



ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

Cap. lxxiv.

An Act for amending, varying the Tolls, and extending the Term of an Act of the Fifty-ninth Year of His late Majesty King *George* the Third, for amending and keeping in repair the Mail Coach Road leading from *Banbridge* in the County of *Down* to *Belfast* in the County of *Antrim*.

[27th *June* 1834.]

WHEREAS an Act was passed, in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending and keeping in repair the Mail Coach Road leading from Banbridge in the County of Down to Belfast in the County of Antrim*: And whereas by or under the Provisions contained in the said recited Act the said Road was and is divided into Two Divisions or Districts, and so much of the said Road as reaches from *Banbridge* aforesaid unto the Northernmost Boundary of the Lands of *Maghregarry* in the County of *Down* was and is called the First Division thereof, and so much of the said Road as reaches from the North End of the said First Division unto the Town of *Belfast* aforesaid was and is called the Second of such Divisions: And whereas the First of the said Divisions of the said Road comprises a Distance of Eleven *Irish* Miles and a Half, or thereabouts, and has produced, including the Money paid to the Trustees of the said First Division, as or for One Third Part of the Tolls and Profits of the Gate commonly called *Toan's Gate*, pursuant to the Directions of the said recited Act, an average annual Sum by no means sufficient

[*Local.*]

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sufficient

56G.3.c.128.

sufficient effectually to amend and keep in repair the said First Division of the said Road, and to improve and alter the same, according to the true Intent and Meaning of the said recited Act: And whereas the Second of the said Divisions of the said Road comprises a Distance of Seven *Irish* Miles and a Half, or thereabouts: And whereas the Allotment or Distribution of the Tolls and Profits arising upon the whole Line of the said Road from *Banbridge* to *Belfast* aforesaid, made by or under the Provisions of the said recited Act, between the Two Committees of the said Two Divisions of the said Road, has been found in its Operation and Effect to be unequal, and not to bear a due and just Proportion to the necessary Expenditure incurred, and from Time to Time requisite or advisable to be incurred, in the Repair and Amendment and Improvement of the said respective Divisions of the said Road: And whereas it is expedient that some of the Powers and Provisions contained in the said recited Act should be repealed, or altered, amended, and rendered more effectual, the Tolls thereof differently and more equally apportioned in respect of the Two Divisions of the said Road, and the Term of the said recited Act extended; but the several Purposes aforesaid 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 Act of the Fifty-ninth Year of the Reign of King *George* the Third, and all and every the Clauses, Powers, Authorities, Provisions, Restrictions, Exemptions, Penalties, Forfeitures, Payments, Rules, Remedies, Directions, Articles, Matters, and Things therein respectively contained, (except such of them and such Parts thereof as are varied, altered, repealed, or otherwise provided for in and by this Act,) shall extend and be construed to extend to this present Act, and shall operate and be in force for carrying this Act into execution, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same had been herein repeated and adapted for the Purposes of this present Act.

Extending Powers of former Act to this Act.

So much of recited Act as relates to the Appointment of Trustees repealed.

II. And whereas by the said recited Act it is enacted, that for the better ordering, amending, and keeping in repair the said Mail Coach Road leading from *Banbridge* in the County of *Down* to *Belfast* in the County of *Antrim*, certain Persons therein particularly mentioned should be Trustees for executing the several Powers, Authorities, and Trusts contained in the said recited Act for the repairing and keeping in repair the said public Road or Highway leading from *Banbridge* aforesaid to *Belfast* aforesaid; be it further enacted, That so much of the said recited Act as relates to the Appointment of the Persons herein-before referred to to be the Trustees for carrying the same Act into execution, and to the Powers, Authorities, and Trusts thereby conferred upon them respectively, shall be and the same is hereby repealed.

Appointing Trustees for executing this Act.

III. And be it further enacted, That for the better ordering, amending, and keeping in repair the said Mail Coach Road leading from *Banbridge* in the County of *Down* to *Belfast* in the County of *Antrim*, the Right Honourable *Arthur Wills Blundell Sandys Trumbull Windsor Hill* commonly called Earl of *Hillsborough*, the Right Honourable *William Robert Stewart* commonly called Lord Viscount *Castlereagh*, the Right Honourable *Arthur Moyses William Hill* commonly called Lord *Arthur Moyses*

William

William Hill, the Right Honourable *Arthur Marcus Cecil Hill* commonly called Lord *Arthur Marcus Cecil Hill*, the Right Honourable *George Augusta Hill* commonly called Lord *George Augusta Hill*, the Honourable and Very Reverend *Thomas Plunkett* Dean of *Down*, the Very Reverend *James Mahon* Dean of *Dromore*, the Venerable *James Saurin* Archdeacon of *Dromore*, *Henderson Black*, *Hercules Bradshaw*, *Crane Richard Brush*, *James Kearns Clarke*, *Robert Dickson*, the Reverend *Daniel Dickenson* Clerk, the Reverend *William Brownlow Forde* Clerk, the Reverend *William Filgate* Clerk, *John Stewart Hawkshaw*, *John Henderson*, *John Lindsay*, *David Lindsay*, the Reverend *Edward Leslie* Clerk, the Reverend *Charles Lett* Clerk, *Henry Magill*, *James Cowan Moreland*, *Hugh Moore*, *William Edmund Reilly*, *James Miles Reilly*, the Reverend *Michael Sampson* Clerk, *George Vaughan* and *James Watson*, the Right Honourable Earl of *Yarmouth*, the Right Honourable *George Augustus Hamilton Chichester* Earl of *Belfast*, Lord *Arthur Chichester*, Sir *Arthur Chichester*, Sir *Stephen May*, General *O'Neill*, *Henry Meynell*, *James Emmerson Tenant*, *William Wallace Legge*, the Very Reverend *James Stannus*, the Very Reverend *Henry Leslie*, the Venerable *Walter Bishop Mant*, *John M'Cance*, *John Younghusband*, *Edward Curteis*, *James Watson*, *John Charley*, *Thomas Johnson Smyth*, *Edward Johnson*, *James Murray*, the Reverend *Arthur Chichester Macartney*, the Reverend *Snowden Cupples*, the Reverend *Thomas Thompson*, the Reverend *Ralph Bridge*, the Reverend *John Bradshaw*, the Reverend *James L—— M—— Scott*, the Reverend *Thomas Hincks*, *Thomas Ludford Stewart*, *Robert Williamson*, *Henderson Black*, *Thomas Fulton*, *Alexander Hunter*, *Alexander Williamson*, the Reverend *Savage Hall*, *William Gregg*, *William Cairns*, *Thomas Batt*, *John M'Neile*, *Hugh Montgomery*, *John Clarke*, and *Arthur Macgregor Skinner*, together with such other Persons as shall be elected and appointed additional Trustees under the Powers and Provisions in the said recited Act contained, be Trustees for executing the several Powers, Authorities, and Trusts contained in this Act and in the said recited Act for the repairing and keeping in repair the said Road leading from *Banbridge* to *Belfast* aforesaid.

IV. And whereas by the said recited Act it is enacted, that the Trustees thereby appointed should be divided into Two Committees, and that the First of the said Committees should consist of certain Persons therein particularly mentioned, and that the Second of such Committees should consist of certain other Persons therein also particularly mentioned; be it further enacted, That so much of the said recited Act as relates to the Division of the Trustees thereby appointed into Two Committees shall be and the same is hereby repealed.

Repealing so much of 59 G. 3. as divided the Trustees into Two Committees.

V. And be it further enacted, That the said Trustees appointed by this Act shall be divided into Two Committees; and that the said Road shall be, remain, and continue divided into Two Divisions; and that the First of the said Committees shall consist of the said *Arthur Wills Blundell Sandys Trumbull Windsor Hill* Earl of *Hillsborough*, the said *William Robert Stewart* Lord Viscount *Castlereagh*, the said Lord *Arthur Moyses William Hill*, the said Lord *Arthur Marcus Cecil Hill*, the said Lord *George Augusta Hill*, the said *Thomas Plunkett*, *James Mahon*, *James Saurin*, *Henderson Black*, *Hercules Bradshaw*, *Crane Richard Brush*, *James Kearns Clarke*, *Robert Dickson*, *Daniel Dickenson*, *William Brownlow Forde*, *William Filgate*, *John Stewart Hawkshaw*, *John Henderson*, *John Lindsay*,

Present Trustees to be divided into Two Committees, and the Road into Two Divisions.

Trustees of the First Committee.

Trustees of
the Second
Committee.

Lindsay, David Lindsay, Edward Leslie, Charles Lett, Henry Magill, James Cowan Moreland, Hugh Moore, William Edmund Reilly, James Miles Reilly, Michael Sampson, George Vaughan, James Watson, James Stannus, John M'Cance, and John Charley, together with such other Persons as shall be elected Trustees for the First Division of the said Road; and that the Second of such Committees shall consist of the said Earl of *Yarmouth*, the said *George Augustus Hamilton Chichester* Earl of *Belfast*, the said Lord *Arthur Chichester*, Sir *Arthur Chichester*, Sir *Stephen May*, General *O'Neill*, *Henry Meynell*, *James Emmerson Tennant*, *William Wallace Legge*, *James Stannus*, *Henry Leslie*, *Walter Bishop Mant*, *John M'Cance*, *John Younghusband*, *Edward Curteis*, *James Watson*, *John Charley*, *Thomas Johnson Smyth*, *Edward Johnson*, *James Murray*, *Arthur Chichester Macartney*, *Snowden Cupples*, *Thomas Thompson*, *Ralph Bridge*, *John Bradshaw*, *James L. M. Scott*, *Thomas Hincks*, *Thomas Ludford Stewart*, *Robert Williamson*, *Henderson Black*, *Thomas Fulton*, *Alexander Hunter*, *Alexander Williamson*, *Savage Hall*, *William Gregg*, *William Cairns*, *Thomas Batt*, *John M'Neile*, *Hugh Montgomery*, *John Clarke*, *Arthur Macgregor Skinner*, *John Lindsay*, *Hugh Moore*, and *William Edmund Reilly*, together with such other Persons as shall be elected Trustees for the Second Division of the said Road.

First Com-
mittee to
have the Ma-
nagement of
First Division
of the Road,
and Second
Committee of
Second Di-
vision.

VI. And be it further enacted, That the ordering and directing and Management of the repairing and keeping in repair the First of the said Divisions of the said Road, with the Application of the Tolls thereof and arising therefrom, and of all Matters relative thereto, shall, from and after the passing of this Act, be committed to the Care and Government of the First of the said Committees, and of the Second of the said Divisions in like Manner to the Second of the said Committees; and that it shall be lawful for each of the said Committees respectively, and they are hereby respectively authorized and empowered, within their respective Divisions of the said Road, to use and exercise all the Powers and Authorities herein and in the said recited Act given to the said Trustees generally; and that each of the said Committees shall have a Common Seal, and that the Committee of one of the said Divisions of the said Road shall have no Power to intermeddle with the other Division, or the Tolls thereof, or any other Matter relating thereto.

Each to have
a Common
Seal.

Election of
new Trustees.

VII. And be it further enacted, That upon the Death, Refusal, or Disability, Resignation, or Nonattendance for Twelve Months of any of the said Trustees hereby appointed, or their Successors, to be elected in manner herein-after mentioned, to act in the Execution of this Act and of the said recited Act for either of the said Divisions of the said Road, then and in every such Case it shall and may be lawful for the surviving and remaining Trustees for either of the said Divisions of the said Road for the Time being, in respect of which any Vacancy shall occur in manner aforesaid, and they are hereby empowered, from Time to Time to elect and appoint another Person to be a Trustee in the Room of each Trustee so dying, or refusing or being incapable of acting, or so resigning, or not attending the Meeting of the said Trustees for Twelve Months as aforesaid.

Election of
new Trustees
in the Place
of John Lind-

VIII. And be it further enacted, That upon the Death, Refusal, Disability, or Resignation of any of them the said *John Lindsay*, *Hugh Moore*, and *William Edmund Reilly*, or their Successors, to be elected in manner

manner herein-after mentioned, to act in the Execution of this Act for the said Second Division of the said Road, then and in every such Case it shall and may be lawful for the Trustees of the said First Division of the said Road for the Time being from Time to Time to elect and appoint another Person to be a Trustee in the Room of every such Trustee as last aforesaid so dying, or refusing or being incapable of acting, or so resigning, as last aforesaid.

say, Hugh Moore, and W. E. Reilly, for the Second Division.

IX. And be it further enacted, That upon the Death, Refusal, Disability, or Resignation of any of them the said *James Stannus*, *John M'Cance*, and *John Charley*, or their Successors, to be elected in manner herein-after mentioned, to act in the Execution of this Act for the said First Division of the said Road, then and in every such Case it shall and may be lawful for the Trustees of the said Second Division of the said Road for the Time being from Time to Time to elect and appoint another Person to be a Trustee in the Room of every such Trustee as last aforesaid so dying, or refusing or being incapable of acting, or so resigning, as last aforesaid.

Election of new Trustees in the Place of J. Stannus, J. M'Cance, and J. Charley for the First Division.

X. And be it further enacted, That Notice of the Time and Place of Meeting for every Election of new Trustees to be made in pursuance of the Provisions herein-before contained shall, by the Clerk of the Trustees for each of the said Divisions of the said Road for the Time being (as the Case may happen to be), be inserted in some or one of the public Newspapers published or circulated in the said Counties of *Down* and *Antrim* Seven Days at the least previously to such Meeting; and every Person to be elected a new Trustee as herein-before mentioned is hereby empowered to act in the Execution of this Act, to all Intents and Purposes, in as full and ample a Manner as if he had originally been appointed a Trustee in and by this Act.

Notice of Election of new Trustees.

XI. And whereas by the said recited Act it is provided and enacted, that the Trustees of the Second of the said Divisions of the said Road by whom the Tolls and Profits of the said Gate commonly called *Toan's Gate*, or any Gate to be erected in lieu thereof, or to be placed across or on the Side of any Part of the said Road between the End of the said First Division and *Lisburn* aforesaid, would be received under the Authority of the said Act now in recital, should from Time to Time and at all Times during the Continuance of the said Act account with and pay to the Trustees of the First of such Divisions One full Third Part of all such Tolls and Profits, the same to be paid by Four equal quarterly Payments in every Year on the several Days therein expressed; be it further enacted, That so much of the said recited Act as is lastly herein-before recited shall be and the same is hereby repealed.

Repealing Clause in recited Act as to Application of Tolls of *Toan's Gate*.

XII. And be it further enacted, That the Trustees of the First of the said Divisions shall meet at *Hillsborough* on the Third *Monday* next after the passing of this Act at Twelve of the Clock at Noon, and that the Trustees of the Second of the said Divisions shall meet at *Belfast* on the Fourth *Monday* next after the passing of this Act at the same Hour; and in case Five or more of such respective Trustees shall not assemble to form a Meeting on either of those Days respectively, then and in such Case there shall be a Meeting of the said Trustees holden at the said respective Places on the *Monday* following each of those Days, and so *toties*

First Meetings of the Trustees.

Power to
adjourn.

quoties, until there shall be a Meeting of the said respective Trustees at the same Hour; and at such respective Times and Places the said Trustees respectively shall proceed to carry this Act and the said recited Act into execution; and that it shall and may be lawful for them at such respective Meetings, and at their several Meetings to be holden for the Purpose of carrying this Act and the said recited Act into execution, from Time to Time to adjourn themselves, and appoint their next Meeting to be holden at the same Places respectively, or at any other Places upon or near to the said Road, as to them the said Trustees shall seem convenient, and at such Times as to them shall seem proper; and the said Trustees shall at their several Meetings defray their own Expences.

Repealing
Clause in
recited Act
empowering
Trustees to
receive Tolls.

XIII. And whereas by the said recited Act it is enacted, that it should be lawful for the Trustees thereby appointed to demand and take, or cause to be demanded and taken, the Tolls therein particularly specified; be it further enacted, That so much of the said recited Act as empowers the Trustees thereby appointed to demand and take the Tolls therein specified shall be and the same is hereby repealed.

Trustees em-
powered to
erect Turn-
pikes and
Toll Houses.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Trustees for each of the said Divisions of the said Road to order to be erected such and so many Turnpikes to secure the Tolls hereby granted upon or across any Part of each of the said Divisions of the said Road, and on or near the Sides thereof, or in, near, unto, or across any Lanes or Ways leading or that may hereafter lead out of the same, and to erect or cause to be erected such and so many Toll Houses and Turnpikes as they shall think proper, not expending on each Toll House and Gate a Sum exceeding One hundred and fifty Pounds; and it shall and may be lawful to and for the said respective Trustees and they are hereby empowered to purchase and take Lands sufficient for such Toll House or Toll Houses, not exceeding One Rood *English* Statute Measure for each, with necessary Accommodations thereto, and from Time to Time to remove, alter, or discontinue such Turnpikes and Toll Houses, or any of them, as they the said respective Trustees shall from Time to Time think needful and expedient.

Trustees em-
powered to
receive Tolls.

XV. And be it further enacted, That it shall and may be lawful to and for the said Trustees for each of the said Divisions of the said Road to demand and take or cause to be demanded and taken at the said Turnpikes the Tolls following, in lawful Money of the United Kingdom, before any Carriage, Horse, or other Beast or Cattle shall be permitted to pass through the same respectively; (that is to say,)

Tolls.

For every Horse or other Beast of Draught drawing any Coach, Berlin, Landau, Landalet, Vis-a-vis, Chariot, Chaise, Phaeton, Curricule, Cabriolet, Calash, Chair, Gig, Tilbury, Dog Cart, Caravan, Jaunting Car, Hearse, Litter, or other such Carriage, when drawn by Four or more Horses or other Beasts of Draught, the Sum of Sixpence; and when drawn by Two or Three Horses or other Beasts of Draught, the Sum of Seven-pence Halfpenny; and when drawn by One Horse or other Beast of Draught, the Sum of Nine-pence:

For every Horse or other Beast of Draught drawing any Waggon, Wain, Dray, or other such Carriage having more than Two Wheels, and the Streaks or Shoeings of all such Wheels set on or fastened with Nails,
Bolts,

Bolts, or Screws, countersunk and flat-headed, so as not to project above One Eighth of an Inch beyond the Surface of such Streaks or Shoeings, when such Wheels shall be of the Breadth of Six Inches or more, the Sum of One Penny Halfpenny; when of the Breadth of Four Inches and less than Six Inches, the Sum of Two-pence; when of the Breadth of Three Inches and less than Four Inches, the Sum of Three-pence; and when of a less Breadth than Three Inches, the Sum of Four-pence Halfpenny:

For every Horse or other Beast of Draught drawing any Cart or Car or other such Carriage with Two Wheels, having the Axletree fixed to the Body thereof, and the Streaks or Shoeings of all such Wheels set on or fastened as aforesaid, when such Wheels shall be of the Breadth of Four Inches or more, if such Cart, Car, or other such Carriage shall be drawn by One Horse or other Beast of Draught, the Sum of Five-pence Halfpenny; and if drawn by Two or more such Horses or other Beasts of Draught, the Sum of Four-pence Halfpenny each; and when such Wheels shall be of a less Breadth than Four Inches, the Sum of Five-pence Halfpenny; and if any such Cart, Car, or other such Carriage shall have a rolling Axletree fixed to the Wheels thereof, the Sum of Seven-pence Halfpenny:

For every Horse or other Beast of Draught drawing any Waggon, Wain, Dray, or other such Carriage, or any Cart, Car, or other such Carriage, when the same shall have any Streak or Shoeing of any Wheel thereof not so set on or fastened as aforesaid, the Sum of Eleven-pence; and when the same shall also have a rolling Axletree fixed to the Wheels thereof, the Sum of One Shilling and Two-pence:

For every Coach, Waggon, Vehicle, or other Carriage of whatever Description propelled, drawn, or moved by Steam, Gas, or any other like Means, or by any Machinery, any Sum not exceeding Five Shillings:

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Sixpence Halfpenny *per* Score, and so in proportion for any greater or less Number:

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

XVI. Provided always, and be it further enacted, That the Tolls hereby made payable for or in respect of any Coach, Waggon, Vehicle, or other Carriage propelled, drawn, or moved by Steam, Gas, or any other like Means, or by any Machinery, shall be paid every Time of passing and repassing of such Coach, Waggon, Vehicle, or other Carriage along the said Road.

Tolls payable in respect of Steam Carriages to be paid every Time of passing.

XVII. And be it further enacted, That the said respective Tolls shall be and they are hereby declared to be vested in the said Trustees respectively; and a Table thereof shall be put up and continued at each and every Turnpike erected on the said Road; and it shall and may be lawful to and for the several Collectors of the said Tolls to demand, collect, and receive the Tolls hereby granted; and if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand thereof made by any such Collector, neglect or refuse to pay the same or

Tolls vested in the Trustees.

Remedy for the Recovery thereof.

any

any Part thereof, it shall and may be lawful to and for such Collector to seize and distrain, or cause to be seized and distrained, any Carriage, Horse or Horses, or other Beasts or Cattle chargeable with the said Tolls, or their respective Bridles, Saddles, Harness, or Accoutrements, or any Part or Parts thereof, but no such Bridle shall be seized or distrained without the Horse or Beast; and if such Tolls, and the reasonable Charges of such Seizure and Distress, and detaining and keeping the same, shall not be paid within Two Days next after such Seizure and Distress made, the Collector so seizing and distraining shall and may sell or cause to be sold the Carriage or Carriages, Horse or Horses, Beasts, or other Cattle, and their Bridles, Saddles, Harnesses, or Accoutrements so seized and distrained, or any of them, at or near the Turnpike where the said Tolls ought to have been paid, rendering the Overplus (if any), upon Demand, to the Owner or Owners thereof, after such Tolls, and all reasonable Charges attending the distraining, keeping, and selling the same, shall be deducted and paid.

Tolls vested in the Trustees of each Division respectively.

XVIII. Provided always, and be it enacted, That such of the said Tolls as shall arise on the First Division of the said Road shall be and are hereby vested in the Trustees for the said First Division, and such of the said Tolls as shall arise on the Second Division of the said Road shall be and are hereby vested in the Trustees for the said Second Division, and shall be applied for the Purposes of this Act and of the said recited Act in manner herein and in the said recited Act directed.

Turnpikes, &c. vested in the Trustees.

XIX. And be it further enacted, That all such Right and Property in the several Turnpikes, Toll Houses, and other Buildings on either of the Divisions of the said Road as was vested in the Trustees acting under the said recited Act, and also all the Right and Property of the several Turnpikes, Toll Houses, and other Buildings that may be erected on either of the said Divisions of the said Road by virtue of the said recited Act or of this Act, with the Ground, Fences, and Appurtenances thereto respectively belonging, and of all Milestones, Tables of Tolls, and Posts erected or to be erected, and also of all Materials, Tools, and Implements which have been or shall be provided for making, altering, and repairing the said Road, by virtue of the said recited Act or of this Act, shall be vested in and be the Property of the respective Trustees appointed by virtue of this Act; and they are hereby respectively empowered to bring or cause any Action or Actions to be brought, and any Bill or Bills of Indictment to be preferred, against any Person or Persons who shall steal, break down, take away, injure, or spoil any such Turnpikes, Toll Houses, or other Buildings, Fences, Milestones, Tables of Tolls, Posts, or any such Materials, Tools, or Implements; and in all such Actions and Bills of Indictment respectively it shall be and be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Trustees of the First Division or Second Division, as the Case may be, of the Road leading from *Banbridge* to *Belfast*, without particularly stating or specifying the Name or Names of all or any of such Trustees.

Two Thirds of the Tolls of Toan's

XX. And whereas in consequence of the greater Length of the First Division of the said Road it is reasonable that Two Thirds of the Tolls collected

collected at the said Gate called *Toan's Gate* should be applied in the Maintenance and for the Purposes of the said First Division of the said Road; be it further enacted, That the Trustees of the said Second Division of the said Road by whom the Tolls and Profits of the said Gate commonly called *Toan's Gate*, or any Gate to be erected in lieu thereof, or to be placed across or on the Side of any Part of the said Road between the End of the said First Division of the said Road and *Lisburn* aforesaid, will be received under the Authority of this Act, do and shall from Time to Time and at all Times during the Continuance of this Act account with and pay to the Trustees of the said First Division of the said Road Two full and equal Third Parts of all the Tolls and Profits to be received at the said Gate called *Toan's Gate*, and every Gate or Gates to be erected in lieu thereof, or to be placed across or on the Side of any Part of the said Road between the End of the said First Division of the said Road and *Lisburn* aforesaid, the same Two Third Parts to be paid by Four quarterly Payments in every Year, (that is to say,) on the first *Monday* in *February*, *May*, *August*, and *November* respectively, the first Payment thereof to be made on such of the said Days as shall happen next after the passing of this Act.

Gate to be paid to the Trustees of the First Division.

XXI. And be it further enacted, That the Trustees of the said Second Division of the said Road shall and they are hereby required, at all Times from and after the passing of this Act, to let or farm in the Manner directed by the said recited Act all the said last-mentioned Tolls and Profits, separate and apart from the Tolls and Profits to be received at any other Gate or Gates erected or to be erected upon the said Second Division of the said Road, unless the Trustees of the said First Division of the said Road shall, at a Meeting to be held pursuant to the Provisions of this Act and of the said recited Act, consent that the said Tolls and Profits, Two Third Parts whereof are hereby made payable to the said last-mentioned Trustees, shall or may be let or farmed by the Trustees of the said Second Division of the said Road jointly with any other Tolls and Profits to be received by them by virtue of this Act.

Tolls of *Toan's Gate* to be let separate.

XXII. And be it further enacted, That the Trustees of the said Second Division of the said Road shall and they are hereby required, at all Times from and after the passing of this Act, to keep separate and distinct Accounts of the Tolls and Profits of the said Gate called *Toan's Gate*, and any Gate or Gates to be erected in lieu thereof, or to be placed across or on the Side of any Part of the said Road between the End of the said First Division of the said Road and *Lisburn* aforesaid; and that the said Accounts shall at all seasonable Times be open to the Inspection and Examination of the Trustees of the said First Division of the said Road, or any of them, or of such Person or Persons as shall or may from Time to Time be appointed by them for that Purpose, without Fee or Reward.

Separate Accounts to be kept of the Tolls of *Toan's Gate*.

XXIII. And be it further enacted, That the Trustees of the said Second Division of the said Road shall be and they are hereby authorized and empowered, from Time to Time and at any Time or Times after the passing of this Act, to advance and pay over to the Trustees of the said First Division of the said Road any Surplus of the Tolls and Profits to be received at the Gates belonging to or under the Controul of the Trustees of the said Second Division of the said Road, beyond their necessary Disbursements

Trustees of the Second Division empowered to pay Surplus of their Tolls for the Improvement and Altera-

tion of the
First Divi-
sion.

for Costs, current Expences, Repairs, and Improvements, in aid of the Cost and Expence of improving and altering the said First Division of the said Road generally; and that the first Monies which shall be paid by the Trustees of the said Second Division of the said Road to the Trustees of the said First Division of the said Road, in respect of the Surplus of the Tolls and Profits to be received by the Trustees of the said Second Division of the said Road, shall be applied, laid out, and expended by the Trustees of the said First Division of the said Road in or towards the Improvement and Alteration of the said First Division of the said Road at *Carnbane Hill*, situate in the said County of *Down*, between the Town of *Hillsborough* and the North End of the said First Division of the said Road.

The Road at
Carnbane
Hill to be im-
proved at the
equal Ex-
pence of the
Two Com-
mittees.

XXIV. And be it further enacted, That the Trustees of the said First Division of the said Road shall and they are hereby required from Time to Time to pay and apply a Sum or Sums of Money, to be advanced by them out of the Tolls and Profits to be received by them by virtue of this Act, in, for, and towards the Improvement and Alteration of the said First Division of the said Road at *Carnbane Hill* aforesaid, equal in Amount to every such Sum or Sums of Money as the Trustees of the said First Division of the said Road shall or may from Time to Time receive from the Trustees of the said Second Division of the said Road for the Improvement and Alteration of the said First Division of the said Road at *Carnbane Hill* aforesaid.

Separate Ac-
counts to be
kept of the
Expence of
improving the
Road at
Carnbane
Hill.

XXV. And be it further enacted, That the Trustees of the said First Division of the said Road shall and they are hereby required to keep separate and distinct Accounts of the Monies to be from Time to Time by them paid, laid out, and expended in the Improvement and Alteration of the said First Division of the said Road at *Carnbane Hill* aforesaid, and that the said last-mentioned Accounts shall at all seasonable Times be open to the Inspection and Examination of the Trustees of the said Second Division of the said Road, or any of them, or of such Person or Persons as shall or may from Time to Time be appointed by them for that Purpose, without Fee or Reward.

Trustees un-
der this Act
empowered
to settle the
Accounts of
the Treas-
urers under
recited Act.

XXVI. And whereas it is just and proper that the Trustees appointed by virtue of this Act should be authorized to audit, examine, and adjust the Accounts of the Treasurer or Treasurers, and other Officer or Officers of the Trustees who have acted under or by virtue of the said recited Act, and to receive or pay (as the Case may be) the Balances which may be justly due and owing in respect of such Accounts; be it therefore further enacted, That it shall and may be lawful to and for the said Trustees appointed by virtue of this Act for the First Division of the said Road to audit, examine, and adjust the Accounts of the Treasurer or Treasurers and other Officer or Officers of the Trustees who have acted by virtue of or under the said recited Act for the said First Division, as mentioned in such Act, and to allow to such Treasurer or Treasurers and other Officer or Officers all such Sums of Money as he or they may have paid or become liable to pay, and would have been entitled to be allowed in case the said recited Act had continued in full Force and this Act had not been passed, and to pay the Balance or Balances (if any) out of the Money to be received by virtue of this Act; and on the other Hand, if the Balance or Balances shall be against the Person or Persons so accounting, then to receive such

Balance or Balances; and apply the same in the Manner hereby directed with respect to the Tolls to be received by virtue of this Act; and that in like Manner it shall and may be lawful to and for the Trustees appointed by virtue of this Act for the Second Division of the said Road to audit, examine, and adjust the Accounts of the Treasurer or Treasurers and other Officer or Officers of the Trustees who have acted by virtue of or under the said recited Act for the Second Division of the said Road, as mentioned in such Act, and to allow to such Treasurer or Treasurers and other Officer or Officers all such Sums of Money as he or they may have paid or become liable to pay, and would have been entitled to be allowed in case the said recited Act had continued in full Force and this Act had not been passed, and to pay the Balance or Balances, if any, out of the Monies to be received by virtue of this Act; and on the other Hand, if the Balance or Balances shall be against the Person or Persons so accounting, then to receive such Balance or Balances, and apply the same in the Manner hereby directed with respect to the Tolls to be received by virtue of this Act.

XXVII. And be it further enacted, That the respective Trustees hereby appointed shall have such and the same Powers for compelling the Treasurer or Treasurers and other Officer or Officers who have acted by virtue of or under the said recited Act faithfully to account as aforesaid; and such Treasurer or Treasurers or other Officer or Officers shall be liable to such and the same Pains and Penalties, in case he or they shall neglect or refuse to pass his or their Accounts, and pay over the Balances in manner aforesaid, as are in the said recited Act contained with respect to the passing of the Accounts and the Payment of the Balances of the Treasurers to be appointed by virtue of this Act and of the said recited Act.

Treasurers may be compelled to account by Trustees.

XXVIII. And be it further enacted, That, as to the First Division of the said Road, it shall and may be lawful for the Trustees appointed by virtue of this Act for such First Division to recover and receive, or compound for and settle, all Rents and Tolls or other Monies remaining unpaid to the said Trustees under the said recited Act, or to their Treasurer or Treasurers, in respect of the Tolls so collected by them or their Lessees, as in the said recited Act mentioned for or in respect of such First Division; and as to the Second Division of the said Road, as mentioned in the said recited Act, it shall and may be lawful for the Trustees appointed by virtue of this Act for the Second Division of the said Road, as mentioned in this Act, to recover and receive, or compromise for and settle, all Rents or Tolls or other Monies remaining unpaid to the said Trustees under the said recited Act, or to their respective Treasurers, in respect of the Tolls so collected by them or their Lessees, as in the said recited Act mentioned for or in respect of such Second Division; and the said Sums of Money hereby authorized to be recovered and received or compounded for as aforesaid shall and may be recovered by any Action or Actions in the Name or Names of the respective Treasurer or Treasurers to be appointed or continued by virtue of this Act or of the said recited Act, in such Manner as if the Bonds or other Securities or Contracts for the same had been actually given to or made with, or as if such Monies respectively were due to such last-mentioned Treasurer or Treasurers, and shall be paid and applied in such Manner as the Tolls hereby authorized to be collected are payable and applicable by virtue of this Act.

Trustees under this Act authorized to receive what is due in respect of Tolls, &c. under recited Act.

XXIX. And

Trustees may compound for Debts now due from the former Trustees.

XXIX. And be it further enacted, That it shall be lawful for the Trustees appointed by virtue of this Act for the First Division of the said Road to settle, compromise, and compound in any Manner they may think fit any Debts or Sums of Money now due and owing, or claimed to be due and owing, from the Trustees who have acted by virtue of or under the said recited Act for such First Division; and that in like Manner it shall and may be lawful for the Trustees appointed by virtue of this Act for the Second Division of the said Road to settle, compromise, and compound in any Manner they may think fit any Debts or Sums of Money now due and owing, or claimed to be due and owing, from the Trustees who have acted by virtue of or under the said recited Act for the Second Division of the said Road, as mentioned in such Act; and that the said respective Trustees hereby appointed shall and may pay the Composition Money out of any Monies to be received by virtue of this Act which may remain in their Hands after the several Payments herein-before directed.

Expences of Act.

XXX. And be it further enacted, That all the Costs, Charges, and Expences relative to or attending the obtaining and passing of this Act, incurred as well on the Part of the Trustees of the said First Division of the said Road as on the Part of the Trustees of the said Second Division of the said Road, with Interest for the same, shall be paid and discharged in preference to all other Payments whatsoever, and the same shall be paid in equal Portions by the said Trustees of the First and Second Divisions of the said Road out of the first Money which shall arise or be received by virtue of this Act and of the said recited Act; and the Remainder of all such Monies arising upon or from each of the said respective Divisions of the said Road shall from Time to Time be respectively applied by the Trustees of each such respective Division in keeping down the Interest of the Principal Monies by them respectively borrowed or raised under or by virtue of the Powers of this Act or of the said recited Act, or on the Credit thereof, and in making, amending, diverting, widening, altering, straightening, improving, maintaining, and keeping in repair the said respective Divisions of the said Road, and otherwise putting this Act and the said recited Act into execution, and afterwards in repaying the Principal Monies to be by them the said Trustees respectively borrowed or raised, under or by virtue of this Act and of the said recited Act, upon the Credit of the Tolls arising on each of the said respective Divisions of the said Road, and to and for no other Use or Purpose whatsoever.

Application of the Tolls, &c.

Commencement and Continuance of the Act.

XXXI. And be it further enacted, That this Act shall commence and take place from the passing thereof, and this Act and the said recited Act (except such Parts thereof as are altered, varied, or repealed,) shall respectively be in force and have Continuance for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Public Act.

XXXII. 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.