ANNO QUADRAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 51.

An Act for altering and amending several Acts for making and repairing Turnpike Roads in the County of *Haddington*; for amending other Roads branching therefrom; and for rendering more effectual the Statute Labour within the said County.

[29th *June* 1804.]

WHEREAS by an Act, passed in the Twenty-third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for repairing the Roads leading from* Dunglass Bridge *to the Town of* Haddington, *and from thence to* Ravensthaugh Burn, *in the County of* Haddington; and by another Act, passed in the Ninth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers granted by an Act of the Twenty-third Year of His late Majesty, for repairing the Roads from* Dunglass Bridge *to the Town of* Haddington, *and from thence to* Ravensthaugh Burn *in the County of* Haddington; and by another Act, passed in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Terms and Powers of Two Acts of the Twenty-third Year of the Reign of His late Majesty King* George *the Second, and the Ninth Year of His present Majesty's Reign, for repairing the High Roads from* Dunglass Bridge *to the Town of* Haddington, *and from thence to* Ravensthaugh Burn, *in the County of* Haddington; *and for making, amending, altering, widening, and keeping in repair, certain Branches of the said Roads, within the said County*; certain

23 G. 2. c. 17.

9 G. 3. c. 74.

33 G. 3. c. 163.

Perſons were appointed Truſtees for thoſe Purpoſes, with Power to levy Tolls upon the ſaid Roads, and to borrow Money on the Credit thereof, and various other Powers and Authorities were granted to them: And whereas great Progreſs hath been made in making, amending, altering, widening, and repairing the Roads in the ſaid Acts mentioned; but ſome of the ſaid Roads ſtill require to be altered and improved, particularly, by ſhortening the Communication from *Garvald* to *North Berwick*, by making a new Road from, at, or near *Croſsgatehall*, until it ſhall join the preſent *North Berwick* Road, at or near *Eaſt Fortune*, and by avoiding Hills on the Great Turnpike Road from *Linton* to *Haddington*, and thus making the Acceſs to *Haddington* ſhorter and more eaſy, and alſo by widening the Road at and from the preſent Croſs Bar at *Wallyford*, to the Weſtern Boundary of the ſaid County of *Haddington*, adjoining to the County of *Edinburgh*: And whereas it is expedient that Power ſhould be given to the ſaid Truſtees to advance a Sum of Money towards building a New Bridge acroſs the River *Eſk*, at *Muſſelburgh*, in the County of *Edinburgh*, and to render the Acceſs to the Capital of *Scotland* from the ſaid County of *Haddington* more eaſy; and alſo, that the Site of the Toll Bars at preſent erected upon the ſaid Roads ſhould be altered and varied: And whereas the Roads leading from *Stenton* by *Bearford* to *Haddington*, and from *Gifford* to *Haddington*; from *Huntington Dykes* and by *Tralronn* to *Long Niddry*, and from thence to the Society of *Glaſsmuir*; and from *Seaton* to the Great Turnpike Road; and from *Tranent* to *Ormiſton*; are in bad Condition, and cannot be kept in Repair by the ordinary Courſe of Law: And whereas the aforeſaid Objects cannot be accompliſhed unleſs the Term given, and the Powers and Authorities, as well with reſpect to the levying of Tolls as to the Performance of Statute Labour, granted by the ſaid recited Acts, and alſo by an Act of the Parliament of *Scotland*, made in the Year One thouſand ſix hundred and ſixty-nine, being the Sixteenth Act of the Second Parliament of King *Charles* the Second, intituled, *Act for repairing Highwayes and Bridges*, ſhould be enlarged, altered, and amended, ſo as to make the ſame effectual and adequate to the preſent Times, and the Uſes and Purpoſes to which ſuch Powers and Authorities are, by the ſaid recited Acts, intended and directed to be applied and enforced: 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, in place of the Truſtees appointed by the ſaid recited Act, paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, every Perſon who is at preſent or ſhall be at any Time after the Commencement of this Act, in his own Right or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment as a Proprietor or Life Renter, of the full Property or *Dominium Utile* of Lands lying in the ſaid County of *Haddington*, valued on the Tax Roll of the ſaid County at One hundred Pounds *Scots* of valued Rent, and all and every the eldeſt Sons of ſuch Perſons, and the Sheriff Depute of the County of *Haddington*, and the Chief Magiſtrates of the Towns of *Haddington*, *Dunbar*, and *North Berwick* for the Time being, accepting and acting as ſuch (except as herein-after excepted), ſhall be, and they are hereby nominated and appointed Truſtees for ſurveying, ordering, amending, and keeping in Repair, the Roads in the ſaid recited Acts mentioned, and the Roads herein-before deſcribed; and likewiſe for putting in Execu-

Appointment and Qualification of Truſtees.

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tion all the Powers in and by the ſaid recited Acts and this Act given; and the Truſtees hereby appointed ſhall hold their Meetings in the Manner in which the Truſtees appointed by the ſaid recited Act of the Thirty-third Year of His preſent Majeſty's Reign are directed to hold their Meetings; and all the Powers and Authorities given and granted to ſuch Truſtees, by the ſaid recited Acts, are hereby given and granted to the Truſtees appointed by this Act.

Penalty for acting as a Truſtee, if not qualified.

II. Provided always, and it is hereby expreſsly provided and declared, That no Perſon, unleſs qualified as aforeſaid, or acting as Chief Magiſtrate in ſome One of the Burghs aforeſaid, ſhall be entitled to act as a Truſtee under this or the ſaid recited Acts; and if any Perſon or Perſons, ſo incapacitated, ſhall nevertheleſs preſume to act, contrary to the true Intent and Meaning of this Act, every ſuch Perſon ſhall forfeit the Sum of Twenty Pounds Sterling, for every Time he ſhall act as a Truſtee in the Execution of this Act, to be recovered by Action, Complaint, or Petition, in a ſummary Way, at the Suit of any Heritor within the ſaid County, before the Juſtices of Peace at their Quarter Seſſions, or before the Judge Ordinary; the One Half thereof to be paid to the Proſecutor, and the other Half thereof to the Truſtees aforeſaid, to be applied by them for the repairing of the ſaid Roads; and in caſe any ſuch Suit or Complaint ſhall be entered before any of the Courts aforeſaid, the Perſon complained of ſhall be obliged to prove that he is qualified as aforeſaid, or otherwiſe ſhall forfeit the ſaid Sum of Twenty Pounds Sterling, without any Proof or Evidence to be brought on the Part of the Plaintiff, other than that the Perſon complained of had acted as a Truſtee for executing the ſeveral Powers and Authorities in this Act contained.

Improvement of the Road between *Gervald* and *North Berwick* and between *Haddington* and *Linton*.

III. And, in order to ſhorten the Communication from *Gervald* to *North Berwick*, and to avoid Hills on the Great Turnpike Road from *Haddington* to *Linton*, be it enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, aſſembled at a General or Adjourned Meeting, held in the Manner directed by the ſaid recited Act paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, and ſuch Perſon or Perſons as they, or any Seven or more of them, ſo aſſembled, ſhall authorize and appoint, are hereby empowered to make a New Line of Road from, at, or near *Croſſgateball*, until it ſhall join the preſent *North Berwick* Road, at or near *Eaſt Fortune*, upon the Security of or out of the Money ariſing from the Tolls and Duties hereby authorized to be levied, at Toll Bars to be placed upon the ſaid Road; and alſo to alter the preſent Line of Road betwixt *Haddington* and *Linton*, by lowering the ſame at the Hill at *Pencraik*, out of the Money to be borrowed upon the Security of or ariſing from the Tolls and Duties that ſhall be levied upon the Great Poſt Road in virtue of this Act.

Improvement of the Road between *Wallyford* Toll Bar and *Lavenhall*, and of the Bridge at *Muſſelburgh*.

IV. And whereas, the Road between *Wallyford* Toll Bar and *Lavenhall* at the Eaſt End of *Muſſelburgh Links* in the Counties of *Haddington* and *Edinburgh*, is extremely narrow and dangerous, and it is adviſable to alter the Direction of the ſaid Road to the South of *Drummore*, whereby a larger Portion of the ſame than heretofore will be allotted to the Truſtees of the County of *Edinburgh*, for the making and repairing thereof; and the Bridge over the River *Eſk*, at *Muſſelburgh*, being at preſent narrow, inconvenient, and dangerous, and it being neceſſary to the rebuilding of the ſame, as

authorized

authorized by an Act, paſſed in the laſt Seſſion of Parliament, 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, that the Truſtees of the ſaid County of *Haddington* (for the Convenience and Intereſt of which laſt-mentioned County, the ſaid Bridge, though locally ſituated in the County of *Edinburgh*, is highly material) ſhould be at liberty to contribute to the rebuilding thereof; be it enacted, That the ſaid Truſtees, or any Seven or more of them, at a General Meeting aſſembled, are hereby authorized and empowered to pay, or cauſe to be paid, out of the Funds under their Management, to the Truſtees for the Turnpike Roads in the ſaid County of *Edinburgh*, or to ſuch Perſon or Perſons as ſhall be authorized by them, or any Seven or more of them, at a General Meeting aſſembled, towards the aforeſaid Alteration of the Road from *Wallyford* Toll Bar to *Lavenhall*, and the rebuilding of *Muſſelburgh* Bridge, the Sum of One thouſand five hundred Pounds Sterling, the ſaid Bridge being on that account to be free of Toll or Pontage, or any other Exaction, in all Time coming; and ſaving always and reſerving to the reſpective Counties all Right to which they are entitled, under the various Acts now in force, for making and repairing the Turnpike and other High Roads, in the ſaid County of *Edinburgh*, and alſo thoſe ſpecified in an Act, paſſed in the Twenty-ninth Year of His preſent Majeſty's Reign, 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.*

Roads to be made in beſt Direction, but not to injure Houſes, &c.

V. And be it enacted, That it ſhall and may be lawful to the ſaid Truſtees or any Seven or more of them at a General Meeting aſſembled, to cauſe the ſaid Improvements and new Lines of Road, to be made in the Direction that ſhall be deemed beſt and moſt beneficial to the Public, upon the Report of a ſkilful Surveyor to be employed for that ſpecial Purpoſe upon Oath to the beſt of his Judgment, which Oath any Juſtice of the Peace of the ſaid County is hereby empowered to adminiſter, notwithſtanding the ſame ſhould be carried through Plantation or Nurſery Ground, on paying all Damages done to the Proprietors and Occupiers thereof; provided that the ſame ſhall be done ſo as not to occaſion the Demolition of any Houſe, the Side Walls of which are of the Height of Eighteen Feet, or to injure any Garden exceeding Half an Acre, or any Avenue to any Houſe, or any Plantation of Trees adjoining the ſame, planted prior to the paſſing of this Act, without the Conſent of the Owner or Owners thereof firſt had and obtained.

Truſtees may erect new Toll Bars.

VI. And be it further enacted, That, from and after the Twenty-fifth Day of *July* next, it ſhall and may be lawful for the ſaid Truſtees, and they, or any Seven or more of them, aſſembled at a General or Adjourned Meeting held in the Manner directed by the ſaid recited Act paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, or ſuch Perſon or Perſons as they, or any Seven or more of them, ſo aſſembled, ſhall authorize and appoint, are hereby empowered to erect, or cauſe to be erected, a Gate or Gates, Turnpike or Turnpikes, in or acroſs

acroſs any Part or Parts of the Highways or Roads deſcribed in the ſaid recited Acts and in this Act; and alſo to erect and build, or cauſe to be erected or built, ſuch Number of Toll Houſes, as they, or any Seven or more of them, at a General or Adjourned Meeting aſſembled, ſhall think fit, in or upon the ſame, to be veſted in the ſaid Truſtees as Toll Houſes are by the ſaid recited Act of the Thirty-third Year of His preſent Majeſty's Reign directed to be veſted, and to demand and take, or autho ize and appoint to be demanded and taken, at the Toll Bars already erected or to be erected by virtue of this Act, the ſeveral Tolls and Duties herein-after mentioned, to be levied in the Manner directed by the ſaid recited Act of the Thirty-third Year of the Reign of His preſent Majeſty, and by this Act, before any Horſe, Mare, Gelding, Mule, Aſs, Cattle, Coach, Landau, Berlin, Chaiſe, Calaſh, Chair, Hearſe, Litter, Waggon, Wain, Cart, or other Carriage whatever, ſhall be permitted to paſs through any of the ſaid Gates or Turnpikes; that is to ſay, upon the Poſt Road leading from *Dunglaſs Bridge* to *Ravenſhaugh Bridge*,

Tolls.

For every Coach, Chariot, Landau, Berlin, Calaſh, Curricle, or Hearſe, drawn by Six Horſes, Mares, Geldings, or Mules, a Sum not exceeding Nine Shillings Sterling; and drawn by Four Horſes, Mares, Geldings, or Mules, a Sum not exceeding Five Shillings and Three-pence Sterling; and drawn by Two Horſes, Mares, Geldings, or Mules, a Sum not exceeding Three Shillings Sterling:

For every Chaiſe or Chair, drawn by One Horſe, Mare, Gelding, or Mule, a Sum not exceeding One Shilling and Sixpence Sterling:

For every Waggon, Wain, Cart, or Carriage, drawn by Five or more Horſes, Oxen, or Beaſts of Draught, a Sum not exceeding Seven Shillings and Sixpence Sterling; and drawn by Four Horſes, Oxen, or Beaſts of Draught, a Sum not exceeding Three Shillings Sterling; and drawn by Three Horſes, Oxen, or Beaſts of Draught, a Sum not exceeding Two Shillings and Three-pence Sterling; and drawn by Two Horſes, Oxen, or Beaſts of Draught, a Sum not exceeding One Shilling Sterling; and drawn by One Horſe, Ox, or Beaſt of Draught, a Sum not exceeding Sixpence Sterling:

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing in any Carriage, a Sum not exceeding Sixpence Sterling:

For every Drove of Oxen, Cows, or neat Cattle, a Sum not exceeding One Shilling and Three-pence Sterling *per* Score, and ſo in proportion for every greater or leſs Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, a Sum not exceeding Seven-pence Halfpenny Sterling *per* Score, and ſo in proportion for every greater or leſs Number:

Three Fourths of the Tolls and Duties aforeſaid upon the Road leading from *Ravenſhaugh Bridge* by *North Berwick* to *Tyningham* and *Dunbar*; One Half of the ſaid Tolls and Duties upon the Road from *Kilpallet Burn* to *Tranent*, and from *Whittingham* and *Garvald* to *Tranent*, and from *Ravenſhaugh Bridge* by *Long Niddry* to *Tyningham* and *Dunbar*; and One Fourth of the ſaid Tolls and Duties upon the Road from *Tranent* to *Salterſford*, and from *Ormiſton* to *Bainſley*, or *Birſley Park*, and from *Gladſmuir Kirk* towards *Dalkeith* to *Hilliend*, and from *Stenton* by *Bearford* to *Haddington*, and from *Gifford* to *Haddington*, and from *Garvald* to *North Berwick* by *Croſſgatehall*:

Which ſaid reſpective Sum and Sums of Money ſhall be demanded and taken in Name of and as a Toll or Duty; and the Money ſo to be raiſed and collected thereby ſhall be and is hereby veſted in the ſaid Truſtees in Manner mentioned in the ſaid recited Acts, and the ſame, and every Part thereof, ſhall be paid, applied, and diſpoſed of or aſſigned to and for the ſeveral Uſes, Intents, and Purpoſes, by the ſaid Acts and this Act directed; and for the amending and keeping in Repair the Roads aforeſaid in the ſaid County, upon which the Tolls aforeſaid ſhall be reſpectively levied and taken; or to the building of new Bridges thereupon, where the ſame ſhall be found neceſſary; ſo as each particular Road may have its own Produce.

How Surplus Tolls on great Poſt Road may be applied.

VII. And whereas by the ſaid recited Act, paſſed in the Ninth Year of the Reign of His preſent Majeſty, it is enacted, that the Surplus of the Tolls and Duties thereby authorized to be levied, after anſwering certain Purpoſes therein mentioned, ſhould be applied in making and repairing the other great Roads leading into the ſaid Poſt Road from the South; be it enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, at ſome General or Adjourned Meeting aſſembled, to apply the Whole or any Part of the Surplus of the Tolls and Duties hereby authorized to be levied on the ſaid Great Poſt Road, after defraying the Expence of this Act in the Manner herein directed, paying the Intereſt of the Debt which may be contracted thereon, keeping the ſaid great Poſt Road in Repair, and ſetting apart annually a Sum equal to the Intereſt of the Money borrowed upon the Credit of the Tolls levied upon the Great Poſt Road, as a Sinking Fund, to be applied in Diſcharge of the Principal Money ſo borrowed until Three Fourths of the ſame be paid off, in Aid of the Fund applicable to the Repair of ſuch Roads, or any of them, that ſhall appear to the ſaid Truſtees, or any Seven or more of them, at any General or Adjourned Meeting aſſembled, to ſtand moſt in need of ſuch Aid: Provided always, that Notice ſhall be given of ſuch Meeting by Advertiſement, ſpecifying the Purpoſe of the Meeting, at leaſt Twice in Three *Edinburgh* Newſpapers, and at leaſt Three Weeks before ſuch Meeting; and if ſuch Surplus ſhall be ſo applied at any General or Adjourned Meeting without previous Advertiſement as aforeſaid, each and every Truſtee preſent at ſuch Meeting, and concurring in ſuch Application, ſhall be perſonally liable in double the Amount of the whole Sum ſo applied, at the Suit of any One or more of the other Truſtees under this Act, or the Clerk or Treaſurer of the ſaid Truſtees; One Half whereof, when recovered, ſhall be paid to the Perſon or Perſons ſuing for the ſame, and the other Half ſhall be applied in the Repair of any of the ſaid Roads, except that Road to which it had been ſo directed to be applied.

Toll to be levied on each Line of Road.

VIII. And be it further enacted, That no Perſon or Perſons paying at any of the Turnpikes authorized by this or the ſaid recited Acts to be erected upon any of the ſeveral Lines of Road therein and herein deſcribed, ſhall be entitled to receive a Ticket to carry ſuch Perſon or Perſons free through any of the Turnpikes erected, or to be erected, upon any other or different Lines of Road, but the full Toll, hereby authorized to be levied and taken ſhall be leviable upon each Line of Road reſpectively; unleſs in Situations where the Toll Bar upon any of the ſaid Roads, being within Six Miles of a Toll Bar upon any other of the ſaid Roads, it ſhall be reſolved by the

the ſaid Truſtees at any General Meeting, that a Ticket received at the One of ſuch Toll Bars ſhall entitle the Receiver to paſs Toll free at the other.

Toll to be levied on Lime, as directed by 33 G. 3. c. 163. Exemptions thereby granted to continue, and Tolls may be leſſened.

IX. Provided always, and be it enacted, That the ſaid Tolls ſhall be levied upon Lime in the Manner directed by the ſaid recited Act paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, and ſhall be ſubject to ſuch and the ſame Exemptions as are therein ſpecified; and the ſaid Tolls may, with the Conſent of Four Fifths of the Perſons who have already lent or advanced, or may hereafter lend or advance, Money on the Credit thereof, be leſſened and may again be raiſed, ſo as not to exceed the Tolls hereby granted, in the Manner in which the Tolls and Duties granted by the ſaid recited Act might be leſſened and raiſed.

One Toll to be paid on the *Spot Road*.

X. Provided alſo, and be it enacted, That any Coach, Chariot, Landau, Berlin, Calaſh, Curricle, Chair, Litter, Waggon, Cart, Wain, Carriage, Horſe, Aſs, Mule, or any other Sort of Carriage or Cattle, travelling the Road commonly called *The Spot Road*, to and from the Town of *Dunbar*, ſhall not be liable to pay Toll more than Once in One Day, although paſſing with different Loadings; and that any Five or more Truſtees ſhall have Power at any adjourned Meeting to compound by the Year, or otherwiſe, with Perſons uſing the ſaid *Spot Road*.

Truſtees may compound for Tolls from Perſons not travelling more than 200 Yards on the Roads.

XI. Provided alſo, and be it enacted, That any Seven or more of the ſaid Truſtees, at a General Meeting aſſembled, ſhall have Power to compound by the Year, or otherwiſe, with all Perſons travelling not more than Two hundred Yards on any Part of the Roads aforeſaid, for the Tolls to be paid by ſuch Perſons, for and in reſpect of ſuch travelling within ſuch Diſtance.

Carts carrying Commodities to *Dunbar*, to pay only Half Toll; but if with broad Wheels then totally exempted.

XII. Provided alſo, and be it enacted, That loaded Carts, or other Carriages, of whatever Denomination, carrying Commodities from *Dunbar* to the Mills belonging to the ſaid Town, for the Purpoſe of being manufactured at the Mills aforeſaid, erected or to be erected, and carried back to the ſaid Town when ſo manufactured, ſhall pay only the Half of the Toll that ſhall be levied at the Toll Bar, erected or that may be erected, betwixt the ſaid Town and the Mills aforeſaid, for going and returning loaded to the Mills aforeſaid: Provided alſo, that if ſuch Carts, or other Carriages, as aforeſaid, ſhall be drawn on Wheels with the Fellies of the Breadth of Six Inches or upwards, and ſhall otherwiſe be of the Deſcription of Carriages herein immediately after made liable to the Payment of Half-Toll only, then ſuch Carriages, from *Dunbar*, ſhall have a Total Exemption from Toll at ſuch Toll Bar.

Carriages with broad Wheels to pay only Half Toll.

XIII. Provided alſo, and be it enacted, That no more than One Half of the Tolls herein-before ſpecified, ſhall be demanded or taken, for the Paſſage of any Cart or other Carriage drawn upon Wheels, the Fellies whereof ſhall be of the Breadth of Six Inches or upwards, and of an even or level Surface, and cylindrical, and the oppoſite Ends of the Axle-trees of which ſhall not form an Angle with each other, as immediately herein after particularly deſcribed.

XIV. And

Tolls on Carriages of heavy Weight.

XIV. And be it further enacted, That, from and after the ſaid Twenty-fifth Day of *July* next, the ſaid Truſtees may demand and take, at the ſeveral Turnpike Gates or Bars erected under the Authority of the ſaid recited Acts, or to be erected purſuant to this Act, for and in reſpect of all Carts or other Carriages uſed for the Purpoſes of Trade, Huſbandry or Commerce, the additional Tolls following; *videlicet*, If the Carriage with its Burden or Loading ſhall exceed Twenty-ſix hundred Weight, and ſhall be under Thirty-four hundred Weight, One Half more in addition to the Tolls and Duties herein-before ſpecified; and if the ſaid Carriage and its Burden or Loading ſhall be Thirty-four hundred Weight or upwards, Double the ſaid Tolls and Duties; which additional Tolls, ſo authorized to be levied, ſhall not be held to be Penalties, but the juſt and fair Toll Duties due and payable for ſuch Carriages uſed for the Purpoſes aforeſaid; and it ſhall be lawful for any General Meeting of the Truſtees to erect, or cauſe to be erected, on ſuch Parts of the ſaid Roads as they ſhall think proper, or on the Sides thereof, Weighing Machines, at which all Perſons travelling with Carts and Carriages uſed for the Purpoſes of Trade, Huſbandry, or Commerce, ſhall be obliged, when required by the Collector, Toll-gatherer, or by any Truſtee, to weigh every ſuch Carriage when paſſing or intending to paſs through any ſuch Turnpike Gate: Provided always, that no ſuch Cart or Carriage ſhall be chargeable with additional Toll for or in reſpect of the Weight thereof, if the Fellies of the Wheels of ſuch Carriage ſhall be of the Breadth of Six Inches or upwards, whether conſiſting of One or more Tiers: And provided alſo, that the Fellies of the ſaid 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 the Outſide, ſo that when rolling on a flat Surface, the whole Breadth of ſuch Fellies ſhall bear equally on ſuch flat Surface: And provided alſo, that the oppoſite Ends of the Axle-trees of ſuch Carriages, 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 Carriages the lower Parts which ſhall 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 provided alſo, that every Perſon claiming ſuch Abatement of Toll on Account of ſuch broad-wheeled Carriages, ſhall permit the ſame to be examined and meaſured by any Perſon concerned in the Collection of the ſaid Tolls.

Truſtees may erect Side Bars.

XV. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, at a General Meeting aſſembled, to erect and cauſe to be erected, One or more Gate or Gates, Turnpike or Turnpikes, on the Side or Sides of the Roads aforeſaid, or acroſs any Lane or Way leading out of the ſame, or upon any Road leading parallel to the ſaid Turnpike Roads, which ſhall and may be uſed to evade Payment of the Tolls by this Act authorized to be taken and levied as aforeſaid, particularly upon the Road leading from the Great Turnpike Road by *Huntington Dykes* and *Bangley Braehead* towards *Garleton*; alſo upon the Road leading from the Great Turnpike Road through the Village of *Trabrown*, upon the Road ſtriking off from the Great Turnpike Road to the Weſtward of the *Society* Northward; upon the Road from *Seaton* to the Great Turnpike Road; upon the Road from

from *Tranent* to *Ormiſton*, and there to take and receive ſuch Tolls as are by this Act granted and made payable; but a Ticket ſhall be given at ſuch Bar, which ſhall entitle the Receiver to paſs the ſame Day through the next Turnpike on the ſame Line of ſuch Road, if within Six Miles of ſuch Croſs Bar, Toll-free; and it alſo ſhall and may be lawful for the ſaid Truſtees to build Fences to prevent any Perſon or Perſons, travelling the ſaid Roads, from evading the Payment of any of the Tolls or Duties granted by this Act: Provided always, that the Sums of Money hereby authorized to be levied at the ſaid Bye-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.

Tolls may be divided and allotted.

XVI. And be it further enacted, That if there ſhall be Two or more Turnpikes or Toll-Bars erected in, acroſs, or on the Side of any of the ſaid Roads, then and in ſuch Caſe the Toll hereby granted and made payable ſhall be divided and allotted into ſo many Parts, Shares, and Proportions as the ſaid Truſtees, or any Seven or more of them, ſhall direct or appoint, and ſuch Parts thereof ſhall be taken and received, at ſuch and ſo many of the ſaid Turnpikes or Toll-Bars, as by the ſaid Truſtees, or any Seven or more of them, ſhall be ordered and appointed for that Purpoſe, and not otherwiſe; ſo as that the Money ariſing from the Toll of ſuch Bar or Turnpike ſhall always be, in the firſt Place, applied to the repairing and keeping in repair the Croſs or Bye Roads, or Branch of the principal Road on which ſuch Toll Bar or Turnpike is placed.

Proviſion for *Pencaitland* Road.

XVII. And whereas it has been found that a conſiderable Part of the Tolls collected at the Turnpike erected at the Weſt Port of *Haddington* ariſe from Carts and other Carriages and Horſes going or coming by the Road leading from the ſaid Port towards *Pencaitland*; be it therefore enacted, That the Sum of Sixty Pounds Sterling, while the Tolls collected at the ſaid Bar remain at the Rates now levied, ſhall, during the Continuance of this Act, be appropriated and applied annually if needful, for keeping in Repair that Part of the ſaid Road, out of the Tolls collected at the ſaid Weſt Port Toll Bar, in Aid of the Statute Work; and the ſaid Sum ſo to be annually applied, ſhall be increaſed in the Ratio of ſuch additional Toll as may be levied at the ſaid Weſt Port of *Haddington*, in virtue of this Act.

Truſtees empowered to borrow Money.

XVIII. And for the more effectual and ſpeedy Reparation of the ſaid Roads, be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, at a General Meeting aſſembled, and they are hereby authorized, to borrow, over and above the Sums authorized to be raiſed under the Authority of the ſaid recited Acts, upon the Credit of the Tolls that may be levied by the Authority of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of Eighteen thouſand Pounds Sterling, at an Intereſt not exceeding Five Pounds Sterling *per Centum per Annum*; and they are hereby authorized and empowered to aſſign and make over any Part of the ſaid reſpective Tolls, during the Continuance of this Act (the Charges of ſuch Aſſignment to be paid out of ſuch Tolls), as a Security or Securities, for the Money reſpectively borrowed on the Credit thereof, to ſuch Perſon or Perſons who ſhall advance or lend ſuch Sum or Sums of

Application of the Money borrowed.

Tolls may be aſſigned in Security.

Money, their Heirs, Executors, and Aſſigns, for the Money ſo to be lent or advanced, with Intereſt for the ſame; which Sums of Money are to be applied for the making and repairing of the ſaid Roads, according to ſuch Orders and Directions as ſhall be iſſued and given from Time to Time by the ſaid Truſtees, or any Seven or more of them, at a General or Adjourned Meeting aſſembled; and when the Sums ſo borrowed ſhall in Whole or in Part be applied and accounted for to the ſaid Truſtees at their General Meeting aſſembled, and by their Order paid off to the Creditor or Creditors, the ſaid Truſtees, or any Seven or more of them, at a General Meeting aſſembled, are hereby empowered to borrow another Sum of Money equal to that by them ſo paid off as aforeſaid; and the Aſſignment of the Tolls for all or any Sum of Money ſo borrowed, ſhall be entered in a Book, to be kept by the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall appoint, which Book ſhall be ſeen and peruſed at all reaſonable Times, by any Perſon or Perſons qualified to act as Truſtees, without Fee or Reward.

Aſſignments to be entered in a Book.

Truſtees may apportion the Sum in the Manner directed by 33 G. 3. c. 163.

XIX. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, if they ſhall ſee Cauſe, at the Firſt Meeting to be held after the paſſing of this Act, or at any ſubſequent Meeting, to divide and apportion the ſaid Sum of Eighteen thouſand Pounds Sterling, in the Manner in which Money borrowed in virtue of the ſaid recited Act, paſſed in the Thirty-third Year of His preſent Majeſty's Reign, is directed to be divided and apportioned, and being ſo divided and apportioned, each Sum ſo allotted ſhall be borrowed, and the Tolls and Duties levied purſuant to this Act ſhall be the Security thereof, in the Manner in which, upon ſuch Diviſion and Apportionment, Money may be borrowed in virtue of the ſaid recited Act, and the Tolls thereby granted may be made the Security for ſuch Money: Provided always, that it ſhall not be in the Power of the ſaid Truſtees to charge or make liable the Tolls to be levied upon One Line of Road with the Payment of any Sum or Sums of Money, or the Intereſt thereof, allotted to and borrowed for another Line of Road.

Notice to be given of Intention to borrow.

XX. Provided always, and it is hereby declared, That no Money ſhall be borrowed by the ſaid Truſtees, on the Credit of the Tolls hereby granted, and to be collected, unleſs Notice for that Purpoſe ſhall be fixed in Writing, under the Hand or Hands of the Clerk or Clerks to the ſaid Truſtees, upon all and every the Turnpike Gate or Gates, erected by virtue of this Act, at leaſt Fourteen Days before the borrowing ſuch Money, and alſo advertiſing the ſame in Two of the *Edinburgh* Newſpapers, Fourteen Days at leaſt previous to the General Meeting at which ſuch borrowing is to take place.

Truſtees empowered to purchaſe, and Proprietors required to ſell, Land for the Purpoſes of this Act.

XXI. And be it further enacted, That the ſaid Truſtees ſhall be and they are hereby empowered to take and acquire, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Heirs of Entail, Huſbands, Truſtees, Tutors, and Curators, and all and every Perſon and Perſons whatſoever, though under any legal Diſability or Incapacity are hereby empowered and required to ſell, let, and convey all ſuch Ground as may be neceſſary for the making, altering, and improving the ſaid Roads or any of them, and erecting the ſaid Toll Bars and Toll Houſes, or any of them, or for ſtoring Materials or otherwiſe, where Ground

Ground is neceſſary in the Execution of the ſaid recited Acts or of this Act, making ſuch Satisfaction to the Proprietor or Proprietors, and Occupier or Occupiers, as can be agreed upon by and between the ſaid Truſtees and ſuch Proprietor or Proprietors, Occupier or Occupiers; and in the Event that they cannot agree, then upon Payment of ſuch Sum or Sums of Money as ſhall be awarded by a Jury of Fifteen Perſons, ſummoned and choſen by the Sheriff of the County in ſuch Manner as Juries are ſummoned and choſen by Sheriffs of Counties in *Scotland*, whoſe Determination is hereby declared to be final without being ſubject to Suſpenſion, Advocation, or Reduction; and in the Event that ſuch Jury ſhall award a larger Sum than may have been offered by the ſaid Truſtees, the Expence attending ſuch Jury ſhall be paid by the ſaid Truſtees out of the Tolls and Duties hereby granted; and if ſuch Jury ſhall award no more or any Sum leſs than that offered by the ſaid Truſtees, the Expence of ſuch Jury ſhall be defrayed and borne by the Perſon or Perſons who ſhall not have agreed with the ſaid Truſtees: Provided always, that in all Caſes where any Perſon ſhall, by reaſon of Abſence, be prevented from treating with the ſaid Truſtees, ſuch Coſts and Expences ſhall be borne and paid by the ſaid Truſtees: Provided alſo, that after having offered to any Proprietor or Proprietors of any Land, ſuch Sum as the ſaid Truſtees ſhall think reaſonable, it ſhall and may be lawful for them to enter into and upon ſuch Lands, for the Purpoſes of this or the ſaid recited Acts.

Application of Compenſation where amounting to 200*l.*

XXII. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Heritages, purchaſed, taken, or uſed, by virtue of the Powers of this Act or the ſaid recited Acts, for the Purpoſes thereof, which are held under Entail, or are ſubject to Life Rents, Annuities, or other Incumbrances, or ſhall belong to any Corporation, married Woman, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, under the Direction and by the Authority of the Court of Seſſion, be, with all convenient Speed, paid into the Bank of *Scotland* or Royal Bank of *Scotland*, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition, to be preferred in a ſummary Way, by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Heritages, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Heritages, or affecting other Lands, Tenements, or Heritages, ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Heritages, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner, as the Lands, Tenements, and Heritages, which ſhall be ſo purchaſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement, ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made,

made, the Intereſt or annual Produce of ſuch Money ſhall, from Time to Time, be paid by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Heritages ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application of Purchaſe Money when under 200*l.* and above 20*l.*

XXIII. Provided always, and be further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Heritages purchaſed, taken, or uſed, for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Heritages ſo purchaſed, taken, or uſed, or of his, her, or their Tutors or Curators, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, under the like Direction and Authority, be paid into either of the ſaid Banks, and be placed to his or their Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe, the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees, (ſuch Nomination and Approbation to be ſignified in Writing, under the Hands of the nominating and approving Parties,) in order that ſuch Principal Money and the Intereſt ariſing thereon may be applied in any Manner herein-before directed, ſo far as the Caſe may be applicable.

Application of Purchaſe Money if under 20*l.*

XXIV. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Heritages ſo purchaſed, in ſuch Manner as the ſaid Truſtees, or any Three or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Tutors or Curators, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles, *etc.* Purchaſe Money to be paid into the Bank of *Scotland* or Royal Bank, ſubject to the Order of the Court of Seſſion.

XXV. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Heritages, to be purchaſed by virtue of the ſaid recited Acts or of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Heritages, be not known or diſcovered, then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Truſtees, to order the Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *Scotland*, or the Royal Bank of *Scotland*, in the Name of ſome One of the principal Clerks of the Court of Seſſion, to be placed to his Account, to the Credit of the Parties intereſted in the Lands, Tenements, or Heritages, (deſcribing them,) ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Seſſion, on the Application of any Perſon or Perſons making claim to ſuch Sum or Sums of Money or any Part thereof, by Petition, the ſaid Court ſhall be and is hereby

hereby empowered, in a ſummary Way of Proceeding or otherwiſe as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds or upon heritable Security, or to order Diſtribution thereof, in Payment of the Dividends or Intereſt thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or Perſons making claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *Scotland* and Royal Bank, reſpectively, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into either of the ſaid Banks as aforeſaid.

Proviſion in caſe of queſtionable Title.

XXVI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *Scotland* or Royal Bank of *Scotland*, under the Direction and by the Authority of the ſaid Court of Seſſion in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Heritages, or any Eſtates, Right or Intereſt in any Lands, Tenements, or Heritages to be purchaſed in purſuance of this Act or the ſaid recited Acts, or to any Lands, Tenements, or Heritages, to be purchaſed with any ſuch Money, or to the Rents or Profits thereof, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Heritages, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Heritages, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court; and the Rents and Profits of the Lands, Tenements, and Heritages, to be purchaſed with ſuch Money, and alſo the Lands, Tenements, and Heritages, ſo purchaſed, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Heritages, or to ſome Eſtate or Intereſt therein.

Expences of ſuch Purchaſe, how to be paid.

XXVII. Provided always, and be it further enacted, That where, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Heritages, to be purchaſed under the Authority of this or the ſaid recited Acts, the Purchaſe Money for the ſame ſhall be required to be paid in to the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Heritages, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this or the ſaid recited Acts, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, to be paid out of the Tolls and Duties hereby granted, or the Monies authorized by this or the ſaid recited Acts to be borrowed by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Old and uſeleſs Roads may be ſhut up.

XXVIII. And be it further enacted, That it ſhall and may be lawful for the Juſtices of the Peace of the ſaid County to ſhut up and ſuppreſs public Roads of every Deſcription which ſhall appear uſeleſs or of little Importance to

the Public: Provided always, that Notice of every Application for that Purpoſe ſhall be previouſly given for Two conſecutive *Sundays* by Intimation upon the Church Doors of the reſpective Pariſhes through which the ſaid Roads paſs; and the Juſtices preſent at the Firſt or any ſubſequent General Seſſions or Adjourned Seſſions, after ſuch Intimation has been given or reported, ſhall hear all Parties conceiving themſelves to be aggrieved, and may excluſively in the firſt Inſtance determine as to the ſhutting up and ſuppreſſing ſuch Roads as to them ſhall appear juſt and reaſonable; declaring nevertheleſs, that the ultimate Deciſion of the ſaid Juſtices may be brought under the Review of the Court of Seſſion, by Suſpenſion or Reduction, in the Name of any Perſon intereſted, at any Time within Twelve Calendar Months after the Date of ſuch Deciſion; but if the Determination of the ſaid Juſtices ſhall not be complained of, the ſame ſhall be final and concluſive in all Time coming: Provided always, that the Perſon or Perſons applying for having ſuch uſeleſs Road or Roads ſhut up, ſhall pay a fair and adequate Value for the Ground thereby gained by them, which Price ſhall be applied in the Repair of any Road or Roads in the Pariſh, or in the immediate adjoining Pariſh, at the Diſcretion of the ſaid Juſtices.

Foot Paths may be made.

XXIX. And be it enacted, That the ſaid Truſtees may, and they are hereby empowered to make, or cauſe to be made, Foot Paths on the Sides of all or any of the aforeſaid Roads.

Penalty for Perſons riding or driving Horſes thereon.

XXX. And be it enacted, That no Perſon ſhall be allowed to ride or drive any Horſes, Cattle, Carts, or Carriages, upon the ſaid Foot Paths; and if any Perſon or Perſons ſhall, notwithſtanding, preſume ſo to do, ſuch Perſon or Perſons being convicted by the Oath of any One credible Witneſs, or on his own Confeſſion, before any One or more Juſtice or Juſtices of the Peace for the ſaid County, or where the Offender ſhall reſide, ſhall, for every ſuch Offence, forfeit and pay to the ſaid Truſtees, or their Treaſurer, a Sum not exceeding Five Pounds, nor leſs than Twenty Shillings Sterling; and it ſhall and may be lawful for any Perſon, *brevi manu*, to ſeize and carry any Perſon or Perſons, ſo tranſgreſſing as aforeſaid, before the neareſt Juſtice of the Peace, for the Purpoſe of Conviction as aforeſaid.

Increaſe of BridgeMoney.

XXXI. And whereas the Sum of Ten Shillings *Scots*, being Tenpence Sterling, upon each One hundred Pounds *Scots* of valued Rent, authorized to be levied in the Name of Bridge Money, by the above recited Act of the Parliament of *Scotland*, paſſed in the Year One thouſand ſix hundred and ſixty-nine, is now found to be inſufficient and inadequate; be it therefore enacted, That it ſhall and may be lawful for the Freeholders and Heritors of the County of *Haddington*, to ſtent or aſſeſs the Heritors of the ſaid County from Time to Time, as they may ſee Cauſe, in any Sum not to exceed in the Whole Two Shillings and Sixpence Sterling, yearly, upon each One hundred Pounds *Scots* of valued Rent, to be levied and applied as the Old Aſſeſſment authorized by the ſaid recited Act is therein directed to be levied and applied.

Liſt of Plough Gates to be corrected.

XXXII. And whereas there are ſundry Plough Gates loſt and unaccounted for in the ſeveral Pariſhes in the ſaid County, which might ſtill be made up and corrected, be it therefore enacted, That it ſhall and may be lawful for the

the Heritors and Juſtices of the Peace of the ſaid County, in virtue of the Powers veſted in them by the ſaid Act, paſſed in the Ninth Year of the Reign of His preſent Majeſty, to proceed, immediately after the Commencement of this Act, to make the Statute Labour of the County more effectual, by making up and correcting the Liſts of Plough Gates, and converting and demanding the Rate of Converſion according to the ordinary Rate and Hire of Labour in that Part of the County where the ſame ſhall be performed at the Time, according to the ſeveral Powers and Proviſions contained in the ſaid Act.

Qualification of Heritors, empowered to allocate the Statute Labour.

XXXIII. Provided always, and be it enacted, That no Heritor of the ſaid County ſhall be entitled to vote at any Parochial Meeting held for the Allocation of the Statute Labour, unleſs he ſhall be, in his own Right or in the Right of his Wife, in the Poſſeſſion and Enjoyment as Fiar or Life Renter of the full Property or *Dominium Utile* of Lands, ſituated in the Pariſh where ſuch Meeting ſhall be held, rated in the Land Tax Roll or Valuation Books of the ſaid County, at One hundred Pounds *Scots* of valued Rent or upwards, or unleſs he be the eldeſt Son of an Heritor ſo qualified.

Truſtees to apportion the Statute Work.

XXXIV. And be it further enacted, That it ſhall and may be lawful for the Juſtices of the Peace of the ſaid County aſſembled at their Quarter Seſſions, and they are hereby authorized and empowered to aſcertain what Proportion of the ſaid Statute Labour of each of the Pariſhes, through which the Roads aforeſaid do paſs, ſhall be annually ſet apart for the Roads aforeſaid; and it alſo ſhall and may be lawful for the ſaid Juſtices, and they are hereby authorized and empowered to allocate the Statute Labour of each particular Farm or Place in the Pariſhes aforeſaid, to be applied in aid of the Money levied at the Toll Bars aforeſaid, for repairing the ſaid Roads, and other Roads connected therewith, and that, either annually or for a Term of Years, as to them ſhall ſeem meet.

Powers and Authorities of recited Acts extended to this Act.

XXXV. And be it further enacted, That all the Powers and Authorities, Penalties and Forfeitures, given and granted, and directed to be applied, enforced, and recovered, by the ſaid recited Acts, for the ſeveral Purpoſes therein mentioned, are hereby given and granted, and directed to be applied, enforced, and recovered, for the Purpoſes of this Act, in the ſame Manner as if ſuch Powers and Authorities, and Penalties and Forfeitures, had been repeated and incorporated in the Body of this Act.

Expences of this Act how to be paid

XXXVI. And be it further enacted, That the reaſonable Charges and Expences paid, or that ſhall be paid, in, about, or by Reaſon of the paſſing this Act, ſhall be defrayed in the ſame Manner as the Expence of paſſing the ſaid recited Act of the Thirty-third Year of His preſent Majeſty's Reign, was paid and defrayed.

Public Act.

XXXVII. And be it enacted, That this Act ſhall be deemed a Public Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and others whomſoever, without ſpecially pleading the ſame.

Continuance of Act.

XXXVIII. And be it further enacted, That the Term granted by the ſaid recited Acts ſhall, upon the paſſing of this Act, ceaſe and determine; and

and

and that the said Acts (subject to the Variations, Alterations, and Additions herein-before contained) and this Act, shall from thenceforth continue and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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