ANNO SECUNDO

GULIELMI IV. REGIS.

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Cap. ci.

An Act for amending and continuing the Acts relating to the Road from *Elvan Foot* in the County of *Lanark* to *Beatock Bridge* in the County of *Dumfries*. [23d *June* 1832.]

WHEREAS an Act was passed in the Thirty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making and maintaining a Road from near* 38 G. 3. c. 21.
Dunwoodie Green *in the County of* Dumfries *to or near* Elvan Foot *in the County of* Lanark: And whereas another Act was passed in the Fifty-sixth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for improving the Road from the City of* Glas- 56 G. 3. c. 83.
gow *to the City of* Carlisle, whereby the said recited Act was continued and extended: And whereas the said Road is by the said last-recited Act directed to be altered and improved by the Commissioners thereby appointed, and to be maintained by the Trustees appointed by the said first-recited Act, until the same shall be altered and improved in manner directed by the said last-recited Act; and the Terms and Powers granted by the said first-recited Act are by the said last-recited Act continued during the Term thereby granted; and the said last-recited Act is excepted from the Operation of the General Turnpike Act of *Scotland*, passed in the First and Second Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act for amending and making more effectual the Laws concerning* 1 & 2 W. 4.
Turnpike Roads in Scotland: And whereas large Sums of Money c. 43.
have been expended in making, improving, and maintaining that Part

of the said Road lying between *Elvan Foot* in the County of *Lanark* and *Beatock Bridge* in the County of *Dumfries*, and in rebuilding several Bridges thereon which had been destroyed by Floods, whereby a large Debt has been incurred, and large Sums of Interest are at present outstanding, due to various Creditors or Subscribers, and some of the remaining Bridges on the said Road are in a State of Insecurity, and it is therefore necessary to provide additional Funds and grant further Powers for the Maintenance of the said Road and the due Administration of the said first-recited Act, and for the Security of the Creditors under the same: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the Thirty-eighth and Fifty-sixth Years of the Reign of His late Majesty King *George* the Third, and all and every the Powers and Provisions therein contained, save and except such Parts thereof as are varied, altered, or repealed, shall be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in the Body of this present Act.

Recited Acts extended to this Act.

Additional Trustees.

II. And be it further enacted, That in addition to the Trustees appointed by the said first-recited Act all and every Person who shall or may be personally bound or responsible for One hundred Pounds of the Debt contracted for or to be contracted on account of the said Road from *Elvan Foot* to *Beatock Bridge*, or who shall or may be possessed of or acquire Right to Two hundred Pounds of the Principal Sums or Subscriptions made to or on account of the said Road, and also each and every the eldest Son of every such Person, shall be and they are hereby nominated and appointed Trustees for carrying the said recited Acts and this Act into execution, in so far as they relate to the said Road from *Elvan Foot* to *Beatock Bridge*.

Power to increase the Tolls.

III. And be it further enacted, That it shall and may be lawful to and for the said Trustees and they are hereby authorized to levy and take, at any Gate or Bar erected or to be erected upon the said Road, such and the like Tolls and Duties as they may at present lawfully levy and take under the said recited Acts or either of them: Provided always, that the said Trustees shall, from and after the Twenty-fifth Day of *May* One thousand eight hundred and thirty-three, levy the Tolls, Rates, and Duties granted by the said recited Act of the Fifty-sixth Year of the Reign of His late Majesty, unless, at some General Meeting to be holden before the Twenty-fifth Day of *May* One thousand eight hundred and thirty-three, they shall, pursuant to a Resolution then to be made by the said Trustees, in which a Majority of the Creditors on the said Tolls shall concur, resolve to levy the Rates and Duties granted by the said recited Act of the Thirty-eighth Year of the Reign of His said late Majesty, in which case it shall not thereafter be lawful to the said Trustees again to levy the Tolls granted by the said recited Act of the Fifty-sixth Year of the Reign of His said late Majesty.

IV. And

Penalty on Persons committing Nuisances.

IV. And be it enacted, That if any Person shall ride upon any Footpath or Causeway on or by the Side of the said Road made or set apart for the Use or Accommodation of Foot Passengers, or shall lead or drive any Horse, Ass, Mule, Swine, or Cattle, or Carriage of any Description, or any Wheelbarrow, Truck, or Sledge, or any single Wheel of any Waggon, Cart, or Carriage apart therefrom, upon any such Foothpath or Causeway, or shall wilfully obstruct, or do or cause any Injury or Damage to be done to the same, or to the Hedges, Posts, Rails, or Fences thereof; or shall wilfully pull down or damage any Bridge, Wall, Toll Bar, or any Building, Fence, or Erection made by the Trustees of the said Road, or repaired or repairable by them; or shall break, injure, remove, or displace any Tools, Trestles, Bars, Stones, Materials, or other Article whatsoever belonging to such Trustees, or used on the said Road under their Authority; or shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Road, any Timber, Stone, or other Thing otherwise than upon a wheeled Carriage; or shall suffer any Timber, Stone, or other Thing which shall be carried principally or in part upon a wheeled Carriage to drag or trail upon the said Road; or, in ploughing or harrowing any adjacent uninclosed Land, shall turn any Horse, Plough, or Harrow in or upon the said Road, or the Side Drains or Ditches thereof; or shall, in or upon the said Road, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, burn, dress, or cut up any Beast, Swine, Calf, Lamb, or other Cattle; or if any Person driving any Carriage, Cart, Horse, or other Beast on the said Road, conveying any Iron Bar or Rod, Tree, Wood, Stone, Basket or Pannier, or any other Matter or Thing, except Hay and Straw, suffer the same to project by more than Thirty Inches from the Side of such Horse or other Beast, or more than One Foot laterally beyond the Wheels of such Carriage, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage, travelling along the said Road; or if any Person shall carry any Timber or other Article above Twenty-five Feet long on any Cart or Carriage not having more than Two Wheels; or if any Hawker, Higgler, Gipsey, or other Person shall pitch any Tent or encamp upon or by the Sides of any Part of the said Road; or if any Person occupying or using a Blacksmith's Shop, Foundry, Smelting House, Iron or Brass Work, Boiler-making Work, Glass Work, Soda, Soap, or Chemical Work, shall not by good and close Shutters every Evening after it becomes Twilight, or otherwise, bar and prevent the Light from such Shop shining into or upon the said Road, and from being dangerous or detrimental to Travellers; or if any Person shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or other Fire Work whatsoever within One hundred Feet of the Centre of the said Road, or shall discharge any Gun, Pistol, or other Fire Arms, fly Kites, or bait, or run for the Purpose of baiting, any Bull, or play at Football, Tennis, Fives, Cricket, or any other Game or Games upon the said Road, or on the Side or Sides thereof, or in any exposed Situation near thereto, to the Annoyance of any Passenger or Passengers; or if any Person shall leave any Waggon, Cart, or other Carriage whatever upon the said Road, or on the Side

Side or Sides thereof, without any proper Person in the sole Custody or Care thereof, longer than may be necessary to load or unload the same, except in Cases of Accident, and in Cases of Accident for a longer Time than may be necessary to remove the same; or shall not place such Waggon or other Carriage during the Time of loading or unloading the same, or of taking Refreshments, as near to one Side of the Road as conveniently may be, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Soil, Ashes, Rubbish, or other Matter or Thing whatsoever upon the said Road, or on the Side or Sides thereof, or the Footpaths or Causeways adjoining; or shall hang or lay any Linen Clothes or other such Article on any Hedge or Fence of the said Road; or shall suffer any Water, Filth, Dirt, or other offensive Matter or Thing whatsoever to run or flow into or upon the said Road or Footpaths, from any House, Building, Erection, Lands, or Premises adjacent thereto; or if any Person driving any Pigs or Swine upon the said Road shall suffer such Pigs or Swine to root up or damage the said Road, or the Fences, Hedges, Banks, or Copse on either Side thereof respectively; or if any Person shall, after having blocked or stopped any Cart, Waggon, or other Carriage in going up a Hill or rising Ground, cause or suffer to be or remain on the said Road the Stone or other Thing with which such Cart or other Carriage shall have been blocked or stopped; or if any Person shall pull down, damage, injure, or destroy any Lamp or Lamp Post put up, erected, or placed in or near the Side of the said Road or Toll House erected thereon, or shall extinguish the Light of any such Lamp; every Person offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Fifty Shillings, over and above the Damages occasioned thereby.

Continuance of Acts.

V. And be it further enacted, That the said recited Acts of the Thirty-eighth and Fifty-sixth Years of the Reign of His said late Majesty King *George* the Third and this Act shall continue and be in force from and after the passing of this Act for the Space of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Expences of this Act.

VI. And be it further enacted, That the Costs and Expences of passing and procuring this Act shall be defrayed out of the first and readiest of the Monies to come into the Hands of the Trustees under the said first-recited Act and this Act.

Public Act.

VII. 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.

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