ANNO QUADRAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 52.

An Act for altering, amending, and consolidating several Acts for making and repairing Turnpike Roads in the Counties of *Renfrew*, *Lanark*, and *Ayr*; repairing other Roads branching therefrom; and amending an Act, passed in the Thirty-second Year of His present Majesty, for making effectual the Statute Labour in the County of *Renfrew*.

[29th *June* 1804.]

WHEREAS by an Act passed in the Twenty-sixth Year of His late Majesty's Reign, intituled, *An Act for repairing several Roads leading into the City of* Glasgow; and by another Act passed in the Twenty-seventh Year of His said late Majesty's Reign, intituled, *An Act to explain, amend, and render more effectual, an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled,* 'An Act 'for repairing several Roads leading into the City of Glasgow;' and by another Act, passed in the Thirtieth Year of the Reign of His said late Majesty, intituled, *An Act for enlarging the Term and Powers granted by an Act, passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled,* 'An Act for repairing several Roads leading into the City of Glas-'gow,' *so far as the same relates to certain Roads mentioned in the said Act*; and

26 G. 2. c. 90.

27 G. 2. c. 27.

30 G. 2. c. 57.

and also to enlarge the Term and Powers granted by an Act, passed in the Twenty-seventh Year of the Reign of His present Majesty, intituled, ‘ *An Act* ‘ *to explain, amend, and render more effectual an Act, passed in the Twenty-sixth* ‘ *Year of the Reign of His present Majesty, intituled,* “ *An Act for repairing* “ *several Roads leading into the City of* Glasgow;” *and to repair several other Roads leading into the said City, and for building a Bridge across*
29 G. 3. c. 79. *the River of* Inchinnan; and by another Act, passed in the Twenty-ninth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of several Acts made in the Twenty-sixth, Twenty-seventh, and Thirtieth Years of the Reign of His late Majesty King* George *the Second, so far as relates to certain Roads leading through*
32 G. 3. c. 121. *the Counties of* Lanark *and* Renfrew; and by another Act, passed in the Thirty-second Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act made in the Thirtieth Year of the Reign of His late Majesty King* George *the Second, so far as relates to the Road leading from* Renfrew *to* Greenock *by* Cartsdyke, *and by the Side of the River* Clyde, *and by* Port Glasgow *and the Bridge at* Inchinnan; *and for more effectually making and repairing, and altering the Course of the said Road from* Renfrew *to* Greenock; *and for making and repairing other Roads connecting therewith, and leading to and from* Paisley *in the County of* Renfrew, *and the Branches thereof, and for shutting up Bye-Roads that*
37 G. 2. c. 162. *are useless to the Public*; and by another Act, passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of several Acts made in the Twenty-sixth, Twenty-seventh, and Thirtieth Years of His late Majesty's Reign, and in the Twenty-ninth and Thirty-second Years of His present Majesty's Reign, for making and repairing the Roads from* Gorbals *of* Glasgow *to* Floakbridge *and* Easter Grange *in the County of* Renfrew, *and other Roads in the said County; and for making and repairing certain other Roads in the said County, branching from or connected with the Roads mentioned in the said Acts*, certain Persons were appointed Trustees for making, altering, repairing, and keeping in Repair the Roads therein mentioned, and were empowered to levy certain Tolls upon the said Roads, and to borrow Money on the Credit thereof, and various other Powers were granted to them: And whereas great Progress has been made in making, altering, and repairing the Roads in the said Acts mentioned; and it would be of Advantage to the Publick, if certain other Roads branching therefrom, or connected therewith, which are at present in bad Repair, and inconvenient for Travellers, should be put and kept in Repair, subject to proper Regulations, under the Directions of the same Persons who are Trustees under the said recited Acts, *videlicet*, the Road from *Carmannock* to *Peel*, and from thence to *Eaglesham* by *Busbyside* and by *Drips*, and from *Peel* by *Thornton* and *Bogton*, to at or near *Jacktontoll*; and from at or near *Williamwood*, by *Muirend* to *Pollockshaws*, and from *Maulsmire* by *Bankhall* and *Shiels* to the *Paisley* Road; and the Roads from at or near *Eaglesham* to at or near *Muirkirk*; and from at or near *Eaglesham*, to at or near *New Milns*; and from *Kirklandbridge* by *Eaglesham* to *Kingswell*, so far as the said Roads from at or near *Eaglesham*, to at or near *Muirkirk*, and from at or near *Eaglesham*, to at or near *Newmilns*, and from *Kirkland Bridge* by *Eaglesham* to *Kingswell*, pass or are intended to pass through the County of *Renfrew*, from *Barrhead* by *Auchenback Muir*, to at or near *Pollocktown*, and to at or near *Mearnskirk*; and from at or near *Mearnskirk*, to at or near *Eaglesham*, from at or near *Houschill* to *Tongueshill*; and from *Pollockshaws* to the Termination of the County of *Renfrew*, at or near

near *Driſſenbag* by *Pollocktown* or by *Balgray*, and from at or near *Whitehouſe* by *Muirhouſe* to *Paiſley* and to *Beith*; and from at or near *Muirhouſe* to *Irvine*, by or near *Biggart* and *Mountgreenan*; and from *Three-Mile-Houſe* to *Clerkſbridge* by *Paiſley* and *Quarreltown*, and to *Beith* and to *Irvine*, and a Road branching therefrom to *Hawkhead Mills* and to *Pollockſhaws*; and from *Hawkhead Mills* by *Auchintorlie* to *Paiſley*; and from at or near *Barſkivan* to *Linwood*, and from *Linwood* to the Road from *Barnsford* to the *Bridge of Weir*, at or near *Fulwood*; and from the Eaſt End of *Port Glaſgow* to the South Side of the *Rope-work* into *Princes-Street*, and from *Largs* by *Briſbane Outerwards*, *Garvock*, *Killochend*, and *Whitlee* to *Greenock*, and from *Bridge-Flat* to *Greenock*; but the Roads laſt above mentioned cannot be put and kept in Repair, or put under the Direction of the Truſtees appointed by the Acts above recited, nor can theſe laſt mentioned Acts be carried into Execution, unleſs the Term thereby granted ſhall be enlarged, and the Powers and Authorities granted by the ſame, 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 ſeveral Acts intended and directed to be applied and enforced: And it is expedient that the ſaid ſeveral Acts, with ſuch enlarged and amended Powers and Authorities, ſhould be reduced and conſolidated into One Act: 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 all the Clauſes, Powers, Authorities, Articles, Rules, Penalties, and Forfeitures, contained in the ſaid recited Acts of the Twenty-ſixth, Twenty-ſeventh, and Thirtieth Years of the Reign of his late Majeſty King *George* the Second, and the Twenty-ninth, Thirty-ſecond and Thirty-ſeventh Years of the Reign of His preſent Majeſty, ſhall, from the Firſt *Monday* after the Expiration of Three Weeks from and after the paſſing of this Act, be and the ſame are hereby repealed, in ſo far as the ſame reſpect the Roads herein-after deſcribed, and inſtead thereof this Act ſhall commence and be put in Execution for and during the Term herein-after mentioned, for the Purpoſe of more effectually making, repairing, widening, altering, keeping in Repair, and improving the Roads herein-after deſcribed; and that this Act and all the Tolls which are hereby authorized to be levied upon the ſaid reſpective Roads, ſhall be, and are hereby made ſubject and liable to the Payment of all Sums of Money now due and owing on the Credit of the ſaid reſpective Roads, and to the Payment of all Sums of Money which ſhall or may hereafter be borrowed on the Credit of the ſaid reſpective Roads, and of Intereſt due and to become due for the ſame reſpectively.

Saving of Power given by 37 G. 3. to widen the Main Street of *Renfrew*.

II. Provided always, and be it enacted, That nothing herein contained ſhall be deemed or conſtrued to diminiſh or repeal the Power given by the above recited Act, paſſed in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, to widen the Main Street of the Burgh of *Renfrew*, in the Manner therein directed, but the ſame ſhall remain and continue in full force and virtue in the ſame Manner as if this Act had not been made.

III. And

Nomination of Truſtees.

III. And be it further enacted, That in place of the Truſtees named and appointed in and by, or in purſuance of the ſaid recited Acts of the Twenty-ſixth, Twenty-ſeventh, and Thirtieth Years of the Reign of His late Majeſty, and Twenty-ninth, Thirty-ſecond, and Thirty-ſeventh Years of the Reign of His preſent Majeſty, every Perſon who is, or hereafter ſhall be, in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment as Proprietor of the *dominium utile* of Lands lying in the County of *Renfrew*, or in the Pariſhes of *Govan*, *Gorbals*, *Cathcart*, *Carmunnock*, and *Kilbride*, in the County of *Lanark*, or in the Pariſhes of *Beith*, *Kilbirnie*, *Dalry*, and *Largs* in the County of *Ayr*, valued in the Cefs Books of the ſaid Counties, or either or them, at One hundred Pounds *Scots* of valued Rent, and all and every the Eldeſt Sons of ſuch Perſons, being the Heirs apparent to ſuch Property, and alſo the Sheriff-Depute of the ſaid County of *Renfrew* and his Subſtitute for the Time being, the Provoſt and Firſt, Second, and Third Baillies, and the Dean of Guild of the City of *Glaſgow*, the Provoſt and Baillies of *Renfrew*, and the Firſt and Second Magiſtrates of *Paiſley* and *Port-Glaſgow*, and the Two Magiſtrates of *Greenock* for the Time being, ſhall be, and they are hereby nominated and appointed Truſtees for ſurveying, making, repairing, widening, keeping in Repair, and altering the Lines of Roads following: *videlicet*, The Road leading from the South End or any other Part of the Village of *Gorbals* of *Glaſgow*, or from the South Side of the *Paiſley-loan*, oppoſite the New Bridge of *Glaſgow*, to at or near *Floakbridge* in the County of *Renfrew*, by *Corſehill* and *Cathcart*; and the Roads branching therefrom to the *Kirk* of *Carmunnock*, and from thence to *Peel*, and from thence to *Eagleſham* by the South Side of *Buſby Side* and *Drips*, and a Road from *Peel* by *Thornton* and *Bogton*, to at or near *Jackton-Toll*; and the Road leading from the South End or any other Part of the Village of *Gorbals* of *Glaſgow*, or from the South Side of *Paiſley Loan*, oppoſite the New Bridge of *Glaſgow*, to at or near *Neilſton*, and from at or near *Neilſton* to *Eaſter Grange*; and the Road leading from at or near *Williamwood* to *Eagleſham Kirk*, and from at or near *Williamwood*, by *Muirend* to *Pollockſhaws*, and from *Maulſmire* by *Bankhall*, and *Shiels* to the *Paiſley* Road; and the Roads from at or near *Eagleſham*, to at or near *Muirkirk*, and from at or near *Eagleſham*, to at or near *Newmilns*, and from *Kirklandbridge* by *Eagleſham* to *Kingſwell*, ſo far as the ſaid Roads from at or near *Eagleſham* to at or near *Muirkirk*, and from at or near *Eagleſham* to at or near *Newmilns*, and from *Kirkland Bridge* by *Eagleſham* to *Kingſwell*, paſs or are intended to paſs through the County of *Renfrew*; and the Road from *Paiſley*, leading to the Turnpike Road from *Glaſgow* to *Muirkirk*; and the Roads branching out of the ſame at *Hurlet* to *Dovecoathall* and *Hillington*, and at *Dykebar* to the Confines of the County of *Renfrew* at or near *Floakbridge*, by *Barnize*, *Arthurlie*, *Glanderſton*, *Fingalton*, and *Mearns Muir*, and from *Barrhead* by *Auchenback Muir* to at or near *Pollocktown*, and to at or near *Mearns Kirk*, and from *Mearns Kirk* to *Eagleſham*, and from at or near *Hurlet* to *Pollockſhaws*, by at or near *Houſehill*, and from *Hurlet* to at or near *Muirhouſes*, by at or near *Houſehill* and *Damſhat*, and from at or near *Houſehill* to *Tongueſhill*, and from *Pollockſhaws* to *Govan* and *Three Mile Houſe*, and from *Barrhead* by or near *Brownſide*, or by or near *Barbourhill*, to *Paiſley*; and from *Pollockſhaws* to the Termination of the County of *Renfrew*, at or near *Dryſdenbeg* by *Pollocktown* or by *Balgray*, and from at or near *Neilſton* to at or near *Whitehouſe*, and from at or near *Whitehouſe* by or near *Muirhouſe* to *Paiſley* and to *Beith*, and from at or near

near *Muirhouſe* to *Irvine* by or near *Biggart* and *Mountgreenan*; and the Road from *Three Mile Houſe*, to *Clerkſbridge* by *Paiſley* and *Quarrelton*, to *Beith* and to *Irvine*, and a Road branching out of the ſame to *Hawkhead Mills* and by *Auchentorlie* to *Paiſley*; and another Road branching out of the ſame to *Johnſton-Bridge*, and from *Johnſton-Bridge* to *Port-Glaſgow*, by *Kilbarchan* and by North *Millikengate*; and a Road branching out of the ſame to *Lochwinnoch*, by the Weſt Side of the River *Calder* and to *Chapelton*, and from *Paiſley* to *Renfrew*, and from at or near *Hillington* to at or near *Renfrew*, and from *Inchinnan-Bridge* to *Houſton*; and the Road from the Bridge over *Maich* by *Garthland-Bridge* to *Whitehouſe*, and from *Garthland-Bridge* to *Kilbarchan*, and from at or near *Kilbarchan* to *Inchinnan-Bridge* by *Linwood Bridge*, and from *Paiſley* to *Barnsford*, and from *Barnsford* by *Houſton*, to the Turnpike Road leading from *Johnſton-Bridge* to *Port Glaſgow*, at or near the Bridge of *Weir*, and from at or near *Barſkivan* to *Linwood*, and from *Linwood* to the Road from *Barnsford* to the Bridge of *Weir*, at or near *Fulwood*, and from the Eaſt End of *Port-Glaſgow* to the South Side of the Rope-work into *Prince's Street*, and from at or near *Houſton* to at or near *Roundtreehill*, and from at or near *Milliken* by *Lockerſide*, by *Houſton*, by *Barrochan Mill*, and *Parkglen*, till it joins the Turnpik Road leading to *Greenock*, at or near *Weſtferry-Hill*, and from *Lochwinnoch* to *Largs*; and from *Largs* by or near *Briſbane Outerwards*, *Garvock*, *Killochend* and *Whitelee*, to *Greenock*, and from *Bridgeflat* to *Greenock*: Provided always, that the Truſtees whoſe Qualifications ariſe from Lands in the County of *Lanark*, or in the County of *Ayr*, ſhall be entitled to act only for the making and repairing of the Roads ſo far as the ſame paſs through the Pariſhes in which ſuch Properties are ſituated, and they ſhall not be entitled to act as Truſtees for the making or repairing of any Roads in the ſaid County of *Renfrew*.

IV. And be it enacted, That in all Caſes Five or more of the ſaid Truſtees ſhall be a Quorum, and when aſſembled ſhall be held to conſtitute a General Meeting. Quorum.

V. And be it enacted, That if any Perſon, not qualified as aforeſaid, ſhall nevertheleſs preſume to act as a Truſtee under this Act, he ſhall for every ſuch acting forfeit and pay the Sum of Twenty Pounds Sterling, to be recovered with full Coſts of Suit, by ſummary Complaint, at the Suit of any Heritor in the Counties of *Renfrew*, *Lanark*, and *Ayr*, before the Juſtices of the Peace at the Quarter Seſſions of the ſaid Counties reſpectively, and the Money recovered ſhall be paid to the Truſtees appointed by this Act, or their Treaſurer or Collector, to be applied to the Reparation of the ſaid Roads; and in all Caſes where ſuch Complaint ſhall be made, the Proof of Qualification ſhall lie upon the Perſon complained of. Penalty on Perſons not qualified acting as Truſtees.

VI. And be it enacted, That the ſaid Truſtees, or any Five or more of them, ſhall meet at *Renfrew* on the Firſt *Monday* which ſhall happen next after the Expiration of Three Weeks from the paſſing of this Act, and ſhall proceed to the Execution of this Act, and that the ſaid Truſtees ſhall thereafter meet annually at *Renfrew*, in the Court Hall, on the laſt *Tueſday* of *October*, for putting this Act into Execution; which Meetings or either of them may be adjourned from Time to Time, as the Truſtees preſent thereat ſhall judge neceſſary, and if a Quorum of the First General Meeting of the Truſtees.

Trustees shall not attend any General Meeting or adjourned Meeting, such Meeting shall be virtually adjourned, and shall be held at the same Place on that Day Fortnight, and so on from Fortnight to Fortnight until a Quorum shall attend; and all Advertisements for Meetings or adjourned Meetings of the said Trustees shall be inserted by the Clerk of the Trustees Ten Days at least before each Meeting, in One of the Newspapers published at *Glasgow* and also in One of the Newspapers published at *Greenock*, (if any Newspaper shall be published at *Greenock* at the Time), as the Trustees at their First General Meeting, or annual General Meeting shall appoint.

Meetings necessary to be advertised in the *Glasgow* and *Greenock* Newspapers only.

VII. And be it enacted, That the Clerk to the said Trustees when required by a written Order, specifying the Purposes for which a Meeting is desired to be held, signed by any Three or more Trustees, shall be obliged to call a General Meeting of the Trustees at such Times and Places as shall be thought proper, by Advertisements as aforesaid, in which such Purposes shall be specified, and no other Person than the said Clerk shall have Power to call such Meetings; and all Acts and Deeds done at such Meeting called by the Clerk, shall be as valid as if they had been done at a General or adjourned Meeting: Provided always, that nothing shall be done or Matter discussed at such Special Meetings but what relates to the special Purposes for which such Meetings are held.

Clerk to call Meetings when required.

VIII. And be it enacted, That the said Trustees, pursuant to a Resolution made at a General Meeting assembled, or at any other Meeting called as aforesaid, after the passing of this Act, shall and may erect, or cause to be erected, One or more Gate or Gates, Turnpike or Turnpikes, on or across all or any of the aforesaid Roads, and also such Number of Toll Houses as they shall think fit upon the same, or on the Sides of the same, and demand and take the aggregate Tolls or Duties following, at the whole Turnpikes or Gates erected or to be erected, upon the whole Roads aforesaid, before any Coach, Chariot, Berlin, Landau, Curricle, Calash, Chaise, Chair, Waggon, Cart, or other Carriage whatsoever, or any Horse, Mare, Gelding, or Cattle whatsoever shall pass through the same; that is to say,

Tolls.

For every Coach, Berlin, Landau, Curricle, Calash, Chaise, Chair or Hearse, drawn by Six Horses, Mares, Geldings, or Mules, the Sum of Five Pounds Sterling; and drawn by Four Horses, Mares, Geldings, or Mules, the Sum of Four Pounds Sterling; and drawn by Three Horses, Mares, Geldings, or Mules, the Sum of Three Pounds Sterling; and drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Two Pounds Sterling; and drawn by One Horse, Mare, Gelding, or Mule, the Sum of One Pound Sterling:

For every Waggon, Wain, Cart, or other Carriage, drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Six Pounds Sterling; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of Five Pounds Sterling; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Four Pounds Sterling; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Three Pounds Sterling; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Two Pounds Sterling; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of One Pound Sterling:

For every Sledge without Wheels, the Sum of Fifteen Shillings Sterling:

For

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of Ten Shillings Sterling:

For every Horſe or Fillie unſhod, the Sum of Four Shillings Sterling each:

For every Ox or Neat Cattle, the Sum of Two Shillings Sterling each:

And for every Calf, Sheep, Hog, Lamb, or Goat, the Sum of One Shilling Sterling each.

Aggregate Toll to be apportioned.

IX. And be it enacted, That the ſaid Truſtees at their Firſt General Meeting, or any other General Meeting called for the Purpoſe, ſhall fix and determine the Proportion or Quota of the aforeſaid Tolls that ſhall be levied at the ſeveral Turnpikes or Toll Bars erected or to be erected on the reſpective Roads deſcribed and intended to be made and repaired in and by the ſaid former Acts and this preſent Act, ſubject always to ſuch Alteration or Diviſion as ſhall be judged neceſſary by the ſaid Truſtees at any ſubſequent General Meeting.

Rates of Toll to be taken at any one Gate.

X. Provided always, and be it further enacted, That the ſaid Truſtees ſhall not have Power to levy or cauſe to be levied and taken at any One of the Turnpikes or Gates erected or to be erected on or acroſs the ſaid Roads directed to be made and repaired by the ſaid former Acts and by this preſent Act, any higher Tolls or Duties than the following; (*videlicet*),

For every Coach, Chariot, Berlin, Landau, Calaſh, Chaiſe, Chair, or Hearſe, drawn by Six Horſes, Mares, Geldings, or Mules, the Sum of Six Shillings Sterling; drawn by Four Horſes, Mares, Geldings, or Mules, the Sum of Four Shillings Sterling; drawn by Three Horſes, Mares, Geldings, or Mules, the Sum of Three Shillings Sterling; drawn by Two Horſes, Mares, Geldings, or Mules, the Sum of Two Shillings Sterling; drawn by One Horſe, Mare, Gelding, or Mule, the Sum of One Shilling Sterling:

For every Waggon, Wain, Cart, or other Carriage, drawn by Six Horſes, Oxen, or other Beaſts of Draught, the Sum of Six Shillings Sterling; drawn by Five Horſes, Oxen, or other Beaſts of Draught, the Sum of Five Shillings Sterling; drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of Four Shillings Sterling; drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of Two Shillings Sterling; drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling Sterling; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Sixpence Sterling:

For every Sledge without Wheels, the Sum of Four-pence Sterling:

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of Three-pence Sterling:

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence Sterling *per* Score, and ſo in Proportion for any greater or leſs Number:

For every Drove of Horſes or Fillies unſhod, the Sum of Two Shillings and Sixpence Sterling *per* Score, and ſo in Proportion for any greater or leſs Number:

And for every Drove of Calves, Sheep, Hogs, Lambs, or Goats, the Sum of Ten-pence Sterling *per* Score, and ſo in Proportion for any greater or leſs Number:

And

And provided alſo, that not more than Four Times the Amount of the ſaid Tolls and Duties ſhall be levied on the Line of any One of the aforeſaid Roads.

Truſtees may erect Side Bars.

XI. And, in order to prevent the Evaſion of the Turnpikes on the aforeſaid Roads, be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, purſuant to a Reſolution made at a General Meeting aſſembled, or at any other Meeting called as aforeſaid, to erect, or cauſe to be erected, One or more Gate or Gates, Turnpike or Turnpikes on the Side or Sides of all or any of the aforeſaid Roads, and acroſs any Lane leading into or out of the ſame, and there to take and receive ſuch Tolls as are by this Act granted and made payable, or ſuch Part thereof as the Truſtees ſhall think reaſonable; and the Perſon or Perſons paying Turnpike ſhall receive a Paſs Ticket, entitling him or them to paſs Toll-free at the Turnpike on the ſaid Road neareſt the ſaid Side Bar: Provided always, that no higher Toll or Duty ſhall be taken at any Side Bar than is authorized to be taken at any One Turnpike on the ſaid Road: Provided alſo, that it ſhall not be lawful for the ſaid Truſtees to erect or cauſe to be erected any Gate or Gates, Turnpike or Turnpikes on the Side or Sides of any Road, Street, or Lane ſituated within the Liberties of the Town of *Paiſley*, and at preſent kept in Repair by the Magiſtrates of the ſaid Town, without the Conſent of the ſaid Magiſtrates, or on the Side or Sides of any Streets or Lanes in the Barony of *Gorbals* cauſewayed and upheld by the Proprietors or Inhabitants thereof.

Tolls to be paid Once a-day.

XII. And be it further enacted, That no Perſon or Perſons having Occaſion to paſs through any Turnpike or Turnpikes erected by virtue of the ſaid recited Acts or either of them, or to be erected by virtue of this Act, and who ſhall return the ſame Day through the ſame Turnpike or Turnpikes before Twelve of the Clock at Night, with the ſame Coach or Cart, or other Wheel Carriage drawn by the ſame Horſes, or with the ſame Horſe, Aſs, or other Cattle, ſhall be liable or compelled to pay the Tolls or Duties more than Once, but ſhall on Demand be furniſhed with a Note or Ticket, Notes or Tickets, ſignifying the Payment of ſuch Toll or Duty, which Note or Ticket, Notes or Tickets ſhall give Acceſs to the ſaid Perſon or Perſons, returning the ſame Day as aforeſaid, to repaſs the ſaid Turnpike or Turnpikes Toll free; but in caſe the ſame Coach, Cart, or other Wheel Carriage, Horſe, Aſs, or other Beaſt or Cattle ſhall return or paſs the Turnpike with a new Loading a ſecond or more Times in the ſame Day, they ſhall in that caſe be ſubjected to pay the Tolls for each Time they ſhall ſo paſs, in the ſame Manner as for the Firſt Time.

To prevent evading Tolls.

XIII. And be it further enacted, That if any Perſon or Perſons having paid the Tolls or Duties by this Act impoſed, and having a Note or Ticket, Notes or Tickets, ſignifying the Payment thereof, ſhall give or diſpoſe of the ſame to any other Perſon or Perſons, in order to avoid the Payment of the ſaid Tolls or Duties, every ſuch Perſon ſo giving or diſpoſing thereof, and the Perſon receiving the ſame, being convicted thereof upon Oath, by One or more credible Witneſs or Witneſſes, or his own Confeſſion, before any One or more Juſtice or Juſtices of the Peace of the County where the Offence ſhall be committed, or where the Offender ſhall reſide,

reſide, ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Five Pounds nor leſs than Twenty Shillings Sterling, to be levied and recovered in Manner herein-after directed.

Perſons and Things exempted from Tolls.

XIV. Provided always, and it is hereby further enacted, That no Toll ſhall be demanded for and in reſpect of Carriages, Horſes or Cattle, employed in carrying Materials for making or repairing Roads, Bridges, and Toll-Houſes, in the ſaid Counties, or Cattle, Horſes or Carriages, laden or unladen, paſſing from one Part of a Farm to another, or laden with Implements of Huſbandry, or Carriages returning empty after carrying the ſame, or carrying any Perſon to or from Church, Chapel, or any Place of religious Worſhip belonging to or ſituated within the Pariſh where ſuch Perſon reſides, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Perſon who ſhall die and be buried within the Pariſh; or carrying any Clergyman going to or returning from viſiting any ſick Perſon, or upon other his Parochial or Miniſterial Duty, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for Horſes or Cattle going to or returning from their uſual Places of Paſture or watering, or going to Smithies for the Purpoſe of being ſhod, or returning therefrom or for Horſes or Carriages of whatſoever Deſcription employed, or to be employed, in conveying the Mails or Expreſſes, under the Authority of His Majeſty's Poſtmaſter-General, either when employed in conveying or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; nor for the Horſes of Officers or Soldiers who are upon their March or on Duty, or for any Horſes, Cattle or Carriages employed in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in conveying any ſuch wounded or diſabled Officers or Soldiers; nor for Carts or Carriages or Waggons travelling with Vagrants ſent with legal Paſſes; and if any Perſon ſhall claim or take the Benefit of any of the Exemptions aforeſaid, not being legally entitled to the ſame, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds nor leſs than Twenty Shillings Sterling.

Tolls on Carriages of certain Weights.

XV. And be it enacted, That the ſaid Truſtees may cauſe Weighing Machines to be erected on ſuch Parts of the ſaid Roads, or on the Sides of the ſame, as they ſhall think proper, at which all Perſons travelling with Carts or other Carriages ſhall be obliged to weigh the ſame when required by the Collector of the Tolls; and the ſaid Truſtees, from and after the paſſing of this Act, may levy, or cauſe to be levied, demanded and taken, at the ſeveral Turnpike Gate or Gates, erected or to be erected on or acroſs all or any of the Roads hereby intended to be made or kept in Repair, before any Waggon, Wain, Cart, or other Wheel Carriage not upon Springs, drawn by One or more than One Horſe, Mare, Gelding, or Mule, paſs through the ſame, the Weight of which Carriage, with the Burden or Draught therein, ſhall exceed Twenty Hundred Weight, and the Fellies of the Wheels of which ſhall not meaſure Four Inches at leaſt, if drawn by One, and Nine Inches in Breadth if drawn by more than One Horſe, Mare, Gelding, 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 Twenty-five Hundred Weight, and the Fellies of the Wheels of ſuch Carriage ſhall not meaſure as above men-

tioned, double the Tolls and Duties granted by this Act; and if the Weight ſhall exceed Thirty Hundred Weight and the Fellies of the Wheels of ſuch Carriage ſhall not meaſure as aforeſaid, One Half more in addition to double the Tolls and Duties authorized to be levied as aforeſaid; and the Toll or Duty on ſuch Carriages is hereby expreſsly declared not to be a Penalty, but the juſt and fair Toll Duty leviable on ſuch Carriages, excepting always Carriages carrying the Mail, or Soldiers who are on their March, or their Baggage, and Carriages with Vagrants travelling with legal Paſſes.

Tolls to be levied by Diſtreſs and Sale.

XVI. And be it enacted, That it ſhall and may be lawful for the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall from Time to Time nominate and appoint, to demand and take the Tolls and Duties hereby granted and made payable; and if any Perſon or Perſons ſhall neglect, or refuſe to pay the ſame, the ſaid Truſtees are hereby empowered by themſelves or ſuch other Perſon or Perſons as they ſhall authorize and appoint, to levy each and every of the ſaid Tolls and Duties, by Diſtreſs and Sale of any Horſe or Horſes, or other Cattle or Carriage, upon which ſuch Duty is by this Act impoſed, and to detain ſuch Horſe or other Cattle or Carriage ſo diſtrained, until the ſaid Tolls, with reaſonable Charges of ſuch Diſtreſs ſhall be paid; and it ſhall and may be lawful to and for the Perſon or Perſons ſo diſtraining, after the Space of Four Days after ſuch Diſtreſs ſhall be made, to appraiſe and ſell the Horſe or Horſes, Cattle or Carriage, ſo diſtrained, by public Auction, at the Turnpike or Toll-Houſe where the Toll ought to have been paid, returning the Overplus (if any be) to the Proprietors of ſuch Horſe or Horſes, Cattle or Carriage, ſo diſtrained, after deducting ſuch Toll or Duty, and the reaſonable Charges of diſtraining, appraiſing, and ſelling the ſame.

Truſtees may compound with Travellers.

XVII. And be it further enacted, That the ſaid Truſtees at a General Meeting aſſembled ſhall, and they are hereby authorized and empowered to compound or agree by the Year or otherwiſe, with any Perſon or Perſons living near any Turnpike or Turnpikes, erected or to be erected by virtue of this Act, for any reaſonable Sum or Sums of Money to be paid quarterly, from Time to Time, for and in lieu of Payment of the Tolls or Duties by this Act directed to be paid, and Copies of all ſuch Compoſitions and Agreements to be made by the ſaid Truſtees, ſhall be entered at Length in a Book or Books to be kept for that Purpoſe, which ſhall be open to the Peruſal of any Perſon or Perſons whatſoever, at all ſeaſonable Times without Fee or Reward.

Compoſition Money in lieu of Tolls, how to be recovered.

XVIII. Provided always, and be it enacted, That in caſe any Compoſition-Money agreed to be paid for paſſing through any Turnpike Gate or Gates erected or to be erected by virtue of this Act, ſhall not be paid within Ten Days next after the ſame ſhall become due, it ſhall and may be lawful for any One or more Juſtice or Juſtices of the Peace for the County where the Perſon liable for ſuch Compoſition reſides, by Warrant under his or their Hands, to empower the Perſon authorized by the Truſtees to receive ſuch Compoſition Money, (and Oath having been firſt made that the ſame has been demanded and remains unpaid), to levy ſuch Compoſition on the Perſon or Perſons ſo refuſing or neglecting to pay the ſame in Manner herein mentioned: Provided always, that no Perſon or

or Perſons to whom any of the Turnpike Gates erected or to be erected on the ſaid Roads ſhall be let, ſhall compound or take a lower Rate of Toll than what ſhall be fixed by the ſaid Truſtees at the Roups or Auctions of the reſpective Turnpike Gates; and if he or they ſhall act contrary hereto, directly or indirectly, he or they ſhall be liable in a Penalty not exceeding Five Pounds nor leſs than Twenty Shillings Sterling to the ſaid Truſtees, to be recovered and applied in the ſame Manner as is directed with regard to the Penalty for evading the Toll before mentioned.

Tolls may be diminiſhed.

XIX. And be it enacted, That during the Term of this Act, the ſaid Truſtees, at a General Meeting aſſembled for that Purpoſe may, and they are hereby empowered, with Conſent of Four Fifths of the Perſons who have already lent or advanced, or who ſhall hereafter lend or advance any Sum or Sums of Money, upon the Credit of the ſaid Tolls, to diminiſh or leſſen the ſaid Tolls or Duties hereby granted, as they ſhall ſee Cauſe, but ſuch Tolls ſhall not be diminiſhed, unleſs ſuch Meeting and the Purpoſes thereof ſhall be advertiſed in One of the *Glaſgow* and One of the *Greenock* Newſpapers, if a Newſpaper ſhall be publiſhed at *Greenock* at the Time, at leaſt Ten Days before ſuch Meeting.

Truſtees may let the Tolls.

XX. And be it further enacted, That the ſaid Truſtees at a General Meeting aſſembled, may and they are hereby authorized and empowered, by publick Auction, to let the ſaid Tolls or Duties hereby granted and veſted in them reſpectively, in Whole or in Lots or Parcels, from Time to Time, during the Continuance of this Act, for any Term not exceeding Three Years, for the higheſt Rate or Rates they can obtain for the ſame, to ſuch Perſon or Perſons as ſhall give good and ſufficient Security for Payment of the Sums for which the Tolls ſhall be ſo let, and be approved of by the ſaid Truſtees.

Power to appoint Officers.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, at a General Meeting aſſembled, to chuſe and appoint a fit Perſon or Perſons to be Treaſurer, Collector, and Clerk to the ſaid Truſtees, for receiving the Tolls or Duties granted and made payable by this Act; and alſo One or more fit Perſon or Perſons to be Surveyor or Surveyors of the ſaid Roads in their ſeveral Diſtricts, or ſuch other Officers as they ſhall think proper, and from Time to Time to remove ſuch Officers or any of them as they ſhall ſee Occaſion, and appoint new ones in caſe of Removal or Death; and all and every Perſon or Perſons who is, are, or ſhall be liable by this Act to pay the ſaid Tolls or Duties, are hereby required to pay the ſame to the ſaid Treaſurer or Collector, or the Perſons to be from Time to Time appointed under him for that Purpoſe, according to the Rates aforeſaid; and the ſaid Truſtees at a General Meeting aſſembled, may and they are hereby authorized and empowered, out of the Money ariſing from the ſaid Tolls or Duties veſted in them, to make ſuch Allowances to the ſeveral Officers by them appointed, and to ſuch other Perſon or Perſons as ſhall have been or may be aſſiſting in making and repairing the ſaid Roads, as the ſaid Truſtees ſhall think fit.

Treaſurer to find Security.

XXII. And be it enacted, That the ſaid Truſtees ſhall take ſuch Security from their Treaſurers, to be appointed for the Purpoſe of this Act, for the due Execution of their Offices, as to the ſaid Truſtees ſhall ſeem meet.

XXIII. And

Power to borrow Money on the Credit of the Tolls.

XXIII. And be it enacted, That it ſhall and may be lawful to and for the ſaid Truſtees at a General Meeting aſſembled, and they are hereby authorized and empowered, to borrow any Sum of Money, not exceeding Eighty Thouſand Pounds, upon the Credit of the Tolls to be levied on the Roads intended to be made and repaired by this Act, including the Money already borrowed, at any Intereſt not exceeding Five Ponnds *per Centum per Annum*; which Sum to be borrowed as aforeſaid ſhall be applied by the Truſtees aforeſaid, in the Firſt Place, towards Payment of the Charges and Expences incurred in obtaining this preſent Act, and the Remainder of the Sum to be borrowed as aforeſaid, ſhall be applied and diſpoſed of for making and repairing the ſaid Roads and Bridges hereby intended to be made and repaired, under the Direction of the ſaid Truſtees, in ſuch Proportions as they ſhall determine at any annual or other General Meeting, and to no other Uſe or Purpoſe whatſoever, in Manner after ſpecified.

When ſaid Monies are paid, Truſtees may borrow another Sum equal thereto.

XXIV. Provided always, and be it further enacted, That when the ſaid Sums aforeſaid ſhall in Whole or in Part be applied and accounted for to the reſpective Truſtees at a General Meeting aſſembled, and by their Order paid to the Perſon or Perſons advancing or lending the ſame, it ſhall and may be lawful to and for the ſaid Truſtees at a General Meeting aſſembled, and they are hereby authorized to borrow another Sum of Money, equal to that by them ſo paid as aforeſaid, but the Sum or Sums ſo to be borrowed ſhall not at any Time exceed in the Whole the Sums allowed to be borrowed by the Truſtees as aforeſaid, on the Credit of the Tolls to be levied on the Roads aforeſaid.

Roads may be divided into Diſtricts, and Tolls may be aſſigned in Security of Money borrowed.

XXV. And be it enacted, That it ſhall and may be lawful for the ſaid Truſtees, at the Firſt General Meeting held after the paſſing of this Act or at any ſubſequent General Meeting called for the Purpoſe, to divide the ſaid Roads into Diſtricts, and divide and proportion the Money authorized to be borrowed, and the Tolls and Duties authorized to be levied by this Act, among the reſpective Diſtricts of Roads according to their Neceſſities, and to aſſign and make over the ſeveral Tolls and Duties to be levied on the reſpective Diſtricts to any Perſon or Perſons from whom the Money ſhall or may be borrowed for the Uſe of the ſaid ſeveral Diſtricts of Roads as a Security for Repayment of the ſame; which ſeveral Aſſignments of the Tolls as aforeſaid ſhall be entered in the Sederunt Book of the ſaid Truſtees, and ſhall at all reaſonable Times be open to Peruſal of any of the Truſtees appointed by this Act; and the Tolls and Duties of each ſeveral Diſtrict of Roads ſhall be liable to the Payment of the Money borrowed or to be borrowed for making and keeping the ſame in Repair only, and not to be ſubject and liable for any ſuch Sum of Money already borrowed or to be borrowed for the Uſe of any other Roads in another Diſtrict, or for making or keeping the ſame in Repair; and after the ſaid Truſtees ſhall have divided the ſaid Roads into Diſtricts it ſhall not be in their Power to alter the ſaid Diviſion during the Continuance of this Act.

Former Securities not to be prejudiced,

XXVI. Provided always, That nothing in this Act contained ſhall extend to prejudice or leſſen the Securities already given by the ſaid former Acts, without the Conſent of the ſeveral Perſons who have advanced or lent Money on the Credit thereof.

XXVII. And

Truſtees to divide themſelves into ſeveral Diſtricts for repairing the Roads.

XXVII. And be it enacted, For the more ſpeedy making and repairing the ſaid Roads and Bridges, the ſaid Truſtees, at their Firſt General Meeting, or at any ſubſequent General Meeting, are hereby empowered to authorize and appoint ſuch of their Number as they ſhall think proper to act as Truſtees within ſuch Diſtricts; and which Truſtees ſo named and appointed by the General Meeting, upon each of the aforeſaid Diſtricts, or any Three or more of them, are hereby authorized to give ſuch Orders and Directions for making and repairing the Roads and Bridges for which they ſhall be particularly named and appointed, and for applying the Money that ſhall be appropriated for that Purpoſe as they ſhall think proper; and the ſaid Truſtees for the reſpective Diſtricts aforeſaid ſhall be accountable to any General Meeting of the Truſtees by this Act appointed, and for that Purpoſe, ſhall lay before them, when required, a State of their Accompts, and all other their Tranſactions, to be by the ſaid Truſtees at ſuch General Meeting examined, audited, and approved.

Truſtees for particular Diſtricts to lay a State of their Accounts and Tranſactions before a General Meeting of Truſtees when required.

Truſtees for the reſpective Diſtricts to keep Accounts of the Monies received and applied by them, *etc.*

XXVIII. And be it further enacted, That the ſaid Truſtees for each of the ſaid reſpective Diſtricts, ſhall keep an exact Account of the Money received by virtue of this Act, and the Application thereof, and all other their Proceedings, and ſhall enter the ſame in a Book or Books to be kept for that Purpoſe, which the ſaid Truſtees and Heritors of the County of *Renfrew*, and the Heritors in the Counties of *Lanark* and *Ayr* in the Pariſhes through which the ſaid Roads paſs, may and ſhall, at all reaſonable Times, be at Liberty to inſpect the ſame without Fee or Reward.

Perſons miſapplying any of the Monies to forfeit Double the Sum.

XXIX. And be it further enacted, That in caſe of Miſapplication of any Money collected, received, or levied by virtue of this Act, all and every Perſon or Perſons who ſhall ſo miſapply, or by whoſe Authority the ſame ſhall be miſapplied, ſhall forfeit and pay Double the Sum ſo miſapplied, to be recovered againſt him or them, at the Suit of any Three or more Heritors within the Counties aforeſaid, poſſeſſed of One hundred Pounds *Scots* each of valued Rent, who are hereby authorized to ſue for and recover the ſame, on a ſummary Complaint to the Juſtices of Peace at their Quarter Seſſions, One Moiety of ſuch Forfeiture, when recovered, to be paid to the Perſon or Perſons who ſhall ſue for the ſame, and the other Moiety to the ſaid Truſtees, to be applied by them for repairing the Roads by this Act directed to be repaired; but if any ſuch Proſecution ſhall, after Trial, be found vexatious and groundleſs, the Proſecutor or Proſecutors ſhall be liable to pay Double Coſts.

Truſtees not to hold Places of Profit, and act as Truſtees.

XXX. And be it further enacted, That all Perſons appointed Truſtees for putting in Execution this Act, ſhall be incapable of holding any Office or Place of Profit ariſing or to ariſe from any of the Tolls or Impoſitions aforeſaid, during the Time they ſhall act as Truſtees; and that no Perſon ſhall be capable of holding any Place of Profit under this Act, who ſhall ſell Wine, Beer, Ale, or Spirituous Liquors by Retail.

Roads to be made in the beſt Direction.

XXXI. And be it enacted, That it ſhall be lawful to the ſaid Truſtees to cauſe any of the ſaid Roads to be carried in the Direction that ſhall be deemed beſt and moſt beneficical to the Publick, 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 ſaid Roads ſhall not be carried ſo as 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 one Acre, not incloſed with a Wall of the Height of Six or more Feet, 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 in Writing of the Owner or Owners thereof firſt had and obtained.

Power to widen Roads, remove Obſtructions, &c.

XXXII. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, at any of their Meetings, to order and direct the ſaid Roads, or any of them, to be made or repaired, and to be extended to ſuch Breadth as they ſhall think proper, not exceeding Fifty Feet, including the Footpath thereof, and to alter or vary the Directions or Lines of the ſaid Roads, or any of them, and for that Purpoſe, to pull down or remove any Houſes, not exceeding Eighteen Feet high in the Side Walls, Buildings, Incloſures, or other Obſtructions, to make or cauſe to be made Cauſeways, to make and erect Arches or Bridges of Brick, Timber, or Stone, and to cut and make Drains, Ditches, Trenches or other Outlets for Water, through any Grounds lying contiguous to the ſaid Roads, for the Purpoſe of carrying off the Water from the ſame, or from any Weighing Machine, erected or to be erected on the ſaid Roads, the ſaid Truſtees always paying ſuch Damage to the Owners or Occupiers reſpectively, whoſe Grounds or Houſes ſhall be prejudiced or damaged by ſuch Alteration or widening of the ſaid Roads, as the ſame ſhall be aſcertained, in Manner herein-after directed.

Outlets from Trenches to be kept clear.

XXXIII. And be it enacted, That if any Perſon ſhall make a Paſſage from any Field to any of the ſaid Roads, he ſhall be obliged to cover the Side Drains of the Road, where ſuch Paſſage is made, with an Arch or Pen of ſufficient Stone Work, ſo that the Courſe of the Water in the Drain may not be impeded; and where it ſhall be found neceſſary to make Outlets from the Ditches or Drains, along the Sides of the ſaid Roads or any of them through the Ground of any adjacent Proprietor, the Proprietor or the Occupier of ſuch Ground, after ſuch Outlets have been ſo made, ſhall be obliged from thenceforth to make and keep clear ſuch Outlets from the ſaid Ditches or Drains from Time to Time, as they ſhall be required by the ſaid Truſtees, ſo as that the ſaid Outlets may not be ſtopped, nor the Water be allowed to ſtagnate in them, nor to flow on the ſaid Roads or any of them, but may have a free Paſſage from the ſaid adjacent Ground; and in caſe the Proprietor or Occupier ſhall refuſe or neglect to cleanſe ſuch Outlets, when duly required by One or more Truſtee or Truſtees, or a Perſon or Perſons appointed by an Order ſigned by Two or more of the ſaid Truſtees, ſuch Truſtees or Perſons appointed by them reſpectively ſhall, after Ten Days previous Intimation be and they are hereby authorized to cleanſe the ſaid Outlets, and levy in Manner herein-after directed the Expence thereof, from the Proprietors or Proprietor, Occupiers or Occupier of ſuch Ground, who have or has been required as aforeſaid, and have or has refuſed or neglected to cleanſe the ſame.

Hedges on the Sides of the High Roads to be pruned, &c.

XXXIV. And be it enacted, That where Hedges and Trees are planted on the Sides of any of the ſaid Roads, the Occupiers and Occupier of the Lands on which ſuch Hedges and Trees grow, ſhall be obliged to keep them properly dreſſed and trimmed, ſo as not to injure the ſaid Roads, by overhanging

overhanging the ſame; and in caſe of their Failure ſo to do, it ſhall be in the Power of any One of the Juſtices of the Peace of the ſaid Counties of *Renfrew*, *Lanark*, or *Ayr*, upon Application made to him by any One of the Truſtees, or by their Surveyor, and upon Cauſe ſhewn, to order the Occupiers or Occupier of the Ground on which ſuch Hedges or Trees grow, to cut and dreſs the ſame properly; and in caſe the ſaid Occupiers or Occupier fail to comply with the ſaid Order, within Ten Days after the ſame has been intimated to them or him, then it ſhall and may be lawful for the ſaid Truſtees to appoint proper Perſons to cut the ſaid Hedges at the Height of Four Feet, and to dreſs and trim them, and alſo to cut the Branches of ſuch Trees as may overhang the ſaid Roads as aforeſaid, at the Expence of the ſaid Occupiers or Occupier, and to grant Warrant for levying the Expences thereof with Coſts, in Manner herein-after directed; reſerving to the ſaid Occupiers or Occupier any Right of Recourſe which they may have againſt the Proprietor of the Lands on which ſuch Hedges or Trees grow, for the ſaid Expences; and providing, that no Perſon ſhall be obliged to cut or trim Hedges and Trees between the Firſt Day of *March* and the Firſt Day of *November* in any Year.

Power to make Foot-Paths.

XXXV. 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 riding on Foot-paths.

XXXVI. 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 ſhall notwithſtanding preſume ſo to do, ſuch Perſon being convicted by the Oath of any One credible Witneſs or his own Confeſſion before any One or more Juſtice or Juſtices of the Peace for the County within which the Offence was committed or the Offender reſides, ſhall, for every ſuch Offence, forfeit and pay to the ſaid Truſtees on the Roads where the ſaid Offence ſhall be committed, or their Collector, a Sum not exceeding Five Pounds nor leſs than Ten Shillings; and it ſhall and may be lawful for any Perſon, *brevi manu*, to ſeize and carry any Perſon ſo tranſgreſſing as aforeſaid, before the neareſt Juſtice of the Peace, for the Purpoſe of Conviction as aforeſaid.

Power to take Materials for the Roads.

XXXVII. And be it enacted, That it ſhall and may be lawful for the ſaid Truſtees, and any Perſon or Perſons having an Order from them, to open Quarries, and dig, gather, take, and carry away any Stones or Gravel, or other Materials, out of any Waſte or Common in the Counties of *Renfrew*, *Lanark*, and *Ayr*, for making and repairing the ſaid Roads or Foot Paths, or any of them, without paying for the ſame, and to dig, gather, and carry away all ſuch Materials from Quarries already opened, on paying Damages as after-mentioned, and from any other Ground in the ſaid Counties, (not being the Ground where any Houſes ſtand, or a Garden, Orchard or Yard, or any Plantation of Trees, which may have been planted prior to the paſſing of this Act), Ten Days Notice in Writing being in this Caſe given to the Proprietor or Occupier of ſuch Ground, and paying ſuch Damages for the ſame, as ſhall be aſcertained by any Two Juſtices of the Peace of the Counties of *Renfrew*, *Lanark*, or *Ayr* reſpectively, with Power to the ſaid Proprietor or Occupier to appeal from the Deciſion of the ſaid Juſtices to the next Quarter Seſſions, whoſe

whoſe Deciſion ſhall be final; and any Diſpute with regard to the ſaid Damages ſhall not prevent the ſaid Truſtees, or thoſe empowered by them, from uſing and carrying away the ſaid Materials, and applying them to making and repairing the ſaid Roads and Bridges: Provided always, that the ſame Price ſhall be paid by the ſaid Truſtees, for Stones taken from Quarries worked for Sale, for the making and repairing of any of the Roads in the ſaid Counties of *Renfrew*, *Lanark*, and *Ayr*, which ſhall be paid or payable by other Perſons purchaſing Stones from the ſame Quarries at the ſame Time.

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

XXXVIII. And be it further enacted, That the ſaid Truſtees ſhall be, and they are hereby empowered to take and acquire, and all Bodies Politick, 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 Land or Houſes as may be neceſſary for the making, altering, or widening the ſaid Roads or any of them, and erecting any Toll Bar or Toll Houſe thereon, or for ſtoring Materials or otherwiſe, where Ground is neceſſary for the Purpoſes of this Act, upon ſuch Satisfaction being made 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 any of the ſaid Counties, within which ſuch Lands or Houſes ſhall be ſituated, 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 greater Compenſation than the Truſtees ſhall have offered, but leſs than the Owner or Owners, Occupier or Occupiers, ſhall have required, the Expence of ſuch Jury ſhall be defrayed and borne by the ſaid Truſtees, and the ſaid Owner or Owners, Occupier or Occupiers equally; but in caſe the ſaid Jury ſhall award to ſuch Owner or Owners, Occupier or Occupiers, the Sum ſo required, or any greater Sum, the Whole of the ſaid Expence ſhall be paid by the ſaid Truſtees; and on the other Hand if the ſaid Jury ſhall award the Sum offered by the ſaid Truſtees, or a leſs Sum, the Whole of the ſaid Expence ſhall be paid by the ſaid Owner or Owners, Occupier or Occupiers: Provided always, that in all Caſes where any Perſon or Perſons 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 the Proprietor or Proprietors, Occupier or Occupiers of any Land or Houſes, ſuch Sum as the ſaid Truſtees ſhall think reaſonable, it ſhall and may be lawful for them to enter into and upon ſuch Lands or Houſes, for the Purpoſes of this Act, and no Stop ſhall in the mean Time be put to the Operations of the ſaid Truſtees, on Pretence of ſettling the ſaid Damage, or that they have not been ſatisfied and paid.

be veſted Truſtees.

XXXIX. And be it enacted, That all Lands or Houſes, which may be acquired by the ſaid Truſtees in purſuance of this Act, ſhall be veſted in the ſaid Truſtees by the ſimple Diſcharge for the agreed Price or appraiſed Value

Value thereof, or by Conſignation of ſaid Price or Value (in caſe of the Abſence or Refuſal of the Perſon or Perſons entitled thereto), in the Bank of *Scotland*, or the Royal Bank thereof, for the Uſe and Behoof of ſuch Perſon or Perſons; and it ſhall be ſufficient to record the Diſcharge or the Vouchers of Conſignation in the Sheriff Court Books of any of the ſaid Counties reſpectively wherein ſuch Lands or Houſes ſhall be ſituated, whereupon the Truſtees ſhall be entitled to take and uſe the ſaid Lands and Houſes, and ſhall hold the ſame as validly and effectually, to all Intents and Purpoſes, as if the reſpective Owners thereof had executed in their favour regular Diſpoſitions of the ſame, and Infeftments had followed thereupon.

Application of Compenſation where exceeding 200*l.*

XL. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of this Act, for the Purpoſes thereof which are held under Entail, or are ſubject to Life Rents, Annuities, or other Incumbrances, or ſhall belong to any Incorporation, married Woman, Infant, Lunatick, 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 Hereditaments, in the Purchaſe 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 Hereditaments, or affecting other Lands, Tenements, or Hereditaments, 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 Meſſuages, Lands, Tenements, or Hereditaments 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 Meſſuages, Lands, Tenements, and Hereditaments which ſhall be ſo purchaſed, taken, or uſed 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, 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 Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation does not exceed 200*l.* nor leſs than 20*l.*

XLI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed, for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or 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

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 Hereditaments 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 Manner herein-before directed, ſo far as the Caſe be applicable.

Application where the Money is leſs than 20 *l.*

XLII. 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 Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees, or any Five 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;

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank.

XLIII. 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 Hereditaments, 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 Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees, or any Three or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid to be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the Court of Seſſion; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Petition, ſhall be and is 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 Publick Funds, and to order Diſtribution thereof, or Payment of the Dividends 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* or Royal Bank of *Scotland*, 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

the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto according to ſuch Poſſeſſion.

XLIV. 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 ſaid Banks, in purſuance of the ſaid recited Acts or this Act, for the Purchaſe of any Meſſuages, Buildings, Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt, in any Meſſuages, Buildings, Lands, Tenements, or Hereditaments, to be purchaſed in purſuance thereof, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Seſſion; and ſuch Money and the Intereſt thereof 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 Meſſuages, Buildings, Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XLV. 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 Houſes, Buildings, Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Banks, and to be applied in the Purchaſe of other Houſes, Buildings, Lands, Tenements, or Hereditaments, 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 Acts, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Penalty on Perſons breaking Turnpike-Gates, &c.

XLVI. And be it further enacted, That if any Perſon or Perſons ſhall maliciouſly break down or otherwiſe injure any Turnpike Gates, Poſts, Chains, Rails, or Bars, Weighing Machines, or the Houſes erected for the Uſe of ſuch Turnpikes, or any Bridge on the ſaid Roads, or Parapet Wall, Paling or Fence on the Sides of the ſaid Roads or Bridges, or ſhall maltreat any of the Toll Gatherers, or ſhall be aiding and aſſiſting thereto, or forcibly paſs through, or aſſiſt any Perſon in forcibly paſſing through any Turnpike Gate, or ſhall reſcue any Perſon in Cuſtody for the ſaid Offences, or any of them, every Perſon or Perſons ſo offending, and being thereof lawfully convicted in any Proſecution ordered by the ſaid Truſtees, by the Oath of One or more credible Witneſs or Witneſſes, or his own Confeſſion, before any One or more of the Juſtices of the Peace of the County where the Offence ſhall be committed, or where the Offender reſides, ſhall not only pay the Double of the Damages and Expences ſuſtained by the ſaid Truſtees, but ſhall be ſubject and liable to pay a Fine not exceeding Five Pounds nor leſs than Twenty Shillings Sterling.

XLVII. And

Penalty on the Evaſion of Tolls.

XLVII. And be it further enacted, That if any Perſon or Perſons occupying Lands near any Turnpike which ſhall be erected in purſuance of this Act, ſhall knowingly or willingly permit or ſuffer any Perſon or Perſons whatſoever to paſs over or through the ſame, or through any Gate, Paſſage, or Way therein, with any Coach, Cart, or other Carriage, or with any Horſe, Aſs, Ox, or other Cattle, with an Intention to avoid Payment of the Toll, every ſuch Perſon or Perſons ſo offending, and the Perſon or Perſons driving ſuch Cart or other Carriage, Horſe, Aſs, or other Cattle, being convicted thereof by the Oath of any One or more credible Witneſs or Witneſſes, before any One or more of the Juſtices of the Peace of the County where the Offence ſhall be committed, or where the Offender reſides, ſhall for every ſuch Offence forfeit and pay to the ſaid Truſtees or their Collector or Collectors a Sum not exceeding Five Pounds nor leſs than Twenty Shillings Sterling.

Penalty on taking off Horſes, *etc.*

XLVIII. And be it further enacted, That if any Perſon or Perſons ſhall, at any Time during the Continuance of this Act, refuſe to pay the Tolls and Duties authorized to be levied by this Act at paſſing through any Turnpike or Toll Bar, or ſhall paſs through the ſame without paying the Tolls and Duties leviable thereat, or take off, or cauſe to be taken off, any Horſe, Mare, or Gelding, or Horſes, Mares, or Geldings, from any Coach, Chaiſe, Chair, Chariot, Berlin, Landau, Calaſh, or Hearſe, or any Horſe or Horſes, Ox or Oxen, or other Beaſts of Draught, from any Waggon, Wain, Cart, or other Carriage, before the ſame ſhall come to any of the Gates or Turnpikes erected by virtue of this Act, with an Intent to avoid paying any Tolls or Duties hereby impoſed, or ſhall put and leave in any Houſe or Place any Waggon, Wain, Cart, or other Carriage, Horſe, Mare, Gelding, or Cattle chargeable with or liable to pay the ſaid Tolls or Duties, with ſuch Intent as aforeſaid, each and every Perſon or Perſons ſo offending in any of the Caſes aforeſaid, and being convicted thereof by the Oath of any One or more credible Witneſs or Witneſſes, or his or their own Confeſſion, before any One or more of the Juſtices of the Peace for the County where the Offence ſhall be committed, or where the Offender reſides, ſhall forfeit and pay to the Truſtees appointed to put this Act into Execution, or to their Collector for the Time being, a Sum not exceeding Five Pounds nor leſs than Twenty Shillings Sterling.

Penalty on laying Rubbiſh, &c. on the Highways.

XLIX. And be it enacted, That, from and after the paſſing of this Act, no Perſon or Perſons ſhall make any Pits or Holes, nor ſhall lay down Dung, Lime, Compoſt, Rubbiſh, or any other Matter whatſoever for manuring Land, or any other Purpoſe (excepting always Stones, Wood, or other Materials for building Houſes which may occupy One-third Part of the Road only), on any of the ſaid Roads within the Counties of *Renfrew*, *Lanark*, and *Ayr*, under a Penalty not exceeding Five Pounds nor leſs than Twenty Shillings Sterling, beſides paying for the Expence of removing the ſame, and being obliged to fill up the ſaid Pits and Holes; and which Penalties ſhall be levied by the Warrant of any One Juſtice of the Peace of the Counties contained in this Act, by Diſtreſs and Sale as aforeſaid, upon Application by any One of the ſaid Truſtees, or a Perſon appointed by him or them; and One Moiety of ſuch Penalties ſhall go to the Informer, and the other Moiety to the Truſtees of the Road where ſuch Offences ſhall be committed.

L. And

Penalty for Carriages ſtanding on the Road, &c

L. And be it further enacted, That, from and after the paſſing of this Act, no Perſon or Perſons whatſoever ſhall leave Carts, Waggons, Wains, or Carriages, loaded or unloaded, ſtanding on any Road in the ſaid Counties, nor ſhall draw any Tree, Piece of Timber, or any Materials whatſoever upon the ſaid Roads, otherwiſe than on a wheeled Carriage, nor ſhall ſuffer any ſuch Wood, or any Materials whatſoever, being on a wheeled Carriage, to touch or drag on any of the ſaid Roads; nor ſhall drive along any of the ſaid Roads any Carriage of which the Nails on the Tire of the Wheels are not ſunk ſo as to make the Sole that touches the Road perfectly flat; and all Timber, Iron Bars, and other Articles exceeding Twenty-five Feet in Length ſhall be conveyed and carried in ſuch Manner as that the ſaid Timber, Iron Bars, and other Articles ſhall not project or extend over the Sides of the Carriages on which they are loaded, nor occupy more of the ſaid Roads than is occupied by the Carriage or Carriages on which they are placed; and the Breadth within the Wheels of ſuch Carriages ſhall not exceed Six Feet; nor ſhall any Perſon or Perſons do any Thing whereby any of the ſaid Roads or Streets of Burgh Towns and Villages through which the ſame paſs may be injured or obſtructed; and every Perſon offending in any of the ſaid Particulars ſhall pay the whole Damages thereby ſuſtained, and repair the Injury done to the ſaid Road or Street, and ſhall alſo, for every ſuch Offence, forfeit a Sum not exceeding Five Pounds nor leſs than Twenty Shillings Sterling.

Buildings erected within 30 Feet from the Middle of Highways to be pulled down.

LI. And be it enacted, That no Houſes or Buildings of any Deſcription (other than a Wall for the Purpoſes of Incloſure not exceeding Six Feet in Height) to be erected near the Sides of any publick Roads, or in any Villages or near the Outlets of any Town within the ſaid Counties where Houſes have not been formerly erected, or Streets laid off before the paſſing of this Act, ſhall be built within the Diſtance of Thirty Feet from the Middle of any of the ſaid publick Roads including the Foot Paths, under a Penalty not exceeding Forty Shillings Sterling for every Offence, and the Expence of demoliſhing ſuch Houſe or Building; and it ſhall be lawful for any Juſtice of the Peace to ſtop the Erection of every ſuch Houſe or Building which ſhall be within the ſaid Diſtance from the Middle of the ſaid Roads; and if any Building ſhall be erected hereafter within the Diſtance aforeſaid, any One or more Juſtice or Juſtices of the Peace, upon Application made to them by any One Truſtee, and upon Proof being adduced that the ſaid Building is within the Diſtance aforeſaid, may order ſuch Building to be pulled down and removed at the Expence of the Erector, or of the Proprietor of the Ground on which the ſame ſtands, and may grant Warrant for levying and recovering the ſaid Penalty and Expences as aforeſaid.

Roads to be meaſured, and Mile-Stones erected.

Penalty on breaking or defacing Mile-Stones, &c.

LII. And be it further enacted, That the ſaid Truſtees at any General Meeting may cauſe the ſaid Roads to be admeaſured, and Stones or Poſts to be erected thereon or near the Sides thereof, denoting the Diſtance of each Mile, or ſuch other Diſtance as they ſhall judge convenient, and may alſo cauſe Guide Poſts to be erected where neceſſary; and if any Perſon or Perſons ſhall wilfully break, deſtroy, damage, pull up, or remove any ſuch Stones or Poſts, or obliterate or deface any Letters or Figures that ſhall be inſcribed or put thereon, and ſhall be thereof convicted, by the Oath or Confeſſion of the Party offending, or of One or

more credible Witneſs or Witneſſes, before any One or more Juſtice or Juſtices of the Peace for the County wherein the Offence ſhall be committed, or the Offender reſides, ſuch Perſon or Perſons ſo offending ſhall reſpectively forfeit and pay any Sum not exceeding Five Pounds Sterling for every Stone or Poſt ſo wilfully broken, deſtroyed, damaged, pulled up, removed, obliterated, or defaced, to be levied and recovered in the ſame Manner as other Penalties are by this Act directed to be recovered and levied; and ſuch Forfeitures ſhall be applied, One Moiety to the Informer, and the other Moiety in repairing the Stones or Poſts ſo broken or pulled up, damaged or defaced, or in ſupplying new ones in their Stead, and if there ſhall be any Overplus of ſuch Forfeitures, the ſame ſhall be laid out in repairing the ſaid Roads.

to be levied by Diſtreſs and Sale.

No Horſes to be paſtured on ſaid Roads.

LIII. And be it enacted, That if any Perſon or Perſons ſhall, from and after the paſſing of this Act, paſture or leave or allow to be paſtured or left on the aforeſaid Roads, or any of them, or any other Road or Roads in any of the Pariſhes in the aforeſaid Counties, where there are Fences on the Sides thereof, although the ſame ſhould not be Turnpike, any Horſes, Sheep, Cows, or other Cattle, it ſhall and may be lawful for any One or more of the Juſtices of the Peace for the County where the Offence ſhall be committed, upon Application made to him or them by any Heritor in the ſaid Counties, or by any Perſon or Perſons having Authority from the ſaid Truſtees, to iſſue his or their Warrant for apprehending the Perſon or Perſons ſo offending as aforeſaid, and to bring them before him or them for Examination; and upon ſuch Offender or Offenders being convicted of ſuch Offence by the Oath of One or more credible Witneſs or Witneſſes, or the Oath or Confeſſion of the Party offending, it ſhall and may be lawful for ſuch Juſtice or Juſtices of the Peace to fine and amerciate ſuch Offender or Offenders ſeverally, in any Sum not exceeding Five Pounds nor leſs than Five Shillings Sterling for each and every Offence, to be levied and recovered in caſe of Non-payment, and to be applied in Manner herein-directed.

Truſtees to defray their own Expences.

LIV. And be it enacted, That the Truſtees of the ſaid Roads, at their Firſt and all other ſubſequent Meetings held in purſuance of this Act, ſhall defray their own Charges and Expences.

Actions may proceed in Name of the Clerk to the Truſtees.

LV. And be it enacted, That all Proſecutions under this Act, and for the Penalties and other Forfeitures above ſpecified, may proceed and be carried on in Name of and by Authority of the Clerk to the ſaid Truſtees, in whoſe Name Execution may paſs againſt the Defaulters.

Actions to be commenced within One Year after the Offence is committed.

LVI. And be it further enacted, That all Actions and Complaints for all and every the Penalties and Forfeitures impoſed by this Act, or for any Wrong done or Injury ſuffered in any Matter relative thereto, in conſequence of any of the Powers by this Act given and granted, ſhall be commenced within the Space of One Year after the Penalty or Forfeiture is incurred, or Wrong done or Injury ſuffered, and not afterwards.

Penalties how to be levied.

LVII. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed, if not directed by this Act to be otherwiſe levied, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hands of any One or more Juſtice or Juſtices of the Peace

Peace of the County where the Offence ſhall be committed, or where the Offender ſhall reſide, in the Option of the Truſtees, or of the Perſon or Perſons authorized by them to levy ſuch Diſtreſs, and the Perſons diſtraining ſuch Goods and Chattels are hereby authorized and empowered, after the Space of Four Days after ſuch Diſtreſs ſhall be made and taken, to ſell the Goods ſo diſtrained by publick Roup or Auction, at the neareſt Turnpike or Toll-Houſe to the Place where ſuch Diſtreſs ſhall be made, and return the Overplus Money (if any be) upon Demand, to the Owner or Owners of ſuch Goods and Chattels, after ſuch Penalties and Forfeitures, with the reaſonable Charges of diſtraining, keeping, and ſelling the ſame, ſhall be deducted and paid; and the ſaid Forfeitures when recovered, if not otherwiſe directed to be applied by this Act, ſhall be applied, One Moiety to the Informer, and the other Moiety towards carrying this Act into Execution, as the ſaid Truſtees ſhall direct; and where Money ſhall be payable for any Forfeiture or Penalty if the Officer ſhall report that ſufficient Effects for Diſtreſs cannot be found, and the Money due ſhall not forthwith be paid, it ſhall be lawful for any One Juſtice of the Peace for the County wherein the Offence ſhall be committed, to commit the Offender to the Common Gaol, there to remain for any Time not exceeding Three Calendar Months, unleſs ſuch Money, with the reaſonable Charges, be ſooner paid.

Perſons aggrieved may appeal to the Quarter Seſſions.

LVIII. And be it further enacted, That in caſe any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any Thing done in purſuance of this Act, and for which no particular Remedy or Method of Relief hath been already directed or appointed, it ſhall and may be lawful to and for him, her, or them, to appeal to the Juſtices of the Peace at the next Quarter Seſſions for the County wherein the Cauſe of Complaint ſhall have ariſen, or in caſe the Cauſe of Complaint ſhall ariſe within Fifteen Days before ſuch Quarter Seſſions, then ſuch Appeal may be made to the ſaid Juſtices at the Second Quarter Seſſions, who are hereby authorized and required to take ſuch Cognizance thereof, and to hear and determine the Complaint or Complaints of any Perſon or Perſons ſo aggrieved, and if they ſee Cauſe, ſhall and may, by Order of ſuch Meeting, mitigate, at their Diſcretion, all or any of the ſaid Forfeitures or Penalties impoſed or incurred by the ſaid Party or Parties complaining, or vacate and ſet aſide the Conviction or Convictions, and ſet the Parties at Liberty, or otherwiſe may ratify and confirm the ſame, with ſuch Coſts as to them in their Diſcretion may ſeem proper, and may levy by their Order or Warrant ſuch Coſts ſo awarded, by Diſtreſs and Sale of the Goods of any Perſon or Perſons who ſhall refuſe to obey the ſame; and for want of ſufficient Diſtreſs, to commit the Party to the Common Gaol of the County, for any Time not exceeding Three Months, or until Payment of ſuch Coſts ſhall be made; but the Perſon or Perſons ſo appealing as aforeſaid ſhall and they are hereby directed, to give Notice in Writing to the Defendant of ſuch Intention of bringing or proſecuting any Appeal, Fifteen Days before the ſaid Quarter-Seſſions, and ſhall within Five Days after ſuch Notice given, lodge, in the Hands of the Clerk to the ſaid Juſtices, a Bond ſigned by him, her, or them, and Two ſufficient Securities, obliging him or them to proſecute ſuch Appeal; and in caſe ſuch Appeal ſhall be diſallowed, to pay ſuch Coſts and Charges as the ſaid Juſtices ſhall direct in that Behalf, and every ſuch Appeal ſhall, at the ſaid Quarter-Seſſions, be

be there heard and finally determined, without being ſubject to Advocation, Reduction, or Suſpenſion.

Bye Roads may be ſhut up,

LIX. And be it enacted, That it ſhall and may be lawful to and for the Juſtices of the Peace of the ſaid Counties reſpectively, or any Two of them, to cauſe any Roads connected with the Roads included and directed by this Act to be made and repaired, and which are uſeleſs to the Publick to be ſhut up: Provided always, that in caſe any Perſon having Intereſt ſhall think himſelf aggrieved by the Act or Order of the ſaid Juſtices, for ſhutting up any Road, it ſhall be competent to him, upon good Cauſe ſhewn, to reduce the ſame, any Time within Three Years after the ſaid Road has been ſhut up, by a competent Proceſs before the Court of Seſſion.

Roads leading from *Elliſton* Bridge to be ſhut up,

LX. And whereas by the ſaid herein-before recited Act, paſſed in the Thirty-ſecond Year of the Reign of His preſent Majeſty, it is enacted, that the Road by *Elliſton* Bridge being rendered unneceſſary by the Erection of *Garthland* Bridge and Acceſs made thereto, the ſame ſhould be ſhut up and ceaſe to be uſed or conſidered as a Road: And whereas a Road has been made from *Garthland* Bridge to *Lochwinnoch*, by *Burnfoot*, *Chapelton*, and *Gateſide*, more level and commodious for the Publick than the Road by *Elliſton* Bridge; be it enacted, That the ſaid Road by *Elliſton* Bridge, and alſo all Roads leading to and from the ſaid *Elliſton* Bridge, and from *Garthland* Bridge to *Lochwinnoch*, ſhall be ſhut and ceaſe to be uſed and conſidered as Roads, ſave and except the ſaid Road from *Garthland* Bridge to *Lochwinnoch* by *Burnfoot*, *Chapelton*, and *Gateſide*.

Rate of Converſion to be levied in lieu of Statute Labour,

LXI. And whereas an Act was made in the Thirty-ſecond Year of the Reign of His preſent Majeſty, intituled, *An Act for making effectual the Statute Labour in the County of* Renfrew, *and for levying Converſion Money in lieu of Labour in certain Caſes; and for otherwiſe regulating, making, and repairing Highways and Bridges in the ſaid County:* And whereas the Truſtees thereby appointed were authorized to levy certain Converſions in Money from Perſons liable in Statute Services on the Highways, in lieu of actual Labour, and to lay an Aſſeſſment on the Heritors of Land for building Bridges, which Converſions and Aſſeſſments are inadequate to the Services to be performed, and inſufficient for the Purpoſes of maintaining and keeping in Repair the Roads and Bridges in the ſaid County, which are not Turnpike; be it therefore enacted, That the Truſtees for putting in Execution the ſaid Act may and they are hereby authorized to levy or cauſe to be levied on the ſame Days as are ſpecified in the ſaid Act, from all Occupiers of Land, whether Heritors or Tenants, in lieu of actual Labour, a Converſion in Money for the Lands occupied by them reſpectively, not exceeding One Pound Nine Shillings and Two-pence on each One hundred Pounds *Scots* of valued Rent; and where the Valuation ſhall not exceed Fifty Pounds *Scots*, the ſaid Truſtees may, in their Option, either levy from the Occupier the Aſſeſſment for his Land, or the Aſſeſſment after mentioned for keeping Horſes, or if he keeps no Horſes, the Aſſeſſments to which Houſeholders are liable to pay, as after mentioned; and the ſaid Truſtees may levy or cauſe to be levied from all Innkeepers, Carters, Carriers, and all Perſons keeping Horſes for Riding, Draught, or Carriage (not being Occupiers of Land), the Sum of Seven Shillings and Sixpence Sterling

Sterling for each Horſe; and if they ſhall rent any Land, they ſhall either pay the Compoſition Money due for their Horſes, or, in the Option of the Truſtees, the Compoſition in lieu of Statute Labour for the Lands ſo occupied by them.

Rate on Perſons not Occupiers of Land or keeping Horſes.

LXII. And be it further enacted, That the ſaid Truſtees may levy or cauſe to be levied from all Houſeholders, Labourers, Mechanics, Tradeſmen, and reſident Inhabitants above the Age of Sixteen Years, (Apprentices who receive no Wages for their Labour being always excepted), not being ſubject as aforeſaid as Occupiers of Land, Innkeepers, Carters, Carriers, or Perſons keeping Horſes for Riding, Draught, or Carriage, in lieu of Statute Labour, a Converſion for the ſame in Money, not exceeding Three Shillings Sterling yearly: Provided always, that no Servant or Labourer who ſhall *bonâ fide* be hired or engaged to work, during the Year or Half Year, under any Maſter ſubject to pay a Converſion in Money for the Land in which ſuch Servant or Labourer reſides or works, ſhall be liable in any Converſion except for Land which ſuch Servant or Labourer may occupy on his own Account: And provided alſo, that no eſtabliſhed Clergyman or Pariſh Schoolmaſter ſhall be liable to pay the Converſion in lieu of Statute Labour, unleſs they are Occupiers of Land as Proprietors or Tenants, in which laſt Caſe they ſhall be liable to pay for the Land ſo occupied by them.

Rate of Converſion may be abated.

LXIII. And be it enacted, That when the whole Roads in any One Pariſh ſhall be completely made, it ſhall be in the Power of the laſt mentioned Truſtees, at a General Meeting, to abate the Rate of Converſion in ſuch Pariſh, to ſuch Sum as ſhall to the ſaid Truſtees appear ſufficient to keep the Roads in ſuch Pariſh in Repair, and to vary the ſaid Abatement from Time to Time as they ſhall ſee Cauſe.

Payment to be enforced.

LXIV. And be it enacted, That if any Perſon liable as aforeſaid, ſhall refuſe or neglect on or before the reſpective Days ſpecified in the ſaid Act paſſed in the Thirty-ſecond Year of the Reign of His preſent Majeſty, to pay the aforeſaid Converſion, it ſhall be lawful for any One or more of the Juſtices of the Peace for the ſaid County, to grant ſummary Warrants for poinding, ſeizing, and diſtraining the Effects of the Defaulters or Defaulter for Payment of the converted Values before mentioned, and a Third Part more, beſides the Expence of Execution; which Warrants ſhall be granted, and the Juſtice or Juſtices of the Peace are hereby required to grant the ſame, upon an Application made by the Collector, and an Atteſtation ſigned by him, bearing that the Perſons complained upon, had been deficient in paying the Converſion above mentioned, any Thing in the ſaid Act of the Thirty-ſecond Year of the Reign of His preſent Majeſty notwithſtanding.

Treble Damages and Coſts may be awarded.

LXV. And be it further enacted, That it ſhall and may be lawful for any One or more of the Juſtices of the Peace aforeſaid to award Damages to the Treble Value, and Treble Coſts to be paid by the Collectors to the Perſons aggrieved by ſuch Warrants, if it ſhall be found that the Collectors have made a falſe and improper Accuſation of any Perſon liable as aforeſaid: Provided always, that no Appeal, Suſpenſion, or Complaint, ſhall ſtop the Payment of the Converſion Money, reſerving to the Party aggrieved, Action for Redreſs before the Juſtices of Peace of the ſaid

County of *Renfrew*, at their Quarter Seſſions, who may or ſhall award Relief, as they ſhall ſee Cauſe.

Certain Clauſes of this Act extended to Roads not Turnpike.

LXVI. And be it enacted, That all the Clauſes contained in this Act, which relate to the altering the Courſe or Line of Turnpike Roads in the County of *Renfrew*, to digging for, taking, and carrying away Materials for the Uſe of the ſaid Roads, and aſcertaining Damages for the ſame, to removing Nuiſances from the ſaid Roads, or any of them, and to levying Penalties for Injury done to the ſaid Roads, or any of them, ſhall be, and they are hereby extended to the Roads not Turnpike within the ſaid County of *Renfrew*, any Thing in the ſaid Act of the Thirty-ſecond Year of the Reign of His preſent Majeſty notwithſtanding.

Judgement of Quarter Seſſions to be final.

LXVII. And be it enacted, That in all Caſes and Cauſes ſubject by this Act to the Deciſion of the Juſtices of the Peace at their Quarter Seſſions aſſembled, the Judgement and Sentence of the ſaid Juſtices ſhall be final and concluſive, and ſhall not be ſubject to Advocation, nor to any Suſpenſion, Reduction, Appeal, or other Stay of Execution.

Bridge Money.

LXVIII. And be it further enacted, That it ſhall and may be lawful for the Truſtees of the Roads, along with the Commiſſioners of Supply for the ſaid County of *Renfrew* at the annual Meeting on the laſt *Tueſday* of *October* in Time coming, to aſſeſs the whole Heritors in the County in a Sum not exceeding Four Shillings and Two-pence Sterling upon each One hundred Pounds *Scots* of valued Rent, yearly, as the Lands ſtand valued in the Ceſs Books of the ſaid County, or ſhall be valued in Manner aforeſaid, in lieu of the Aſſeſſment authorized by the Sixteenth Act of the Second Parliament of King *Charles* the Second, to be levied by the Collector of Supply, at the ſame Time with the Land Tax of the ſaid County, and ſhall be applied by the ſaid Truſtees towards building, making, repairing, and upholding the Bridges in the ſaid County.

Expence of the Act to be paid.

LXIX. And be it enacted, That the Expences of procuring and paſſing this Act ſhall be paid from the Money borrowed or to be borrowed on the Credit of the Tolls and Duties authorized to be levied by this Act, and ſhall be made a Charge on each ſeparate Road, in Proportion to the Money borrowed or authorized to be borrowed on ſuch ſeparate Road.

Publick Act.

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

Commencement and Continuance of the Act.

LXXI. And be it enacted, That this Act ſhall commence and take place from and after the paſſing of this Act, and ſhall remain in force during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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