Chamberlain for the Right Honourable the Earl of *Minto* over his Lordship's Estates in the County of *Roxburgh*; the Factor or Chamberlain for the Right Honourable Lord *Polwarth* over his Lordship's Estates in the County of *Roxburgh*; the Factor or Chamberlain for the Right Honourable Lord *Somerville* over his Lordship's Estates in the County of *Roxburgh*; the Factor or Chamberlain for the Right Honourable Lord *Douglas* over his Lordship's Estates in the County of *Roxburgh*; the Sheriff of the County of *Roxburgh*; the Provost, or in his Absence the eldest Baillie, of the Royal Burgh of *Jedburgh*; the eldest Baillie, or in his Absence the Second Baillie, of *Hawick*, all for the Time being, shall be and they are hereby appointed Trustees for ordering and superintending the surveying, improving, repairing, and keeping in repair the several Roads mentioned and described in the said recited Act of the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third, in so far as the same are situated within the said County of *Roxburgh*; *videlicet*, that Part of the Road situated in the County of *Roxburgh*, from the Confines of the County of *Selkirk* near to the Royal Burgh of *Selkirk*, and at or near to a Place called *Whitmuir Hall* in the said County of *Roxburgh*, till it join the *Jedburgh* and *Kelso* Turnpike Road at or near to *Saint Boswell's Green* in the County of *Roxburgh*; the Road from *Ormistone Mains*, by *Morebattle* and *Town Yetholm*, on the North Side of the River *Bowmont*, to the Confines of the County of *Northumberland* at or near a Place called *Mindrum Hill*; also from the said Road at or near *Duncanshaugh Mill*, through *Kirk Yetholm*, on the South Side of the River *Bowmont*, to the Confines of the County of *Northumberland* at or near a Place called *Shottonburn*; that Part of the Road from the said Royal Burgh of *Selkirk*, situated in the County of *Roxburgh*, from the said Confines of the County of *Selkirk*, by *Toftsbarns*, to the *Jedburgh* Turnpike Road at or near *Ancrum Side Bar* in the County of *Roxburgh*; the Road from or near the Village of *Melrose* to the Town of *Hawick*, with a Side Branch therefrom to *Melrose Bridge*, another Side Branch through the Farm of *Longside*, and thence to *Saint Boswell's Green*; and the Road from the Royal Burgh of *Jedburgh* over *Rewcastle Edge* till it join the *Kelso* and *Hawick* Turnpike Road at or near *Rule Water* or *Spittal Bridge*; for building, repairing, and maintaining the Bridges, Fences, and other Works and Buildings made or to be made on the said Roads or any of them; and for putting in execution all and every the Powers and Authorities in and by this Act given and granted.

IV. Provided always, and be it enacted, That no such Guardian, Tutor, Curator, or Trustee as aforesaid shall be capable of acting as a Trustee unless he shall be possessed, either in his own Right or in Right of his Wife, of Lands or Heritages of the yearly Value of Fifty Pounds Sterling, or of a Personal Estate alone, or of a Real and Personal Estate together, of the Amount or Value of Five hundred Pounds Sterling; 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.

Qualification  
of certain  
Trustees.

V. And



No Trustee  
to have more  
than One  
Vote.

V. And be it further enacted, That no Factor or Chamberlain, unless when otherwise duly qualified, shall be entitled to vote in Presence of his Constituent; and that no Person claiming as a Trustee under this Act shall have more than One Vote on any Pretence whatsoever, except the Preses of any Meeting, who shall, in case of an equal Number of Votes, in addition to his original Vote have a casting Vote.

Quorum of  
Trustees.

VI. And be it further enacted, That at all Meetings of the said Trustees to be held under the Powers of this Act the Quorum or Number of Trustees necessary to do Business shall be Three.

Meetings of  
Trustees.

VII. And be it further enacted, That the said Trustees shall hold their First Meeting under this Act, in the County Hall of *Jedburgh* in the County of *Roxburgh*, on the Fourth *Tuesday* after the passing of this Act, or as soon thereafter as conveniently may be, and proceed to carry this Act into execution; and the said Trustees shall thereafter hold Two Stated General Meetings yearly, at such Times and at such Place or Places as the said Trustees, at their First or Second Meeting to be held after the passing of this Act, shall fix and determine, which Meetings, or any of them, may be adjourned from Time to Time as the Trustees present thereat shall judge necessary; and if it shall happen that there shall not be a Quorum present at any such Meeting, it shall be in the Power of any One or more Trustees who may attend to adjourn the Meeting to any lawful Day, not less than Fourteen Days nor more than Thirty Days from the Day appointed for the last Meeting; and if no Trustee shall attend, then and in such Case the Clerk to the said Trustees, by One or more Advertisements, at least Ten Days before the next Meeting, in Two Newspapers published in the County of *Roxburgh*, and if there be not Two Newspapers published in the said County, then in One such Newspaper, as the said Trustees shall from Time to Time direct and appoint, shall appoint the said Trustees to meet on the Fourteenth Day from that on which the last Meeting of the said Trustees was appointed to be held; and the said Trustees at any General or adjourned Meeting shall have full Power to name Committees of their Number, to have the more immediate Care and Management of any of the said Roads, or particular Parts or Branches thereof, and to give their Committee such Instructions and Powers, and to impose such Restrictions and Regulations, as they shall think fit and expedient, not being inconsistent with this Act.

Special  
Meetings.

VIII. And be it further enacted, That the Clerk or Treasurer to the said Trustees, when required by a written Order, specifying the Purposes for which and the Place where a Meeting is desired to be held, signed by any Two or more Trustees, shall and he is hereby required to call a Special Meeting of the Trustees, at such Times and Places as shall be thought proper by the Trustees making such Requisition, by Advertisements in such Newspapers and in such Manner as aforesaid, in which the Purposes and Place of Meeting shall be specified; and in case of the Clerk or Treasurer refusing or neglecting to call such Meeting when so required, or in case of there being no  
Clerk



Clerk or Treasurer at the Time, it shall be lawful for any Two or more Trustees to call such Special Meeting by such Advertisements as aforesaid; and all Acts and Deeds done at such Meetings called in manner before mentioned shall be as valid and effectual as if they had been done at a General or Adjourned Meeting: Provided always, that nothing shall be done nor any Matter discussed at such Special Meetings but what relates to the special Purposes for which such Meetings may be called.

IX. And be it further enacted, That all Persons who have been employed or who shall have received any Tolls or other Money by virtue or in pursuance of the said first-recited Act hereby repealed, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account for, pay, and deliver over the same to the Trustees acting under the Authority of this Act, in like Manner as is directed, and under the like Penalties as are imposed, by the said recited Act of the First and Second Year of the Reign of His said late Majesty King *William* the Fourth and this Act, or either of them, in respect of Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of the said Act or this Act.

Officers under former Act to account.

X. And be it further enacted, That the whole of the Tolls and Duties by this Act granted and imposed shall be charged with and made subject to the Payment of all Monies heretofore borrowed or advanced and now due or owing upon the Credit or on account of the said first-recited Act of the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third, or secured upon or made payable out of the Tolls and Duties thereby granted, or any Part thereof, and of all Interest due and to grow due thereon, except as herein-after provided, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected: Provided always, that no Part of the Debt now due and owing in respect of that Part of the Road from the Royal Burgh of *Selkirk* in the County of *Selkirk* by *Saint Boswell's Green* in the County of *Roxburgh*, mentioned and described in the said first-recited Act, which is situated in the said County of *Selkirk*, nor any Interest thereon, shall be or be deemed to be a Burden upon the Tolls and Duties by this Act granted.

Tolls and Duties liable to Debts still owing.

XI. And be it further enacted, That the Clerks, Surveyors, Collectors, Tacksmen of Tolls, and all Officers, excepting the Treasurer, who have been appointed under and employed in the Execution of the said first-recited Act hereby repealed, shall respectively continue to exercise their Offices under the Authority of the Trustees appointed by this Act until they shall respectively be displaced or removed by such Trustees, or be incapable of executing their Offices, and shall be subject to the like Rules and Regulations, and Pains and Penalties, in all respects whatsoever, as if they had been appointed under and by virtue of this Act, without Prejudice nevertheless to the Re-election of the said Treasurer; and all Tolls leviable at the Time

Officers to continue.



of the passing of this Act by virtue of the said Act hereby repealed shall continue to be levied and taken until the Term of *Whitsunday* which shall be in the Year One thousand eight hundred and forty-one, unless previously altered by the said Trustees.

Tolls.

XII. And be it further enacted, That the said Trustees, or any Person 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, Bars, and Turnpikes already erected or which may hereafter be erected upon the said Roads, before Passage be permitted, any Sum or Sums of Money not exceeding the Tolls following; that is to say,

For every Horse or other Beast of Draught drawing any Coach, Berlin, Barouche, Landau, Hearse, Chariot, Chaise, Omnibus, Calash, Chair, or other such Carriage, Sixpence :

For every Horse or other Beast of Draught drawing any Taxed Cart, Four-pence Halfpenny :

For every Horse or other Beast of Draught, if more than Three in Number, drawing any Waggon, Cart, or other such Carriage, Sixpence :

For every Horse or other Beast of Draught, if not more than Three in Number, drawing any Waggon, Cart, or other such Carriage, Three-pence :

For every Horse, Mule, or Ass, with or without a Rider, laden or unladen, and not drawing, Three-pence :

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

For every Score of Calves, Hogs, Sheep, Lambs, Goats, or Kids, Five-pence; and so in proportion for any greater or less Number.

Fractional Part of a Halfpenny in Toll.

XIII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation of the Tolls hereby granted and authorized to be taken, or any of them, the Sum of One Halfpenny shall be taken in lieu of such fractional Part.

Tolls to be paid only once a Day.

XIV. And be it further enacted, That no Person having Occasion to pass through any Gate or Turnpike erected and continued or to be erected by virtue of this Act, and who shall return through the same Gate or Turnpike on the same Day, to be computed from Twelve of the Clock at Night to the like Hour in the succeeding Night, with the same Coach or Cart or other Wheel Carriage, drawn by the same Horse or Horses, or with the same Horse or other Cattle, shall be liable or compelled to pay the Tolls or Duties more than once, but every Person paying Toll shall, on Demand, be furnished with a Note or Ticket signifying the Payment of such Toll or Duty, which Note or Ticket shall give Liberty and Access to such Person returning the same Day as aforesaid to repass the said Gate or Turnpike Toll-free.

Weighing Engines to be erected.

XV. And be it further enacted, That the said Trustees shall, if they find it necessary, cause Weighing Engines to be erected upon such Parts of the said Roads as they shall think fit, for weighing all Waggon,



Waggons, Carts, and other Carriages which shall pass along the said Roads, and receive and take, over and above the Tolls and Duties hereby granted, the following Sums of Money as additional Toll for every Hundred Weight, of One hundred and twelve Pounds to the Hundred Weight, which any Waggon, Cart, or any such Carriage, together with its Loading, shall weigh at any of the said Weighing Engines, over and above the Weight which such Waggon, Cart, or such Carriage is allowed to weigh, as herein-after mentioned, without paying additional Toll ; (that is to say,)

- For the First and Second Hundred of such Overweight, the Sum of Three-pence for each Hundred :
- For every One Hundred Weight of such Overweight above Two Hundred and not exceeding Five Hundred, the Sum of Sixpence :
- For every One Hundred Weight of such Overweight above Five Hundred and not exceeding Ten Hundred, the Sum of Two Shillings and Sixpence :
- For every One Hundred Weight of such Overweight above Ten Hundred and not exceeding Fifteen Hundred, the Sum of Five Shillings :
- For every One Hundred Weight of such Overweight above Fifteen Hundred, the Sum of Seven Shillings and Sixpence :

Additional  
Tolls on  
heavy Car-  
riages.

And that before they respectively shall be permitted to pass through such Gate or Turnpike ; and the same shall be applied as the other Tolls and Duties are by this Act directed to be applied ; and every Person travelling with and having the Charge of any Waggon, Cart, or other such Carriage shall, when required thereto by any Collector of Tolls, 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, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings Sterling.

XVI. And be it further enacted, That every Waggon, Cart, or other such Carriage shall be allowed to pass without paying any additional Toll, provided the same, with its Loading, does not weigh more than the Weights following ; *videlicet*, every Waggon, Cart, or other such Carriage, drawn by One Horse or other Beast of Draught, One Ton Five Hundred Weight ; and drawn by Two Horses or other Beasts of Draught, One and a Half Ton ; and drawn by Three Horses or other Beasts of Draught, One Ton Fifteen Hundred Weight ; and drawn by Four Horses or other Beasts of Draught, Two Tons ; and drawn by Five Horses or other Beasts of Draught, Two Tons Fifteen Hundred Weight ; and drawn by Six Horses or other Beasts of Draught, Three Tons Five Hundred Weight ; and drawn by Seven Horses or other Beasts of Draught, Three Tons Fifteen Hundred Weight ; and drawn by Eight or more Horses or other Beasts of Draught, Four Tons Five Hundred Weight.

Weight of  
Carriages  
which shall  
be permitted  
to pass with-  
out paying  
additional  
Toll.

XVII. And be it further enacted, That it shall be in the Power of the said Trustees, and they are hereby authorized, at any of their Stated Tolls may be diminished on Waggons



and Carts  
having broad  
Wheels.

Stated General Meetings assembled, to diminish the Tolls to such Extent as they may think fit, but so that the same shall in no Case be diminished below One Half of the Tolls hereby authorized to be levied on all Waggon, Carts, and other such Carriages with Two or more Wheels, provided the Fellies or Rollers of the Wheels are of such Breadth and Construction as the said Trustees may deem least calculated to injure the Roads; with Powers to the said Trustees, before granting such Diminution, to establish such Rules and Regulations as they may think proper, touching the Weight of the Loading which such Waggon, Carts, or other such Carriages may be permitted to carry.

Regulating  
Drag Irons.

XVIII. And be it further enacted, That where any Drag Iron or other Instrument shall be affixed under the Bottom or Sole of the Wheel or Wheels of any Coach, Waggon, or other Carriage passing along the said Roads, to make the Passage of such Coach, Waggon, or Carriage more safe down steep Hills, every such Drag Iron or other Instrument shall be flat at the Bottom or Sole thereof, and shall not be of less Breadth than the Fellies of the Wheels under which the same shall be affixed, on pain of the Owner of every such Coach, Waggon, or other Carriage forfeiting any Sum not exceeding Ten Shillings Sterling at every Gate or Turnpike on the said Roads through which such Coach, Waggon, or other Carriage shall pass.

No Toll to  
be exacted  
until Three  
Miles of ad-  
jacent Road  
be repaired.

XIX. And be it further enacted, That it shall not be lawful for the said Trustees to erect any Toll Gate or Turnpike nor to levy any Toll upon any of the said Roads, until Three Miles of such respective Roads adjacent to the Place or Places where such Tolls are to be collected shall have been previously repaired and completed in a sufficient and proper Manner, nor until the Fact of such Length of Road having been so made and completed shall have been certified in Writing by a Committee of the Justices of the Peace for the County in which such Road shall be situated, to be named by the Justices of the Peace for such County in Quarter Sessions assembled.

Conversion  
of Statute  
Labour may  
be applied  
to Roads in  
certain  
Cases.

XX. And be it further enacted, That nothing in this Act contained shall prevent or be construed to prevent the Trustees for the Conversion of Statute Labour in the said County of *Roxburgh* from making and levying Assessments, and appropriating the same, should they deem it expedient so to do, for the Repair and Maintenance of any of the aforesaid Roads, in the same Manner as they might have done if the said Roads had not been included in this present Act: Provided always, that no Assessments shall be so made or appropriated for the Repair or Maintenance of any of the aforesaid Roads on which Tolls shall have been levied under the Authority of this Act, unless in Cases where the Produce of such Tolls shall be insufficient for maintaining any of such Roads in proper Repair, and unless with the Consent of the Majority of such of the Heritors of the Parish so to be assessed as may be present at the Meeting held for the Purpose of such Assessment and Appropriation; and that when any Parish shall be so assessed for the Repair and Maintenance of any of the aforesaid Roads upon which Tolls are



are levied, the Funds arising from such Assessment shall be exclusively applied to the Repair and Maintenance of such Parts only of the aforesaid Roads as lie within the Parish so assessed; and that no such Appropriation of the Funds arising in any Parish from the Conversion of the Statute Labour to the Repair and Maintenance of the aforesaid Roads upon which Tolls are levied shall in any One Year exceed One Half of the Assessment for the Conversion of the Statute Labour levied within such Parish for the same Year; and that, previous to any Application of the said Funds arising from the Conversions of Statute Labour towards repairing any of the aforesaid Roads, the Clerk to the Trustees under this Act shall transmit a regular Statement or Account, certified by the Preses at a regular Stated or Adjourned Meeting, to the Clerk to the said Trustees for the Conversion of Statute Labour, to be laid before such Trustees for Statute Labour along with the Application for Aid from their Funds, that they may be thereby satisfied of the Necessity of such Appropriation thereof.

XXI. And be it further enacted, That it shall be lawful for the said Trustees at any of their Stated General Meetings to direct the Tolls arising at the Gates or Turnpikes erected or to be erected on the said Roads to be applied towards the Payment of the general Expences of executing the Trust, and towards repairing and maintaining the said Roads, and the Bridges thereon respectively, in such Manner as the said Trustees shall allocate and determine, and as soon as such Allocation and Determination shall be made and adjusted the same shall be entered and recorded in the Books of the said Trustees; provided always, that in such Application of Tolls it shall not be lawful for the said Trustees to direct any Part of the Tolls arising at any of the Gates or Turnpikes erected or to be erected on the said Roads to be applied towards making, repairing, or upholding any other Line of the said Roads than the one on which the said Turnpike Gates or Toll Bars are respectively situated; and provided also, that it shall not be in the Power of the said Trustees to vary or alter the Allocation and Determination so made as aforesaid; and the Produce of the said Tolls and Duties shall (subject to the Payment of the Expences of procuring and passing of this Act in manner herein-after mentioned) be applied towards the repairing and maintaining the said Roads, and the Bridges thereon, and paying the Interest of the Money borrowed, advanced, and owing at the Time on the said Roads respectively; and the Surplus shall be appropriated annually to extinguish the Principal of the Money so borrowed, advanced, and owing, and to no other Purpose whatsoever.

Application  
of the Tolls.

XXII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Turnpike Roads by this Act authorized to be repaired and maintained from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Roads not to  
be exempted  
from any  
general Act.

XXIII. And be it further enacted, That the Expence of preparing, applying for, procuring, and passing this Act shall be paid out of the

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Expence of  
this Act how  
the to be paid.



the first and readiest of the Tolls and Duties received and levied on the said Roads, or by or out of the first Monies that shall be in or come to the Hands of the said Trustees under and by virtue of the said first-recited Act hereby repealed, or of this Act.

Trustees to  
render an  
annual Ac-  
count.

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

Public Act.

XXV. 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.

Commence-  
ment and  
Continuance  
of Act.

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

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