ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

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said Act has been found to be in other respects defective; and it is expedient that the said Act should be repealed, and that further and more effectual Powers should be granted for improving, repairing, and maintaining the said Roads and Bridges: And whereas a certain Portion of the Road from *Shin Bridge* to *Assynt*, both in the County of *Sutherland*, situated in a projecting Part of the County of *Ross*, has been made and maintained by the Trustees acting under the said recited Act; and it is expedient that the same should be improved, repaired, and maintained by the Trustees under this Act, and that the Powers of this Act should be extended to that Portion of the said County of *Ross* which so projects into the County of *Sutherland* as aforesaid; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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,

Recited Act repealed, and this Act to be put in force.

That from and after the First *Monday* of *September* next after the passing of this Act the said recited Act of the First and Second Year of the Reign of His Majesty King *George* the Fourth shall be repealed, and that this Act shall thereafter be put into execution for the Purposes herein-after mentioned.

Arrears of Assessments and Monies due under the former Act vested in the Trustees under this Act.

II. And be it enacted, That all Monies due to and all Property and all Rights of Action vested in the Trustees under the Act hereby repealed shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof as effectually as if the same had been vested in them under the said recited Act, and they shall be liable to all the Debts and Engagements to which the Trustees under the said Act were liable at the Repeal thereof.

Trustees.

III. And be it enacted, That every Person being a Freeholder or a Commissioner of Supply of the County of *Sutherland*, and every Person who in his own Right or in the Right of his Wife, or as a proper Wadsetter, now is or hereafter shall be in the actual Possession and Enjoyment of the *Dominium utile* of Lands or Salmon Fishings in the said County of *Sutherland* rented at One hundred Pounds Sterling, or valued in the Cess Books at One hundred Pounds *Scots*, or, in his Absence, One Person duly authorized and appointed by a written Mandate or Authority to act for any such Proprietor, Liferenter, or proper Wadsetter, and all and every the eldest Sons of such Proprietors, Liferenters, or proper Wadsetters, One Guardian or One Administrator in Law of each Minor or Person under legal Incapacity or Disability enjoying and possessing Lands of the Rent and Valuation aforesaid, One Trustee upon any Estate of the Rent or Valuation aforesaid, the Factor for his Grace the Duke and Earl of *Sutherland* over his Estates of the Earldom of *Sutherland*, the Factor for the said Duke over his Estates of the Lordship of *Reay*, the Factor for the said Duke over his Estates in the Barony of *Assynt*, the Factor on the Estate of *Skibo*, the Factor on the Estate of *Rosehall*, the Factor on the Estate

Estate of *Balnagowan*, and the Factors on the Estates of *Achany*, *Ospisdale*, *Embo*, and *Gruids*, respectively all for the Time being, every Tenant occupying Lands or Salmon Fishings in the said County of *Sutherland* under Lease or Missive of Lease at a clear yearly Rent of not less than Two hundred Pounds Sterling who shall be appointed at the First General Meeting or at any annual General Meeting to act as a Trustee, the Provost and Eldest Baillie of the Burgh of *Dornoch*, and the Sheriff of the County of *Sutherland*, and his Substitute, all for the Time being, shall be Trustees for putting this Act into execution.

Trustees not to hold Places of Profit.

IV. And be it enacted, That if any Trustee shall accept or hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Trustee during his Enjoyment of such Place of Profit, or during the Subsistence of such Contract; and that no Retailer of Beer, Ale, Wine, or Spirituous Liquors shall be capable of holding or enjoying any Office or Place of Trust or Profit or Collection under this Act.

First General Meeting, when to be holden.

V. And be it enacted, That for the Purpose of carrying this Act into execution the said Trustees shall hold their First General Meeting at *Dornoch* on the First *Monday* of *September* after the passing thereof, and that an annual General Meeting shall be held on the same Day in each Year thereafter.

Quorum of Trustees.

Adjournments.

VI. And be it enacted, That at any Meetings of the Trustees Three shall be a Quorum, and all the Powers of this Act may be exercised by any Three or more of the Trustees present at any Meeting holden in pursuance of this Act, and no Business shall be transacted at any Meeting of the Trustees unless Three or more Trustees shall be present at such Meeting; and if at any such Meeting there shall not be Three Trustees present within One Hour after the Time appointed for such Meeting, then it shall be lawful for the Trustees present, or the major Part of them, or One Trustee if only One be present, or the Clerk of the said Trustees in the Absence of any Trustee, to adjourn such Meeting to another Day; and Notice shall be given of the Day, Place, and Purpose of such adjourned Meeting in manner herein-after mentioned.

Chairman of Meeting, and Manner of voting.

VII. And be it enacted, That at every Meeting of the Trustees One of the Trustees present shall be elected Chairman by the Majority of Votes of the Trustees and Mandatories present at such Meeting, and all Questions considered at any such Meeting shall be decided by the Votes of the Majority present, and if there be an equal Division of Votes the Chairman, in addition to his own Vote as a Trustee, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, that One of the Trustees having equal Numbers of Votes whose Name would stand first if the Names of the Trustees present were alphabetically arranged shall be Chairman of such Meeting.

VIII. And

Adjourned Meetings.

VIII. And be it enacted, That every Meeting of the Trustees may be adjourned from Time to Time, and no Business shall be transacted at any adjourned Meeting, other than the Business left unfinished at the Meeting from which such Adjournment took place, unless special Notice shall be given in manner herein-after mentioned.

Special Meetings.

IX. And be it enacted, That it shall be lawful for the said Trustees to hold Special Meetings, and any Two or more Trustees may call such Special Meetings, or may require the Clerk to call such Special Meetings to be held, but no such Meeting shall be held unless Notice thereof shall be given as herein-after mentioned.

How Special Meetings to be called.

X. And be it enacted, That all Special Meetings to be held under the Authority of this Act shall be called by Advertisement inserted in any Newspaper in general Circulation in the County of *Sutherland* Fourteen Days before such Meeting, which shall state the Names of the Trustees calling such Meeting, and the Purpose for which it is called.

Orders not to be altered without Notice.

XI. And be it enacted, That no Order made by the said Trustees at any of their Meetings shall be altered or revoked unless at some Meeting called for that special Purpose, or unless Notice of such intended Alteration be delivered in Writing by Two or more Trustees to the Clerk at any annual General Meeting of their Intention to move such Amendment or Alteration at the ensuing annual General Meeting.

Power to appoint Committees.

XII. And be it enacted, That the said Trustees may appoint Committees of their own Number to take the Care and Management of any particular Part of the said Roads, or to execute any of the other Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the said Trustees at any General Meeting; and it shall be in the Power of the said Trustees at any of such General Meetings to add to such Committees such Tenants occupying Lands or Salmon Fishings in the said County of *Sutherland* under a Lease or Missive of Lease at a clear yearly Rent of not less than One hundred Pounds, as they shall deem expedient; and the said Committees may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

How Actions to be brought.

XIII. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this Act to be brought by or against the Trustees it shall be sufficient to state the Names of any Two of the Trustees, or the Name of their Clerk, as the Party, Pursuer or Defender, representing the Trustees in any such Action or Suit; and no such Action or Suit shall abate or be discontinued by the Death of any such Trustee, or by the Death or Suspension or Removal of such Clerk.

Trustee not incapable of acting as Sheriff or Justice.

XIV. And be it enacted, That a Person shall not be incapable of acting as a Sheriff or Justice of the Peace in any Manner relating to the Execution of this Act by reason of his being a Trustee.

XV. And

Creditor not incapable of acting as a Trustee or Justice.

XV. And be it enacted, That no Lender of Money to or Creditor of the said Trustees for or on account of Money lent or advanced to them or on their Account under the said recited Act hereby repealed or under this Act shall be thereby disqualified to act as a Trustee or Justice of the Peace in the Execution of this Act.

Appointment of Officers.

XVI. And be it enacted, That it shall be in the Power of the Trustees at any General Meeting to appoint and from Time to Time to suspend or remove their Clerk, Treasurer, Collector, Surveyor, and such other Officers as they may deem expedient, and to fix the Salary or other Emoluments to be allowed to any such Officer as they may think proper.

Officers under former Act to continue.

XVII. And be it enacted, That each and every Clerk, Collector, Surveyor, and other Officer, except the Treasurer, appointed or employed under the said recited Act, shall continue to hold and exercise their respective Offices and Employments until they shall be displaced or removed by the Trustees under this Act, or shall have resigned; and every such Clerk, Collector, Surveyor, and other Officer shall have the same Powers, and be subject to the like Rules, Regulations, Pains, and Penalties, as if they had been severally appointed under this Act.

Separation of Offices of Clerk and Treasurer.

XVIII. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be the Treasurer; and that neither the Person who shall hold the Office of Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any Person offend in any of the following Cases he shall for every such Offence forfeit One hundred Pounds; (that is to say,)

If any Person accept both the Offices of Clerk and Treasurer:

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person being the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of the Clerk, or in any Manner officiate for the Clerk:

If any such Treasurer or Clerk hold any Place of Profit or Trust under the Trustees other than that of Treasurer or Clerk, as the Case may be:

And any Person may sue for such Penalties by Action of Debt in any Court competent in *Scotland*, and shall on Recovery thereof be entitled to full Costs of Suit.

Books to be kept, and to be open to Inspection.

XIX. And be it enacted, That the Trustees shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several

several Matters for which such Sums of Money shall have been received or expended; and the Trustees shall also cause Notes, Minutes, or Copies, as the Case may require, of all the Orders and Proceedings of all Meetings, as well General as Special, of the Trustees and of their Committees, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendance of the Trustees; and all such Books shall at all seasonable Times be open to the Inspection of the Trustees and of every Creditor on the Rates or Assessments by this Act authorized to be made, and of every Person paying such Rates or Assessments, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Trustees, Creditors, and other Persons aforesaid, at seasonable Times, to take Copies of or Extracts from the said Books without paying any thing for the same; and if on Request for that Purpose the Clerk shall fail to permit any of the Trustees, Creditors, or Persons aforesaid to inspect such Books, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds.

Security to be taken.

XX. And be it enacted, That before any Person intrusted with the Custody or Control of Monies, whether Treasurer, Collector, or other Officer, shall enter upon his Office, the Trustees shall take sufficient Security from him for the faithful Execution of his Office.

Officers to account, on demand.

XXI. And be it enacted, That every Officer or Person employed under this Act shall, from Time to Time when required by the Trustees, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him under this Act, and such Account shall state how and to whom and for what Purpose such Monies shall have been disposed of, and together with such Account such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Trustees, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Summary Remedy against Parties failing to account.

XXII. And be it enacted, That if any such Officer fail to render such Account, or to produce and deliver up all the Vouchers and Receipts relating to the same, in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Three Days after being thereunto required he fail to deliver up to the Trustees, or to any Person appointed by them to receive the same, all Books, Papers, and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Trustees, then, on Complaint thereof being made to the Sheriff or a Justice, such Sheriff or Justice shall summon such Officer to appear before such Sheriff or any Two or more Justices at a Time and Place to be set forth in such Summons to answer to such Charge, and upon the Appearance of such Officer, or in his Absence upon Proof that such Summons was personally served upon such Officer, or left at his last known Residence or Place of Abode, such Sheriff or Justices may hear and determine the Matter

Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer or upon Evidence, or upon Inspection of the Account, that any Monies arising under this Act are in the Hands of such Officer or owing by him, such Sheriff or Justices may order such Officer to pay the same, and if he fail to pay the Amount it shall be lawful for such Sheriff or Justices to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for a Period not exceeding Three Months; and in any of the following Cases, (that is to say,)

If any such Officer do not appear before the Sheriff or Justices at the Time and Place appointed for that Purpose; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Sheriff or Justices the several Vouchers and Receipts relating to such Account; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, in his Possession or Power, relating to the Purposes of this Act, or belonging to the Trustees;

Such Sheriff or Justices may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody without Bail until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power: Provided always, that if any Trustee or other Person acting on behalf of the Trustees shall make Oath that he has good Reason to believe and does believe that it is the Intention of such Officer to abscond, it shall be lawful for the Sheriff or Justice before whom the Complaint is made, instead of issuing his Summons, to issue his Warrant for the bringing such Officer before such Sheriff or Two or more Justices as aforesaid; but no Person executing such Warrant shall keep such Officer in Custody longer than Twenty-four Hours without bringing him before the Sheriff or Two Justices to answer to the Charge as herein-before directed.

Sureties not to be discharged.

XXIII. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Trustees of any Remedy which they might otherwise have against any Surety of such Officer.

No Officer to be a Contractor.

XXIV. And be it enacted, That it shall not be lawful for any Officer acting in the Execution of this Act to contract for or have any Share or Interest in any Contract for making or repairing any Road or Building, or repairing any Bridge in the said County of *Sutherland*; and if any such Officer shall contract for or have or receive any Share or Interest in any such Contract, every such Officer so offending shall forfeit a Sum not exceeding Fifty Pounds, to

to be recovered and applied as any Penalty under this Act may be recovered and applied.

Books of Account and Proceedings or Copies to be Evidence.

XXV. And be it enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Act hereby repealed, and this Act, or Copies of or Extracts from such Books, certified by the Clerk, may be given and shall be received in Evidence in all Courts, and before all Judges, Justices, and others.

Trustees to render an annual Account.

XXVI. And be it enacted, That the said Trustees shall once in each Year cause to be prepared an Account in Abstract of the total Receipts and Expenditure of all Funds levied by virtue of this Act for the Year preceding, under the several distinct Heads for Receipts and Expenditure, with a Statement of the Balance of the said Account, duly attested and certified by any Three of the Trustees, and shall cause a Copy of such annual Account to be transmitted, free of Charge, to the Sheriff Clerk of the County of *Sutherland*, on or before the Thirty-first Day of *January* in each Year, which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the Trustees shall omit to prepare or transmit such Account as aforesaid they shall forfeit for every such Offence the Sum of Ten Pounds, besides being obliged still to transmit such Account.

Purposes of this Act.

XXVII. And be it enacted, That this Act shall be put in execution for the Purpose of more effectually repairing, improving, and maintaining the several Roads already made within the said County of *Sutherland* to which the Statute Labour of the same is applicable, and of building, repairing, and maintaining the necessary Bridges thereon, and also for repairing, improving, and maintaining the aforesaid Portion of Road in the said County of *Ross* and the Bridges thereon (all which Roads are specified in the Schedule (E.) hereunto annexed), for raising, levying, and applying the Conversions or Assessments for Statute Labour and the Bridge Money within the said County of *Sutherland*, and also in the aforesaid Portion of the said County of *Ross*, and for carrying into effect all the other Powers conferred by this Act.

Conversion in lieu of Statute Labour.

XXVIII. And be it enacted, That in lieu of the Statute Services leviable within the said County of *Sutherland* there shall be levied upon all Lands, Tenements, and Heritages, including Salmon Fishings, within the said County of *Sutherland*, a yearly Sum not exceeding One Shilling in the Pound Sterling of real Rents, which Assessment shall be payable by the Proprietors or Heritors of the Lands, Tenements, and Salmon Fishings respectively within the said County of *Sutherland*, and shall be leviable on the Thirtieth Day of *June* in every Year, by the Collectors to be appointed pursuant to this Act; and that where Lands, Salmon Fishings, or Tenements are liferented, or are in Wadset, or held on Lease of Ninety-nine Years Duration or upwards, the said Assessment shall be paid by the Liferenters or Wadsetters or such Leaseholders respectively.

XXIX. Pro-

XXIX. Provided always, and be it enacted, That where any such Proprietor, Liferenter, Wadsetter, or Leaseholder shall not own or hold Lands, Tenements, or Heritages within the said County which shall amount in the whole to the Sum of Ten Pounds Sterling of yearly Value, such Proprietor, Liferenter, Wadsetter, or Leaseholder shall not be assessed at a higher Rate than Sixpence in the Pound Sterling of real Rent.

Lands under the yearly Value of Ten Pounds to be assessed at Sixpence in the Pound.

XXX. And be it enacted, That each Proprietor, Heritor, Liferenter or Wadsetter or Leaseholder aforesaid, shall have Relief from their principal Tacksmen for One Half Part of the Assessments aforesaid, to be proportioned on the Amount of the real Rents payable by each of them respectively; and the said principal Tacksmen shall have Relief from their Sub-tenants in like Manner, according to a just and fair Proportion to be fixed and determined by the Trustees, if the Parties cannot agree among themselves.

Heritors to have a proportionate Relief from Tenants.

XXXI. And be it enacted, That every Proprietor, Heritor, Liferenter, Wadsetter, or Leaseholder aforesaid, or the Factor of such Person, shall furnish to the Clerk of the Trustees, at such Times as shall be fixed by the First General Meeting under this Act, or any other annual General or Special General Meeting called for that Purpose, an accurate and detailed Rental of all the Lands, Tenements, and Salmon Fishings of which they are possessed within the said County of *Sutherland*, together with the Value or Rent for which such Lands, Salmon Fishings, or Tenements in the natural Occupation of the Proprietor would let on a Tack of Nineteen Years, excepting Cases where Proprietors are limited to a shorter Period, in which Case the Rent is to be ascertained according to such Limitation; and after the Expiration of the Time so fixed for furnishing the said Rentals the Clerk shall forthwith prepare States of the said Rentals, and Assessments thereon; and the Amounts contained in the said Rentals, when approved of by the said Trustees at any annual or Special General Meeting called for the Purpose, shall be the Amount on which the said Assessment shall be assessed and paid: Provided always, that no such Rental shall be required oftener than once in Three Years.

Heritors and others to furnish the Clerk of the Trustees with detailed Rentals.

XXXII. And be it enacted, That in default of such Returns being so made, or in the event of the Trustees not being satisfied therewith, it shall be lawful for the said Trustees, on the Day of the annual Meeting in each Year, or at any Special General Meeting called for the Purpose, and they are hereby required, to assess all such Heritors, Liferenters, and proper Wadsetters and Leaseholders at such yearly Amount as they shall from the best Information they can procure determine to be the annual Rent or Value of the said Lands, Salmon Fishings, and Tenements; and that in order to enable them to make such Valuation they shall have Power, if they think fit, to call before them the respective Tenants of the Persons failing to make such Returns as aforesaid, or other Witnesses, and to examine them upon Oath as to the Amount of such Rent or Value.

In default of such Return being made, the Trustees to fix an annual Value by which to assess.

Power to call Witnesses to prove the Value.

In case of false Return, or no Return.

XXXIII. Provided always, and be it enacted, That where any Person shall make no Return, or shall make a false Return, such Person shall be assessed and pay, not only the Amount of the Assessment which he would otherwise legally be subject to pay, and Interest thereon, but likewise One Fifth Part more in addition thereto, for the first Year after such Failure or Default.

Rent in Kind.

XXXIV. And be it enacted, That where any Rent is payable in Kind it shall be estimated agreeably to the Fiars Prices of the Seven Years preceding such annual Payment.

Fr ascertaining Conversion payable for Lands in actual Possession of Proprietors, &c., not making satisfactory Returns.

Assessors.

Lists of the Occupiers and the Value of their Houses, &c. to be made by the Assessors, and returned annually to the Trustees.

Penalty on Assessors refusing to act.

Terms of Office.

Remuneration.

XXXV. And for ascertaining the Conversion payable for Lands and Salmon Fishings in the actual Possession of the Proprietor or of any Leaseholder aforesaid, provided he shall not have made a satisfactory Return for the same, and by the Occupiers of Burgh Roods, and Owners or Leaseholders aforesaid of Houses in Burghs, Towns, and Villages, be it enacted, That any Three or more of the said Trustees, at their First Meeting to be held after the passing of this Act, and yearly thereafter, may nominate and appoint such Number of fit Persons as Assessors, and to assign to them such District as the said Trustees shall think fit; and such Assessors shall, within the Space of One Calendar Month after their Appointment, yearly return upon Oath to the Trustees an exact List of all Lands and Salmon Fishings and Houses in the actual Possession of the Proprietor, and of the Occupiers of the said Burgh Roods, Lands, Houses, and others particularly before described, and the Rents of the said Burgh Roods and Houses where the same are in Tenantry, or, to the best of their Judgment, the annual Value of such Lands and Salmon Fishings, Burgh Roods, and Houses, where they are in the natural Possession of the Proprietor, or where the Rent paid by the Tenant cannot be ascertained; and the said Assessors are hereby required and shall be obliged to act and perform their Duty faithfully, according to the Intent and Meaning of this Act, under the Penalty of Five Pounds Sterling for every Offence, to be levied and applied in manner as herein-after mentioned; but no Person shall be obliged to hold the Office of Assessor for more than Two Years successively, nor shall again be bound to accept of the said Office during the Space of Four Years thereafter; and the said Trustees are hereby empowered to allow the said Assessors such Sum as shall appear to them reasonable for their Trouble; and no Person incapable through Age or Infirmity to act shall be liable to be appointed an Assessor; and the Payment of the Penalty for not acting shall exempt the Person paying from being again appointed for the Space of Four Years after such Payment.

Trustees to amend List.

XXXVI. And be it enacted, That it shall be lawful for the said Trustees and they are hereby required to amend and correct the Returns so to be made by the said Assessors, and to hear and determine Appeals by any Persons who may conceive themselves aggrieved thereby; and Notices of the Time and Place for hearing such Appeals shall be affixed on the Church Doors of the Parishes within which the Lands, Tenements, and Salmon Fisheries assessed are

situated

situated on One *Sunday* Ten Days at least before such Time of hearing such Appeals.

Rentals to be permanent, unless Notice is given to the contrary.

XXXVII. Provided always, and be it enacted, That after any such Rentals shall have been given in and approved of in manner herein-before directed it shall thenceforth be sufficient to specify any Variation that may have occurred therein after the preceding Return, unless a new List or new Lists shall be required by Notice in Writing directed by an Order of some General or Special Meeting given to the Party of whom the same may be required One Month at least before any such List is to be furnished.

Assessments may be altered.

XXXVIII. And be it enacted, That it shall be lawful for the Trustees at any annual General Meeting to alter or vary or to lower and again raise the several Assessments or Conversions authorized to be taken by this Act, as the said Trustees shall think expedient, but so that the Amount of such Assessments or Conversions shall at no Time exceed the Amount of the Assessments and Conversions herein-efore authorized.

Collector to pay as directed, and not to retain Money.

XXXIX. And be it enacted, That every Person appointed to act as a Collector in the Execution of this Act shall pay all Monies collected by him in such Manner and to such Person as he shall be directed by the said Trustees, and shall not retain in his Hands for the Space of Twenty Days a larger Sum than Twenty Pounds at any one Time; and if any such Collector shall not pay all such Monies in the Manner in which and to the Person to whom he shall be directed to pay the same, or if at any Time he shall retain in his Hands a larger Sum than Twenty Pounds for the Space of Twenty Days, every such Collector so offending shall forfeit the Sum of Twenty Pounds: Provided always, that no Monies deposited to the Credit of or paid into the General Funds of the said Trustees shall be drawn therefrom, except on the Order of a Quorum of a Committee of Trustees to be named for the Purpose, countersigned by the Clerk.

Mode of enforcing Payment of Assessment.

XL. And be it enacted, That if any Person liable in Payment of any Sum of Money arising from the foresaid Assessment and Conversion shall neglect or refuse to pay the same to the Collectors appointed by the said Trustees on or before the Day of Payment herein-before enacted, it shall be lawful for the Sheriff or any Two Justices of the Peace for the said County, on the Application of the Collector, to grant a Warrant for arresting any Monies or poinding the Effects of the Defaulter in a summary Way, and to apprize such Effects on the Spot where found, and afterwards to sell the same by public Roup, for the Payment of the Assessment so due, together with full Charges for recovering the same; and the Surplus, if any, shall be paid, on Demand, to the Person whose Effects shall have been poinded, or whose Money shall have been arrested; and if the Poinding Officer shall report that sufficient Effects for poinding cannot be found, and the Money due shall not forthwith be paid, it shall be lawful for the Sheriff or any Two Justices of the Peace for the said County of *Sutherland*, or of the County wherein the Defaulter

faulter shall reside, to commit him to the Common Gaol, there to remain for any Time not exceeding One Calendar Month, unless such Money, with the reasonable Charges, be sooner paid.

Evidence on which Warrants may be granted.

XLI. And be it enacted, That it shall be lawful for the Sheriff or Justices of the Peace as aforesaid, upon Application being made to them, with Attestation signed by any of the Collectors, certifying that the Person complained of is a Defaulter, and expressing therein the Arrears due by such Person to grant any such Warrant as aforesaid; provided that all such Complaints shall be brought within the Space of One Year after the Deficiency shall have been incurred or discovered.

Amount of existing Debt allocated and apportioned upon Proprietors of Lands.

XLII. And whereas it is just and reasonable that the Debts contracted and now due and owing by the said Trustees in the several Districts of *Assynt*, *Dornoch*, *Reay*, and *Sutherland*, into which the said County was divided by the said Act hereby repealed, in making and maintaining such Roads and Bridges, which Debts, as the same stood as on the Fifth Day of *September* One thousand eight hundred and forty-two, are specified in the Schedule (C.) hereunto annexed, should be allocated and apportioned upon the several Proprietors of Lands or Heritors within the said Districts in the said County of *Sutherland* according and in proportion to the real Rents of such Lands in such Districts respectively: And whereas the Amount of the real Rents of the several Proprietors of Lands or Heritors within the said County of *Sutherland*, as the same have been ascertained for the Purposes of the Statute Labour Assessment, and the Proportion of the said Debt effeiring to each such Proprietor or Heritor according to the Amount of his real Rent in each District, are severally specified in the Schedule (D.) hereunto annexed; be it therefore enacted, That the said Debt shall be and the same is hereby declared to be allocated and apportioned upon the several and respective Proprietors of Lands or Heritors in each of the said Districts in the said County of *Sutherland* in the Manner and according to the Proportions specified in the said Schedule (D.) hereunto annexed; and each such Proprietor or Heritor shall hereafter be liable to the said Trustees for and make Payment to them of the Proportion of the Debt so allocated upon him as aforesaid, with Interest to accrue thereon from and after the said Fifth Day of *September* One thousand eight hundred and forty-two.

Trustees to fix Rate and Periods of Payment of Interest.

XLIII. And be it enacted, That the said Trustees may at their First General Meeting to be held under this Act, or at any Adjournment thereof, fix and determine the Rate of Interest to be charged in respect of the Debts so allocated as aforesaid, and the Periods at which the same shall be payable, which Rate of Interest may exceed the Market Rate of Interest, but shall not exceed legal Interest; and every Proprietor or Heritor shall be bound to pay such Interest upon his Proportion of Debt at the Rate and at the Periods so fixed, with a Fifth Part more of liquidate Penalty in case of Failure, and the legal Interest thereof till the same shall be paid: Provided always, that the Interest to be fixed for the Period between the said Fifth Day of *September* One thousand eight hundred

hundred and forty-two and the First General Meeting shall not exceed what the said Trustees shall have themselves paid or been charged during that Period.

Heirs of Entail, &c. may borrow Money to the Extent of the Sum allocated upon them.

XLIV. And whereas, previous to the Year One thousand eight hundred and eleven, there was no made Road in the County of *Sutherland*, and since that Time, in addition to the Sums stated in the Schedule (C.) hereunto annexed, large Sums have been expended by the Proprietors of Lands in the said County in making Roads and Bridges therein, both in conjunction with the Commissioners for making and maintaining the Military and Parliamentary Roads and Bridges in the Highlands of *Scotland*, and in the making of Statute Labour and other Roads, for the Repayment of which Sums no Provision is or is intended to be made, by all which Expenditure the Estates of such Proprietors have been permanently improved in Value, and which Expenditure greatly exceeds in Amount the Sums stated in the said Schedule (C.); and it is therefore just and reasonable that Proprietors of entailed Estates in the said County should have Relief against their Estates in manner herein-after mentioned; be it enacted, That it shall be lawful for any Heir of Entail in Possession of an entailed Estate, or the Tutor or Curator of any Infant or Lunatic or other Person under any Disability or Incapacity, on whom such Debt is allocated as aforesaid, to borrow and take up on Loan, which Loan shall be paid by the Lender thereof in manner herein-after mentioned, any Sum of Money not exceeding the Amount of Debt so allocated upon such Heir of Entail or other Person, to enable him to pay the Portion of Debt so allocated upon him, and the Share of the Costs, Charges, and Expences of obtaining this Act effeiring to his Estate, to be ascertained and apportioned in manner herein-after mentioned, and a Sum sufficient to defray the Expences of procuring such Loan, and effectually to burden and charge such Estate, or any Portion thereof, by Heritable Bond, or Bond and Disposition in Security, but redeemable always, according to the Forms of the Law of *Scotland*, in favour of the Person who may lend such Money, in Security for Payment of the Sum so borrowed and the Interest thereof; and any Heir of Entail granting such Bond, or Bond and Disposition in Security, shall not incur any Irritancy or Forfeiture by reason of granting the same, or by reason of executing any Deed in relation to such Loan.

Loan to be paid into a chartered Bank.

XLV. And be it enacted, That when such Loan shall be effected the Money so lent shall be paid by the Lender, without Fee or Reward, into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, or the Commercial Bank of *Scotland*, or National Bank of *Scotland*, to the Credit of the Trustees for executing this Act, and shall when so paid produce the highest Rate of Interest that can be obtained for the same, which shall be annually accumulated and added to the Principal Sum until the same shall be uplifted as herein-after mentioned; and upon such Payment the Receipt of the Treasurer of the Bank of *Scotland*, or of the Cashier of the Royal Bank of *Scotland*, or of the Manager of the Bank of the *British* Linen Company, or of the Manager of the Commercial Bank

Bank of *Scotland*, or the Manager of the National Bank of *Scotland*, for such Money, shall be a full and complete Acknowledgment to such Lender for the Loan, and to his Heirs, Executors, Administrators, and Successors whatsoever, and the said Lender shall not be obliged to see to the Application of the said Loan or any Part thereof, or be answerable for the Loss or Misapplication or Non-application of the same.

Uplifting Loan, and Discharge of Proprietor borrowing.

XLVI. And be it enacted, That upon such Payment of such Loan to the Credit of the Trustees the said Sum and Interest may be uplifted, and shall be payable from the Bank into which the same shall have been paid, upon the Order or Draft of any Three or more of the Trustees, countersigned by the Clerk; and the Trustees shall also upon Payment into such Bank as aforesaid be bound in manner after mentioned, *pro tanto*, to acquit and discharge the Proprietor borrowing the same of the Proportion of Debt and Interest and Costs allocated on him as aforesaid.

Interest of Money borrowed to be paid by Heirs of Entail.

XLVII. And be it enacted, That such Heir of Entail, Tutor, Curator, and other Person so borrowing and charging the Estate as aforesaid, and every Heir of Entail succeeding to any such entailed Estate, shall be obliged to pay and keep down the Interest of any Sum so borrowed.

Power to Heirs of Entail to apply to the Court of Session for Authority to sell Portions of their Estates for Payment of Debt.

XLVIII. And for the Purpose of giving Relief to any Heir of Entail or other Person under any legal Disability or Incapacity, on whom such Debt is allocated as aforesaid, who may wish to sell a Portion of his Estate for Payment and Redemption of such Debt, be it enacted, That it shall be lawful for any such Heir of Entail, or the Tutor or Curator of any Infant or Lunatic, or other Person under any Disability or Incapacity, to apply by Petition to the Court of Session in either Division thereof, stating the Amount of the Debt so allocated and apportioned upon him as aforesaid, and the Share of the Costs, Charges, and Expences of obtaining this Act effeiring to his Estate as herein-after provided, what Part of the Estate it is proposed to sell, and that such Part has been selected so that the Sale thereof will be attended with as little Detriment as possible to the Residue of the Estate, and the Rent or annual Value thereof, and praying the Court to direct such Part of the Estate to be sold; and it shall be competent to the said Court, and the Judges thereof are hereby authorized and required, to proceed in a summary Way, and after due Notice of such Petition being given to all concerned in the Manner to be directed by the said Court, and hearing all Parties that may appear for their Interest, and the Allegations of such Petition being proved to the Satisfaction of the Court, the said Court shall authorize the Sale of such Part of the Estate so required to be sold as aforesaid, or so much thereof as the said Court shall think necessary or expedient to be sold, for Payment of such Debt and Costs as aforesaid, and against the Sale of which no sufficient Reason shall be stated by any Person having Interest.

How Sale to be made.

XLIX. And be it enacted, That the said Court shall grant Warrant authorizing any such Heir of Entail, Tutor or Curator, or other Person

son as aforesaid, to make sale and absolutely dispose of such Part of such Estate as aforesaid, either together or in Parts, by public Auction and Sale or Adjournment thereof, or by private Bargain, and if by public Auction then upon previous Advertisement in the *Edinburgh Gazette*, and in such Newspapers published in *Scotland* as the said Court shall direct, for Four successive Weeks, and if by private Bargain with the Approbation of the said Court.

Prices to be paid into Bank.

L. And be it enacted, That when such Sale shall be effected the Money arising therefrom shall be paid by the Purchaser, without Fee or Reward, into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, or the Commercial Bank of *Scotland*, or the National Bank of *Scotland*, to an Account to be opened in the Books of such Bank in the Name of the Estate of which a Portion may be so sold, and shall when so paid in produce the highest Rate of Interest that can be obtained for the same, which shall be annually accumulated and added to the Principal Sum until the same shall be disposed of and applied as herein-after mentioned; and upon such Price being paid in as aforesaid the Receipt of the Treasurer of the Bank of *Scotland*, or of the Cashier of the Royal Bank of *Scotland*, or of the Manager of the Bank of the *British* Linen Company, or of the Manager of the Commercial Bank of *Scotland*, or of the Manager of the National Bank of *Scotland*, for the Money respectively paid to them, shall be a full and complete Discharge of the Price to such Purchaser, and to his Heirs, Executors, Administrators, and Successors whatsoever; and from thenceforth such Purchaser, or his Heirs, Executors, Administrators, and Successors, shall be and are hereby absolutely acquitted and discharged of and from the said Price, and shall not be obliged to see to the Application thereof or any Part thereof, or be answerable or accountable for any Loss, Misapplication, or Nonapplication thereof, or of any Part of the same.

Heirs of Entail to grant Conveyances.

LI. And be it enacted, That upon the Price being so paid in to any of the said Banks as aforesaid it shall be lawful to the Heir of Entail in Possession of the Lands whereof Part may be so sold, or the Tutor or Curator of such Heir, or other Person as aforesaid, and they are hereby required, to execute and deliver, under the Authority of the said Court, good and effectual Dispositions and Conveyances, containing Procuratories of Resignation, Precepts of Sasine, and all other usual and necessary Clauses, of such Parts of the Estate as shall be sold as aforesaid, in favour of the Purchaser thereof, his Heirs or Assignees; and no Heir of Entail shall incur any Irritancy or Forfeiture by reason of executing such Conveyances or other Deeds relating to such Sales.

Failing Payment by Proprietors, Debts may be made real Burdens.

LII. And be it enacted, That failing Payment by any Proprietor to the said Trustees of the Proportion of Debt and Costs allocated upon him as aforesaid, and failing such Proprietor effecting Loans upon or Sales of Portions of his Lands in manner above provided, so as fully to pay off the Proportion of Debt and Costs so allocated upon him as aforesaid, it shall be lawful to the said Trustees at any annual

annual or at any Special General Meeting to be called for that Purpose to appoint to be registered in the Particular Register of Sasines for the said Shire of *Sutherland* or in the General Register of Sasines at *Edinburgh* a Certificate under the Hand of the Clerk to the said Trustees of the Proportion of Debt and Costs allocated as aforesaid upon any such Proprietor, and Interest thereon, or such Part thereof as may remain unpaid, to which Certificate there shall be subjoined a Certificate under the Hand of the Clerk of Supply of the said Shire of the Lands for which such Proprietor stands rated in the Cess Books thereof, and such Registration shall constitute the Amount contained in the said Certificate, and Interest thereon, a real Burden from the Date of such Registration, upon such Lands, in favour of the Trustees, which real Burden shall be preferable upon the said Lands according to the Date of such Registration; and the Trustees in manner herein-before provided may thereupon, for the Recovery of such real Burden, institute and follow forth against the Person, and Estates, Heritable and Moveable, of such Proprietor, all Action and Diligence competent by the Law of *Scotland* for the Recovery of real Burdens and *debita fundi*, and to adjudge and bring to Sale any Part of the Estate so burdened in manner herein-after provided.

Power to apply to Court of Session for Warrant to sell.

LIII. And be it enacted, That if it shall be necessary to adjudge and bring to Sale any Part of the Estates of any such Proprietor, it shall be lawful for the said Trustees, in manner herein-before provided, to institute a summary Action before the Court of Session, by Petition to the said Court in either Division thereof, stating the Amount of Debt allocated and apportioned upon any such Proprietor, and made a real Burden on his Estate as aforesaid, and the Share of the Costs, Charges, and Expences of obtaining this Act effeiring to his Estate, as herein-after provided, and Interest included in such real Burden as aforesaid, what Part of such Estate it is proposed to sell, and that such Part has been selected so that the Sale thereof will be attended with as little Detriment as possible to the Residue of the Estate, and the Rent or annual Value thereof, and praying the Court to direct such Part of the Estate to be sold; and it shall be competent to the said Court, and the Judges thereof are hereby authorized and required, to proceed in a summary Way, and after due Notice to the Proprietor or Heritor in Fee Simple or Tailzie of such Estate, or where such Proprietor is an Infant or Minor or a Lunatic to his Tutor or Curator, and to all concerned, in such Manner as may be directed by the said Court, and hearing all Parties that may appear for their Interest; and the Allegations of such Petition being proved to the Satisfaction of the Court, it shall be competent for the said Court to order Production of such Title Deeds, Extracts, and Transumpts as they shall consider necessary; and the said Court shall authorize the Sale of such Part of the Estate so required to be sold as aforesaid, or so much thereof as the said Court shall think necessary or expedient to be sold for Payment of such Debts and Costs as aforesaid: Provided always, that it shall not be competent for any Person in right of Debts of any Entailer, or for any prior Heritable Creditor, to object to such Sale,

Sale, unless such Person or Creditor shall show that the Remainder of such Estate is not of adequate Value for Payment of such prior Debts.

How Sale to be made.

LIV. And be it enacted, That the said Court shall grant Warrant to the said Trustees to expose and sell such Part of such Estate as aforesaid, either together or in part, and that by public Auction and Sale, or Adjournment thereof from Time to Time, upon previous Advertisement in such Newspapers in *Scotland* as the said Court shall direct, for Four successive Weeks, and at such upset Prices and upon such Conditions as the said Court shall authorize and approve of; and such Sale shall be absolute and irredeemable, and subject to no legal Reversion whatever.

Prices to be paid into the Bank.

LV. And be it enacted, That when such Sale shall be effected the Money arising therefrom shall be paid by the Purchaser, without Fee or Reward, into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, or the Commercial Bank of *Scotland*, or the National Bank of *Scotland*, to an Account to be opened in the Books of such Bank to the Credit of the Trustees for executing this Act, in Name of the Estate of which a Portion may be so sold, and shall when so paid in produce the highest Rate of Interest that can be obtained for the same, which shall be annually accumulated and added to the Principal Sum until the same shall be disposed of and applied as herein-after mentioned; and upon such Price being paid in as aforesaid the Receipt of the Treasurer of the Bank of *Scotland*, or of the Cashier of the Royal Bank of *Scotland*, or of the Manager of the Bank of the *British* Linen Company, or of the Manager of the Commercial Bank of *Scotland*, or of the Manager of the National Bank of *Scotland*, for the Money respectively paid to them, shall be a full and complete Discharge of the Price to such Purchaser, and to his Heirs, Executors, Administrators, and Successors whatsoever, and from thenceforth such Purchaser, or his Heirs, Executors, Administrators, and Successors, shall be and are hereby absolutely acquitted and discharged of and from the said Price, and shall not be obliged to see to the Application thereof or any Part thereof, or be answerable or accountable for any Loss, Misapplication, or Nonapplication thereof or of any Part of the same.

In what Manner Title of Purchaser shall be completed.

LVI. And be it enacted, That upon the Price being so paid into any of the said Banks as aforesaid it shall be lawful to the said Court, and the Judges thereof are hereby authorized and required, upon the Application of the said Trustees, to decern, adjudge, and declare such Part of such Estate which shall have been sold as aforesaid to be transferred to and vested in the Purchaser, with all Right, Title, and Interest thereto, to the same Effect and as fully as if a Decree of Adjudication in Implement of Sale had been pronounced in his Favour, to ordain an Abbreviate of such Decree to be recorded in the Register of Abbreviates of Adjudications, to decern and ordain the Purchaser to be infeft in such Part of such Estate to be holden of such Proprietor's Superior thereof, and for that Purpose to ordain such Superior to grant Charter of Adjudication in Implement in favour of such

such Purchaser, his Heirs and Assignees, as also to ordain such Proprietor or Tutor or Curator aforesaid to deliver up the Titles thereof, or, where the same contain other Lands of greater Value, Transumpts of such Titles, and to make the said Titles themselves forthcoming when necessary, upon sufficient Receipt and Obligation for their Redelivery; and upon obtaining and recording such Decree as aforesaid, and upon obtaining such Charter, such Purchaser and his foresaids may be infeft and shall thereupon hold such Part of such Estate as Heritable Proprietor thereof in Fee Simple absolutely and irredeemably.

Court to order Payment of Debts.

LVII. And be it enacted, That after any Sale shall be accomplished, and the Purchase Money paid as aforesaid, the said Court shall issue their Warrant for the Payment of the Amount of the Debt and Costs in respect of which such Sale shall have been made to the said Trustees, and that upon the Application of any Three of the said Trustees; and the Receipt of any Three Trustees, countersigned by the Clerk, shall be a sufficient Discharge to the Bank for such Payment, after Warrant being granted as aforesaid.

Discharge of Proprietors.

LVIII. And be it enacted, That upon Payment of such Proportion of Debt, Interest and Costs, by any Proprietor, or upon uplifting the same from the Proceeds of any Loan or Sale as aforesaid, any Three or more of the Trustees shall by Deed under their Hands, if required, discharge such Proprietor or Tutor or Curator aforesaid, and also the Estates of such Proprietor or Ward of such Tutor or Curator, of the Proportions of Debt, Interest, and Costs allocated as aforesaid.

Surplus of Price of entailed Lands how to be applied.

LIX. And be it enacted, That in case a Surplus exceeding the Sum of Twenty Pounds shall remain of the Price of any Lands which may be held under Settlement of strict Entail, and which may be sold under the Authority of this Act as aforesaid, after Payment of the Debts and Costs for the Payment of which such Lands may be so sold, and defraying the Expences of carrying such Sales into effect, the Judges of the said Court of Session shall, upon a Petition to be presented to them in a summary Way by any Heir of Entail, or the Tutor or Curator of any Infant or Lunatic or other Person under any Disability or Incapacity, order that such Surplus shall be laid out and employed in the Purchase of other Lands contiguous to or convenient for the Residue of the Estate remaining unsold, which shall be limited and settled to the same Person or Persons, for the same Uses and Purposes as the Lands sold as aforesaid stood limited and settled, and in the meantime and until the Money shall be so applied to order that the same shall remain in the Bank of *Scotland*, Royal Bank of *Scotland*, Bank of the *British* Linen Company, Commercial Bank of *Scotland*, or National Bank of *Scotland*, as the Case may be, subject to the Direction of the said Court; and the Interest arising from the Money so paid in shall annually accumulate and be added to the Principal, so that they may carry Interest together until a proper Purchase in Lands shall be found, to be limited in the Manner herein-before directed.

LX. And

Accumulations of such Surplus how to be paid.

LX. And be it enacted, That when a Sum equal to the Amount of the Surplus directed to be paid into the Bank of *Scotland*, Royal Bank of *Scotland*, Bank of the *British* Linen Company, Commercial Bank of *Scotland*, or National Bank of *Scotland*, shall be reinvested in the Purchase of new Lands as aforesaid, then and in that Case the Sum of Accumulations which shall remain after discharging the Expence of Applications to the said Court in regard to such Accumulations shall be paid to the Person who would have been entitled to receive the Rents and Profits of the Lands so authorized to be sold by this Act, or to the Representatives of such Person.

Sums not exceeding 20*l.* to be paid to Parties.

LXI. And with respect to any such Surplus which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Person who would have been entitled to recover the Rents and Profits of the Lands so sold, or the Representatives of such Person.

Surplus of Price of Fee Simple Lands to be paid to Parties.

LXII. And with respect to any such Surplus which shall remain of the Price of any Lands held in Fee Simple which may be sold under this Act, be it enacted, That the same shall be paid to the Person whose Lands may have been so sold, or the Representatives of such Person.

Power to Trustees to borrow Money.

LXIII. And be it enacted, That it shall be lawful for the said Trustees from Time to Time to borrow at Interest on the Credit of the Assessment or Conversion by this Act granted any Sum of Money to the Amount of One Third Part of Ten Years Conversions, estimating the Value of each Year's Conversion by that of the Year immediately preceding that in which the Money shall be borrowed, and in the event of any Part of such Sum of Money being repaid by the Trustees, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Amount of One Third Part of Ten Years Conversion as aforesaid in the whole at any one Time; and for securing the Repayment of the Money so borrowed, with Interest, the Trustees, or any Three or more of them, may assign over the said Assessments or Conversions and Property, or any Part thereof, to the Person who shall advance or lend such Money, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Form of Assignment.

LXIV. And be it enacted, That every such Assignment shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Hands of any Three or more of the Trustees, and may be according to the Form in the Schedule (A.) to this Act annexed, or to the like Effect.

Trustees not personally liable.

LXV. And be it enacted, That the said Trustees shall not be held or adjudged to have rendered themselves personally liable for the Repayment of any Money borrowed, or Interest thereof, by reason of their having signed the Securities, which Securities are to be held and considered as granted upon the Credit of the Assessments or Conversions assigned; nor shall any Trustee or Subscriber be held personally

personally liable upon any Pretext for Payment of any Sum which he shall not have bound himself to pay as an Individual, independent of his Office as a Trustee under this Act.

Register of Assignments to be kept, and to be open to Inspection.

LXVI. And be it enacted, That a Register of such Assignments shall be kept by the Clerk to the Trustees, and within Twenty-one Days after the Date of any such Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Designations, shall be made in such Register, and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward.

Assignments to be without Preference.

LXVII. And be it enacted, That all Persons to whom such Assignments or Securities shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Assessments or Conversions equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Securities or Assignments respectively.

Expences of Assignment.

LXVIII. And be it enacted, That the Expences of every Assignment shall from Time to Time be defrayed by the Trustees out of the Money raised by the same.

Transfer of Assignment.

LXIX. And be it enacted, That from Time to Time any Party entitled to any such Assignment may transfer his Right and Interest therein to any other Person, by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (B.) to this Act annexed, or the like Effect.

Register of Transfers to be kept.

LXX. And be it enacted, That within Twenty-one Days after the Date of every such Transfer it shall be produced to the Clerk to the Trustees, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made, in the same Manner as in the Case of the original Assignment, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assignees, to the full Benefit of the original Assignment in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Assignment so transferred, or any Money thereby secured.

Money to be applied towards Repair of Roads specified in Schedule(E).

LXXI. And be it enacted, That it shall not be lawful for the said Trustees, except as herein-after provided, to apply any Part of the Money to be raised under this Act, or which shall be received by them in virtue thereof, towards the Repair, Improvement, or Maintenance of any Roads, other than those specified in the said Schedule (E.) hereunto annexed, and such Money shall be equally applied towards the Repair, Improvement, and Maintenance of the whole of such last-mentioned Roads in reference to the State of Repair and the Traffic thereupon, and no Road shall have Preference or Precedence over any other Road in respect of Maintenance:

tenance: Provided always, that all Arrears of Assessments which may be due prior to the Commencement of this Act may be applied towards the Repair and Maintenance of any of the Roads within the respective Parishes in which such Arrears may have accrued.

Trustees may erect Fences, and shut up useless Roads.

LXXII. And be it enacted, That it shall be lawful for the said Trustees to build Fences, and to shut up and suppress public Roads of every Description, which may appear useless or of little Importance to the Public, not being Turnpike Roads, and to alter the Direction, or open another Road in lieu of that shut up: Provided always, that before shutting up any such Road the Consent of the Proprietor of the Lands through which such Road shall pass shall have been obtained in Writing, and that Notice of the Resolution to shut up any such Road be given by written Notice at the Churches of the Parishes through which the said Road passes for Two consecutive *Sundays*, One Month at least before the said Road shall actually be shut up, and that any Person who shall think himself aggrieved by such Resolution may apply to the Sheriff of the County of *Sutherland*, who, if he see Cause, is hereby empowered to suspend the Execution thereof until the next General Meeting of Trustees, or any Special General Meeting called for that Purpose, who shall hear and determine therein, subject to appeal to the Quarter Sessions.

Power to erect Bridges, &c.

LXXIII. And be it enacted, That the said Trustees shall have Power to cause to be built new Arches and Bridges of Stone, Brick, Iron, or Timber, or other suitable Materials, and they may also cause to be erected Mounds, Embankments, and Parapets, of such suitable Materials, on the said Roads, and to cause to be taken down old Bridges become unnecessary, and to apply the Materials thereof as they shall see proper for the Purposes of this Act, and also to cause such Parts of the said Roads as are not of sufficient Width to be widened to any Breadth not exceeding Forty Feet of Roadway clear of the Ditches, and to cause the Course of such Parts of the said Roads as they shall think proper to be altered, for shortening the same, or making them more commodious and level, or for improving the Approach to any public Ferry, and the Road so altered and widened shall thereafter be taken and held to be a public Highway, and comprehended within this Act.

Trustees may take Materials for making and repairing Roads, &c.

LXXIV. And be it enacted, That the said Trustees, or such Person as they shall appoint, may dig, gather, take, and carry away Gravel, Whins, Heather, Stones, or other such Materials out of the several Grounds of any Person within the Limits to which this Act extends where such Materials may be found, not being dug or raised for the private Use of the Proprietor of such Grounds, for repairing, improving, and mending the said Roads, or for building Arches or Bridges, or other the Purposes of this Act, and to open Accesses for carrying off the said Materials, such Accesses, and the Places from which the said Materials shall be proposed to be taken, being first marked out by any of the said Trustees, or any Justice of the Peace, if so required, by the Proprietor of such Grounds, or his Factor, or by the Occupier thereof, they the said Trustees making reasonable Satisfaction, out

Satisfaction to be made to Owners or Occupiers.

out of the Money arising by virtue of this Act, to the Owners or Occupiers of the Grounds respectively from which such Materials shall be taken, or over which the same may be carried, for the Damages to be done thereby, where the Lands from which the same are taken are enclosed, arable, or in Grass; but if such Proprietor, Factor, or Occupier shall not be satisfied with the Compensation offered by the said Trustees the same shall be ascertained by Two or more Justices of the Peace of the said County of *Sutherland*, which Compensation shall be levied and recovered in like Manner as any Penalties or Forfeitures are herein-after authorized to be levied and recovered.

Materials not to be taken from enclosed Lands without Notice to Occupier.

LXXV. Provided nevertheless, and be it enacted, That it shall not be lawful for the Trustees, or any other Person, under the Authority of this Act, to dig, gather, take, and carry away Materials for repairing, improving, amending the said Roads, or for building Bridges thereon, from any enclosed Lands or Grounds, until Ten Days previous Notice in Writing shall have been given to the Owner and Occupier of the Premises from which such Materials are to be taken, or left for such Owner and Occupier, at his usual Place of Residence, to appear before Two Justices of the Peace acting for the said County of *Sutherland*, to show Cause why such Materials should not be had from such Lands or Grounds; and in case such Owner or Occupier shall attend pursuant to such Notice such Justices shall, if they think proper, authorize such Surveyor or other Person to dig, gather, take, and carry away such Materials at such Time or Times as to such Trustees, or any Three or more of them, or to such Justices, shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or his Agent the said Trustees, or any Three or more of them, or such Justices, may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier or Agent had attended.

No House or Orchard to be prejudiced if Walls above Twenty Feet high.

LXXVI. And be it enacted, That in altering or widening any of the said Roads, or digging or taking Materials as aforesaid, no House or Building shall be prejudiced of which the Side Walls are above Twenty Feet high from the Surface of the adjoining Ground, or any Garden, Orchard, or planted Walk, Lawn, or Pleasure Ground appertaining to such House, without the Consent of the Owner thereof; and it shall be in the Power of each Proprietor of Lands comprehended under this Act to the Extent of One hundred Pounds of valued Rent, where any of the before-mentioned Lines of Road come near to his Mansion House, to cause the same to be turned off Three hundred Yards therefrom, with the Consent of the Owners and Occupiers of the Lands over which such Deviation is to be carried.

Power to make Side Drains.

LXXVII. And be it enacted, That it shall be lawful for the Trustees of the said Roads to make and maintain sufficient Parapet Walls and Side Fences and Side Drains on any of the said Roads, with Power to conduct the Water from such Drains into any adjoining Land, Ditch, or Watercourse (such Land not being the Site of

of any House or Garden), in such Manner as shall be least injurious to the Proprietor or Occupier of such Land.

Trustees to make Ditches.

LXXVIII. And be it enacted, That it shall be lawful for the Trustees to make sufficient Ditches along the Side of any of the said Roads, provided that if the Land is enclosed on the Side of such Road such Ditch shall be made on the Field Side of the Fence, and also to make proper Ditches and Outlets from the said Side Ditches through any Lands adjoining any such Road (not being the Site of any House or Garden), in such Manner as shall be least injurious to the Proprietor and Occupier of such Land; and the Occupier of such Land (unless such Land be unenclosed and waste) shall be obliged in all Time thereafter to keep clear such Side Ditches and other Ditches or Outlets, as well as all such Ditches already made along the Sides of any Road, when so required by the said Trustees or their Surveyor; and in case the Proprietor or Occupier shall neglect or refuse to cleanse such Side Ditches or other Ditches or other Outlets, when duly required by such Trustees or Surveyors, such Trustees or Surveyors are hereby empowered to cleanse such Side Ditches or other Ditches or Outlets, and levy the Expence thereof from the Occupier of such Grounds, in the same Manner as other Penalties by this Act imposed: Provided always, that nothing herein contained shall prohibit any Proprietor or Occupier from substituting, to the Satisfaction of the Trustees, any other equally effectual Ditch or Outlet in place of that constructed by the Trustees.

Ditches on the Sides of the Roads to be scoured.

LXXIX. And be it enacted, That where any Ditches have been or hereafter shall be made near the Sides of the said Roads, or through any Fields adjoining thereto, by the Proprietors or Occupiers of the said Fields, such Proprietors or Occupiers shall and they are hereby required to keep those Ditches properly scoured, and not to allow the Water to stagnate therein, so that the Roads may be thereby damaged; and if they fail to do so, after Six Days Notice in Writing previously given, the said Trustees, or the Overseers of the Roads, by the Direction of any of the Trustees, may and are hereby required to order the said Ditches to be opened, scoured, and cleansed, at the Cost of the said Proprietors or Occupiers, such Costs to be recovered by Distress and Sale of any Moveable Effects, in the same Manner as herein-before directed for levying the Assessment hereby granted.

Expences of Ditches and Drains how to be paid.

LXXX. And be it enacted, That the Drains and Ditches to be made by the Order of the said Trustees shall be scoured and kept in repair out of the Money arising by virtue of this Act; and if any Occupier of Land through which such Drains and Ditches are or shall be made shall obstruct or fill up any of them, the Person so offending shall forfeit and pay Treble the Expence of repairing and scouring the same, to be recovered in manner herein-after mentioned, and the said Occupier shall be deemed the Transgressor, unless it shall appear to the Trustees that he was not in default; and where any Passage for Cattle or Carriages across any Road for the Convenience of the Occupier of the Ground through which it passes shall be made, the Occupier of such Ground shall always cover the Drains, on both Sides

Sides of such Roads where such Passage shall be made with sufficient Stones, so as the Course of the Water may not be interrupted, or the Road thereby prejudiced; and no Occupier of Land shall turn any Water upon the Side of any of the said Roads, or conduct it across any Part thereof, until he shall have obtained the Consent of the said Trustees in a General or Special Meeting assembled; and every such Occupier shall be obliged to carry the Water across the Road in a covered Drain, of such Depth and Construction as the said Trustees shall order and direct.

Regulations as to driving Carriages.

LXXXI. And be it enacted, That no Driver of any Waggon, Cart, or other Carriage, Horse, Ass, Mule, or other Beast of Burden, whether the same be loaded or unloaded, shall drive or permit the same to travel or pass upon the said Roads or any Part thereof abreast or alongside of any other Waggon, Cart, or other Carriage, Horse, Ass, Mule, or other Beast of Burden, so as wilfully to obstruct the free Passage of the said Roads or any Part thereof; and every Person and Persons offending in the Premises shall forfeit a Sum not exceeding Twenty Shillings Sterling for each Offence.

Further Regulations as to driving.

LXXXII. And be it enacted, That the Driver of every Waggon, Cart, or other Carriage, Horse, Ass, Mule, or other Beast of Burden, upon the said Roads or any Part thereof, shall be obliged, upon meeting another Waggon, Cart, or other Carriage, Horse, Ass, Mule, or other Beast of Burden, to make way, by holding or driving to his own Left Hand, or what is commonly called holding to the Near Side, and that without Distinction, whether the Waggon, Cart, or other Carriage, Horse, Ass, Mule, or other Beast of Burden, so meeting one another, is loaded or unloaded; and every such Carriage, Horse, or other Beast of Burden, overtaking any other Carriage, Horse, or other Beast of Burden, shall pass on the Right-hand Side thereof; and every Person offending in the Premises shall forfeit a Sum not exceeding Twenty Shillings Sterling for every such Offence.

Footpaths may be made.

LXXXIII. And be it enacted, That the said Trustees may cause Footpaths of the Breadth of Five Feet to be made along the Sides of the said Roads in such Places as can conveniently admit of the same; and if any Person shall ride or drive a Carriage or Cattle upon any Paths made or to be made, or shall in any way wantonly or maliciously injure the same, every such Person shall for every such Offence forfeit a Sum not exceeding Five Shillings, to be levied in manner herein-after directed.

Trees on the Sides of the Roads to be lopped.

LXXXIV. And be it enacted, That where the Ground on the Side of any of the said Roads is enclosed or planted the Proprietors or Occupiers of such Grounds shall be obliged to lop all Trees or Hedges within Twenty Feet of the Centre of any Road at a proper Season of the Year, in a proper Manner, so as to give sufficient Breadth and Air to the Road, and so as the Hedges shall not exceed in Height Five Feet from the Level of the Road; and in case they neglect or refuse to do so for Six Months after being required by a written Order of any Three or more of the Trustees, the Trustees shall have Power to appoint the same to be done, at a proper Season

Season of the Year, at the Defaulter's Expence; and no Proprietor or Occupier of Lands on the Sides of any of the said Roads shall have Power to plant Trees within Six Feet therefrom, under a Penalty not exceeding Five Pounds, besides removing the Trees.

Roads may be measured, and Mile Stones or Posts, and Guide Posts, erected.

LXXXV. And be it enacted, That the said Trustees, or any Three or more of them, may cause any of the said Roads to be measured, and Stones or Posts to be erected on the Sides thereof, denoting the Distance at each Mile, or at such other Distances as they may judge convenient, and also to order or cause to be erected Guide Posts and Railings upon such Parts of the said Roads where the Roads are crossed or joined by other Roads as they shall judge proper; and if any Person or Persons shall break down, destroy, or deface any such Mile Stones, Guide Posts, or Railings, or shall break down any Cape Stones on the Ledges or Parapet Walls at the Sides of any of the Bridges on the said Roads, or turn any Stream of Water upon any Part of the said Roads, unless a sufficient covered or arched Drain or Passage shall have been previously made, as before directed, or shall be aiding or assisting therein, or shall rescue or attempt to rescue any Person apprehended for such Offence, every Person offending in any of the Cases aforesaid, and being thereof lawfully convicted by the Oath or Oaths of One credible Witness or more, before the Sheriff of the said County of *Sutherland*, or before Two or more Justices of the Peace for the said County, shall be not only adjudged to pay the whole of the Damages and Expences sustained, but also a Penalty not exceeding Five Pounds; and in case the said Penalty, Damages, and Expences so adjudged shall not be instantly paid, or sufficient Security given for the same, the Sheriff or Justices are hereby empowered and required to commit such Person so convicted to Prison, for any Term not exceeding Three Calendar Months.

Penalty for breaking down or defacing such.

Penalty how to be recovered.

To prevent Annoyances upon the Road.

LXXXVI. And for preventing Annoyances in or upon the said Roads, be it enacted, That from and after Two Months from and after the Commencement of this Act every Person ploughing any Field contiguous to any of the said Roads shall always make Head Ridges along the Sides of the said Roads of the Breadth of Twelve Feet at least, and all Gates upon Enclosures next to any of the said Roads shall open inward to the Field; and no Person shall, in or upon any Part of the said Roads or by the Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, burn, dress, or cut up any Beast, Swine, Calf, Sheep, Lamb, or other Cattle; and no Person driving Pigs or Swine on any of the said Roads shall suffer such Pigs or Swine to root up and damage the same or any Part thereof, or the Hedges or Fences on either Side thereof; and no Person whatever shall lay any dead Horse, or leave such Horse for any longer Time than shall be necessary to remove the same, to be made out to the Satisfaction of the Sheriff or Justices before whom the Complaint shall be brought, or other Carrion, upon any of the said Roads, or within Twenty Yards of the Sides of any of the said Roads, or any Dung, Lime, or Soil, or Compost, or Matter whatsoever, either for manuring Land or any other Purpose, nor any Cart or Carriage, nor Load thereof, longer than may be necessary

for loading or unloading the same, or other Obstruction whatever, upon any of the said Roads; or shall graze or leave on the said Roads, or the Sides thereof, any Animal whatever; or shall make or assist in making any Fire or Fires whatsoever on any of the said Roads; or shall set fire to, or let off or throw, any Squibs, Rockets, or Firework whatsoever, within Sixty Feet of the Centre of the Roads; or play at Football or any other Game or Games whatsoever on any Part of the said Roads, to the Annoyance of any Passenger or Passengers; nor shall any Person, having blocked any Carriage whatsoever in going up any Hill or rising Ground, leave on the said Road the Stone or other Thing used in such blocking; and that in making any covered arched Passage or Drain for Water across any of the said Roads, a safe and easy Passage along One Half of such Roads shall be left without any Obstruction, either by breaking the Roads or laying down the Materials; and such covered Drain or Passage shall be made across and completely finished on the one Half of the said Roads before the other Half shall be opened; and the whole, or the open Part thereof, shall, if practicable, be completed in One Day, or otherwise the Materials for executing the same shall be so well fenced off that Passengers may suffer no Injury thereby; which Precautions, and Manner of executing covered Drains as aforesaid, shall be strictly observed by all Contractors or others employed in making or repairing the said Roads; and every Person offending in any of the Cases aforesaid shall forfeit a Sum not exceeding Forty Shillings for every Offence, to be levied and recovered in manner herein-after directed, one Half thereof to be paid to the Informer, and the other Half to be applied to the Purposes of this Act; and every Contractor or other Person employed by the said Trustees for amending, widening, or repairing any of the said Roads shall be expressly prohibited from digging Pits or breaking up any Ground within Twelve Feet from the Sides of the said Roads; and when that cannot conveniently be avoided such Contractor or other Person employed as aforesaid shall be obliged to erect a sufficient Fence between the Side of the Road, and any Pit which it may be found necessary to dig for the Purpose above mentioned, and that under a Penalty not exceeding Five Pounds.

Articles injuring the Roads not to be dragged.

LXXXVII. And be it enacted, That if after the passing of this Act any Person shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Roads, any Tree, Log, or Piece of Timber, or any Stone, Iron, Plough, Harrow, or other Thing whatsoever, otherwise than upon a Wheel Carriage, or shall suffer any Tree or other Matter whatsoever which can be conveyed upon a Wheel Carriage to drag upon any Part of the said Roads, to the Prejudice thereof, every such Person shall for every such Offence forfeit a Sum not exceeding Ten Shillings, to be recovered and levied in manner after directed.

Houses, &c. not to be built within a certain Distance of the Roads.

LXXXVIII. And be it enacted, That after the passing of this Act no Houses or Buildings of any Kind which shall be erected at or along the Sides of any of the said Roads, or in Villages at or near the Outlets of any Town within the said County of *Sutherland* where Houses

Houses have not formerly stood, shall be built or Enclosures made within the Distance of Twenty Feet from the Middle of any of the said Roads, without the Consent of the Trustees first obtained, under a Penalty not exceeding Forty Shillings for each Offence, over and above the Expence of demolishing such House or Building; and it shall be lawful for the Sheriff or any Justice of the Peace to stop the building or erecting of any such House or Building which shall be within the said Distance from the Middle of any of the said Roads; and if any Building shall be erected hereafter within the Distance aforesaid, the Sheriff, or any Justice of the Peace, upon Application made to him or them by any Trustee, and upon Proof being adduced that the said Building is within the Distance aforesaid, may order such Building to be taken down and removed at the Expence of the Erector or of the Proprietor of the Ground, and may grant a Warrant for levying and recovering the Penalty and Expences in manner herein-after directed: Provided further, that the Proprietor of every House situated on the Side of the said Roads shall construct along and opposite to the Front of the said Houses a sufficient Stone Covering or Arch across the Side Drain of the said Roads, and in default thereof he shall be deemed to have created an Obstruction as aforesaid.

In front of Houses, Coverings to be constructed across the Side Drains.

LXXXIX. And be it enacted, That in case of any sudden Damage to a Bridge it shall be in the Power of any Two Trustees to give immediate Orders for making such immediate Repairs as may be necessary, the Expence of the same not exceeding Twenty Pounds; and the Money so expended shall be provided for and paid by Order of the next Meeting of Trustees, on an Application for that Purpose, and on a Proof of the Necessity of the Order, and that the Money was expended; and in case any of the said Roads shall be shut up, and public Communication obstructed, by means of Snow, it shall in like Manner be in the Power of the said Trustees to cause the said Roads or Bridges to be cleared, the reasonable Expence of the same to be provided for and paid in manner as herein-before allowed.

Provision in case of sudden Damages done to Bridges.

Road to be cleared of Snow.

XC. And for the Purpose of better providing the Means of building Bridges and maintaining Ferries in the said County of *Sutherland*, be it enacted, That it shall be lawful for the said Trustees, at their said annual or any Special General Meeting called for that Purpose, upon a Plan, Estimate, and Report being laid before them by their Surveyor, exhibiting and stating that any Bridge or Ferry Pier within the said County is required, to assess the several Proprietors, Liferenters, or proper Wadsetters within the said County of *Sutherland* at a Rate not exceeding Ten Shillings in the One hundred Pounds Sterling of real Rent, as such real Rent may be satisfactorily returned, or fixed or determined in manner herein-before provided, in lieu of the Bridge Money now leviable by Law, and to allocate the same at such annual General Meeting as aforesaid in such Proportions to the Construction of such Bridges and Piers as to the said Trustees shall seem proper: Provided always, that in no Case shall any of the said last Assessments be applied to the Construction of any Pier where any Ferry is private Property, unless the Person to whom

Power to assess Proprietors, &c. for the Purpose of building new Bridges.

Assessment not to exceed 10*s.* in the 100*l.* of real Rent.

When Piers or Ferries are private Property,

how to be settled.

whom the same shall belong shall agree to sell or let such Ferry to the Trustees, and such Person to whom any such Ferry shall belong, and the Owner of any adjoining Ferry Houses, Gardens, and Grounds, whether an Heir of Entail or under other Disability, may respectively sell or let such Ferry to the said Trustees, together with such Ferry Houses and Garden Ground thereat, or such Ground, not exceeding Two Imperial Acres, as may be necessary for the Erection of Ferry Houses, Ferrymen's Houses and Gardens, and Ferry Piers, and the said Trustees are hereby authorized to purchase or take such Subjects upon Feu or Lease, or otherwise to transact for the same and to complete their Title thereto in such Manner as to them shall seem expedient; or unless such Person shall agree to apply the whole of the Rates leviable at the said Ferry, and imposed or to be imposed by the Authority of the Justices of the said County, in aid of the Construction and Maintenance of the said Piers; and the said Assessment for building Bridges and maintaining Ferries shall be levied and recovered in the same Manner as the Assessment in lieu of Statute Labour by this Act granted is directed to be levied and recovered.

Power to borrow on Bridge and Ferry Assessment.

XCI. And be it enacted, That it shall be lawful for the said Trustees from Time to Time to borrow at Interest, on the Credit of the said Assessment for Bridges and Ferries by this Act granted, any Sum of Money to the Amount of Ten Years Assessment, estimating the Value of each Year's Assessment by that of the Year immediately preceding that in which the Money shall be borrowed, and in the event of any Part of such Money being repaid by the Trustees, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Amount of Ten Years Assessment as aforesaid in the whole at any one Time; and for securing the Repayment of the Money so borrowed, with Interest, the Trustees, or any Three or more of them, may assign over the said Assessment or any Part thereof to the Person who shall advance or lend such Money, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same; and every such Assignment shall be in the same Form, and shall be subject to the same Rules, Regulations, and Provisions, as are herein-before enacted in regard to Assignments for securing the Money hereby authorized to be borrowed on the Credit of the Assessment or Conversion by this Act granted.

Assessments to be added to Wadset Money.

XCII. And be it enacted, That in every Case where a proper Wadsetter, in Possession of a Wadset Estate in the said County of *Sutherland*, shall pay any Conversion Money or other Assessment hereby authorized to be levied, or any Assessments made for keeping the Parliamentary Roads within the said County in repair, by virtue of an Act passed in the Fifty-ninth Year of the Reign of His late Majesty, intituled *An Act to repeal Two Acts, made in the Fifty-fourth and Fifty-fifth Years of His present Majesty, for maintaining and keeping in repair certain Roads and Bridges in* Scotland; *to provide more effectually for that Purpose; and for Regulation of Ferries in* Scotland, so much thereof as is not exigible from

59 G. 3. c. 145.

from the Tenants, as herein-before directed, shall be added to the Wadset Money on Payment of which such Estate is redeemable, and such Estate shall be subject to the Payment of such Assessment so paid, with legal Interest thereon from the respective Dates of Payment; and no Process of Redemption shall issue against such proper Wadsetter upon Consignation, unless every such Assessment so paid, with the Interest due thereon, shall be consigned along with the original Wadset Money, in the same Manner as if the Amount thereof had made Part of the said original Wadset Money; and it is hereby declared and provided, that the Receipt or Certificate of the Collector of such Monies, specifying the Amount and the Date of such Payments, shall be sufficient legal Evidence against the Recoverer, any Law or former Practice to the contrary thereof notwithstanding.

Recovery of Penalties.

XCIII. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, the Recovery of which is not otherwise provided for, be it enacted, That any such Penalties or Forfeitures may be recovered by summary Proceeding, upon Complaint made by any Two of the said Trustees or their Clerk, before the Sheriff or any One or more Justices; and on the Complaint being made to any such Sheriff or Justice he shall issue a Summons requiring the Party complained against to appear before the Sheriff, or any Two or more Justices, on a Day and at a Time and Place to be named in such Summons, and every such Summons shall be served on the Party offending either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party offending, it shall be lawful for any such Sheriff or Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for such Sheriff or Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Sheriff or Justices shall think fit.

Penalties to be levied by Distress.

XCIV. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalties or Forfeitures, and of such Costs, as aforesaid, be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and the Sheriff or Justices shall issue Warrants of Distress accordingly.

Imprisonment in default of Distress.

XCV. And be it enacted, That it shall be lawful for the Sheriff or Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalties or Forfeitures, and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Sheriff or Justices, for his Appearance before the Sheriff or any One Justice on the

the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Sheriff or Justices, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalties or Forfeitures, and Costs, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Sheriff or Justices, then such Sheriff or Justices shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding One Month, unless such Penalties or Forfeitures, and Costs, be sooner paid.

Application of Penalties.

XCVI. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the same shall be paid to the Trustees or to their Treasurer, and applied for the Purposes of this Act.

Penalties to be sued for within Six Months.

XCVII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before the Sheriff or Justices, unless the Complaint respecting such Offence shall have been made before such Sheriff or Justices within Six Months next after the Commission of such Offence.

Penalty on Witnesses making default.

XCVIII. And be it enacted, That it shall be lawful for the Sheriff or any Justice to summon any Person to appear before him as a Witness in any Matter in which such Sheriff or Justice shall have Jurisdiction, under the Provisions of this Act, at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person who shall be summoned as a Witness before the Sheriff or any Justice touching any Offence committed against this Act, or any Matter in which such Sheriff or Justice shall have Jurisdiction by the Provisions of this Act, shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath or to give Evidence before such Sheriff or Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Transient Offenders.

XCIX. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Trustees, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before the Sheriff or some Justice, without any Warrant or other Authority than this Act, and such Sheriff or Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

C. And

Form of Conviction.

C. And be it enacted, That the Sheriff or Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (F.) to this Act annexed.

Informalities.

CI. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed, by Suspension or otherwise, into any of the Superior Courts.

Distress how to be levied.

CII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress not unlawful for Want of Form.

CIII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action at Law.

Parties may appeal to Quarter Sessions, on giving Security.

CIV. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice under the Provisions of this Act he may appeal to the General Quarter Sessions for the County of *Sutherland;* but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless the Appellant, forthwith after such Notice, enter into a Bond of Caution, with Two sufficient Sureties, before a Jury, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

CV. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs,

both

both of the Adjudication and of the Appeal, as they may think reasonable.

Judgments to be final.

CVI. And be it enacted, That where by this Act the adjudging of any Penalty, Forfeiture, Fine, or any other Matter is committed to the Justices or to the Sheriff, or by Appeal to the Quarter Sessions for the County of *Sutherland*, all Judgments, Determinations, or Proceedings of such Justices which shall not be appealed from, as herein-before provided, and of such Sheriff or Quarter Sessions, shall be final and conclusive, and shall not be subject to Review by Advocation, Suspension, Reduction, or otherwise.

Expences of Act, how to be paid.

CVII. And be it enacted, That the Costs, Charges, and Expences of obtaining and passing this Act and incident thereto shall be paid out of the first and readiest of the Monies applicable to the Purposes of this Act, and shall be ascertained by the said Trustees at their First General Meeting to be held under this Act, or at some Adjournment thereof, and the same shall be assessed upon and paid by the several Proprietors of Lands or Heritors within the said County of *Sutherland*, except the Proprietors of the Burgh Roods of *Dornoch*, according to and in proportion to the real Rents of the Proprietors of such Lands respectively, as the Amount of such real Rents are stated in the Schedule (D.) hereto annexed; and the Proportion of such Costs, Charges, and Expences effeiring to each Proprietor shall be certified under the Hand of the Sheriff Clerk of the County of *Sutherland*; and such Certificate shall be held as Evidence of the Amount thereof, and the same shall be added to the Proportion of Debt allocated upon such Proprietor under the Provisions of this Act; and every such Proprietor, whether an Heir of Entail or other Person under any legal Disability or Incapacity, shall be entitled to the same Relief in regard to his Proportion of such Costs, Charges, and Expences as is herein-before provided in regard to the said Debts.

Interpretation of Act

CVIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Constructions; (that is to say,)

Number: Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Gender: Words importing the Masculine Gender only shall include Females:

Month: The Word "Month" shall mean "Calendar Month:"

Person: The Word "Person" shall include Corporation, whether sole or aggregate:

Proprietor, &c: The Words "Heritor," "Proprietor," and "Owner" shall include Tenants or Leaseholders or Lessees on Leases of Ninety-nine Years Duration and upwards:

Oath: The Word "Oath" shall include Affirmation in the Case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of Persons exempted by Law from the Necessity of taking an Oath:

The

The Word "Sheriff" shall mean and include the Sheriff or Sheriff Substitute for the County of *Sutherland*: **Sheriffs:**

The Word "Justices" shall mean any Justice of the Peace for the County of *Sutherland*: **Justices:**

The Word "Lands" shall extend to Lands, Tenements, Fishings, Houses, Buildings, and all Heritages and Premises whatsoever:

The Word "Bank" shall include Banking Company. **Bank.**

CIX. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such. **Public Act.**

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Form of Assignment.

BY virtue of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], we
Trustees for putting the said Act into execution, in consideration of the Sum of Pounds advanced and paid to us by do hereby assign and make over to the said his Executors, Administrators, and Assignees, all and sundry the Assessments or Conversions in lieu of Statute Labour [*or* Assessment for Bridges and Ferries, *as the Case may be*,] payable to us by virtue of the said Act, and all our Right, Title, and Interest of, in, and to the same, to be held by the said
and his foresaids until the said Sum of
with Interest thereof at the Rate of per Centum per Annum for the same, shall be fully satisfied and paid. In witness whereof we
have subscribed these Presents, written by
at the Day of before these Witnesses

SCHEDULE (B.)

Form of Transfer of Assignment.

I of in consideration of the Sum of paid to me by of do hereby transfer a certain Assignment made by the Trustees for putting into execution an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], to me, bearing Date the Day of for securing the Sum of and Interest, and all Interest now due and to become due thereon, and all my Right and Property therein, to the said his Executors, Administrators, and Assignees. In witness whereof I have subscribed these Presents, written by at the Day of before these Witnesses

SCHEDULE (C.)

List of Debts due by the Trustees acting in the Execution of the Act 1 & 2 George 4. c. 23. as on the 5th of September 1842.

	£	s.	d.
1. Amount of Debt due in the Assynt District -	9,425	0	0
2. Amount of Debt due in the Dornoch District -	2,062	0	0
3. Amount of Debt due in the Reay District -	3,237	0	0
4. Amount of Debt due in the Sutherland District -	7,398	0	0
Total - -	22,122	0	0

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SCHEDULE (D.)

Showing the Amount of Real Rents of the several Proprietors, and the Proportion of Debt charged against each Proprietor, according to the Amount of his Real Rent in the several Districts into which the County of Sutherland was divided under the Act 1 & 2 George 4. c. 23.

I. ASSYNT DISTRICT.

	Names of Proprietors.	Amount of Real Rents.					
		£	s.	d.		£	s.	d.
1	His Grace the Duke and Earl of Sutherland -	4421	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	6066	5	0
2	Sir Charles Ross, Baronet	1170	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	1605	10	0
3	Sir George Gunn Munro -	516	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	707	14	0
4	The Lord Cranstoun -	442	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	606	10	0
5	Hugh Ross, Esquire -	320	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	439	1	0
		6869	0	0		9425	0	0

II. DORNOCH DISTRICT.

1	His Grace the Duke and Earl of Sutherland -	3080	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	1049	14	11
2	George Dempster, Esquire	2141	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	729	14	2
3	Sir G. G. Munro -	125	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	42	12	1
4	Sir O. Gordon, Baronet -	417	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	142	2	6
5	D. Gilchrist, Esquire -	287	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	97	16	4
		6050	0	0		2062	0	0

III. REAY DISTRICT.

	Names of Proprietors.	Amount of Real Rents.					
		£	s.	d.		£	s. d.
1	His Grace the Duke and Earl of Sutherland -	6405	0	0	Amount of Debt charged against him as the sole Proprietor in this District -	3237	0 0

IV. SUTHERLAND DISTRICT.

1	His Grace the Duke and Earl of Sutherland -	14,983	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	7246	12	5
2	William Mackenzie, Esquire	200	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	96	14	7
3	James Loch, Esquire -	58	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	26	12	0
4	James Matheson, Esquire	55	0	0	Proportion of Debt charged against him, according to the Amount of such Real Rent	28	1	0
		15,296	0	0		7398	0	0

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SCHEDULE (E.)

Roads to be repaired, improved, and maintained under this Act.

1. The Meikle Ferry Road, leading from the Meikle Ferry to the Inn at Dornoch, including the Side Branches leading to the Inn of Ferrytown, and including the Streets of the Burgh of Dornoch.
2. The Cuthill Road, leading from the Meikle Ferry Road near Cuthill to the Parliamentary Road near Clashmore.
3. The Evelix Road, leading from the Meikle Ferry Road at Dornoch to the Parliamentary Road near the Bridge of Evelix.
4. The Poles Road, leading from the Evelix Road, at the Receiving House near Dornoch, to the Parliamentary Road at the Poles.
5. The Embo and Fourpenny Road, leading from the Inn at Dornoch to the Parliamentary Road near the Lodge of Skelbo, with the Branch Road leading to the Parliamentary Road near the Poles.
6. The Ardshave Road, leading from the Parliamentary Road at the Corner of Proncy Dykes, across the Hill by Ardshave, to the Parliamentary Road at Balvraid.
7. The Rhiarquhar Road, leading from the Ardshave Road to its present Termination, West of Rhiarquhar.
8. The Asdale Road, leading from the Parliamentary Road at Evelix Dykes to Asdale.
9. The Newtonpoint Road, leading from the Parliamentary Road near Whiteface to Newtonpoint Ferry.
10. The Migdale Road, leading from Spinningdale, including the Extension through that Village, to the Strathcarnach Road.
11. The Strathcarnach Road, leading from the Parliamentary Road at Bonar Bridge, by Loch Buie, to the Parliamentary Road at the South End of the Mound.
12. The Strathfleet Road, leading from the Parliamentary Road near the North End of the Mound by Pittentrail to the Parliamentary Road near the Inn at Lairg, with the Branch Road leading to the Bridge of Dalmore, and including the said Bridge.
13. The Kirkton Road, leading from the Parliamentary Road near Kirkton to the Parliamentary Road leading to the Little Ferry.
14. The Golspie Road, leading from the Parliamentary Road at the Junction of the Little Ferry Road, through the Village of Golspie, to the Parliamentary Road at the Church of Golspie.
15. The Rhives Road, leading from the Parliamentary Road at Rhives Gate to the Village of Golspie.
16. The Dunrobin Glen Road, leading from the Parliamentary Road at the Church of Golspie, up Dunrobin Glen, to the Strathbrora Road near Knockarthur.
17. The Golspie Manse Branch Road, leading from the Parliamentary Road near the Manse of Golspie to the Burn of Golspie near the House inhabited by Mr. James Davidson.
18. The Golspie Mill Road.
19. The West Doll Road, leading from the Parliamentary Road opposite Sputie, by the Ford of Brora, to the Strathbrora Road.
20. The East Doll Road, leading from the Parliamentary Road near to its Junction with the West Doll Road.

21. The Brora Harbour Road, leading from the Parliamentary Road to the Pier.

22. The Strathbrora Road, leading from the Parliamentary Road at the Bridge of Brora, by Kilcalmkill, Scyberscross, and Rogart, to the Strathfleet Road at the Bridge of Pittentrail, with the Branch leading to the Old Schoolhouse at Rogart.

23. The Badnellan Road, leading from the Strathbrora Road near Badnellan, by the Back of the Lady Loch, across the Clyne Kirkton Road, to the Parliamentary Road at East Brora.

24. The Quarry Road, leading from the Strathbrora Road, past the Bramberry Hill Stone Quarry, to the Clyne Kirkton Road at Clynelish.

25. The Clynelish Moss Road, leading from the Strathbrora Road, across the Clyne Kirkton Road, to the Parliamentary Road at the Parochial Schoolhouse of Clyne.

26. The Clyne Kirkton Road, leading from the Parliamentary Road near the End of Shoemaker's Row Road, across the Badnellan Road, past Clynelish, to the Church of Clyne, and thence past Drumuie and Achrimsdale to the Parliamentary Road at the Corner of the Cow Park, with the Branches thereof at Clynelish and Clyne Kirkton.

27. The Clyne Milton Road, leading from the Parliamentary Road at Clyne Milton Bridge to the Mill of Clyne Milton.

28. The Lothbeg Crask Road, leading from the Parliamentary Road near Lothbeg to the Kildonan Road, nearly opposite Leariboll.

29. The South and North Branch Roads, leading from the Parliamentary Road to the Church and Manse of Loth.

30. The Gartymore and West Helmsdale Roads; videlicet, from the Parliamentary Road near the Mill, by the Ground Officer's and Fishery Officer's Houses, to the Parliamentary Road opposite Helmsdale Castle; from the Ground Officer's House to the House inhabited by George Gilchrist; from the Parliamentary Road at the Brewery to the House inhabited by James Sutherland; from the House in Gartymore inhabited by Alexander M'Kay to the House inhabited by Angus Macleod at West Helmsdale; from the House inhabited by Alexander M'Intosh to the House inhabited by Neil Grant; from the House inhabited by Alexander Bannerman, Pensioner, to the House inhabited by Widow I. Polson, near the Parliamentary Road.

31. The Upper and Lower Roads to Marril.

32. The Naviedale Road, leading from the Parliamentary Road at Naviedale to the Pier of Naviedale.

33. The Kildonan and Halladale Road, leading from Helmsdale, past Kildonan, Achentoul, and down Halladale, to Bighouse, with the following Branch Roads; videlicet, the Road leading to the Kirk and Manse of Kildonan; the Road leading from Bighouse to the Drumholistain Road.

34. The Drumholistain Farr and Tongue Road, leading from the Confines of the County, by the Chain Boat of Halladale, Melvich, Strathy, Armadale, Betty Hill, the Chain Boat of the Naver, to the Parliamentary Road near Rhi Tongue, with the following Branch Roads; videlicet, the Road leading to Portskerra; the Deviation Road near Betty Hill leading thereto from Farr and to the Boil House.

35. The Tongue Branch Roads; videlicet, the Road leading from Tongue Inn to the Pole; the Road leading from the last-mentioned Road to the Parliamentary Road near the Schoolhouse, the Road leading from the Inn, past the Gate of the House of Tongue, to Tongue Ferry.

36. The Strathmore Road, leading from the lower End of Loch Naver, across the Parliamentary Road near Altnaharra, by Mudale and Casheldhu Ferry, to the Moin and Durness Road near Eriboll.

37. The Moin and Durness Road, leading from Tongue Ferry at Achvaldrie, by the Hope Chain Boat, Eribol, Pollaw Ford, Sangoemore, and Durine, to the Church of Durness, with the Branch Roads to Hilam Inn, to Port Hamul Pier, and to Rispond Pier, with the Deviation through Sangoemore Village.

38. The Cape Roads, leading from Dale Water to Cape Wrath Lighthouse, with

with the Branch Roads to the East Storehouse and Clashcarnach, and to the new Landing Place opposite Keoldale.

N. B. One Moiety of the Expence of keeping these last-mentioned Roads and Branches in repair is defrayed by the Commissioners for the Northern Lights.

39. The Scourie Road, leading from the Inn of Durness, by Rhiconich and Scourie, to the Ferry at Kylesku, with the Branch Road from Rhichonich to the Church of Keanlochbervie.

40. The Unapool Road, leading from Kylesku Ferry, by Unapool, to the Lairg and Loch Inver Road at Skiag Bridge.

41. The Lairg and Loch Inver Road, leading from the Ferry near Lairg, by the Gruids, Rose Hall, to the Bridge of Caslie, through the County of Ross, to Altnagalagach, thence by Inchnadamph to Loch Inver, with the following Branch Roads; videlicet, the Road leading to the House of Sallachy; the Road leading by Achany to the Bridge of Shin, with the Side Branch across the Ford near the Gruids to the Parliamentary Road below Lairg; the Road leading to the Inn at Inchnadamph; the Road leading to Clashnessie by Stoir.

42. The Rose Hall Road, the Road leading from the Parliamentary Road near Invershin, across the Bridge of Shin, to the Junction of the Lairg and Loch Inver Road at Rosehall, with the Branch Roads leading from Daracha to Invernauld Bridge and to the Pier of Achindarish.

43. The Lairg Branch Roads; videlicet, the Road leading from the Strathfleet Road to the Inn at Lairg; the Road leading from the Parliamentary Road to the Church and Manse of Lairg.

44. The Shiness Road, leading from the Parliamentary Road, across the Ford of the Tyrie, to Shiness.

With all Parts and Portions of the said several Roads which have been heretofore repaired and maintained out of the Statute Labour Funds of the said County of Sutherland.

SCHEDULE (F.)

Form of Conviction.

BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.*, Sheriff of [*or* before us, *E. F.* and *G. H.*, Two of Her Majesty's Justices of the Peace for] the County of Sutherland [*here describe the Offence generally, and the Time and Place when and where committed*], contrary to the Sutherland Roads Act, One thousand eight hundred and forty-three; and the said *A. B.* is hereby sentenced [*here insert the Sentence and Warrant*]. Given under my Hand [*or* our Hands] the Day and Year first above written.

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