ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

Cap. I.

An Act to amend an Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for repairing and maintaining the Roads from the Town of* Dundalk *in the County of* Louth *to the Towns of* Castle Blayney *and* Carrickmacross *in the County of* Monaghan. [30th *June* 1848.]

WHEREAS an Act was passed in the Session of Parliament held in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for repairing and maintaining the Roads from the Town of* Dundalk *in the County of* Louth *to the Towns of* Castle Blayney *and* Carrickmacross *in the County of* Monaghan: And whereas the Trustees acting in the Execution of the said recited Act, by virtue of the Provisions in that Behalf therein contained, have from Time to Time borrowed and taken up at Interest large Sums of Money for the Purposes of the said 11 G. 4. & 1 W. 4. c. 112.

said Act, which still continue a Lien or Charge upon the Tolls payable under the Provisions of the said Act: And whereas Oxen, Horses, and other Beasts drawing or carrying Turf or Peat on the said Roads are under the Provisions of the said recited Act altogether exempt from the Payment of any Rates, Tolls, or Duties whatsoever: And whereas it is expedient, for the Purpose of enabling the said Trustees to pay off the said Sums so borrowed as aforesaid, and the Interest thereon, that the Exemption contained in the said recited Act from Payment of Tolls in respect of Oxen, Horses, and other Beasts drawing or carrying Turf or Peat on the said Roads should be extinguished or repealed, and that Power should be given to the said Trustees to levy Tolls in respect of all Cattle employed in drawing or carrying Turf or Peat on the said Roads as aforesaid, and also that certain of the Provisions of the said recited Act should be repealed, altered, and amended; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Provision in recited Act exempting from Toll Beasts drawing Turf, &c. repealed.

That the said Exemption from Tolls, Rates, or Duties in respect of Oxen, Horses, or other Beasts carrying or drawing Turf or Peat on the said Roads contained in the said recited Act shall be and the same is hereby repealed, and that the Trustees for the Time being acting in the Execution of the said recited Act and of this Act shall be and they are hereby authorized and empowered to demand and take for or in respect of every Ox, Horse, or other Beast drawing or carrying Turf or Peat on the said Roads as aforesaid any Sum not exceeding the Rates, Tolls, and Duties specified in the Schedule hereto annexed, any thing in the said recited Act contained to the contrary thereof in anywise notwithstanding.

Short Title of Act.

II. And be it enacted, That in citing and referring to this Act in other Acts of Parliament, and in Pleadings and legal Instruments, it shall be sufficient to use the Expression "the *Dundalk, Castle Blayney*, and *Carrickmacross* Turnpike Roads Act, 1848."

Incorporation of recited Act with this Act.

III. And be it enacted, That the said recited Act shall, so far as the same is not hereby repealed, and save as to such Provisions thereof as may be inconsistent with or modified by the Provisions of this Act, and the same is declared to be, incorporated with and to form Part of this Act, and shall in all respects extend to this Act, and be applicable thereto, and to the Rates, Tolls, and Duties hereby made payable, and shall with this Act be construed as One Act.

Penalty for evading Tolls.

IV. And be it enacted, That every Person who, for the Purpose of evading any of the Tolls hereby or by the said recited Act

imposed,

imposed, shall commit any of the following Offences shall be liable to a Penalty not exceeding Five Pounds for every such Offence:

Every Person with any Carriage or Animal liable to the Payment of Toll who shall pass from the said Road into any Land near thereto.

Every Person or Occupier of such Land who shall knowingly permit any such Person as aforesaid to pass into such Land.

Every Person who shall forge any Note or Ticket denoted to be given, or utter any such Note or Ticket knowing the same to be forged.

Every Person who shall give to any Person any Note or Ticket or receive such Note or Ticket from any other Person than a Collector of such Tolls.

Every Person who shall fraudulently or forcibly pass through any Toll Gate with any such Carriage or Animal, or shall leave the same upon the Road, or shall take off or cause to be taken off any such Animal from any Carriage.

Every Person who shall do any other Act whatever in order or with Intent to evade the Payment of the Tolls, and whereby the same shall be evaded.

Power to Trustees to appoint Committees.

V. And be it enacted, That it shall be lawful for the Trustees, at any General Meeting, to appoint a Committee of not more than Five of the said Trustees, for carrying into effect any of the Provisions of this Act and of the said recited Act, and at any General Meeting to continue, alter, or discontinue such Committee, but no such Committee shall be appointed to act for a longer Term than until the Annual General Meeting of the said Trustees then next ensuing every such Appointment.

Quorum of Committee.

VI. And be it enacted, That no Business shall be transacted at any Meeting of such Committee unless Three Members of the said Committee be present at such Meeting.

Accounts to be audited annually.

VII. And be it enacted, That the said Trustees shall, within Ten Days after the First Day of *December* in every Year, make out or cause to be made out and rendered to the Auditor, to be appointed as herein-after mentioned, a clear and distinct Account of their Receipts, Payments, and Expenditure under the Authority of the said recited Act and of this Act, for the preceding Year, accompanied with proper Vouchers in support of the same, and also all Books, Papers, and Writings in their Custody or Power relating thereto, which said Account, and the Vouchers, Books, and other Documents relating thereto, the said Auditor is hereby empowered to examine; and the said Auditor shall audit the said Accounts, and report

report the same, with any Remarks he may have to make thereon, to the next Annual Meeting of the Trustees to be held in the Month of *January* thereafter, as provided by the said in part recited Act, and when approved of by the Majority of the Trustees present at such Meeting, the said Account shall be signed by the Chairman of such Meeting.

Annual Account to be transmitted to Clerk of the Peace, and be open to Inspection.

VIII. And be it enacted, That the said Trustees shall once in each Year cause an annual Account in Abstract to be prepared, showing the Total Receipts and Expenditure of all Funds levied by virtue of this Act for the Year preceding, under the several distinct Heads of Receipts and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Chairman of such Annual Meeting as aforesaid, and also by the Auditor to be appointed as herein-after mentioned, and shall cause a Copy of such Annual Account to be transmitted, free of Charge, to the Clerk of the Peace of the County of *Louth* on or before the Thirty-first Day of *January* in each Year, which Account shall be open to the Inspection of the Public at all seasonable Hours upon the Payment of the Sum of Two Shillings and Sixpence for every such Inspection, or, if written Extracts are required therefrom, at the Rate of Sixpence for each Folio of Seventy-two Words,

Penalty for omitting to prepare Accounts.

IX. And be it enacted, That if the said Trustees shall omit to prepare and transmit such Accounts as aforesaid in manner herein-before directed, they shall forfeit for every such Omission the Sum of Twenty Pounds, to be sued for and levied by summary Process.

Appointment of Auditor.

X. And be it enacted, That the said Trustees shall, some Time in the Month of *December* in every Year, appoint a proper Person well skilled in Accounts, such Person not being one of the Trustees, nor any Person holding Office under them, to audit and docket the Accounts of the said Trustees as before mentioned, and the said Trustees shall pay to such Auditor for his Trouble in making each such Audit a Sum not exceeding Two Pounds Two Shillings, and all such Expenses as he shall or may be put unto in auditing the said Accounts, out of the Tolls or Duties by this Act or the said recited Act authorized to be levied,

Expenses of Act.

XI. And be it enacted, That all the Costs, Charges, and Expenses of and attending the preparing, applying for, and passing of this Act, or incidental thereto, shall be paid by the said Trustees out of any Monies in their Hands, or out of the Tolls to be received by virtue of the said recited Act and of this Act, in preference to all other Payments whatsoever,

XII. And

XII. And be it enacted, That this Act shall commence and take effect from the passing thereof, and shall continue in force for the Term of Thirteen Years, and from thence to the End of the then next Session of Parliament. Continuance of Act.

XIII. 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. Public Act.

SCHEDULE of Tolls referred to and to be paid under the Provisions of this Act.

For every Ox, Horse, or other Beast drawing a Cart, Car, Dray, or other Carriage containing only Turf or Peat, and no other Article or Thing whatsoever, if the Shoeing of the Wheels thereof be perfectly flat and be not of a less Breadth at the Sole than Three Inches, and be set on entirely with countersunk and flatheaded Nails, Screws, or Bolts, for each such Ox, Horse, or other Beast, Three-pence;

But if the Shoeing be of less Breadth at the Sole than Three Inches, or be not perfectly flat and set on with any Nails, Screws, or Bolts that are not countersunk and flatheaded, the Sum of Nine-pence:

For every Ox, Horse, or other Beast exclusively laden with, but not drawing, Turf or Peat, for each such Ox, Horse, or other Beast One Penny Halfpenny.

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