ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. lxxxii.

An Act for more effectually making, maintaining, and repairing certain Roads, with the necessary Bridges thereon, in the Counties of *Perth*, *Stirling*, and *Forfar*. [6th *June* 1832.]

WHEREAS an Act was passed in the Fifty-first Year of the Reign of his Majesty King *George* the Third, intituled *An Act for more effectually repairing and maintaining certain Roads and Bridges in the County of* Perth: And whereas another Act was passed in the Fifty-second Year of the Reign of His said Majesty, intituled *An Act for amending Two Acts passed in the Fifty-first Year of His present Majesty, for more effectually repairing and maintaining certain Roads and Bridges in the County of* Perth, *and for regulating and converting the Statute Services in the said County; and more effectually making and regulating the Highways, Bridges, and Ferries within the same:* And whereas another Act was also passed in the said Fifty-second Year of the Reign of His said Majesty, intituled *An Act for more effectually repairing and maintaining certain Roads in the Counties of* Perth *and* Forfar: And whereas another Act was passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for maintaining and repairing the Military Roads in the County of* Perth, *and the several Branches or Roads of Communication therewith connected:* 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

51 G. 3. c. 198.

52 G. 3. c. 79.

52 G. 3. c. 91.

1 G. 4. c. 47.

large Sums of Money have been subscribed and borrowed and are still due and owing upon the Credit of the Tolls and Duties thereby authorized to be levied: And whereas some of the said Acts are about to expire, and the Roads authorized to be made Turnpike Roads by the said Acts cannot be effectually repaired, maintained, or improved, or the Money subscribed and borrowed, and due and owing, 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 further Powers granted in relation to the same: And whereas it would be expedient, and advantageous to the Public, that certain of the Statute Labour Roads in the said County of *Perth* were rendered Turnpike Roads, and put under the Charge of the Trustees to be appointed by this Act; and it would also be of advantage to the Public if certain new Lines of Road were made and maintained as Turnpike Roads by the same Trustees: And whereas it would tend to the more easy and effectual Execution of the Powers necessary for the above Purposes, if the before-recited Local Acts, in so far as the same relate to Turnpike Roads, were repealed, and renewed and extended Powers given by the present Act 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: 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 passing of this Act the said before-recited Acts of the Fifty-first and Fifty-second Years of the Reign of His said late Majesty King *George* the Third, and the said before-recited Act of the First Year of the Reign of His said late Majesty King *George* the Fourth, in so far as the same relate to Turnpike Roads, shall be and the same are hereby repealed, and instead thereof this Act shall from thenceforth commence, and continue in force during the Term herein-after mentioned.

1 & 2 W. 4. c. 43.

Recited Acts of 51 G. 3., 52 G. 3., & 1 G. 4. repealed, and this Act to take effect.

Tolls and Duties under former Acts exigible under this Act.

II. And be it further enacted, That all Tolls and Duties due and Penalties and Forfeitures incurred in virtue of the said recited Acts hereby repealed, so far as the same relate to Turnpike Roads, shall be held to be due and incurred to and shall be exigible by the Trustees under this Act; any thing herein to the contrary notwithstanding.

Granters of interposed Securities to be Creditors on the Tolls.

III. And be it further enacted, That in all Cases where any Trustee or Trustees, or Committees or Set of Trustees, or other Person or Persons, has or have already interposed or may hereafter interpose his or their Credit of Money borrowed or advanced for the Purposes of any Turnpike Road or Turnpike Roads to be made or repaired and maintained under the Authority of this Act, by having granted or subscribed, or by granting or subscribing, Bonds, Bills, or other Vouchers of the same, and thereby become Sureties for Money so borrowed or advanced, such Trustee or Trustees or other

Person or Persons who has or have granted or subscribed, or shall grant or subscribe, such Bonds, Bills, or Vouchers for Money borrowed and advanced, as interposed Securities aforesaid, shall have a Lien and be Creditors on the Tolls by this Act granted upon such Turnpike Road or Turnpike Roads for the Purposes of which the Money was borrowed and advanced in such and the same Manner as if the Money so borrowed and advanced, on the interposed personal Security of the said individual Trustee or Trustees or other Person or Persons had been lent by such Trustee or Trustees or other Person or Persons themselves; and such Person or Persons as shall have interposed their personal Security, or the Representatives of such Person or Persons in such Obligations, shall be entitled to demand and receive from the Trustees hereby appointed an Assignation to the Tolls and Duties exigible on such Turnpike Road or Turnpike Roads, or any Part or Parts thereof, for the Purposes of which the said Money has been borrowed and applied, in the same Manner as if such Money had been lent, advanced, and paid by the said interposed Persons themselves: Provided always, that such Tolls and Duties shall not have been previously assigned to the actual Creditors themselves in further Security of the Debts so contracted.

Trustees appointed.

IV. And be it further enacted, That the Justices of the Peace, Commissioners of Supply, and Heritors of the County of *Perth*, and the Heritors of those Parts of the Parishes of *Logie* and *Cupar Angus* which are not situated in the County of *Perth*, and of *Liff* and *Benvie* in the County of *Forfar*, the said Justices, Commissioners of Supply, and Heritors being in the actual Possession and Enjoyment of the *Dominium utile* as Proprietors or Liferenters of Lands, either in their own Right or in Right of their Wives, and valued in the Cess Books of the respective Counties at One hundred Pounds *Scots* or upwards, or producing One hundred Pounds Sterling or upwards of real Rent, and the eldest Sons of all such Heritors or Liferenters, Male or Female, in the Absence of their Parents, as also One of the Guardians or Trustees of Minors, and One of the Tutors and Curators of fatuous and furious Persons, as also One of the Commissioners or Trustees of Heritors absent from *Scotland*, such Minors, fatuous and furious Persons, and Heritors absent from *Scotland*, having Lands of the Valuation or actual Value aforesaid, and also One Mandatory of every Heiress and Female Proprietor possessed of Lands of the Valuation or actual Value aforesaid, and being unmarried or a Widow, provided such Mandatories shall be qualified to act as Trustees under this Act in their own Right, without Prejudice to such Guardians, Trustees, Tutors or Curators, and Commissioners or Mandatories, acting and voting also in their own Right when duly qualified to act and vote in their own Right, as also in Name of their Constituents, and such Guardians, Trustees, Tutors or Curators, Commissioners or Mandatories, severally producing at each Meeting due Authority to act, and every Person acting as Trustee under this Act being of lawful Age, as also the Sheriff of the said County of *Perth* and his Substitutes for the Time being, and the Chief Magistrate of the City of *Perth*, and the Chief Magistrate of the Royal Burgh of *Culross*, shall be and they are hereby appointed Trustees for surveying, making, widening, altering, keeping

ing in repair and improving the Roads made or authorized to be made by the Trustees under the said recited Acts hereby repealed, and the Branches thereof after specified, and the Arches and Bridges upon any of the said Roads and Branches thereof; *videlicet*,

Roads included in former Acts.

1. The Road from *Perth* towards *Stirling*, by *Auchterarder*, *Blackford*, and *Greenloaning*:
2. The Road from *Perth* to the Cross of *Crieff* on the North Side of the *Pow*:
3. The Road from *Perth* towards *Dundee*, by *Inchture*, to the Confines of the County of *Perth*, with the Branches thereof to the Harbours of *Powgavie*, *Errol*, and *Inchyra*:
4. The Road from *Perth* to *Cupar*, or the Neighbourhood thereof, towards *Glammis*, as far as the Confines of the County of *Perth*:
5. The Road from the Turnpike Road between *Stirling* and *Kinross* at the Yetts of *Muckhart*, by *Glendevon* and *Gleneagles*, to the Moor of *Auctearder*; and from thence by one Branch, to the *Stirling* and *Crieff* Turnpike Road near *Bishop's Bridge*, and by another Branch by the Bridge of *Kinkell* to the Moor of *Madderty*; and from thence by one Branch by the Bridge of *Inchaffray* to the Turnpike Road between *Perth* and *Crieff* near *Gorthy*, and by another Branch by Bridge of *Dollerie* to the said Turnpike Road at *Crieff*, and from such Branch by the Bridge of *Auchlone* to the said Turnpike Road near *New Fowlis*:
6. The Road from the Cross of *Crieff*, by *Burrell Street*, towards *Stirling* and *Alloa*, as far as the Long-causeway of *Stirling* near *Spittal*:
7. The Road from *Dunkeld* to *Perth*:
8. The Road leading out of the Road between *Dunkeld* and *Perth* to *Dunkeld* by the Boat of *Caputh* and through the Village of *Stanley*:
9. The Road from *Perth* towards *Meikleour*, passing near *Scone* and *Byres*, by the new Bridge over the River *Isla*, till it joins the Road on the North Side of the River *Isla* from *Blairgowrie* to the Ferry across the Tay at *Kinclaven*:
10. The Road from *Dunkeld* to *Cupar Angus* by the Bridge over the River *Isla*:
11. The Road from the Turnpike Road between *Callander* and *Killin* at *Lochearnhead*, along the North Side of *Lochearn*, by *Saint Fillan*'s Village, to *Comrie*, and from thence, by *Monzievaird* and the new Bridge of *Turret* at *Dalvreck*, to the *Stirling* and *Crieff* Turnpike Road at the Mason's Lodge in *Crieff*, and by *Strowan* to the said Turnpike Road at South Bridge End of *Crieff*:
12. The Road from *Lochtayside* by *Glenlednaig* to the *Crieff* and *Lochearn* Turnpike Road at *Comrie*:
13. The Road from the *Strowan* Branch of the *Crieff* and *Lochearn* Road at *Dalginross*, by *Glenlichorn*, to the *Stirling* and *Crieff* Turnpike Road near *Ardoch*:
14. The Road from the Turnpike Road from *Perth* to *Kinross* towards *Newburgh*, with a Branch through the Glen of *Abernethy*, as far as the Confines of the County of *Perth*,

together

together with another Branch to join the Road from *Auchtermuchty* to *Newburgh*:

15. The Road from the Turnpike Road from *Perth* to *Dundee*, by *Balledgarno* and *Abernyte*, to *Cupar Angus*:

16. The Road from Bridge of *Drip*, by *Blair Drummond*, towards *Doune* and *Callander*, on both Sides of the River *Teith*, and the Road from *Doune* to *Dunblane*, and to meet the Road from *Keir* to *Doune*:

17. The Road from *Burnbank* to *Thornhill* and *Port Monteith*:

18. The Road from *Blair Drummond* by *Burnbank* to Bridge of *Frew*:

19. The Road from Yetts of *Muckhart* towards new Bridge of *Fossaway*, by *Littlerig*, to *Dunning*, from near to *Littlerig* to *Auchterarder* on the West of *Cloan Burn*, and to the Bridge of *Kinkell*:

20. The Road from the Village of *Methven*, by *Campsie* and *Cairdneys*, or either of them, to the Bridge of *Buchanty*, and including the Road from the *Crieff* Turnpike Road to *Millhaugh*:

21. The Road from *Dunkeld Bridge* by *Blair* and *Dalnacardoch* to the Confines of the County of *Inverness*:

22. The Road from *Amulree* to the Bridge of *Buchanty*:

23. The Road from the *Amulree* and *Buchanty* Road at or near *Fendoch* to the *Perth* and *Crieff* Road at *Gilmerton*, and to the *Crieff* and *Lochearn* Road at *Dalvreck*:

24. The Road from *Buchanty* by *Fowlis Wester* to the *Perth* and *Crieff* Turnpike Road at *New Fowlis*:

25. The Road from the Turnpike Road between *Taybridge* and *Amulree* at Milltown of *Strathbraan*, along the North Side of the River *Braan*, to the new Bridge across the said River near *Trochery*, and from thence along the South Side of the said River, by the Lands of *Claypotts*, to the Turnpike Road between *Dunkeld* and *Kenmore* near the Bridge of *Dunkeld*, with a Branch to the Bridge on the said River at *Inver*:

26. The Road from *Amulree* to *Taybridge*:

27. The Road from *Taybridge* to *Tummel Bridge*:

28. The Road from *Tummel Bridge* to *Dalnacardoch*:

29. The Road from *Kenmore* to *Killin*, on the North Side of *Lochtay*, from thence to *Lairigalie*, where it joins the *Callander* Road, and from thence by *Tyndrum* to the Confines of the County of *Argyle*:

30. The Road from *Crianlarig* to *Inverernan* in *Glenfalloch*:

31. The Road from *Callander* to *Lairigalie*, or the Confines of the Parish of *Balquhidder*:

32. The Road from *Cupar Angus* by *Blairgowrie*, to the Confines of the County of *Aberdeen*:

33. The Road from the *Gleneagles* Turnpike Road near the Mill of *Tulliebardine*, by the Bridge of *Knaplands* and the Ford of *Dalpatrick*, through the Water of *Earn*, up to the *Crieff* Turnpike Road near *Ferntower*:

34. The Road from *Muthill* to the Parks of *Dupplin* by the Bridge of *Kinkell*, *Trinity Gask*, and *Gask*:

35. The Road from *Callander* to *Arnprior*:

36. The Road from *Dunkeld* by *Inver* to *Aberfeldy* and *Kenmore*:

All which Roads were, by the before-recited Acts hereby repealed, made or directed to be made Turnpike Roads, and shall continue as such under this Act:

New Roads. And also for surveying, making, repairing, widening, altering, keeping in repair, and improving the following Statute Labour or other Public Roads or new Lines of Road in the said County of *Perth*, which are hereby authorized to be made Turnpike Roads, with the Arches and Bridges thereon; *viz.*

1. A Road from the Turnpike Road leading between *Taybridge* and *Tummel Bridge* near *Weem*, along the North Side of the River *Tay*, to the Ferry over the River *Tummel* near *Logierait*, with an Access from the said Ferry to the Turnpike Road from *Dunkeld* to *Blair* on the North Side of the River *Tummel*, and another Road of Communication between the said intended Road and the Road from *Dunkeld* to *Aberfeldy* on the South Side of the *Tay*, by the Ferry across the *Tay* at *Logierait*:
2. A Road from *Caputh* by *Meikleour* towards *Cupar Angus*, to join the Road from *Cupar* to *Blairgowrie* near to the Bridge of *Cupar*:
3. A Road leading from the Bridge of *Isla* to *Blairgowrie*:
4. A Road from the *Perth* and *Dunkeld* Road near *Redgorton*, by *Coldrochie* and *Murrayfield*, through *Glenshee*, to its Junction with the *Strathbraan* Road near *Deanshaugh*:
5. A Road from *Dunning* to the Bridge of *Dalreoch*:
6. A Road from the *Dalreoch* Turnpike Road at or near *Cairney*, by *Gask* and *Bachilton*, to the *Perth* and *Crieff* Road near the *Muttonden*:
7. A Road from the *Perth* and *Crieff* Road near the *Muttonden*, by *Ardittie Muir*, to *Millhaugh* at or near the Bridge over the *Almond*, and from thence Northwards by the West Side of the Loch of *Moulin* to its Junction with the *Perth* Road at the South End of *Glenshee*:
8. A Road from *Auchterarder* to the Bridge of *Earn*, by *Dunning* and Bridge of *May*:
9. A Road from the Turnpike Road between *Perth* and the Bridge of *Earn* at or near *Horsemiln* on the North Side of the River *Earn*, by *Aberdalgie* and Bridge of *Forteviot* and *Broomhill*, to *Dunning*, or by a new Bridge across the *Earn* at *Aberdalgie* to join the Road from the Bridge of *Earn* to *Dunning* between *Kildinney* and the Bridge of *May*, with a Branch from *Kildinney* by *Forteviot* Village to join the Road from *Forteviott Bridge* to *Dunning* at or near *Broomhill*:
10. A Road from the Turnpike Road between *Perth* and the Bridge of *Earn* at or near *Scoonie Burn*, by *Grange*, *Elcho*, and *Easter Rynd*, to the Ferry across the *Earn* known by the Name of "*Aitken's Boat*," with a Communication from thence to the public Road between the Bridge of *Earn* and *Newburgh*:
11. A Road from the Toll Bar at *Frew* through *Thornhill* towards *Callander*,

Callander, to join the Road from *Drip Bridge* to *Callander* on the South Side of the River *Teith*:

12. A Road from *Lochee* towards the *Dundee* and *Cupar* Road near the Loch of *Lindores*, by *Slateyford* and the Village of *Fowlis Easter*:

13. A Road from the Road between *Perth* and *Greenloaning* at or near the Village of *Blackford*, by the Moss of *Blackbriggs*, to the *Crieff* and *Stirling* Road opposite its Junction with the *Glenlichorn* Turnpike Road:

14. A Road from near *Dunblane* by *Pisgah*, across the *Alt Wharry*, to join the Turnpike Road from *Crieff* towards *Stirling* near the Bridge of *Allan*:

15. A Road from the *Perth* and *Dunkeld* Turnpike Road near *Auchtergraven*, by *Moneydie* and *Dalcrue*, to its Junction with the Turnpike Road between *Perth* and *Crieff* at the Village of *Methven*:

16. A Road from *Buchanty* by *South Tulchan* to join the proposed Road from *Millhaugh* to the *Muttonden* at or near *Cassochie* and *Methven*:

17. A Road from the *Crieff* and *Stirling* Turnpike Road by *Keir* towards *Doune*:

And also for making, maintaining, repairing, and improving the following Roads, with the Arches and Bridges thereon; which Roads the Trustees, at either of their stated General Meetings after mentioned, shall be entitled to assume as Branches of the Turnpike Roads herein-after specified respectively; *videlicet*, Branch Roads.

1. A Road from the Bridge of *Perth* by *Muirhall* and *Balthayock* to *Burnfoot* near *Seggieden*, and by *Glencarse* to Newton of *Glencarse*, at both of which Places it joins the Turnpike Road betwixt *Perth* and *Dundee*:

2. A Road from the said Turnpike Road between *Perth* and *Dundee* at or near *Sandyhall*, by *Kilspindie*, *Kinnaird*, and *Ballandean*, till it joins the said *Perth* and *Dundee* Road near the Village of *Inchture*; and Branch or Cross Roads communicating between the said intended Road, first at *Pittroddie* and the said *Perth* and *Dundee* Road at *Inchcoonans*, second at *Rait* and the said *Perth* and *Dundee* Road at *Inchmichael*, and third at *Kinnaird* and the said *Perth* and *Dundee* Road at *Westown*:

3. A Road from the said Turnpike Road between *Perth* and *Dundee* at or near the House of *Inchyra*, by *Saint Madoes*, *Hawkstone*, *Lornie*, *Errol*, *Monorgan*, and *Hingoodie*, till it joins the said Turnpike Road from *Perth* to *Dundee* at or near *Invergowrie*; and Branch or Cross Roads communicating between the said intended Road, first at or near *Clashbennie* and the said *Perth* and *Dundee* Road at or near *Ross*, second at *Westley*'s and the said *Perth* and *Dundee* Road at or near the East Halfway House, and third at or near *Monorgan* and the said *Perth* and *Dundee* Road at *Longforgan*:

4. A Road from the *Dundee* and *Perth* Turnpike Road at or near *Invergowrie*, by *Slateyford*, to the Turnpike Road between *Dundee*

Dundee and *Cupar* at Loch of *Lindores*; with a Branch from said Road at or near the *Blacklawhill*, to pass through the *Balloglack*, *South Ballo*, *Lochton*, and *Littleton*, to join the *Perth* and *Dundee* Road at *Inchture*; provided always, that the Consent of the Proprietor of the Estate of *Gray* for the Time be first had and obtained thereto, in so far as such last-mentioned Road passes through the said Estate; and failing such Consent, the said Road to be by the present Road from near *Milnfield*, by *Denmark Hill*, and *Benvie*, to join the proposed Road on the Lands of *Foulis Easter*:

And which Four Roads and Cross Roads last above described, when so assumed, shall be held to be Branches of the said Turnpike Road from *Perth* to *Dundee*:

5. A Road from the *Perth* and *Cupar* Turnpike Road at or near *New Scone*, and a Branch from *Bonhard* by *Durdie Muir*, to the Carse of *Gowrie*, by the Den of *Pittroddie* or *Baltroddie*, till it joins the Turnpike Road from *Perth* to *Dundee* by the before-mentioned Branch thereof from *Pittroddie* or *Baltroddie*; and which Road, with the Branch thereof from *Bonhard*, shall be Branches of the Turnpike Road from *Perth* to *Cupar*, in so far as within the Parishes of *Scone* and *Kinnoull*, and a Branch of the Turnpike Road from *Perth* to *Dundee*, in so far as within the Parish of *Kilspindie*, or through the Moor of *Durdie*:
6. A Road from the Bridge of *Dundurn* on the South Side of *Lochearn* to the Burn of *Auldfuarwish*, and from *Dalvreck* to the March between the Lands of *Laggan* and *Millnab* at the East End of the old Bridge of *Turret*; and which Roads are intended to be made Branches of the Turnpike Road from *Lochearhead* to *Crieff*:
7. A Road connecting the *Monzievaird* and *Strowan* Turnpike Road by the present Bridge of *Strowan*, or by a new Bridge to be built across the River *Earn* Eastward of the said Bridge, and which Road is also intended to be made a Branch of the said Turnpike Road from *Lochearnhead* to *Crieff*:
8. A Road from the Road from *Amulree* to *Taybridge* at or near *Gatehouse* to the Ferry at the Boat of *Clunie*; and which Road is intended to be made a Branch of the said Road from *Amulree* to *Taybridge*:
9. A Road from the *Perth* and *Dunkeld* Turnpike Road from *Battleby*, by *Redgorton*, *Pitmurthly*, and *Pitcairn Green*, to the old Bridge of *Almond*, and from thence to the *Perth* and *Crieff* Turnpike Road near *Lochty Bridge*, with a Branch from *Pitcairn Green* to its Junction near *Dalcrue* with the Road from *Auchtergaven* by *Moneydie* to *Methven*, and another Branch to its Junction with the same Road near *Moneydie*; and which Road and Branches shall be held to be Branches of the said *Perth* and *Dunkeld* Turnpike Road or of the *Perth* and *Crieff* Road.

Roads not to be assumed as Branches,

V. Provided always, and be it enacted, That the said Trustees shall not be authorized to assume any of the before-mentioned Roads, or

or any Portions thereof, as Branches of any of the before-specified principal or existing Turnpike Roads, and to administer and apply the Funds of the principal and branch Roads in common, without the Consent of the Creditors on the principal Road first had and obtained, and Notice duly given that such Measure is to be proposed in a General Meeting, both in manner herein-after mentioned. without Consent of Creditors, &c.

VI. And be it further enacted, That in so far as relates to the Roads authorized to have been made Turnpike by the said recited Act of the First Year of the Reign of His late Majesty King *George* the Fourth, and which are continued in this present Act, the Baron Bailie or Chief Magistrate of *Dunkeld*, *Crieff*, *Doune*, *Callander*, and *Blairgowrie* respectively, and the Factor of any Heritor or Liferenter possessed of the Qualification herein-before provided, in the Absence of such Heritor or Liferenter, shall also be and they are hereby nominated and appointed additional Trustees for executing the Powers herein provided and conferred relative to the said last-mentioned Roads. Additional Trustees appointed for Military Roads.

VII. Provided always, and be it enacted, That no Sheriff, Sheriff Substitute, Magistrate, Baron Bailie, or Factor shall be capable of acting as a Trustee in the Execution of this Act, unless he shall be, in his own Right or in the Right of his Wife, possessed of a Personal Estate or a Real and Personal Estate together of the Amount or Value of Five hundred Pounds Sterling. Qualification of particular Trustees.

VIII. And be it further enacted, That the First General Meeting of the Trustees under this Act shall be held at *Perth* on the Fourth *Monday* after the passing of this Act; and there shall be Two stated General Meetings held annually at *Perth*, the one upon the Day upon which the Commissioners of Supply shall meet for assessing the Land Tax, and the other upon the first *Tuesday* after the Twenty-eighth Day of *September* yearly; and at such General Meetings or adjourned General Meetings Seven Trustees shall be a Quorum. Time and Place of Meeting. Quorum.

IX. And be it further enacted, That for the more easy and effectual Execution of this Act the said Trustees, at any General Annual Meeting, shall have Power to name Committees of their Number for the more immediate Direction and Management of the said Roads, or of particular Parts thereof, and to give such Committees, whereof Three to be a Quorum, such Powers, from Time to Time, as they shall deem fit and expedient; and the Rules and Regulations in the said recited Act of the First and Second Year of the Reign of His present Majesty and in this Act contained, relative to the Meetings, Adjournments, Majorities, Orders, Determinations, Powers, and Authorities of Trustees, shall in like Manner be applicable and applied to and affect all Meetings, Adjournments, Majorities, Orders, Determinations, Powers, and Authorities of such Committees; and such Committees shall always be accountable to the Trustees in General Meetings assembled, and for that Purpose they shall annually by their Clerk transmit Once in each Year, and lodge with the Clerk of the General Meetings of Trustees, a Copy of the State or Abstract Power to appoint Committees. Quorum of Committees. Committees accountable to General Meeting.

of their Accounts, made up in Terms of the said recited Act of the First and Second Year of the Reign of His present Majesty.

Power to levy Tolls.

X. And be it further enacted, That the said Trustees, or any Person or Persons duly authorized by them, shall be and are hereby authorized and empowered to demand and take, or cause to be demanded and taken, at the several Gates or Turnpikes continued or erected by virtue of this Act, any Sums of Money not exceeding the Rates and Duties herein-after specified; that is to say,

Tolls.

For every Horse or other Beast of Draught drawing any Coach, Barouche, Chariot, Landau, Calash, Chaise, Chair, Hearse, or other such Carriage, One Shilling and Six-pence:

For every Horse or other Beast of Draught drawing any Waggon, Cart, or other such Carriage, One Shilling and Sixpence:

For every Horse or Mule, not drawing, Sixpence:

For every Ass, not drawing, Three-pence:

For every Score of Oxen or Neat Cattle, Three Shillings and Four-pence; and so in proportion for any greater or smaller Number:

For every Score of Calves, Hogs, Sheep, Lambs, or Goats, One Shilling and Eight-pence; and so in proportion for any greater or smaller Number:

And for every Coach, Carriage, Waggon, or Conveyance impelled by Steam, or any other inanimate Power, such Tolls as shall be fixed by the Trustees at a General Meeting assembled, or, in the Option of the Person driving the same, One Penny *per* Hundred Weight, for and in respect of such Coach or other Conveyance and the Loading thereof.

Tolls to be paid only once for passing and repassing Twice during the same Day.

XI. And be it further enacted, That every Horse or other Beast of Draught drawing any Coach, Barouche, Chariot, Landau, Chaise, Calash, Chair, Hearse, or other such Carriage, Waggon, Cart, or other such Carriage, as also every Horse, Mule, Ass, or other Beast of Burden, not drawing, and all Oxen or Neat Cattle, Calves, Hogs, Sheep, Lambs, or Goats, for which the Tolls and Duties hereby imposed at passing any of the Gates erected or continued under this Act shall have been once paid, shall be entitled to repass and again to pass and repass the same Gate during the same Day without being again liable in Payment of Toll until after the second passing and repassing, the Day to be computed from Twelve of the Clock at Night to Twelve of the Clock of the succeeding Night.

Payment of Tolls for Stage Coaches, and Horses let to Hire.

XII. Provided always, and be it further enacted, That the said Tolls shall be payable for and in respect of every Horse or other Beast of Draught drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, Cart, or other Stage Carriage, conveying Passengers or Goods for Pay or Reward, every Time of passing; and also for every Horse or other Beast of Draught let out to Hire, drawing any Carriage of any Kind, every Time of passing, whenever any new Hiring thereof shall take place.

Tolls to be paid only once in Six Miles.

XIII. And be it enacted, That in case there are or shall be erected in the Course of any of the said Roads, or on the Sides thereof, any

Gate or Gates, Turnpike or Turnpikes, at less Distance from each other than Six Statute Miles, then any Person producing a Ticket to shew that the Toll has been paid at One of such Gates, shall not, with the Exception herein-after mentioned, pay any Toll at any other on the same Road which shall be within Six Statute Miles of the former at which the Toll denoted by such Ticket shall have been paid; but such Exemption shall only take place in the Case of a Person continuing to travel on the same Road or any Branch thereof; and every Person or Persons travelling on a different Road shall pay the Tolls and Duties by this Act imposed at every Turnpike through which he or they shall pass, though the Distance be less than Six Statute Miles.

Power to regulate Districts.

XIV. And be it further enacted, That each of the Roads before specified and enumerated, with the Branches thereof respectively, shall be deemed a separate Road or District, in so far as regards the levying of Toll Duties; but it shall be lawful for the Trustees, at a General Meeting assembled, and with the previous Consent, in manner herein-after provided, of the Creditors and of the Trustees who have interposed their Security, and hold Claims affecting any of the said Roads respectively, to make such Alterations in the Apportionments of the said Roads into Districts, or of the said Tolls, as they may deem expedient, by transferring Portions of one Road from one District to another, or by uniting Two or more Roads or Districts in One, and to divide and apportion the Tolls and Duties collected at any particular Bar or Bars on such Roads or Districts, in such Manner that the said Tolls and Duties may be applied to the upholding, Maintenance, and Improvement of such Roads respectively, and to the Discharge of the Debts and Obligations incurred in maintaining, repairing, and improving the same, and to make such Regulations in these respects, and as to pass Tickets at the Bars on such Roads or Districts respectively, as to them shall seem expedient.

No Toll to be levied at any new Turnpike till Three Miles of Road made.

XV. And be it further enacted, That it shall not be lawful for the said Trustees to impose or levy the Tolls hereby granted upon any Road on which Gates or Turnpikes are not already erected, until at least Three Miles thereof shall have been sufficiently made or repaired, in which Case they shall be entitled to levy such Proportion of the Tolls hereby granted as the Trustees in any General Meeting assembled shall think reasonable.

Application of the Tolls to be levied.

XVI. And be it further enacted and declared, That at any of the stated General Meetings of Trustees it shall be lawful for the said Trustees to direct the Tolls arising at the Gates or Turnpikes erected or to be erected on the said Roads to be applied towards making, repairing, upholding, and improving the aforesaid Roads and Bridges thereon respectively, in such Manner as the said Trustees shall think fit; and paying the Expence of Management, Interest of the Money borrowed, advanced, and owing at the Time; and the Surplus shall be appropriated annually to extinguish the Principal of the Money so borrowed, advanced, and owing, and to no other Purpose whatsoever.

XVII. And

Tolls and Duties to be levied at the Bridge of Isla.

XVII. And whereas a considerable Expence has been incurred in building the new Bridge over the River *Isla* on the said Road from *Perth* towards *Meikleour;* be it enacted, That the said Trustees, or any Person or Persons whom they shall appoint for that Purpose, shall be and they are hereby authorized and empowered to demand and take at the said Bridge the Tolls and Duties following, each Time of passing and repassing, before Passage be permitted; (that is to say,)

For every Foot Passenger, One Penny Halfpenny:

For every Horse or other Beast of Draught, drawing any Coach, Barouche, Chariot, Landau, Chaise, Calash, Chair, Hearse, or other such Carriage with Four Wheels, if drawn by One Horse or Beast of Draught, One Shilling:

If drawn by Two Horses or Beasts of Draught, One Shilling and Three-pence:

If drawn by Three or more Horses or Beasts of Draught, One Shilling:

For every Horse or other Beast of Draught drawing any Chaise, Calash, Chair, or other such Carriage with Two Wheels, Nine-pence:

For every Horse or other Beast of Draught drawing any Waggon, Cart, or other such Carriage, Eight-pence:

For every Horse, Mule, or Ass, not drawing, Three-pence:

For every Score of Oxen or Neat Cattle, Two Shillings and Six-pence; and so in proportion for any greater or smaller Number:

And for every Score of Calves, Hogs, Sheep, Lambs, or Goats, One Shilling and Three-pence; and so in proportion for any greater or smaller Number.

To prevent Evasion of the Bridge Toll.

XVIII. And be it enacted, That all Persons passing over the said Bridge shall be liable in Payment of the Tolls and Duties hereby granted relative thereto, notwithstanding such Person may be carried in or upon any Waggon, Cart, or other such Carriage, or on Horse-back, or otherwise riding, and that over and above and besides the Tolls and Duties payable at such Bridge for such Waggon, Cart, or other such Carriage, and for every Horse, Mule, or Ass, excepting always the proper Driver or Drivers of every such Waggon, Wain, Cart, or other such Carriage, and the Person or Persons for whose proper Use every such Waggon, Cart, or other such Carriage may be *bonâ fide* employed when so passing, and excepting also One Rider upon every Horse, Mule, or Ass not drawing; and if any Person shall claim Exemption from the Payment of the said Tolls and Duties payable at such Bridge, not being entitled thereto, every such Person shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

For stopping Fords, &c.

XIX. And whereas it was by the said recited Act of the Fifty-first Year of the Reign of His Majesty King *George* the Third enacted, that the Passage over the Bridge of *Isla* on the Road from *Perth* to *Meickleour* should be the only public Road or Passage across the said River *Isla* within Three Miles of the said Bridge; be it enacted, That the Passage over the said Bridge shall continue to be the only public Road or Passage across the said River *Isla* within One Mile of

of the said Bridge; and it shall not be lawful for any Person or Persons to pass the said River, or to use any Ford or Ferry for conveying any Person or Persons, Cattle or Carriages, across the said River, within the Space of One Mile from the said Bridge above mentioned; and in case any Person or Persons shall pass the said River, or cause any Carriage to pass within the said Space, at any Ford or Ferry, he, she, or they shall forfeit the Sum of Twenty Shillings Sterling for every Person, Beast, or Carriage passing or ferried or conveyed across the said River; and the said Trustees are hereby authorized and empowered to stop or shut up any Fords or Ferries on the said River *Isla* within the Distances from the said Bridge before mentioned, and for that Purpose to order and direct the Channel of the said River to be deepened, Embankments to be made on either Side of such Fords, and Posts and Rails or other Fences to be erected thereon, the more effectually to prevent any Person from evading Payment of the Tolls and Duties hereby authorized to be demanded and taken at the said Bridge: Provided that nothing herein contained shall prevent the Owners and Occupiers of Lands, and Persons in their Employ, on each Side of the said River, from crossing the same, for the Occupation of such Lands; and provided also, that nothing in this Act contained shall affect, limit, or interfere in any Manner whatsoever with the Ferry of *Kinclaven*, or the Rights attached thereto, as at present or at any Time heretofore enjoyed and exercised by the Owner or Owners of the said Ferry, or his, her, or their Predecessors and Tacksmen.

Application of the Bridge Toll.

XX. And be it further enacted, That the Money arising from the Tolls on the said Bridge shall be applied to and for the upholding the said Bridge, Toll Gates, and Toll Houses thereon, and Roads therewith connected respectively, and for paying the Interest of the Money to be borrowed or subscribed relative to the same; and the Surplus of the said Tolls and Duties shall be applied to pay off the Money so borrowed and subscribed, and afterwards in such Manner towards the Purposes of this Act as the said Trustees at any General Meeting shall think proper and direct.

Power to erect Weighing Engines, and to levy Additional Tolls for Overweight.

XXI. And be it further enacted, That the said Trustees shall, if they find it necessary, cause Weighing Engines to be erected upon such Parts of the said Roads as they shall think fit, and on the said Bridge, for weighing all Waggons, Carts, and other such Carriages which shall pass along the said Roads and over the said Bridge, and be authorized to receive and take, over and above the Tolls and Duties hereby granted, the following or such lesser Sums of Money as they shall think fit, as additional Toll, for every One Hundred Weight of One hundred and twelve Pounds to the Hundred which any Waggon, Wain, Cart, or other such Carriage, together with the Loading thereof, shall weigh at any of the said Weighing Engines, over and above the Weights which such Waggon, Wain, Cart, or such Carriage is allowed to weigh without paying additional Toll; that is to say,

For the First and Second Hundred of such Overweight, the Sum of Three-pence for each Hundred;

For every Hundred of such Overweight above Two Hundred and not exceeding Five Hundred, the Sum of Sixpence;
For every Hundred of such Overweight above Five Hundred and not exceeding Ten Hundred, the Sum of Two Shillings and Sixpence;
For every Hundred of such Overweight above Ten Hundred and not exceeding Fifteen Hundred, the Sum of Five Shillings;
And for every Hundred of such Overweight above Fifteen Hundred, the Sum of Ten Shillings;

and that before they respectively shall be permitted to pass through such Gate or Turnpike, or over the said Bridge: And the same shall be applied as the other Tolls and Duties are by this Act respectively directed to be applied: And in case any Person or Persons shall hinder or obstruct the weighing of any of such Carriages as aforesaid, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for obstructing weighing.

Regulating Weight of Loads.

XXII. And be it enacted, That every Waggon, Cart, or other such Carriage shall be allowed to pass without any additional Toll or Pontage, provided the same, with its Loading, does not weigh more than the Weights following; *videlicet*,

Every Waggon, Wain, Cart, or other such Carriage drawn by One Horse, Ox, or Beast of Draught, One Ton:
And drawn by Two Horses, Oxen, or other Beasts of Draught, One Ton Five Hundred Weight:
And drawn by Three Horses, Oxen, or other Beasts of Draught, One Ton Ten Hundred Weight:
And drawn by Four Horses, Oxen, or other Beasts of Draught, One Ton Fifteen Hundred Weight:
And drawn by Five Horses, Oxen, or other Beasts of Draught, Two Tons and a Half:
And drawn by Six Horses, Oxen, or other Beasts of Draught, Three Tons:
And drawn by Seven Horses, Oxen, or other Beasts of Draught, Three Tons and a Half:
And drawn by Eight Horses, Oxen, or other Beasts of Draught, Four Tons.

Power to shut up Bye Roads.

XXIII. And be it enacted, That where any new Turnpike Road shall be made in lieu of an old Road, or where any Bye Road shall be used for the Purpose of evading the Tolls and Duties hereby authorized to be imposed, or where any such old Road or any Bye Road shall have become useless or of no Importance to the Public, it shall be lawful for the Committee of Trustees of any of the Turnpike Roads or Districts with which such old Road or Bye Road is connected, to pass a Resolution to that Effect, and to shut up such Road (after the Lapse of One Month): Provided always, that the Resolution to shut up the said Road shall be sanctioned in Writing by Two Justices of the Peace not personally interested in the Turnpike Road or District, or in the old or Bye Road proposed to be shut up, and that due Notice, as after specified, shall be given of the Meeting at which such Resolution is to be proposed and considered; and provided

vided further, that any Person interested may complain of such Resolution to the Sheriff of the County, or to the Justices in Quarter Sessions assembled, at any Time within One Month after the passing of such Resolution; and such Sheriff and Justices are hereby respectively empowered finally to determine such Complaint; and no Trustee who shall have been present at the passing of such Resolution shall be entitled to act as a Justice at the Quarter Sessions on the hearing of such Complaint; but if no Complaint be made to the Sheriff or Justices within the Time before specified, then such Resolution of the Trustees not so complained of shall be final and conclusive.

Power to levy Tolls in certain Cases within Six Miles Distance.

XXIV. And whereas the open and uninclosed State of certain Districts, and the frequent Intersection of Roads not Turnpike, in other Districts of the County of *Perth*, afford many Facilities for evading the Payment of Tolls within such Districts, and the Public are put to great Annoyance and Inconvenience by the frequent Establishment of Check and Side Bars, and the Trustees to great Loss, by the Expence of keeping up such Check and Side Bars; be it therefore enacted, That it shall be lawful for the Committee of Trustees of any of the Turnpike Roads or Districts so circumstanced as aforesaid to make Application to the Trustees at a stated General Meeting assembled, for Authority to erect Toll Bars, and levy and collect the Tolls and Duties hereby authorized to be taken at any Toll Bars or Gates erected or to be erected on any of the said Roads, although within the Distance of Six Miles from another Bar upon the same Road, and for the said Trustees at General Meetings assembled, if they shall see Cause, to grant such Authority: Provided always, that the Committee of Trustees before making such Application shall have given Notice thereof in manner hereinafter directed; and provided also, that by such Mode of levying and collecting Payment of Tolls and Duties no greater Sum or Amount of Tolls and Duties be levied and collected on the total Extent of any such Road than could have been levied if Six Miles had intervened between each Bar.

Power to levy Toll on Roads short of Six Miles.

XXV. And whereas it would tend to promote the making of certain Turnpike Roads within the said County if the said Trustees were empowered, in Cases where these Roads are under Six Miles in Length, to erect Gates, and levy proportional Tolls on the same; be it therefore enacted, That the said Trustees shall be and they are hereby authorized to erect Gates and to levy Tolls on any of the said Roads which are under Six Miles in Length in the following Proportions; *videlicet*, where the same shall be Five Miles in Length, Five Sixth Parts of the Tolls authorized to be levied for travelling Six Miles; where the said Road shall be Four Miles, Four Sixths; where it shall be Three Miles, Three Sixths; where it shall be Two Miles, Two Sixths; and where it shall be One Mile, One Sixth.

Consent of Creditors and Notices.

XXVI. And be it enacted, That in all Cases where the Consent of Creditors is required by this Act, the Consent of Three Fourths in Value or Amount shall be held sufficient Consent to permit the Execution

Execution of any Powers herein conferred, and that all Creditors shall be held as consenting who do not dissent, after being required to consent, by a written Requisition served upon such Creditors by the Clerk to the said Trustees; and that in all Cases where Notices are required by this Act such Notices shall be made by printed Advertisement affixed on the Doors of the Churches of all the Parishes within which any of the Road or Roads affected by the proposed Measures in any Part of their Extent are situated, and at all the Toll Bars or Gates erected thereon, and in some Newspaper generally circulated in the District traversed by such Road, for Two Weeks at least preceding the Week in which any General Meeting of Trustees shall be held for taking the said Measures into consideration; which Notices shall distinctly set forth the Measure proposed; and the Publication thereof shall be duly certified at such General Meeting.

Trustees to be considered Creditors in certain Cases.

XXVII. And whereas many of the Turnpike Roads before specified have been made and improved by the Trustees interposing their Personal or Real 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 where 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 or Real Security, and who shall have obtained or may be entitled to obtain 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; and where the Obligations undertaken by such Trustees are joint Obligations, the Amount shall be divided among them or their Representatives, and each shall be reckoned a Creditor only to the Amount of his or her Share, and no further.

Expence of Act.

XXVIII. And be it further enacted, That the Expence of preparing for, procuring, and passing this Act shall be paid out of the first Monies levied, borrowed, or received by virtue of this Act, and be apportioned on the Tolls and Duties hereby granted in such Manner as the Trustees at a General Meeting assembled shall direct and appoint.

Public Act.

XXIX. 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 by all Judges, Justices, and others.

Continuance of Act.

XXX. And be it further enacted, That the Powers by this Act granted shall commence from and after the passing of this Act, 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.

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