



ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. lxii.

An Act for more effectually making, repairing, and maintaining the Turnpike Roads in the County of *Edinburgh*. [3d July 1835.]

WHEREAS an Act was passed in the Twenty-fourth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for repairing the High Roads in the County of Edinburgh to and from the City of Edinburgh, and from Cramond Bridge to the Town of Queensferry in the County of Linlithgow*: And whereas another Act was passed in the Twenty-eighth Year of the Reign of His said Majesty King *George* the Second, intituled *An Act for enlarging the Term and Powers granted by an Act of the Twenty-fourth Year of His present Majesty's Reign, intituled 'An Act for repairing the High Roads in the County of Edinburgh to and from the City of Edinburgh, and from Cramond Bridge to the Town of Queensferry in the County of Linlithgow,' and for making the said Act more effectual*, so far as related to such Part of the Roads as are within the County of *Edinburgh*: And whereas another Act was passed in the Fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to amend and render more effectual Two several Acts, passed in the Twenty-fourth and Twenty-eighth Years of the Reign of His late Majesty, for repairing the High Roads in the County of Edinburgh to and from the City of Edinburgh, and from Cramond Bridge to the Town of Queensferry in the County of Linlithgow*, so far as related to such Part of the Roads as are within the County of *Edinburgh*: And whereas another Act was passed in the Twenty-fourth Year of the Reign

[Local.] 21 M of

24 G. 2. c. 35.
28 G. 2. c. 39.
4 G. 3. c. 86.

- 24 G. 3. c. 18. of His said Majesty King George the Third, intituled *An Act for regulating and rendering more effectual the Exaction of the Statute Work within the Shire of Edinburgh, and for authorizing the Trustees for putting in execution several Acts for repairing the High Roads in the County of Edinburgh to borrow upon the Credit of the Tolls arising within the District of Lasswade a further Sum of Money, to be applied for Payment of certain Sums borrowed on the personal Security of the said Trustees; and for further repairing the Roads within the said District*: And whereas an Act was passed in the Twenty-ninth Year of the Reign of His said Majesty King
- 29 G. 3. c. 105. George the Third, intituled *An Act for enlarging the Terms and Powers of several Acts, of the Twenty-fourth and Twenty-eighth Years of His late Majesty's Reign, and of the Fourth Year of His present Majesty's Reign, for repairing the High Roads in the County of Edinburgh, and for making the same more effectual*: And whereas another Act was passed in the Thirty-eighth Year of the Reign of
- 38 G. 3. c. 45. His said Majesty King George the Third, intituled *An Act for enlarging the Powers of and rendering more effectual several Acts of the Twenty-fourth and Twenty-eighth Years of His late Majesty's Reign, and of the Fourth and Twenty-ninth Years of His present Majesty's Reign, for repairing the High Roads in the County of Edinburgh, and for building Bridges over the Rivers South and North Esk and the Water of Leith in the said County*: And whereas,
- 43 G. 3. c. 34. another Act was passed in the Forty-third Year of the Reign of His said Majesty King George the Third, intituled *An Act for enlarging and altering the Powers of and rendering more effectual several Acts of the Twenty-fourth and Twenty-eighth Years of His late Majesty, and of the Fourth, Twenty-fourth, Twenty-fifth, Twenty-ninth, and Thirty-eighth Years of His present Majesty's Reign, for repairing the Turnpike and other High Roads in the County of Edinburgh*: And whereas another Act was passed in the Forty-ninth Year of the Reign of His said Majesty King George the Third, inti-
- 49 G. 3. c. 37. tuled *An Act for rendering more effectual several Acts for repairing the Turnpike and other High Roads in the County of Edinburgh, and for repairing the Roads from the City of Edinburgh to the Town of Leith*: And whereas another Act was passed in the Third Year of the
- 3 G. 4. c. 45. Reign of His late Majesty King George the Fourth, intituled *An Act for more effectually repairing and maintaining the District of Roads in the County of Edinburgh termed the 'Leith Walk District,' and for other Purposes relating thereto, and for altering and increasing the Conversions and defining the Bounds of the Middle District of Roads in the said County*: And whereas by the said Acts, or one or other of them, certain Trustees were appointed for making and repairing the Roads therein mentioned, who have proceeded to put the said Acts into execution, and great Progress has been made in completing and repairing the said Roads, and large Sums of Money have been borrowed and are still due and owing upon the Credit of the Tolls and Duties thereby authorized to be levied: And whereas the said Acts are about to expire, and the Roads authorized to be made Turnpike Roads by the said Acts cannot be effectually repaired and maintained or improved, or the Money borrowed and due and owing upon

upon the Credit of the Tolls and Duties thereby granted be repaid, unless the Terms and Powers granted by the said Acts be enlarged and continued, and some of the Provisions thereof be altered and amended, and other and farther Powers granted in relation to the same: And whereas an Act was passed in the First and Second Year of the Reign of His present Majesty, intituled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland*: And whereas the aforesaid Purposes relative to Turnpike Roads in the County of *Edinburgh* 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 from and after the Twenty-fifth Day of *August* next the before-recited Acts of the Twenty-fourth and Twenty-eighth Years of the Reign of His said Majesty King *George* the Second, of the Fourth, Twenty-fourth, Twenty-ninth, Thirty-eighth, Forty-third, and Forty-ninth Years of the Reign of His said Majesty King *George* the Third, shall be and the same are hereby repealed in so far as the same relate to Turnpike Roads within the County of *Edinburgh*, and instead thereof this Act shall commence and shall continue in force during the Term herein-after mentioned; and in place of the Tolls and Duties heretofore levied by any of the said recited Acts hereby repealed the Trustees appointed for the Purposes of or acting under the said recited Act of the Third Year of the Reign of His late Majesty King *George* the Fourth, shall be and they are hereby empowered, until the Twenty-fifth Day of *May* next, in the Year One thousand eight hundred and thirty-six, but no longer, to levy within the District therein termed the *Leith Walk District* the Rates and Duties herein-after granted by this Act; and all the Enactments, Provisions, Matters, and Things herein contained shall be good, valid, and effectual for carrying the said last-recited Act into execution: Provided nevertheless, that all Tolls and Duties due, and Penalties and Forfeitures incurred, in virtue of the said recited Acts or any of them, shall be held to be due and incurred to and shall be exigible by the Trustees herein-after appointed.

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c. 43.

Part of re-
cited Acts
repealed,
and this Act
to take effect
in lieu
thereof.

Reservation
as to Leith
Walk Dis-
trict.

Powers of
General Act
applied to
this Act.
Nothing
herein
to affect ex-
isting Suits.

II. And be it further enacted, That the said recited Act of the First and Second Year of the Reign of His present Majesty, and all and every the Enactments, Provisions, Matters, and Things therein contained, (save and except such Parts thereof as are herein-after expressly varied or altered,) shall extend to this Act, and 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: 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 Suit, 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 any of the said

said recited Acts hereby repealed, or their Clerk, or against any Trustees appointed or to be appointed under this Act, or their Clerk, in respect of or concerning any of the Enactments, Provisions, Matters, and Things contained in any of the said recited Acts hereby repealed, or in the said recited Act of the First and Second Year of the Reign of His present Majesty, but that the same shall be prosecuted, carried on, adjudged, and concluded in such and the same Manner as if this Act had not been passed.

Qualification
of Trustees.

III. And be it further enacted, That every Heritor who is or shall be, in his own Right or in the Right of his Wife, in the Possession and Enjoyment, as Fiar or Liferenter, of the full Property or *Dominium utile* of Lands in the County of *Edinburgh* rated in the Land Tax Roll or Valuation Books of the said County at One hundred Pounds *Scots* of valued Rent or upwards, or retoured as a Forty Shilling Land of Old Extent prior to the Sixteenth of *September* One thousand six hundred and eighty-one; and every Heritor or Superior who is or shall be, in his own Right or in the Right of his Wife, in the Possession and Enjoyment, as Fiar or Liferenter, of Feu Duties payable from Lands in the said County of the Valuation or Extent aforesaid to the Amount of Fifty Pounds Sterling yearly or upwards; and the eldest Son of every Person so qualified, being of lawful Age; as also the Lord Provost, the Four Baillies, the Dean of Guild, and Deacon Convener of the City of *Edinburgh*; the Provost of *Leith*, the Provost of *Portobello*, the Provost of *Musselburgh*, or, in their respective Absence, the Senior Baillie of *Leith*, *Portobello*, and *Musselburgh*; the Members of Parliament for the County and the City of *Edinburgh*, and for the Towns of *Leith*, *Portobello*, and *Musselburgh*; the Sheriff of the County of *Edinburgh*, and his Principal Substitute; the Master of the Merchant Company of *Edinburgh*; the Treasurer of *George Heriot's Hospital*, the Treasurer of *George Watson's Hospital*, and the Treasurer of *Trinity Hospital*, all in the said County of *Edinburgh*, all for the Time being, shall be and they are hereby appointed Trustees for surveying, ordering, making, allowing, mending, and keeping in repair the Roads herein-after mentioned, which, for the better Execution of this Act, shall be divided into the following Districts: *Lasswade* District, *Dalkeith* District, *Post Road* District, *Cramond* District, *Corstorphin* District, *Calder* District, *Slateford* District, and *Wrightshouses*; which several Districts shall consist of, include, and contain the particular Roads enumerated and described in the Schedule hereunto annexed, in such and the same Manner as the said Districts at present include and contain the said Roads, until the same shall be altered under the Powers herein-after contained, together with such other Roads as may hereafter be made Turnpike under the Authority of this Act.

Roads di-
vided into
Districts.

Power to
consolidate
or subdivide
Districts.

IV. And be it further enacted, That it shall be lawful for the said Trustees, at any General Meeting to be held for that Purpose, of which One Calendar Month's Notice shall be given by Advertisement in any Newspaper generally circulated in the said County, to consolidate any Two or more of the above-mentioned Districts, or to
subdivide

subdivide any of the said Districts, or to make such other Alteration in the Distribution of the several Roads among the several Districts as to such General Meeting may seem most expedient: Provided nevertheless, that when the whole Money borrowed on the Credit of the Tolls of any District shall not have been discharged no Alteration shall be made of the Limits of such District without the Consent of the Persons to whom such Money shall be owing, and of such Trustees as shall have become personally liable for the same, as herein-after provided.

V. And be it further enacted, That there shall in future be held at *Edinburgh* Six stated General Meetings of Trustees under this Act in every Year upon the Days following; *videlicet*, upon the First *Tuesday* after the Twenty-ninth of *September*; upon the Day on which the Commissioners of Supply shall meet annually for assessing the said County with the Land Tax; upon the First *Tuesday* after the Twelfth Day of *November*, and on the First *Tuesday* after the *Christmas* Recess of the Court of Session, and on the *Tuesday* immediately before the rising of the Winter and Summer Sessions of the said Court respectively; but with Power, nevertheless, to any General Meeting of Trustees, from Time to Time, by a Resolution entered upon their Records, to alter the Four last-mentioned General Meetings to any other Day or Days that may be more convenient; and at all General Meetings of Trustees Seven shall be a Quorum.

General Meetings.

VI. And be it further enacted, That the said Trustees shall and they are hereby authorized from Time to Time at any General Meeting to nominate and appoint such a Number of the said Trustees as they shall think proper, who shall reside or have Property within the same respectively, to be the Trustees for each District, and upon Cause shown to nominate and appoint other Trustees for any District, and to grant Power to such District Trustees to choose a Convener, and appoint fit Persons to be Receivers, Collectors, Clerks, Surveyors, or other Officers, and to remove such Officers or any of them as they shall see Occasion, and to appoint new ones in case of Death or Removal, and to give such Orders and Directions for the Repair of the Roads within the District for which they shall be particularly appointed, or for the Application of the Tolls arising therefrom, as to them, at a General Meeting assembled for that Purpose, shall seem reasonable, for the more effectually carrying this Act into execution; and at all District Meetings Three shall be a Quorum; and the said Trustees of the respective Districts in the County of *Edinburgh* shall be under the Control of and accountable to the General Meetings of the said Trustees for the said County, and for that Purpose shall lay before them, once in the Year at the least, at such Time as shall be from Time to Time fixed by such General Meetings, a State of their Accounts, properly audited, with an Abstract thereof appended thereto, to be by the said Trustees at their General Meeting examined and approved; and the Clerk to the said Trustees shall with all convenient Speed thereafter print such a Number of such Abstracts of the Accounts of all the Districts as may be necessary for the Information of the said Trustees,

Appointment of Trustees of Districts.

[Local.]

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and shall also furnish to all Persons requiring the same printed Copies of such Extracts, certified by such Clerk; but every such Person, not being a Trustee, requiring Copies thereof, shall pay to such Clerk Sixpence for each such Copy.

Appeal.

VII. And be it further enacted, That it shall be in the Power of any Person who shall object to or think himself aggrieved by the Decision or Resolution of any District Meeting to appeal at any Time within Six Calendar Months from such Decision or Resolution to a General Meeting of the Trustees assembled in Terms of this Act, whose Determination thereupon shall be final, unless revoked in Terms of the Provisions in that Behalf contained in the said recited Act of the First and Second Year of the Reign of His present Majesty.

Rates of Toll.

VIII. And be it further enacted, That from and after the Twenty-fifth Day of *August* next the said Trustees, or any Person or Persons duly authorized by them, shall be and they are hereby authorized and empowered to demand and take, or cause to be demanded and taken, at such of the Gates or Turnpikes which shall have been already erected or which may be hereafter erected upon the Roads hereby placed under the Management of the said Trustees, the Toll Duties following, or such other Sum or Sums as the said Trustees shall from Time to Time determine, not exceeding the following Rates; *videlicet*,

Stage Coaches.

For every Horse or other Beast of Draught drawing any Stage Coach, Long Coach, or other Diligence or Carriage of the like Kind, licensed to carry Passengers for Hire, as under :

If licensed to carry not more than Four Inside Passengers and not more than Two Outside Passengers, Sixpence :

If licensed to carry more than Four Inside Passengers or more than Two Outside Passengers, Nine-pence :

Other Coaches, &c.

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

Waggons.

For every Horse or other Beast of Draught drawing any Waggon, Cart, or other such Carriage not on Springs, with more than Two Wheels, used for the Purposes of Trade, Commerce, or Husbandry, or other like Purpose, Nine-pence :

Carts.

For every Horse or other Beast of Draught (except Asses) drawing any Cart or other such Carriage with only Two Wheels, used for the Purposes of Trade, Commerce, or Husbandry, or other like Purpose, where the Carriage with its Burthen or Loading shall not weigh more than Thirty-four Hundred Weight of One hundred and twelve Pounds to the Hundred, Sixpence :

But where such Cart or other Carriage, with its Burthen or Lading, shall weigh more than Thirty-four Hundred Weight, Nine-pence :

Horses, &c.

For every saddled Horse or Mule, with or without a Rider, Two-pence :

For every other Horse or Mule, laden or unladen, and not drawing, One Penny Halfpenny :

For

For every Ass, laden or unladen, and not drawing, One Penny; and when drawing, Three-pence:

For every Score of Oxen or Neat Cattle, and so in proportion for any greater or less Number, as under: Oxen, &c.

From the First Day of *February* to the First Day of *October*, One Shilling and Three-pence:

From the First Day of *October* to the First Day of *February*, One Shilling and Eight-pence:

For every Score of Calves, Swine, Sheep, Lambs, or Goats, and so in proportion for any greater or less Number, Sixpence: Sheep, &c.

For every Carriage worked, moved, drawn, or propelled by Steam, Four Shillings: Steam Carriage.

For every Truck or Carriage drawn or propelled by Hand which with its Loading shall exceed the Weight of Three Hundred Weight, One Penny. Truck.

IX. Provided always, and be it enacted; That all Waggon, Carts, or other such Carriages which shall travel with broad Wheels of the Description after specified shall be liable to pay Two Thirds only of the Tolls and Duties herein-before charged on such Waggon, Carts, and other Carriages respectively; provided that the Fellies of the Wheels of such Carriage shall be of the Breadth of Five Inches at least for Single or Double Horse Carts, and Six Inches at least for all other Carriages, whether the Tier shall consist of One or more Pieces; and the Fellies of such Wheels shall be cylindrical, that is to say, of the same Diameter on the Inside next to the Carriage and on the Outside and in every intermediate Part between the Inside and Outside, so that when rolling on a flat Surface the whole Breadth of such Fellies shall bear equally on such flat Surface; and the opposite Ends of the Axle Trees of such Carriage as far as the same shall be inserted into the Naves of the Wheels shall not form any Angle with each other, but shall be in the Continuation of One straight Line, so that in each Pair of Wheels belonging to such Carriage the lower Parts which rest on the Ground shall be at the same Distance from each other as the opposite or upper Part of the said Pair of Wheels; and every Person claiming the Privilege so granted to broad-wheeled Carriages shall permit the same to be examined and measured by any Person appointed by the said Trustees, or concerned in the Collection of the said Tolls or Duties. Broad Wheels to pay a smaller Toll. Description of the Wheels. Wheels may be measured.

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

XI. And be it further enacted, That if any Turnpike Gates or Toll Bars shall be erected within a less Distance of each other than Six measured Miles, then every Person paying at One Gate or Bar, and continuing to travel with the same Horses, Cattle, and Carriages, shall receive a Ticket which shall entitle such Horses, Cattle, and Carriages, on Production of the same, to pass free through the same Gate, and through Tolls to be paid only once in Six Miles.

through every other Gate or Bar within Six measured Miles of the Gate or Bar at which Payment was made, and also again to pass and to return through all such Gates or Bars at any Time of the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the succeeding Night, except in Cases where by the said recited Act of the First and Second Year of the Reign of His present Majesty Tolls are directed to be paid for every Time of passing and repassing: Provided always, that if the same Waggon, Cart, or other such Carriage, after Toll having been paid for the Horses or other Beasts of Draught drawing the same, shall return with a new Loading, then Toll shall be chargeable anew as if no Pass Ticket had been obtained or tendered; but no Toll shall be exigible for any Horse or other Beast of Draught drawing any empty Waggon, Cart, or other such Carriage: Provided always, that no Pass Ticket received at any Toll Bar where a lower Rate of Toll is payable shall exempt any Person or Persons, Carriages, Horses, or Cattle passing any Bar where a higher Rate of Toll is payable from paying the Excess of the Rate of Toll exigible at the Bar where the higher Rate is payable: Provided also, that it shall be lawful to levy the said Tolls and Duties, not only at the Gates or Bars next adjoining to the City of *Edinburgh* and the Town of *Leith*, but also at all and every Bar Six measured Miles distant from the said City, measuring from the *Tron Church of Edinburgh* outwards in all Directions, although such Bars shall be within Six measured Miles of the Bar or Bars next to the City of *Edinburgh* or Town of *Leith*, and no Ticket shall excuse any Payment of the Tolls and Duties so directed to be levied; but no Pass Tickets shall be either received or issued at any Bars which the said Trustees at any of their General Meetings may authorize to be erected at or near *Kirkettle Mill*, or at any Bar erected or to be erected on the Confines of the County of *Peebles* near to the *Piper's Grave*, or on the Road leading from the great Turnpike Road from *Edinburgh* to *Carlisle* near *Heriothouse* to the present Turnpike Road from *Edinburgh* to *Blackshields*, or at the Bars already erected on the Roads from *Edinburgh* to the Town and Port of *Leith* contained in the *Leith Walk* District, at all of which last-mentioned Bars the full Tolls and Duties hereby authorized may be demanded and taken over and above all other Tolls and Duties whatsoever, and without regard to their Distance from other Bars or from each other.

XII. Provided always, and be it enacted, That the said Trustees shall not be entitled to demand or take or cause to be demanded or taken the Amount of the Tolls and Duties hereby granted more than once between the City of *Edinburgh* and the Confines of the County of *Haddington*, on the Roads from *Edinburgh* to the said County of *Haddington*, by *Clockmill Bridge* or *Norton Place*, through *Jockslodge*, *Portobello*, *Musselburgh*, and *Ravenshaugh* or *Wallyford*, whether the Gates thereon shall be more than Six Miles from each other or not; but they are hereby authorized either to take the whole Amount of such Tolls and Duties at any one Gate on the said Road, or to take Portions of the said Tolls and Duties at Two or more Gates on the said Road; in which last

Case

Case the said Trustees shall have Power to fix the Amount of such Portions to be paid at the said Gates respectively as they may deem best; but provided always, that they do not demand or take or cause to be demanded or taken more in all upon the said Road than once the Amount of the highest Rate of the said Tolls and Duties; and a Pass Ticket issued at any Toll Bar on the said Road shall entitle the Person paying at such Gate to pass with the same Horses, Cattle, and Carriages free of such Portion of the said Tolls and Duties as shall have been paid for such Horses, Cattle, and Carriages at any other Gate on the said Line of Road.

XIII. And be it further enacted, That the Produce of the said Tolls or Duties arising from each of the Roads in the County of *Edinburgh* shall be applied by the Trustees of the several Districts towards upholding, improving, and repairing the Roads and Bridges of the District within which such Tolls or Duties shall respectively be collected in the said County, or to the building new Bridges thereupon, where the same shall be found necessary, in such Manner that each District may have the Produce of the Tolls collected thereupon.

Application
of Tolls.

XIV. And be it enacted, That the whole Tolls by this Act authorized to be levied in each District shall be and are hereby made subject and liable respectively to the Payment of all Sums of Money now due and owing on the Credit of the said Tolls in the several Districts herein-before mentioned to the Extent and in Terms of the Securities granted for such Sums: Provided always, 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 chargeable and be charged only on the respective Lines or Districts of Roads in respect or on the Credit of which the same may have been or may hereafter be borrowed, and on no other.

Tolls granted by this Act to be liable for Debts already contracted.

XV. And be it further enacted, That in order to provide a Fund for redeeming and discharging the Debts contracted or to be contracted on the Credit of the Tolls and Duties levied within the several Districts of the said County of *Edinburgh* it shall be lawful to the Cashier or Treasurer of each District, and he is hereby required, annually to retain out of the Monies which may come into his Hands a Sum equal to One Fifth of the gross Revenue of such District for the preceding Year; which Sum or Sums so to be retained shall be applied by each District respectively towards the Discharge of the Debts which may be owing by that District, in such Order as the Trustees of the District may judge most useful and beneficial for the Trust, but subject always to the Directions and Control of the General Meetings of Trustees; and the Sums so retained as aforesaid shall be applied to the Reduction of the Debt of that District from which they shall arise, and to no other Purpose whatsoever; and until such Sum shall be so paid and applied the Trustees of the District and their said Cashier or Treasurer shall be and are hereby required from Time to Time to lodge the same in the Bank of *Scotland*,

Sinking Fund established.

Application of the Sinking Fund.

land, the Royal Bank of *Scotland*, Bank of the *British* Linen Company, the Commercial Bank of *Scotland*, or the National Bank of *Scotland*, at such Interest as can be procured for the same; and the Receipt or Receipts of such Bank shall in the meantime be a sufficient Voucher to the Cashier or Treasurer; but the Money so deposited shall not be again uplifted from the Bank otherwise than upon an Order countersigned by the Convener or a Quorum of Trustees of the District.

Limitation
of the Sink-
ing Fund.

Discontin-
uance of
said Fund.

XVI. Provided always, and be it further enacted, That it shall be lawful for any General Meeting of Trustees, on Cause shown by any District, to limit the Amount of the Annual Sinking Fund in such District to any Sum not less than One Tenth of the gross Revenue of the District, computed as aforesaid; and so soon as any District shall have paid off their whole Debts, or shall have reduced the same to a Sum not exceeding the Amount of Two Years Sinking Fund, it shall in like Manner be lawful for any General Meeting of Trustees, on proper Evidence of the Fact, to discontinue the Sinking Fund in the District or Districts where the Debt shall have been so paid off or reduced, but with Power, nevertheless, to order the said Sinking Fund to be revived so soon and as often as any new Debts shall be contracted, and to continue the same until the said Debts shall be again paid off or reduced as aforesaid.

Annual
Statement
to be made
relative to
Sinking
Fund.

XVII. And be it enacted, That at the General Meeting of Trustees appointed to be held on the First *Tuesday* after the Twenty-ninth Day of *September* the Clerk of the Trustees shall annually exhibit for the Consideration of the said Meeting, and insert in the Minutes of such Meeting, a Statement showing the precise Amount of the Sums which shall during the preceding Year have been retained by the Cashier or Treasurer of each of the said Districts respectively towards the Discharge of the Debts due by such District, and how far the same corresponds with the Amount of the Sinking Fund herein-before prescribed, and which Statement shall also show the Manner in which such Sums shall have been applied.

Power to
erect Side
Gates.

XVIII. And be it further enacted, That it shall and may be lawful for the said Trustees at any General Meeting assembled to grant Authority to the Trustees appointed for any of the before-mentioned Districts to erect or cause to be erected One or more Gate or Gates on or across the Side or Sides of any of the Roads aforesaid, and there to take and receive such Tolls as are by this Act granted and made payable: Provided always, that a fair and just Proportion of the Sums of Money levied at such Side Bars shall be allotted and applied towards the upholding and keeping in repair the several Cross Roads upon which the same are respectively drawn and collected.

Power to
declare Pa-
rish Roads
Turnpike.

XIX. And be it further enacted, That it shall be lawful for the said Trustees, at a General Meeting to be held for that Purpose, to declare any of the Roads for the Repair of which the Statute Labour of any Parish is liable to be Turnpike Roads, and thenceforth the

said Trustees shall have the Management of the Roads so declared Turnpike Roads: Provided always, that Thirty Days Notice of the Intent to propose a Resolution or Order to such Effect shall be given by Advertisement in some Newspaper generally circulated within the said County, and by Advertisement affixed to the Church Door of every Parish in which any Part of such Road or Roads may be situated: Provided also, that when the whole Money borrowed on the Credit of the Tolls within the District shall not have been discharged no such Road shall be so declared Turnpike, and the Management thereof assumed by the said Trustees, without the Consent of the Lenders of such Money, and of such Trustees as shall have become personally liable for the same, as herein-after provided.

Consent of Three Fourths of Creditors to be previously obtained.

XX. And be it further enacted, That in all Cases where the Consent of Creditors is required by this Act, or by the said recited Act of the First and Second Year of the Reign of His present Majesty, the Consent of Three Fourths in Value and Amount shall be held sufficient Consent to permit the Execution of any Powers herein conferred; and all Creditors shall be held as consenting who do not dissent in Writing within the Space of Two Calendar Months after being required to consent by a written Requisition served upon such Creditors by the Clerk to the said Trustees.

Consent of Creditors.

XXI. And whereas many of the Turnpike Roads described in the Schedule hereunto annexed have been made and improved by the Trustees interposing their personal Security for the Sums of Money necessary to be borrowed to enable them to carry on the Works, and which Sums could not have been otherwise obtained; be it enacted, That when the Lenders of the Money have not themselves obtained Assignations to the Tolls and Duties, the Trustees who have so interposed or shall interpose their personal Security, and who shall have obtained Assignations to the Tolls and Duties in Relief, shall be reckoned and held to be the true Creditors upon the Tolls and Duties hereby authorized to be levied.

Trustees to be considered Creditors in certain Cases.

XXII. And be it further enacted, That the Expence of preparing, applying for, procuring, and passing this Act shall be paid out of the first Monies levied, borrowed, or received by virtue of this Act, and shall be apportioned upon and defrayed by the different Districts of the said County of *Edinburgh*, in such Manner and by such Proportions as to the Trustees in a General Meeting assembled shall seem just and reasonable.

Expence of this Act.

XXIII. And be it further enacted and declared, 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.

XXIV. And be it further enacted, That the Powers by this Act granted shall commence from and after the Twenty-fifth Day of *August* next, 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.

Duration of Act.

SCHE-

SCHEDULE to which this Act refers.

1. Road leading from Edinburgh to Jedburgh and Selkirk, by Elginhaugh Bridge, terminating at the Confines of the County of Roxburgh near Cathie Toll Bar, and Branch going off from said Bar and terminating at Bouland.
2. Road leading from Edinburgh by Libberton and Lasswade, branching off from the above-mentioned Road at Nether Libberton, and rejoining the said Road at Newton Loan Toll Bar.
3. Old Road by the Grange Toll Bar till it join the Libberton and Lasswade Road at Libberton Dams.
4. Grange Loan Road, commencing at Causewayside, and running Westward till it joins the Biggar Road near Morningside.
5. Road from Mayfield new Bar running Eastward to the Dalkeith Road at Cameron Bar.
6. Road from Melville Gate to Sheriffhall.
7. Road from Lasswade to Gallowshall Toll Bar.
8. Road from Lasswade through Loanhead to Niven's Knowe.
9. Road from Lasswade, by the Goat Brae, Polton, and Hawthorn-den Gate, to the Salters Road near the Whitebog.
10. Road from Polton Brewery to the Salters Road near Hopefield.
11. Road from Dalkeith, commonly called the Salters Road, to Howgate.
12. Road branching from the Selkirk Road at Deaflawhill to the Confines of the County at Tweedburn.
13. Road from Harvieston Toll Bar till it joins the Carrington Road near Braidwood Bridge.
14. Road from Newton Loan Bar by Stobhill till it rejoins the Selkirk Road at Harvieston Toll Bar.
15. Road branching off the last-mentioned Road at Gorebridge, and joining the new Great Dalkeith Road near Cranstoun Church.
16. Road from Gallowshall by Newbattle to Newton Loan.
17. Road from Newbattle Churchyard to Dalkeith.
18. Old Road down the West Side of Gala Water by Bankhouse, commencing at Herriothouse Toll Bar, and joining the New Gala Water Road at Weatherston Ford.
19. Road from the New Gala Water Road to the Old Gala Water Road by the new Bridge over the Gala near Fountainhall.
20. Road from the New Gala Water Road to the Old Gala Water Road by the Ford to the South of Burnhouse.
21. Road from the New Gala Water Road to the Old Gala Water Road by the Bridge of Stow.
22. Road

22. Road to Inverleithen, branching off the Selkirk Road near Currie Inn, and terminating at the Confines of the County at the Piper's Grave.
23. Road to Peebles and Dumfries by Penicuik, branching off from the Lasswade Road at Libberton Dams, and terminating at the Confines of the County near Leadburn Bar.
24. Road from Straiton by Loanhead and Springfield to the Polton Road at Honeyhole.
25. Road from Bilston Toll Bar to Roslin Village.
26. Bushloan Road.
27. Old Road to Peebles by Auchindinny and Howgate, commencing near New Milton Farm, and terminating at Leadburn Bar.
28. Road by Esk Mills; branching off the last-mentioned Road a short Way to the South of Auchindinny, through Penicuik, to join the Biggar Road near Nine-mile-burn, Silverburn, and Branch of the same to Silverburn, and Branch leading Eastward from Cornbank.
29. Road to Peebles from the Salters Road by Mount Lothian, commencing near Newbigging Hill, and terminating at the Confines of the County.
30. Road from Penicuik by Pomathorn, which joins the last-mentioned Road at Mount Lothian Bar.
31. Road from Penicuik to Linton by Harlawmuir, branching off from the Peebles Road to the South of Penicuik Village, and terminating at the Confines of the County.
32. Road from Edinburgh to the Boundary of the County at Dean Burn; by Lugton Wood, the West Side of Lugton Toll House, the West End of Dalkeith, Fordel, Lothian Bridge, Fala Burn Embankment, and Blackshiels.
33. Road from last-mentioned Road through Lugton Village to Lugton Bridgend.
34. Road from Lugton Bridge by the East Side of Lugton Toll House to the Town of Dalkeith.
35. Road from the Cattle Market in said Town to its Junction with the great Road at Step Cross.
36. Road between Beanie Hill or Langlaw Brae and the Village of Pathhead, by Langlaw, Edgehead, and Ford.
37. Road from the Dalkeith and Pathhead Road, South of Cranstoun Church, by Tyne Bridge and the South Gate of Oxenford Castle, to Pathhead.
38. Road between Critchtondean and the West End of the Village of Fala, by Costerton Haughhead and Fala Dam.
39. Road from Cauvin's Hospital, by the North and West Sides of Duddingstone Policy, to Cairntows Toll Bar.
40. Road from the Edinburgh and Dalkeith Road to Bankfield by the South Side of Edmonstone Policy.
41. Road from said Edinburgh and Dalkeith Road at Danderhall till it joins the Leith Road near to Redrow.
42. Road branching off from Newton Avenue by Cairney and White-hill to the Road to Newhailes.
43. Road branching off at Cowbridge to the Village of Cousland.
44. Road between the said last-mentioned Road and Cross-gate-hall
[Local.] [21 P] Toll

- Toll Bar, branching off from said Road a little to the Westward of the Road to Easter Cowden.
45. Road branching off from the Road between Dalkeith and Pathhead, by Whitehouse Mill Bridge, to the Confines of the County.
 46. Road leading Northwards from said last-mentioned Road to the Road to Cousland.
 47. Road from Blackshiels to the Boundary of the County near Chesterhill, by the South of Fala Village and Fala Manse.
 48. Great Post Road leading from Edinburgh through Portobello and Musselburgh to the Boundary of the County at Wallyford, with the following Branches thereof; videlicet, by the North Side of Calton Hill to Norton Place; by Clockmilk Bridge to the Brewery opposite Parson's Green; to the Sea Beach at the East and West Sides of Portobello; from the Old Toll House at Levenhall to the Boundary of the County at Ravenshaughburn; as also the Branch to the Road from Dalkeith to the Boundary of the County near Drummore.
 49. Road from Leith to Portobello.
 50. Road from Leith by Restalrig and Jock's Lodge to Duddingstone Mill.
 51. Road from Leith to Dalkeith; videlicet, from the Point where the great Post Road joins the Road from Leith to Portobello, by the East End of Niddrie Village and Caldcoasts, to Millerhill.
 52. Road leading from the Post Road near New Hailes by the Village of Niddrie Mill to Cameron Toll Bar.
 53. Road from Duddingstone Mill to Southfield Toll Bar.
 54. Road from the West End of Fisherrow, by Stony Bank, Monkton, and Millerhill, till it join the Road from Edinburgh to Dalkeith near Sheriffhall.
 55. Road from Musselburgh by Crossgatehall to its Junction near Fordel with the Road from Dalkeith to Blackshiels, and Branch thereof from the East End of the new Bridge at Musselburgh to the Bottom of Inveresk-hill, and also the Branch to Cousland Limekilns.
 56. Road from the Boundary of the County of Haddington near Elphingston to Crossgatehall.
 57. Road from Dalkeith by Cowbridge and Smeaton to the Boundary of the County of Edinburgh near Drummore.
 58. Road from Abbeyhill to Restalrig.
 59. Road from Head of Loch Road at Muttonhole to Cramond.
 60. Road from Cramond Bridge Easter Toll by Bell's Mills to Edinburgh.
 61. Road from Stockbridge to Craighleith Toll.
 62. Road from Drumsheugh along the Dean Bridge till it joins the Ferry Road below the Farmhouse of Dean Park.
 63. Road from Drumsheugh by Village of Water of Leith to Caroline Park Gate.
 64. Road from Caroline Park Gate along Sea Beach to Newhaven Harbour.
 65. Road from East End Newhaven to East End Annfield.
 66. Road from Maitland Street (Newhaven) to Chancelot.
 67. Road from Silver-works (Leith) to Belvue Crescent.

68. Road from West End of Muttonhole to Leith.
69. Road from North End of Pilrig Street to Newhaven.
70. Road from Pitt Street to Canonmills Bridge.
71. Road from Stockbridge to Blandfield.
72. Road from Stockbridge Toll to the Ford through the Water of Leith.
73. Road from near London Street to Head of Inverleith Row.
74. Road from Head of Trinity Road at Golden Acre to Bonnington Road at Cherry Bank.
75. Road from Head of Christian Bank Road to Sea Beach.
76. Road from Muttonhole by Corbie Hill to new Road from Cramond Bridge.
77. Road from Dean Village by Back of Dean House to Queensferry Road.
78. Road from Leith to the East End of Annfield near Newhaven, along the Sea Beach.
79. Road from Edinburgh, by Maitland Street and Tobago Street, extending to the Bridge over the River Almond near Newbridge or Loanhead on the Middle Glasgow Road, by Uphall.
80. Road from new Hand-post on the Gyle Farm North-west to the Boat-house Bridge over the said River Almond on the Road to Glasgow by Kirkliston.
81. Road from Newbridge or Loanhead South to Muirburn.
82. Road from Newbridge or Loanhead North to the Kirkliston Ford.
83. Road from the Ingliston Toll Bar North to Old Liston Houses.
84. Road from Edinburgh leading to Glasgow through Mid Calder, to a little beyond Howden Bridge.
85. Road from Mid Calder, by West Calder, Blackbrae Bridge, and Handaxwood, to Muldrow Bridge.
86. Road from Blackbrae Bridge by Longford Collieries to Byelawhill.
87. Road from the Saughton Check-bar to Hailes Quarry.
88. Road from Kiershill Toll extending Southward to the Murrayburn Bridge.
89. Road from Addiston Mains extending to the Parish Road which leads to Gogar and Ratho.
90. Road from the Bridge at Mid Calder by the Dog-house leading to Uphall at the Limits of the County.
91. Road extending from Howden Bridge by Alderstone and Gavieside to Gunsgreen Bridge, the Limits of the County.
92. Road from the above Road at Gunsgreen Toll Bar by Addiewell and Muirhouse Dykes to the Upper Bridge of Breich.
93. Road from the Raw Toll by Westfield and Hartwood to Bendry Bridge, the Limits of the County.
94. Road by Balgreen and Torphin, extending from near the Raw Toll to the Main Lanark Road at Crosswood Burn.
95. Road between Howden Bridge and Raw Toll Bars.
96. Road from Howatstone Toll Bar by Bell's Quarry to Skiva.
97. Road from West Calder Northward to Cleuch Bridge.
98. Road from the Upper Bridge of Breich to Woodmuir Old Toll Bar.
99. Road from Edinburgh, with the Branch thereof, from Tyne-castle

castle Brae-foot to Tynecastle Brae-head; and so West by the Village of Slateford, Currie, and until it reaches Crosswood Hill Toll.

100. Road leading from the Village of Slateford by Longston and Hailes Quarry.
101. Craiglockhart Road to where it joins the Colinton Barley Mill Road.
102. Hermiston Road, leading from Currie to Hermiston.
103. Road from Edinburgh to Biggar by Wrightshouses, terminating at Carlops Bridge.
104. Road to Colinton, branching off from the Biggar Road at Boroughmuirhead, till it come to the Road leading down to Colinton West Mills.
105. Fairmilehead Road, from the Turnpike Road to Lanark near Spyelaw Bank to the Lasswade Road near Broken Brigs.
106. Road branching off from the Fairmilehead Road at Hunter's Tryst, and terminating at Fairtree Hill, where it joins the Colinton Road.
107. Road from Craiglockhart to Slateford, terminating at the Entry to Redhall House.
108. Old Road to Biggar, commencing at Briggs of Braid, near the Lunatic Asylum, and rejoining the new Road beyond Buckstane.
109. Road leading from Hill End on the Biggar Road, by Seafeld, till it join the Peebles and Dumfries Road near the Six Mile Stone.
110. Road leading to Grange Loan by Whitehouse, branching off the Biggar Road at Burntsfield Links.
111. Leith Walk, or the principal Road from Edinburgh to Leith, with the Road commencing at the Abbey-hill and terminating at the Head of Kirkgate, Leith, commonly called the Easter Road.