



1 G. 4. c. 84.

10 G. 4.  
c. 112.Recited Acts  
repealed,  
and this Act  
to take effect  
instead  
thereof.

proceeded to put the same into execution, and from Time to Time have for that Purpose borrowed considerable Sums of Money upon the Credit of the Toll Duties authorized to be taken on the said Roads, and also upon their own personal Security, for which the said Toll Duties stand pledged to them in relief; which several Sums, and Arrears of Interest thereon, now remain due and owing, and the same cannot be paid off and discharged, nor the Trustees relieved of the Obligations undertaken by them, nor the said Roads be effectually amended, widened, altered, improved, and kept in repair, unless Provision be made for these Ends: And whereas an Act was passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making and maintaining certain Roads and Bridges in the Counties of Lanark and Dumbarton*; and another Act was passed in the Tenth Year of the Reign of His said late Majesty *George* the Fourth, intituled *An Act to alter and amend and continue an Act passed in the First Year of the Reign of His present Majesty, intituled 'An Act for making and maintaining certain Roads and Bridges in the Counties of Lanark and Dumbarton,'* whereby the Trustees thereby named and appointed were authorized and empowered to build a Bridge over the River *Clyde* near *Stonebyres* Fall in the Parishes of *Lanark* and *Lesmahagow* and County of *Lanark*, and make and maintain the Roads communicating therewith; but the said Works cannot be completed unless the Powers of the said Trustees under the said Act be enlarged: And whereas some Parts of the Road from *Ingraston* Bridge by *Biggar* to *Leadhills* by the said recited Act passed in the Fifty-fourth Year of the Reign of His late Majesty *George* the Third authorized to be repaired, are hilly, steep, and inconvenient, and it would be of great public Utility if the same were diverted, and a new Road made from the said Road at or near a Place called *Candy Burn*, through the Lands of *Edmondstone*, to the said Road at or near *Pailyards* Plantation, all in the Parish of *Biggar* and County of *Lanark*: And whereas it would be more convenient and advantageous to the adjoining Country if certain Roads herein-after described, leading into the Roads comprehended in the said Acts passed in the Fifty-fourth Year of the Reign of His late Majesty *George* the Third, were maintained and kept in repair as Branches of the said Roads; and the new Lines of Road, also herein-after described, and also connected with the Lines of Road comprehended in the said Act of the Fifty-fourth Year of the Reign of His late Majesty *George* the Third, were made and kept in repair, and the necessary Bridges built on the said Roads; and if a Bridge was built over the River *Clyde* at or near *Crossford* in the Parishes of *Lanark* and *Lesmahagow*, and Communications made therewith; 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 said recited Acts of the Thirty-second, Fifty-third, and Fifty-fourth Years of the Reign of His Majesty King *George* the Third (save and except so much of the said recited Act of the Fifty-fourth Year of the Reign of His late Majesty *George* the Third as relates to

the Bridge across the River *Clyde* at or near a Place called *Howford*, now called *Hyndford Bridge*, and Pontage Duties leviabie thereat,) shall, from and after the passing of this Act, be and the same are hereby repealed; and instead thereof this Act shall, from and after the passing thereof, commence and continue in force during the Term herein-after mentioned.

II. And be it enacted, That the said recited Act of the First and Second Year of the Reign of His present Majesty, 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 same had been repeated and re-enacted in the Body of this Act, and the same shall be held to apply to the Bridge to be erected over the River *Clyde* at or near *Crossford*, and Pontage leviabie thereat, as well as to the Turnpike Roads and Tolls leviabie thereon.

Powers of  
1 & 2 W. 4.  
c. 43. applied  
to this Act,  
and extend-  
ed to Pont-  
ages.

III. And be it enacted, That all and every Person who is or hereafter shall be, in his own Right or in the Right of his Wife, in the actual Possession and Enjoyment, as Proprietor or Liferenter, of the *Dominium utile* of Lands lying in the Parishes through or into which the Roads herein-after mentioned, or any Part thereof, do pass, rated in the Valuation Book of the County of *Lanark* at One hundred Pound *Scots* of valued Rent, and all and every the eldest Sons of such Persons, being the Heirs Apparent to such Property, in their Absence, as also One of the Guardians or Trustees of Minors, One of the Trustees of each Estate held under Trust, and the Factor or Baron Baillie for the Time being of each Heritor in his Absence, the Estate held in Trust or belonging to such Minor or Heritor, lying in the Parishes aforesaid, being of the Valuation of One hundred Pounds *Scots* as aforesaid, and also the known Factor of each Heritrix, unmarried or Widow, who shall be in the Possession of Lands situated and valued as aforesaid, and also the Provost and One of the Baillies of the Burgh of *Lanark* for the Time being, shall be and they are hereby nominated and appointed Trustees for surveying, making, altering, amending, straightening, widening, repairing, and keeping in repair the Roads and Bridges put under Trust by the said recited Acts hereby repealed, and the Branches thereof after mentioned; *videlicet*, the Turnpike Road from the Town of *Lanark*, crossing *Lanark* Bridge, and from thence through the Lands of *Kirkfield*, *Stonebyres*, *Underbank*, *Holms*, *Crossford*, *Nethan*, *Threepwood*, *Sandyholm*, *Overton*, *Dalpatrick*, *Dalbeg*, *Dalsersf*, *Cornsilloch*, *Skelyton*, *Highlees*, *Dykehead*, *Merryton*, *Allanton*, and *Ross*, to join the present Turnpike Road from *Carlisle* to *Hamilton* on the Southward of *Avon* Bridge near *Hamilton*; the Turnpike Road from *Ingraston* Bridge by *Biggar* to *Leadhills*, and from thence to the Confines of the County of *Lanark* towards *Mennock* and *Enterkin*, and in particular for diverting and altering this last-mentioned Road, by making a new Piece of Road from at or near *Candyburn*, through the Lands of *Edmondstone*, to or near to *Pailyard* Plantation in the Parish of *Biggar*, with the Branch Road leading from the said last-mentioned Road near *Cambuswallace* in the Parish of *Biggar* to *Skirling* in the  
County

Trustees ap-  
pointed  
for making  
and repair-  
ing the  
Roads and  
Bridges here-  
in described.

County of *Peebles*, and another Branch Road leading therefrom near *Biggar* Park to *Wolf Clyde* Bridge in the Parish of *Culter*; the Turnpike Road from the Confines of the County of *Dumfries* at or near *Troloss*, and from thence through the Parish of *Crawford* till it joins the Turnpike Road from *Glasgow* to *Carlisle* near *Elvanfoot*; the Turnpike Road from the Confines of the said County near *Corsethill*, by *Carnwath*, *Carstairs*, *Douglas* Mill, *Douglas*, and *Monksfoot*, and from thence to the Confines of the said County at *Pleasaulds*, with the Branch Road leading therefrom at *Ravenstruther* in the Parish of *Carstairs* to the Burgh of *Lanark*; the Turnpike Road from the Confines of the said County near to *Lockhead*, by or near *Elsrickle*, *Carnwath*, *Carluke*, and *Wishaw*, to the Chapel of Ease at *Bellshill* on the Road from *Edinburgh* to *Glasgow*; the Turnpike Road from *Wilsontown* to *Biggar* by *Carnwath*; and also for surveying, making, maintaining, and keeping in repair the following Lines of Road communicating and connected with the Turnpike Roads before described; *videlicet*, a Road from at or near *Muirfoot* Toll Bar in the Parish of *Carmichael*, by *Stonehill*, *Drummalbon*, and *Eastend*, to the *Lanark* and *Biggar* Road at or near *Langlands* in the Parish of *Covington*; and also a new Road from the Limits of the said County of *Lanark* and the County of *Peebles* at or near *Ingraston* in the County of *Peebles*, through the Parish of *Dolphinton* to or by the Village of *Dunsyre*, and thence through the said Parishes of *Dunsyre* and *Carnwath* to *Wilsontown*; and also for building a Bridge over the River *Clyde* at or near *Crossford* in the Parishes of *Lanark* and *Lesmahagow*, and making and keeping in repair the Communications therewith, through the Lands of *Holmhead* or *Carfin*, *Holmfoot*, and *Birkhill* in the Parish of *Lanark*, and through the Lands of *Mashockmill*, *Braehead*, and *Barneuck* in the Parish of *Carluke*, and through the Lands of *Dykeabuts* in the Parish of *Lesmahagow*; and for putting into execution all the Powers and Authorities in and by this Act given and granted; and every Person who has already subscribed or shall hereafter subscribe One hundred Pounds towards the making and maintaining any of the before-mentioned Lines of Road shall be and he is hereby appointed a Trustee within the District of Roads in which the Road to which he subscribes may be situated; and every Person who has subscribed or shall subscribe Fifty Pounds towards erecting the Bridge over the *Clyde* at *Crossford* shall be a Trustee thereon; and the said Trustees, or their Committees to be appointed in Terms of the said recited Act of the First and Second Year of the Reign of His present Majesty *William* the Fourth, or of this Act, shall be and they are hereby authorized to contract for, execute, and make, or cause to be made and executed, the several Roads and Bridges before described, and any Alterations and Repairs necessary for the Improvement thereof, and to erect other new Bridges thereon where the same shall be requisite, and that in, upon, over, or along the Lands, Grounds, Tenements, or Hereditaments mentioned in the Schedule hereunto annexed, or described in the Maps or Plans of the Lines of the said new Roads, and the Books of Reference thereto, which have been deposited with the Clerk of the Peace for the County of *Lanark*, and to take or pull down, or remove, and take and use, any Gardens, Orchards, Wood Plantations, or other Hereditaments mentioned and set forth in the Schedule

Trustees or Committees of their Number empowered to make and repair Roads and Bridges.

dule to this Act annexed, and described in the said Maps or Plans and Books of Reference, on making Satisfaction for the same to the Owners of the said Lands and Premises, and other Persons interested therein, or for the Damage which such Owner or other Person may respectively sustain thereby.

IV. And be it enacted, That the said Trustees shall have full Power, in making the new Lines of Road before described, to assume and use as Part thereof the Parish Roads lying in the Line of these respective Roads. Power to assume Parish Roads.

V. And be it enacted, That no Trustee shall be appointed a Member of Committee on any District of the said Roads, unless the Property affording his Qualification be situated in the Parishes through or into which such Roads or any Part thereof do pass; or unless his Subscription to the Amount foresaid have been applied for the Use of the said Roads, the Magistrates of *Lanark* being held as Heritors possessed of the requisite Qualification within the Parish of *Lanark*. Trustees to act as Members of Committee in Districts in which they have their Qualifications only.

VI. And be it enacted, That the said Trustees, in making, improving, or altering the said Roads hereby authorized to be made or repaired, shall not deviate more than One hundred Yards from the present Lines thereof, or in making new Roads One hundred Yards from the Lines described in the Maps or Plans thereof deposited with the Clerk of the Peace of the County of *Lanark*, 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 Twelve Feet in Height, or take or make use of any Policy the Contents of which exceed Half an Acre, or any Lawn, Planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, without the Consent in Writing of the Owners thereof, except such as are mentioned or specified in the said Schedule to this Act annexed, or described in the Maps or Plans of the said Lines of Road, and Books of Reference thereto, lodged as aforesaid. Trustees not to deviate from the present Line of Road, or that laid down in the Plan, or take down Buildings, &c., without Consent (except those mentioned in the Schedule).

VII. And be it enacted, That the said Trustees shall hold their First Meeting at *Lanark* on the Fourth *Tuesday* after the passing of this Act, or as soon thereafter as conveniently may be, of which Meeting Ten Days previous Notice shall be given by Advertisement in Two Newspapers published or usually circulated in the County, which Notice any Two Trustees or the Clerk shall be authorized to give, and the said Trustees shall then proceed to put this Act into execution. First Meeting of the Trustees.

VIII. And be it enacted, That at the First or some subsequent General Meeting the said Trustees shall fix the Time and Place for the First Meeting of Trustees on each District respectively. General Meeting to fix First District Meetings.

IX. And be it enacted, That at the First and all the subsequent General Meetings of Trustees under this Act Five Trustees shall Quorum of Trustees.

[Local.]

23 Y

be

be a Quorum, and at all District Meetings or Meetings of Committees Three shall be a Quorum.

Power to  
take Tolls.

X. And be it enacted, That the said Trustees, or Committees of Trustees, appointed to take charge of each or any of the Roads in this Act mentioned, when assembled at their respective Meetings, shall and may continue, or erect or cause to be erected, a Gate or Gates, Turnpike or Turnpikes, or Posts and Chains, in, upon, or across any Part or Parts of the said Roads respectively, and such Toll Houses, with proper Stables and Gardens adjoining thereto, as to them shall appear to be expedient, the Site of each such Toll House, Stable, and Garden not exceeding One Quarter of an Acre, and from Time to Time to alter the Situation of such Gate or Gates, Turnpike or Turnpikes, or Posts and Chains, or Toll Houses, Stables, and Gardens; and the said Trustees, or Committees of Trustees, or any Person or Persons duly authorized by them, shall be and they are hereby authorized to demand and take, or cause to be demanded and taken, at the several and respective Gates or Turnpikes or Posts and Chains already erected or which may hereafter be erected upon the said Roads, any Sum not exceeding the Rates and Duties hereinafter specified; *videlicet*,

For every Horse or other Beast of Draught drawing any Coach, Barouche, Chariot, Landau, Chaise, Calash, Chair, Taxed Cart, or other such Carriage having Springs, One Shilling :

For every Horse or other Beast of Draught drawing any Stage Coach, Long Coach, or Diligence, or Carriage of the like Kind, One Shilling and Sixpence :

For every Horse or other Beast of Draught drawing any Waggon, Wain, or Cart, or other such Carriage without Springs, Sixpence :

For every Saddle Horse, Mare, Gelding, or Mule, with or without a Rider, and laden or unladen, Three-pence :

For every Ass, loaded or unloaded, Two-pence :

For every Score of Oxen or Neat Cattle 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, Ten-pence, and so in proportion for any greater or less Number :

For every Drove of Horses or Fillies unshod, Two Shillings and Sixpence *per* Score, and so in proportion for any greater or less Number.

Full Toll  
only to be  
exactd once  
in five Miles.

XI. Provided also, and be it enacted, That in case there are or shall be erected in the Course of the said Roads any Gate or Gates, Turnpike or Turnpikes, or Posts and Chains, other than the Gate at *Crossford* Bridge after specified, at a less Distance from each other than Five Statute Miles, then any Person or Persons producing a Ticket to show that the full Toll has been paid at any One of such Gates or Posts and Chains shall not, for the same Carriage, or Horse or other Cattle, on the same Day, pay any Toll at any other on any of the Roads herein-before described which shall be within Five Statute Miles of the former at which the Toll denoted by such Ticket shall have been paid; but it shall be lawful to levy the full Toll in different Portions at Bars within Five Miles of each other, provided

provided the full Sum exacted shall not exceed the foresaid Rates for each Five Miles.

XII. And be it enacted, That where any Gate or Bar shall be erected on any District of the said Roads within Five Miles of a Gate or Bar on another District, with the Consent of the Trustees on both Districts, and pass Tickets be given from the one to the other, denoting the Payment of full Toll, the Sums levied and collected thereat shall be divided between the Two Districts interested therein according to such Rule and in such Proportions as the Trustees of such Districts may mutually agree on; but in case they cannot agree as to the Erection or Continuation of either Bar, or as to the Mode of Division of the Sums levied thereat, either the Sheriff of the County of *Lanark* or his Substitute, shall on Application made to him for that Purpose, after hearing Parties, by a Judgment to be issued by him, fix and determine whether the Bar complained of shall be erected or continued, and what Proportion of the Sums to be levied thereat shall belong to each District, and his Award shall be final, and not subject to Review in any Court whatever.

Tolls levied at Cheque Bars and different Districts to be divided.

XIII. And be it enacted, That it shall and may be lawful to and for the said Trustees, or the Committees of Trustees respectively to be appointed as aforesaid, to continue and erect or cause to be erected One or more Gate or Gates, or Posts and Chains, on the Side or Sides of the said Roads, and also a Toll House, with a proper Stable and Garden adjoining to each such Toll House, at such Bar or Gate, and there to take and receive such Tolls as are by this Act granted and made payable, but so as that a Ticket received at such Side Gate or Bar, or Posts and Chains, denoting the Payment of the full Toll Duty, shall entitle the Receiver thereof to pass through the next Gate or Bar on the same Day and on the said Roads, if within Five Statute Miles, Toll-free.

Trustees may erect Side Bars.

XIV. And be it enacted, That no Person or Persons having Occasion to pass through any Gate or Turnpike erected and continued or to be erected on the said Roads, 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 on the succeeding Night, with the same Waggon, Wain, or Cart, or other Carriage, drawn by the same Horses, or with the same Horse, Ass, or other Cattle, shall be liable or compelled to pay the Tolls or Duties more than once, but shall on Demand be furnished with a Note or Ticket, Notes or Tickets, signifying the Payment of such Toll or Duty, which Note or Ticket, Notes or Tickets, shall give Liberty and Access to such Person or Persons returning the same Day as aforesaid to repass the said Gate or Turnpike as often as they may have Occasion, Toll-free; but in case the same Waggon, Wain, or Cart or other Carriage, Horse, Ass, or other Beast or Cattle, shall return and pass such Gate or Turnpike with a new Loading a second Time or oftener in the same Day, they shall in that Case be subjected to pay the Tolls for each Time they shall so pass with a new Loading, or drawn by other Horses or Beasts of Draught.

Tolls to be exacted only once a Day, except with new Loading.

XV. And

Table of Tolls, &c. not necessary to be placed at any Bar within 200 Yards of another already having a Table.

XV. And be it enacted, That where any Cheque Bar or Posts and Chain shall be put up by Order of the said Trustees or Committees of Trustees across any of the said Roads, or on the Side or Sides thereof, and where such Bar or Chain shall be situated within Two hundred Yards of another Toll Bar, across any of the Roads herein-before described, at which a Table of Tolls shall have been put up in Terms of the Directions contained in the said recited Act of the First and Second Year of the Reign of His present Majesty, it shall not be necessary to erect a Toll House at such Cheque or Side Bar, or Posts and Chain, or to put up thereat a Table of Toll Duties containing the Name of the Toll Bar, or the Names of the other Bars, cleared by Payment of Toll at such Bar or Posts and Chain, or the Name of the Keeper thereof, provided the same Person shall be Keeper of both Bars; any thing contained in the said recited Act of the First and Second Year of the Reign of His present Majesty to the contrary notwithstanding.

Proviso as to Carriage of Manure to and Produce of Burgh Lands of Lanark on Branch Road from Ravenstruther.

XVI. Provided always, and be it enacted, That if the said Trustees shall put any Gate, Post, or Chain upon the said Branch Road leading from *Ravenstruther* in the Parish of *Carstairs* to the said Burgh of *Lanark*, between the said Burgh and the Burgh Lands thereto belonging, it shall not be lawful for them to demand or levy thereat any of the Rates or Duties hereby granted for or in respect of any Horse or Beast of Draught drawing any Cart, Waggon, or other the like Carriage, or for any such Carriage propelled by Steam Power, carrying the Produce of the said Burgh Lands, or any Manure or Lime to be used thereon, to or from the said Burgh to the said Burgh Lands, or for any Horses or Cattle belonging to any Inhabitant of the said Burgh having Right to the Produce of the said Burgh Lands or any Part thereof, going to or coming from the said Burgh to the said Burgh Lands, any thing herein contained to the contrary notwithstanding.

Application of Tolls.

XVII. And be it enacted, That all the Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said recited Acts hereby repealed, or any of them, and which shall be remaining unappropriated or undisposed of, and also all the Monies which shall arise and be produced by or from the Tolls by this Act granted or made payable, shall be vested in the said Trustees, or in the Committees of Trustees in each District respectively, wherever such Committees shall be appointed; and the whole foresaid Monies, together with the Monies which shall be borrowed on the Credit of the said Tolls, shall be applied in the first place to the Payment of the Expence of procuring and passing this Act in manner herein-after mentioned, and in the next place towards the making, improving, and upholding the said Roads and Bridges thereupon, 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: Provided always, that it shall be lawful to the said Trustees or District Committees to apply a Part of the Produce of the Tolls and Duties levied on the Roads under their Charge in making or repairing, or in assisting in making and repairing, any Road or Bridge thereon



thereon leading into the said Turnpike Roads, where such Road or Bridge may be important for the Use of Travellers passing along such Turnpike Roads, and where the Revenues of the said Turnpike Road may thereby be increased.

XVIII. And be it enacted, That all and every Sum and Sums of Money now borrowed or hereafter to be borrowed on the Credit of the Tolls authorized to be taken on the said Roads shall remain and be charged and chargeable only on the respective Lines or Districts of Road in respect or on the Credit of which the same have been or may hereafter be borrowed, and on no other.

Monies to remain chargeable on the Districts to which they respectively belong.

XIX. And be it enacted, That all the said Tolls shall be paid by the Collectors or Lessees thereof into the Hands of the respective Treasurers for the Time being appointed by the Trustees or the Committees of Trustees for each District, who shall keep or cause to be kept separate Accounts thereof, and which Tolls shall be applied for the Purposes of the respective Road or District of Roads only whereon the same shall have been collected.

Separate Accounts to be kept.

XX. Provided always, and be it enacted, That it shall be lawful for any of the District Committees appointed as aforesaid, with Consent of a General Meeting of Trustees, to make or repair any of the Lines of Road herein-before described connected with the Roads under their Charge out of the joint Revenues arising from the Tolls on both, or Money raised on the Credit thereof, or to assume any of the Roads now authorized to be made as Part of any District already existing; but it shall not be lawful for any General or District Meeting of Trustees to unite any of the Districts already formed under the Acts hereby repealed without the Consent of the whole Parties interested as Creditors or Subscribers to the Roads included in such Districts respectively.

District Trustees may repair certain Roads, or assume new Roads, but not to unite Districts.

XXI. And whereas a considerable Sum must be expended in building the said Bridge over the *Clyde* at *Crossford*, and making the Approaches thereto; be it enacted, That the said Trustees, or any Person or Persons whom they shall appoint for that Purpose, shall be and they are hereby authorized and empowered to demand and take at the said Bridge the several Rates of Pontage each Time of passing, before Passage be permitted; (that is to say,)

Pontage on Bridge to be erected at Crossford.

For every Horse or other Beast of Draught drawing any Coach, Barouche, Chariot, Landau, Chaise, Calash, Chair, Taxed Cart, Hearse, or other such Carriage, having Springs, Three-pence:

For every Horse or other Beast of Draught drawing any Waggon, Wain, Cart, or other Carriage, without Springs, Two-pence.

And for every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny:

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

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Two-pence Halfpenny *per* Score, and so in proportion for any greater or less Number:

For every Person on Foot the Sum of One Halfpenny.

[Local.]

23 Z

XXII. And

To prevent  
Evasion of  
Pontage  
Duty.

XXII. And be it enacted, That all Persons passing along the said Bridge shall be liable in the Pontage Duty hereby granted, notwithstanding such Person may be carried in or upon any Waggon, Wain, Cart, or other such Carriage, or on Horseback, or otherwise riding; and that over and above and besides the Pontage Duties hereby made payable for every such Waggon, Wain, Cart, or other such Carriage, and for every Horse, Mare, Gelding, Mule, or Ass, excepting always the proper Driver or Drivers of every such Waggon, Wain, Cart, or other such Carriage, and excepting also One Rider upon every Horse, Mare, Gelding, Mule, or Ass not drawing.

Trustees  
may shut up  
Fords and  
remove Fer-  
ries within  
Half a Mile  
of the  
Bridge.

XXIII. And be it enacted, That it shall and may be lawful to and for the said Trustees or any Five or more of them, at a General Meeting assembled, or such other Person or Persons as they shall appoint, to destroy or shut up any Ford or Fords and to discontinue and remove any Ferry or Ferries across the River *Clyde*, and any Access to and from the same, as they shall think necessary to prevent the Evasion of the said Rates of Pontage: Provided always, that nothing in this Act contained shall extend to empower the said Trustees to shut up any Ford or discontinue or remove any Ferry at any greater Distance than Half a Mile according to the Course of the River above or below the said Bridges; and provided also, that the said Trustees shall make Compensation to the Proprietor of the Ferry across the River *Clyde* at *Crossford* for any Loss he may sustain in consequence of the said Bridge being erected, the Amount whereof shall be ascertained in the same Manner as other Claims of Compensation may be ascertained under the said recited Act of the First and Second Year of the Reign of His present Majesty King *William* the Fourth.

Application  
of Pontage.

XXIV. And be it enacted, That the Money arising from the Rates of Pontage on the said Bridge shall be applied in the first place to and for Payment of the Proportion of the Expence of obtaining and passing this Act, to be fixed as herein-after mentioned, and in the next place to and for the upholding of the said Bridge, and the Toll Gates and the Toll Houses thereon, and Roads therewith connected, and for paying the Interest of the Money subscribed or borrowed relative to the same; and the Surplus of the said Tolls or Pontage shall be applied to pay off the Money so subscribed or borrowed, and afterwards in such Manner towards the Purposes of this Act as the said Trustees at a General Meeting shall think proper and direct.

Tolls and  
Pontage for  
Overweight.

XXV. And be it enacted, That in case Weighing Machines shall be erected on the said Roads or at the said Bridge it shall be lawful for the said Trustees, or Committees of Trustees, or any Person authorized by them, to receive and take, over and above the Tolls and Pontage before specified, the following Sums of Money, as additional Toll and Pontage, for every Hundred Weight of One hundred and twelve Pounds to the Hundred Weight, which any Waggon, Wain, Cart, or any such Carriage, together with its Loading, shall weigh, at any of the said Weighing Machines, over and above the Weights

which such Waggon, Wain, Cart, or such Carriage is allowed to weigh, without paying additional Toll; (that is to say,)

For the First and Second Hundred Weight of such Overweight, the Sum of Three-pence for each Hundred Weight :

For every Hundred Weight of such Overweight above Two Hundred Weight, and not exceeding Five Hundred Weight, the Sum of Sixpence; above Five Hundred Weight and not exceeding Ten Hundred Weight, the Sum of Two Shillings and Sixpence :

For every Hundred Weight of such Overweight above Ten Hundred Weight and not exceeding Fifteen Hundred Weight, the Sum of Five Shillings :

For every Hundred Weight of such Overweight above Fifteen Hundred Weight, the Sum of Twenty Shillings :

And that before they respectively shall be permitted to pass through such Gate or Turnpike, or along the said Bridge; and the same shall be applied as the other Tolls and Pontages are by this Act respectively directed to be applied.

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

Weight of Carriages which shall be permitted to pass without paying additional Tolls and Pontage.

XXVII. And be it enacted, That for every Coach, Waggon, Cart, or other Carriage which shall pass by, along, or across any of the said Roads or Bridges drawn or propelled by Steam, or otherwise than by Animal Strength, there shall be paid Toll Duty at such Rate as the said Trustees shall fix and determine, not exceeding for each Hundred Weight such Coach, Waggon, Cart, or other Carriage and Engines attached thereto shall weigh, One Penny.

Tolls and Pontage payable for Carriages propelled by Steam.

XXVIII. Provided always, and be it enacted, That no Person or Persons shall be liable to pay any Toll or Pontage at any of the Gates or Turnpikes at present erected or to be erected by virtue of this Act, or at the said Bridge, for any Carriage laden with, or going empty for, or returning empty after having been laden with, Stones for paving the Streets of any Town situated on the said Roads, or the Bridges and the Causeways belonging to the same; nor for any Horses, Carriage, or Cattle passing to or from the Yards or Offices of the Inhabitants of any Town or Village within the Limits of the said Roads to Borough Roads or Fields adjoining to any such Town or Village occupied by such Inhabitants where there are no Yards or Offices.

Exemptions from Toll and Pontage.

XXIX. And be it enacted, That it shall and may be lawful for the said Trustees or Committees of Trustees, and they are hereby authorized,

Trustees may assign the Tolls in

Security of Money already advanced for the Purposes of the Roads.

rized, at any of their Meetings, to assign and mortgage the Tolls and Pontages on the said Roads and Bridge, or any Parts thereof, and the Turnpikes and Toll Houses for collecting the same, (the Costs and Charges of which Mortgages shall be paid out of the Tolls,) as a Security to any Person or Persons who may have already advanced or become personally bound for any Sum or Sums of Money for the Purposes of the said Roads and Bridge, and for which any such Security hath not heretofore been made or given, the Amount of all lawful Interests which have accrued thereon and not been paid out of the Tolls and Pontage being first added thereto, in the same Manner and Form as by Law the said Trustees might assign or mortgage the said Tolls and Pontage for any Sum or Sums of Money to be borrowed and taken up at Interest on the Credit of such Tolls and Pontage.

Subscriptions to remain a Lien over the Tolls, but Payment postponed.

XXX. And be it enacted, That all Sums of Money which since the Commencement of the said recited Acts hereby repealed, or previous thereto, have been voluntarily subscribed and paid by Individuals, and expended in making or repairing any Part or Parts of the said Roads, shall be and continue to be a Lien upon the Tolls and Duties by this Act granted, and it shall be lawful to the said Trustees acting in District Committees to assign the said Tolls and Duties hereby granted to the Person or Persons who have so subscribed, paid, and expended such Sum or Sums of Money, as a Security for the Repayment of such Sum or Sums, with the legal Interest thereof, from the Time of their being so subscribed, paid, and expended till Repayment; declaring always, that notwithstanding such Assignments the Repayment of such Sums so subscribed, paid, and expended shall, in so far as regards Sums subscribed by Trustees or others, be postponed until the Repayment of any Sum or Sums of Money to be borrowed in virtue of the Powers of this Act; but that such Person or Persons who have interposed their Credit by having subscribed and granted personal Bonds or Bills, and thereby become Sureties for Money borrowed, shall remain secured *pari passu* with those who shall lend or become Sureties for Money to be borrowed for the Purposes of this Act in Time coming, or in such Order as may be stipulated, and that only the Subscription Monies shall be postponed.

Trustees may purchase Subscriptions.

XXXI. And be it enacted, That it shall be lawful for the said Trustees and they are hereby authorized, at any Time when they shall think proper, to lay out any of the Funds of any of the said Districts in the Purchase of any Sum due on Mortgage of the Tolls of such District which may be offered for Sale by any Person or Persons, at a Rate not exceeding Thirty Pounds *per Centum* on the Principal Money secured by such Mortgage.

Providing for the Revenue of the Biggar and Leadhills District of Roads being insufficient.

XXXII. And be it enacted, That in case the Money arising from Tolls levied on the District of the said Roads in which the Turnpike Road from *Ingraston* Bridge by *Biggar* to *Leadhills*, and from thence to the Confines of the County of *Lanark* towards *Mennock* and *Enterkin*, and the Turnpike Road from the Confines of the County of *Dumfries* at or near *Troloss*, and from thence through the Parish of *Crawford* till it joins the Turnpike Road from *Glasgow* to *Carlisle* near *Elvanfoot*,

*foot*, are situated, in virtue of the Powers hereby conferred, shall not be sufficient, after paying the Expence of Management and the Interest of the Money which has already been borrowed upon the personal Obligation of the Trustees for the Purposes specified in the before-recited Acts, and which may be borrowed for the Purposes of this Act, to defray the Expence of repairing and keeping in repair the foresaid Roads situated in the said District, and of making the necessary Improvements thereon, it shall and may be lawful for the Committee of the Trustees for the said District to raise and levy the Sum which shall be wanting for that Purpose by an Assessment, to be imposed equally and proportionally, according to the valued Rent in the Cess Roll of the County, upon the Lands and Heritages belonging to themselves and other Heritors situated in the Parishes through or into which the Roads in the foresaid District, or any Part thereof, do pass; which Assessment shall be collected by the Treasurer of the said Trustees, and recovered by him in the Form in which Debts may at the Time be recovered in *Scotland*: Provided always, that no such Assessment shall be imposed unless agreed to by a Majority in Number of the Committee of Trustees for the District present at a Special Meeting to be called of the whole Trustees qualified to act on the said District of Road.

XXXIII. And be it enacted, That the present Turnpike Road from *Wilsontown* to *Carnwath* shall form one District with any other Road to be made in virtue of the Powers hereby conferred across the Parish of *Carnwath* in the same Direction, to the effect of making the Money already borrowed on the Credit of the Tolls leviable on the said Turnpike Road from *Wilsontown* to *Carnwath*, along with the Money to be borrowed on the Credit of such other Road, a joint Lien on the whole Tolls in the District.

Provision as to Turnpike Road from *Wilsontown* to *Carnwath*.

XXXIV. And be it enacted, That nothing herein contained shall relieve or be construed to relieve the Parish Road Trustees of any Parish in which the Statute Labour Roads before described may be situated of any Obligation to repair the said Roads until the same shall be declared Turnpike, and the Management thereof be assumed by the Trustees hereby appointed; but it shall be lawful for the Trustees hereby appointed from Time to Time to declare the said Statute Labour Roads, or any Part thereof, Turnpike, and thenceforward they shall have the entire Management of the Road so declared Turnpike.

Statute Labour Trustees not to be relieved from repairing any Parish Road herein described, till the same is declared Turnpike.

XXXV. And be it enacted, That as soon as the Alteration at *Edmondstone* on the Turnpike Road by *Biggar* is completed, and the new Road through the Lands of *Edmondstone* opened to the Public, the old Road, from near *Candyburn* to *Pailyard* Plantation, shall be shut up and discontinued as a Public Road, and shall be given to the Proprietor of *Edmondstone* as a Compensation in part for the Ground taken up by the new Road, and shall be held by him and his Successors as their own private Property.

Power to shut up old Road at *Edmondstone*, on Completion of new Line.

XXXVI. And whereas the Bridge proposed to be erected over the River *Clyde* near *Stonebyres* Fall, and Roads leading thereto, will  
[Local.] 24 A when

Trustees under the recited Act

of the 1st  
and 4th  
Years of  
G. 4. may  
purchase or  
compound  
for the Tolls  
leviable on  
the Lanark  
and Hamil-  
ton Road.

when completed form a convenient Communication from *Lanark* to *Hamilton* by the Turnpike Road between those Towns before described, and it will be necessary in that Event that the Tolls on the said Road be relinquished or diminished; be it therefore enacted, That it shall be lawful for the Trustees acting in execution of the said recited Acts passed in the First and Tenth Years of the Reign of His late Majesty *George* the Fourth, and they are hereby authorized and empowered, to contract and agree with the Trustees hereby appointed on the Road from *Lanark* to *Hamilton* for a Surrender or Transfer of their Right to levy Tolls on the said Road from *Lanark* to *Hamilton* in any Situation which may impede or hurt the Utility of the Bridge authorized to be built over the River *Clyde* near *Stonebyres* Falls, or of the Roads thereto, or to compound with the Trustees hereby appointed for the passing of Persons traveling along the said Bridge and Roads through any Toll Bars near the same, or with the Consent of the Trustees hereby appointed to purchase and acquire the Right of them and any other Party interested therein to the Tolls and Duties leviable on the said Road, and to assume the same under their own Management, or to enter into any other Transaction or Agreement to secure the Completion of the said Works and the Use thereof to the Public, and to pay the Sum or Sums agreed upon as Compensation, Composition, or Purchase Money out of the Funds by the said recited Act passed in the Tenth Year of the Reign of His late Majesty *George* the Fourth authorized to be borrowed, and out of the Tolls or Pontages leviable on the Roads or Bridges under their Management; and it shall be lawful for the Trustees hereby appointed and they are authorized and empowered to accept of such Sum or Sums of Money as may seem proper as Compensation, Composition, or Purchase Money, and on Payment, or being satisfied therefor, to surrender or transfer the said Tolls or any Part thereof, compound therefor, or sell and dispose of their Right and Interest therein, and give up the Management of the said Road to the other Trustees, all as to them may seem meet.

Persons  
using private  
Roads for  
evading the  
Tolls shall  
be liable in  
the Penalties  
contained in  
the Act  
1 & 2 W. 4.  
for such Of-  
fence.

XXXVII. And be it enacted, That any Person who shall use, for the Conveyance of Goods and Materials by Carts or Carriages from the said Turnpike Road, any private Way or Railroad, formed and made for private Use, over any Land near or adjoining to such Road, (such Person not being the Proprietor or Occupier, or Servant of the Proprietor or Occupier of the Ground,) whereby the Toll and Pontage Rates or Duties hereby granted may be evaded, and shall not pay the said Rates and Duties, shall be deemed guilty of evading the Toll and Pontage Rates or Duties, and be liable in the Penalties in the said recited Act passed in the First and Second Year of the Reign of His present Majesty stipulated for that Offence, to be recovered as therein provided.

Expences of  
this Act.

XXXVIII. And be it enacted, That the Expence of procuring and passing this Act shall be paid out of the first Monies subscribed, levied, or borrowed by virtue of this Act, and be apportioned on the Tolls or Pontage Duties hereby granted in such Manner as the Trustees, at a General Meeting assembled, shall direct and appoint; and in case the Trustees of any District shall be dissatisfied with the Apportionment

of the General Meeting, it shall be competent to them to appeal therefrom to the Sheriff of the County, or his Substitutes, whose Decision shall be final, and not subject to Review by Suspension, Advocation, or otherwise.

XXXIX. 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. Public Act.

XL. 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. Commence-  
ment and  
Continuance  
of this Act.

**SCHEDULE** referred to by the foregoing Act.

First, Containing a Description of the Property to be used for making the Road from Candy Burn to Pailyard Plantation.

| Parish. | Description of Property.                        | Owners.        | Occupiers.       |
|---------|---|----------------|------------------|
| Biggar  | { Garden and in-<br>closed Ground }<br>Planting | Lawrence Brown | Lawrence Hislop. |
| Do.     |   | Do.            | Lawrence Brown.  |
| Do.     | { Do., and in-<br>closed Ground }               | Do.            | John Cranstown.  |
| Do.     |   | Do.            | Lawrence Brown.  |

Second, Containing a Description of the Property to be used in building a Bridge over the River Clyde at or near Crossford, and making Communications therewith.

| Parish.    | Description of Property.                     | Owners.             | Occupiers.      |
|------------|--|---------------------|-----------------|
| Lesmahagow | Inclosed Ground<br>Planted Policy<br>Orchard | James Caldwell      | Proprietor.     |
| Lanark     |  | Archd. Nisbet, Esq. | Sir R. Honyman. |
| Do.        |  | Capt. J. Howison    | Proprietor.     |
| Do.        | { Plantations & in-<br>closed Ground }       | Do.                 | Wm. Gardner.    |
| Do.        |  | Josiah Frame        | Proprietor.     |
| Carluke    |  | Orchard             | John Orr, Esq.  |
| Do.        | Do.  | Do.                 | John Orr, Esq.  |

