ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

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aforesaid Roads, where necessary, it is expedient that the said Act should be repealed, and that new Powers and Authorities should be granted, in lieu of the Powers and Authorities therein contained: And whereas the making and maintaining certain new Lines of Road, and the maintaining and repairing and rendering Turnpike certain existing Parish Roads aftermentioned, (and erecting the Bridges necessary for the Formation of such Roads,) would be advantageous to the Public and beneficial to the Inhabitants of the Districts through which the said Roads pass or are intended to pass; *videlicet*, a Parish Road branching out of the Turnpike Road at or near *Headswood*, and leading Westwards by *Lesliepark*, *Woodyett*, and other Places, to the Village of *Denny*, to join the Road from *Stirling* to *Glasgow*, where the Junction of that Road either is or may be with the Road from *Fintry* to *Denny*; a Parish Road from the Bridge at *Dunipace* leading in an Easterly Direction by *Bogton*, until it joins the Road from *Falkirk* to *Glasgow* at or near *Carmuirs*; a new Line of Road from, or near from, the Village of *Larbert*, to lead in a Northerly Direction to, or near to, *Muirhall*, and from thence by the Corner of the *Inches* Farm in a Northerly Direction through the Lands of *Gowkhill*, *Kersebrock*, and others, to join the present Road at or near *Bents*; a Parish Road branching out of the Turnpike Road at *Crossmuirhead* and leading Westward till it joins the present Road from *Stirling* to *Falkirk* at *North Broomage*; a new Line of Road to branch out of the Turnpike Road at *Crossmuirhead*, and to lead, in a North-east Direction, through the Lands of *Kinnaird*, *Longdyke*, *Auchintyre* and *Bellsdyke*, to join the present Road from *Kersie* to *Westkerse*, on the South Side of the present Orchard of *Bellsdyke* House, and a new Line of Road from the Lands of *Bowtrees* to lead Eastwards through the Lands of *Halls* of *Airth*, to join the Ferry across the *Forth* at or near *Higginsneuck*: But as these Purposes cannot be effected without the Aid and Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first recited Act shall from and after the passing of this Act be and the same is hereby repealed; and instead thereof this Act shall commence and take Effect, and shall continue in Force during the Term hereinafter mentioned.

Recited Act 4G. 4. c. 112. repealed, and this Act to take Effect.

Powers of 4Geo. 4. c. 49. applied to this Act.

II. And be it further enacted, That the said recited Act of the Fourth Year of the Reign of His present Majesty, intituled *An Act for regulating Turnpike Roads in that Part of* Great Britain *called* Scotland, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters and Things therein contained, (save and except such Parts thereof as are varied, altered or repealed,) shall be as good, valid, and effectual for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

Covenants under the

III. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities, made or entered into by any Person or Persons to

to or with the Trustees for executing the said recited Act hereby repealed, according to the Provisions and Directions thereof, shall remain in full Force and Effect, and shall continue available in all Courts of Law and Equity until the same are fully satisfied and performed; and all Contracts, Agreements, Bonds, Assignments, and Securities, duly made and entered into by the Trustees for executing the said Act hereby repealed to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act; and all and every Sum or Sums of Money subscribed by any Person or Persons for defraying the Expence of passing the said recited Act hereby repealed, and carrying the Purposes thereof into Execution, shall remain in full Force, and shall be paid to and be applied by the Trustees under this Act towards defraying the Expence of passing the same, and carrying the Purposes thereof into Execution.

repealed Act to remain in Force.

IV. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Act hereby repealed, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Act had not been repealed.

Books under the repealed Act to be given in Evidence.

V. Provided always, and be it further enacted, That the Clerks, Surveyors, Collectors, and all other Officers, excepting the Treasurer, who have been appointed under and employed in the Execution of the said Act hereby repealed, shall respectively continue to exercise their Offices under this Act until they shall respectively be displaced or removed by the said Trustees, or be incapable of executing their Offices, and shall be subject to the like Rules and Regulations, and Pains and Penalties in all Respects whatsoever, as if they had been appointed under or by virtue of this Act; without Prejudice nevertheless to the Re-election of the said Treasurer under the Powers of this Act.

Former Officers, except the Treasurer, to continue.

VI. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint any Person who may be appointed the Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as the Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or

Treasurer and Clerk not to be the same Person.

or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds Sterling to any Person or Persons who shall sue for the same; to be recovered with Expences by summary Action in the Court of Session.

Trustees.

VII. And be it further enacted, That Sir *Michael Shaw Stewart* Baronet, and every Person who is at present or hereafter shall be in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment as Proprietor or Liferenter of the *Dominium utile* of Lands lying within any of the Parishes of *Airth*, *Saint Ninian's*, *Larbert*, *Dunipace*, *Denny*, and *Falkirk*, in the said County of *Stirling*, valued in the Cess Books of that County at the Sum of One hundred Pounds *Scots*, and who has subscribed, or shall subscribe and contribute the Sum of One hundred Pounds Sterling towards the Expence of making and maintaining the aforesaid Roads hereby authorized to be made, altered, widened, repaired, and maintained, and the eldest Sons and Heirs Apparent of Persons in the actual Possession and Enjoyment as aforesaid of Lands lying as aforesaid, valued in the Cess Books of the said County of *Stirling* at Two hundred Pounds *Scots*, or upwards, and who has subscribed or shall subscribe and contribute to the aforesaid Amount, shall be and are hereby appointed Trustees for making, repairing, widening, altering and maintaining the several Roads before described; *videlicet*, the said Roads contained in the said first recited Act hereby repealed, and the said other Roads herein before mentioned, intended to be made, or to be repaired and rendered Turnpike, and for repairing the Bridges on the same, and for erecting new Bridges where requisite, and for putting into Execution all the other Powers and Authorities in and by this Act given and granted.

Map or Plan of Roads to remain with the Clerk of the Peace, and to be open to Inspection.

VIII. And whereas a Map or Plan describing the Roads intended to be made, or to be repaired and rendered Turnpike, and Lands through which they lead, together with a Book of Reference, containing the Names of the Owners and Occupiers of such Lands, has been deposited with the Clerk of the Peace for the said County of *Stirling*; be it therefore enacted, That the said Map or Plan, and Book of Reference, shall remain in the Custody of the said Clerk, and every and any Person being an Owner or Occupier of any Lands or Tenements upon the Lines of the said Roads shall at all seasonable Times have Access to the said Map or Plan and Book of Reference, and shall be entitled to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the said Clerk at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference.

Trustees not to deviate more than 100 Yards from the Plan.

IX. And be it further enacted, That the said Trustees in making or altering the said Roads shall not deviate more than One hundred Yards from the Lines described in the Maps or Plans, without the Consent and Approbation in Writing of the Person or Persons, Body or

Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made, or to take down or remove any Dwelling-House or other Building, the Side Walls of which exceed Twenty Feet in Height, or take or make use of any Policy, Orchard, or Garden, the Contents of which exceed Half an Acre, or any Lawn, planted Walk, or Avenue to a House, or any enclosed Ground planted as an Ornament or Shelter to a House, without the Consent in Writing of the Owner thereof: Provided always, that it shall and may be lawful to and for the said Trustees to make the said Roads into, through, across, or over the several Lands, Grounds, or Tenements of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who is or are or shall be Owner or Owners of Land, over, in, or through which the same is set out and described in the said Maps or Plans, although the Name or Names of such Person or Persons may happen to be omitted in the said References, in case it shall be made to appear to any Two or more Justices of the Peace for the County in which the Question shall arise, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Omissions in the Maps not to prevent the making of the Roads.

X. And be it further enacted, That at all General Meetings of Trustees under this Act, the Majority of Trustees present shall decide as to all Matters and Things to be done or ordered by the said Trustees in the Execution of this Act, the whole Number present not being less than Three; and at all such Meetings the said Trustees shall choose a Chairman, who, in case of Equality of Votes on any Question, shall, in Addition to his own Vote, have the decisive or casting Vote.

Quorum of Trustees.

XI. And be it further enacted, That the said Trustees shall meet at *Larbert*, on the Third *Tuesday* after the passing of this Act, at Twelve of the Clock Mid-day, and the said Trustees shall hold One General Meeting on the Third *Tuesday* of *April*, and another General Meeting on the Third *Tuesday* of *October*, in each and every Year thereafter, during the Continuance of this Act, at such Place or Places within any of the Parishes aforesaid, as to the said Trustees assembled at their said First General Meeting at *Larbert* shall fix and determine; and at such Meetings the said Trustees shall be and they are hereby authorized and empowered to carry this Act into Execution, and to issue their Orders for surveying, making, altering, widening, and repairing all the said Roads, and to do, order, and perform all Acts, Matters, and Things which the said Trustees appointed by this Act are authorized and empowered to do, order, and perform; and all such Acts, Matters, and Things so done shall be as good, valid, and effectual, as if the same were done by all the said Trustees.

Meetings of Trustees.

XII. And be it further enacted, That it shall and may be lawful to and for the said Trustees in General Meeting assembled, and they are hereby authorized and empowered to continue or erect, or cause to be continued or erected, a Gate or Gates, Turnpike or Turnpikes, in, upon, or across any Part or Parts of the said Roads, or on the Sides thereof, and also such Number of Toll Houses with proper

Power to erect Turnpikes.

proper Gardens adjacent thereto as to them shall appear to be expedient, the Site of each such Toll House and Garden not exceeding the Eighth Part of an Acre, and from Time to Time to alter the Situation of such Gates or Turnpikes and Toll Houses and Gardens.

Power to take Tolls.

XIII. And be it further enacted, That the said Trustees, or any Person or Persons duly authorized by them, shall be and they are hereby authorized and empowered to demand and take, or cause to be demanded and taken, at the several Gates or Turnpikes which shall be continued or erected by virtue of this Act, a Sum not exceeding the Rates and Duties hereinafter specified, before any Carriage, Horse, or other Cattle shall pass through any Gate or Turnpike to be continued or erected on the said Roads; that is to say,

Tolls.

For every Horse or Beast of Draught, drawing any Coach, Barouche, Chariot, Landau, Chaise, Calash, Chair, Taxed Cart, Hearse, or other such Carriage, or any Stage Coach, Long Coach, or Diligence, or Carriage of the like Kind, One Shilling; and for any Number of Horses or Beasts of Draught, exceeding Four, drawing any such Carriage, One Shilling for each such Horse or other Beast of Draught; and if the said Trustees shall think proper, for every Horse or Beast of Draught, not more than Four in Number, drawing any Stage Coach, Long Coach, or Diligence, or Carriage of the like Kind, any Sum in Addition to the aforesaid Rates, not exceeding One Shilling more thereof:

For every Horse, Ox, or Beast of Draught, if more than Four in Number, drawing any Waggon, Wain, or Cart, or other such Carriage, One Shilling and Four-pence:

For every Horse, Ox, or Beast of Draught, if not more nor less than Four in Number, drawing any Waggon, Wain, Cart, or other such Carriage, One Shilling:

For every Horse, Ox, or Beast of Draught, if not more nor less than Three in Number, drawing any Waggon, Wain, Cart, or other such Carriage, One Shilling:

For every Horse, Ox, or Beast of Draught, where not more than Two in Number are drawing any Waggon, Wain, or Cart, or other such Carriage, One Shilling:

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

For every Ass, laden or unladen, One Halfpenny:

For every Score of Oxen or Neat Cattle, One Shilling and Eight-pence, and so in proportion for any greater or less Number:

For every Score of Calves, Hogs, Sheep, Lambs, or Goats, Ten-pence, and so in proportion for any greater or less Number:

For every Drove of Horses or Fillies, unshod, One Shilling and Eight-pence per Score, and so in proportion for any greater or less Number.

Tolls for Overweight.

XIV. And be it further enacted, That the said Trustees may levy, or cause to be levied, demanded, and taken, at the several Gates or Turnpikes to be continued or erected upon or across the said Roads, for any Waggon, Wain, Cart, or other such Carriage,

drawn by One or more than One Horse or Mule, and before they shall be allowed to pass through the same, the Weight of which Carriage with the Burden or Loading thereof shall amount to Twenty-seven Hundred Weight of One hundred and twelve Imperial Pounds each, and shall not exceed Thirty-four Hundred Weight, and the Fellies of the Wheels of which shall not be of a flat Surface, and measure Five Inches at least in Breadth, if drawn by One, and Seven Inches in Breadth if drawn by more than One Horse or Mule, One-half more, in Addition to the Tolls and Duties authorized to be levied by this Act; and if the Weight of the same shall exceed Thirty-four Hundred Weight, and shall not exceed Forty-two Hundred Weight, and the Fellies of the Wheels of such Carriages shall not measure and be as above mentioned, Double the Tolls and Duties granted by this Act; and if the Weight exceed Forty-two Hundred Weight, and the Fellies of the Wheels of such Carriage shall not measure and be as above mentioned, Treble the Tolls and Duties granted by this Act; and the Toll or Duty on such Carriages is hereby declared not to be a Penalty, but the just and fair Toll Duty leviable on such Carriages.

Cylindrical Wheels to pay less Toll.

XV. Provided always, and be it enacted, That for all Horses, Mules, Oxen, or other Beasts drawing Waggons, Wains, Carts, or other such Carriages, which shall have broad Wheels of the Description after specified, there shall only be demanded and taken One-half of the Tolls and Duties hereinbefore charged on such Horses, Mules, Oxen, or other Beasts drawing Waggons, Wains, Carts, and other Carriages respectively, provided every such Waggon, Wain, Cart, or other Carriage with Two Wheels, shall have the Soles or Bottoms of the Fellies of all the Wheels thereof of the Breadth of Four Inches at least, and be cylindrical, that is to say, of the same Diameter in the Inside next the Carriage as on the Outside, and in every intermediate Part between the Inside and Outside, so that, when such Wheels shall be rolling on a flat or level Surface, the whole Breadth thereof shall bear equally on such flat or level Surface, and provided that the opposite Ends of the Axletrees of such Waggon, Wain, Cart, or other Carriage, so far as the same shall be inserted in the respective Naves of the Wheels thereof, shall be horizontal, and in the Continuance of a straight Line, without forming any Angle with each other, and so that in each Pair of Wheels belonging to such Carriage, the lower Parts when resting on the Ground shall be at the same Distance from each other as the upper Parts of such Pair of Wheels, and farther, having the Nails sunk level with the Rings on the Wheels; and provided every such Waggon, Wain, Cart, or Carriage with Four Wheels, the Wheels thereof being cylindrical, as before mentioned, and having the Axletrees thereof of such different Lengths that the Fore and Hind Wheels shall roll on only One single Surface or Path of Seven Inches and a Half wide at least, on each Side of such Waggon, Wain, Cart, or Carriage: Provided also that every Person claiming the Privilege so granted to Broad-wheeled Carriages shall permit the same to be examined and measured by any Person appointed by the said Trustees, or concerned in the Collection of the said Tolls or Duties.

XVI. And

Tolls payable only once a Day at Gates within Five Miles.

XVI. And be it further enacted, That upon Payment of the Tolls or Duties by this Act granted, the Collector or Receiver thereof shall deliver to the Person paying such Tolls or Duties a Note or Ticket denoting such Payment, which Note or Ticket shall entitle the same Person with the same Carriages or Horses, or other Cattle, to pass through any other Turnpike Gate or Turnpike Gates placed on the said Roads, at a Distance not exceeding Five Statute Miles from the Turnpike Gate where such Note or Ticket was delivered, without being liable to pay the said Tolls more than once for passing through such Turnpike Gate or Turnpike Gates, and who shall return the same Day before Twelve of the Clock at Night, with the same Carriages or Horses, or other Cattle: Provided always, That in case any Waggon, Wain, Cart, or Carriage of the like Description shall pass through any such Turnpike Gate or Turnpike Gates with a new Loading a second or more Times in the same Day, the Tolls and Duties by this Act granted shall be paid for each Time the same shall so pass, in the same Manner as for the first Time: Provided always, That nothing under One hundred Weight shall be reckoned a new Loading in any such Waggon, Wain, Cart, or other such Carriage; and provided further, that no Toll shall be demanded at any Gate or Turnpike to be continued or erected on the said Roads for any Horse or Carriage which shall only cross the Roads, or shall not travel above One hundred Yards thereon, before arriving at or after passing any such Gate or Turnpike, excepting always that Part of the said Roads hereby authorized to be made, maintained, and repaired, from the Bridge at *Dunipace* by *Bogton*, to the Turnpike Road from *Falkirk* to *Glasgow*, at or near *Carmuirs*, on which it shall be lawful to levy Toll upon any Horse or Carriage travelling thereon, although for a less Distance than One hundred Yards, as aforesaid.

Tolls may be taken at Gates on certain Roads, although within Five Miles.

XVII. Provided always and be it enacted, That it shall and may be lawful to and for the said Trustees to erect or cause to be erected a Gate or Gates, Turnpike or Turnpikes, in, upon, or across any Part or Parts of the said Roads between *Crossmuirhead* and *Higginsneuck*, and a Gate or Gates, Turnpike or Turnpikes, in, upon, or across the Road to the Northward of *Crossmuirhead*, and also a Gate or Gates, Turnpike or Turnpikes, upon or across the Road to the Westward of *Larbert* Village, and to levy thereat the Tolls and Duties by this Act granted, although the same shall not be Five Miles distant from any other Gate or Turnpike to be continued or erected on the said Roads; any thing herein contained to the contrary notwithstanding.

Tolls and Gates vested in Trustees.

XVIII. And be it further enacted, That the said Tolls and Duties hereby granted and made payable, together with the Right and Property of every Gate or Turnpike, Toll House and Garden, and whole Premises already erected, or to be erected on the said Roads, are and shall be vested in the said Trustees; and the said Tolls and Duties, and every Part thereof, shall be paid over, applied, and assigned to and for the several Uses, Intents, and Purposes by this Act directed, and the same shall be made subject and liable to the Payment of all Sums of Money now due and owing by the said Roads, and

and shall also be liable to the Payment of all Sums of Money which may hereafter be borrowed on the Credit of this Act, and of all Interest due, or which may hereafter become due thereon.

Trustees to direct the Application of the Tolls.

XIX. And be it further enacted, That the said Trustees, in General Meeting assembled, shall out of the Monies to be subscribed for the Purposes of this Act, and the Tolls and Duties to arise at the Gates or Turnpikes to be continued or erected on the said Roads, direct the Costs and Expences relative to the obtaining of this Act to be paid, and the Remainder of all such Monies to be applied towards the making and maintaining of the foresaid Roads, and thereafter towards the Payment of the Interest of the Sums subscribed or to be subscribed, and of the Sums already borrowed or to be borrowed, by virtue of this Act, and then to the Repayment of the Principal Sums subscribed, and already borrowed or to be borrowed, for the Purposes of this Act; and the Clerk to the said Trustees shall be and he is hereby authorized and required to record and enter all such Orders and Directions as regards the Applications of such Money in a Book to be kept for that Purpose.

Tolls not to be applied to Chapelburn Road.

XX. And be it further enacted, That when the new Line of Road from *Larbert* to *Muirhall* and *Bents*, or *Powmill*, shall be completed and open to the Public, no Part of the foresaid Tolls and Duties shall be applied to the Repair of the old Road from its Junction with the new Line of Road to *Muirhall* at or near to *Larbert*, by *Chapelburn* to *Bents*, unless the said Trustees, in General Meeting assembled, shall direct such Application to be made.

Roads of Communication.

XXI. And be it further enacted, That in case the said Trustees, in making, widening, altering, and improving the said Roads, shall deem it expedient and necessary for the Accommodation of the Public either to raise, lower, or widen any Part or Parts thereof, it shall be lawful for them, and they are hereby empowered to alter, widen, and construct any Road, Passage, or Way communicating therewith, in such Manner that the Communication between them shall be made on a Level with the Roads contained in this Act.

Trustees may take Lands for the Purposes of this Act.

XXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to take, acquire, and use, and to enter into or upon any Lands, Grounds, Tenements, and others necessary to be taken and used for the Purposes of this Act; and if the said Trustees shall not come to an Agreement with the respective Owner or Owners, and Occupier or Occupiers, the same shall be ascertained according to the Manner and to the Rules contained in the said last recited Act of the Fourth Year of the Reign of His present Majesty.

To prevent Neglect in the Repair of Roads.

XXIII. And be it further enacted, That if it shall happen that the repairing and maintaining of the said Roads shall be neglected, it shall and may be lawful for any Person or Persons having paid Toll thereupon, and finding Caution to pay Expences of Process, to proceed against the said Trustees before the Court of Session only, by Petition and Complaint, who are hereby authorized and required to judge and determine therein in a summary Manner, and without

abiding the Course of the Roll; and upon the said Court determining that the said Roads are not in such a State of Repair as the Funds of the Trust, if managed with due Care and Economy, shall be deemed sufficient to keep them in, the said Trustees shall and may be obliged to have the same amended and repaired within a certain short Space to be limited by the said Court, who shall award full Expences of Process to the Pursuer or Pursuers, and which Judgment shall be final and conclusive; and if any such Process shall be found to have been vexatious and groundless, the Pursuer or Pursuers shall be liable in treble Costs, which, on being recovered, shall be applied to the Purposes of this Act.

For abating Nuisances.

XXIV. And be it further enacted, That if any Person driving any Carriage upon the said Roads shall suffer any Stone, Timber, or other Thing which shall be carried on any wheeled Carriage, to project on either Side of the said Carriage more than Thirty Inches beyond the Sides of the Horse or other Beast of Draught drawing any such Carriage, or shall meet or be overtaken by a Rider on Horseback, and shall not keep to his or her Left or Near Side of the Road, and shall not keep on the same Side him or herself, or shall not be at the Head of the Horse or other Beast of Draught drawing any such Carriage, or shall suffer his or her Horse or other Beast of Draught to go on any of the said Roads without a Person guiding the same, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied in the Manner directed by the said last recited Act of the Fourth Year of the Reign of His present Majesty.

Collectors may give Evidence.

XXV. And be it further enacted, That in every Case where any Dispute, Suit, or Litigation shall arise, touching or in any ways relating to the said Tolls and Duties, or any Penalty or other Matter or Thing, the Person or Persons appointed to collect the said Tolls or Duties, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not by Reason thereof be disqualified from giving Evidence in any such Dispute, Suit, or Litigation.

Not to prevent Conversion of Statute Labour from being applied to the Roads in certain Cases.

XXVI. And be it further enacted, That nothing in this Act contained shall prevent or be construed to prevent the Trustees for the Conversion of the Statute Labour in the said County of *Stirling*, from making and levying Annual Assessments, and appropriating the same, should they deem it expedient, for the Repair and Maintenance of the said Roads, in the same Manner as they might have done if the said Roads had not been included in this present Act: Provided always, that no Assessments shall be so made or appropriated for the Repair of the aforesaid Roads on which Tolls and Duties shall be or have been levied under the Authority of this Act, unless with the Consent of the Majority of such of the Heritors of any Parish so to be assessed as may be present at the Meeting held for the Purpose of such Assessment and Appropriation: Provided also, that when any Parish shall be so assessed for the Repair of any of the aforesaid Turnpike Roads upon which Tolls are levied, the Money arising from such Assessment, shall be applied to the Repair of such Parts

only of the aforesaid Turnpike Roads as lie within the Parish so assessed.

Public Act.

XXVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Endurance of Act.

XXVIII. 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 Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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