ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

****

Cap. xxvi.

An Act to continue and amend an Act for erecting a Bridge over the River *Dee* at the *Craiglug* in the Parish of *Old Machar* in the County of *Aberdeen* and of *Nigg* in the County of *Kincardine*, and for making a Road from *Cairnrobin* by the said Bridge toward the City of *Aberdeen*.

[15th *May* 1860.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* 10 G. 4.
for erecting a Bridge over the River Dee *at the* Craiglug *in the* c. xliii.
Parish of Old Machar *in the County of* Aberdeen *and of* Nigg *in the County of* Kincardine, *and for making a Road from* Cairnrobin *by the said Bridge toward the City of* Aberdeen: And whereas, under the Provisions and for the Purposes of the recited Act, the several Persons and Incorporations named in the Schedule to this Act annexed, or their Predecessors, subscribed and paid the Sums set opposite to their respective Names, amounting to Nine thousand eight hundred and fifteen Pounds: And whereas the said Sum of Nine thousand eight hundred and fifteen Pounds was expended in constructing the said Bridge (now called the *Wellington* Suspension Bridge) and forming the said Road, which have been and are of very great Advantage to the Public and the Inhabitants of the District: And whereas the said Sum remains due and

owing to the Persons and Incorporations named in the said Schedule, and there will be no Means of paying the same or the Interest thereon, nor of defraying the Expense of maintaining and repairing the said Bridge and Road, unless the Term of the said Act, which will shortly expire, be further continued, and it is therefore expedient that the said Act should be amended and continued for a further Term of Years; but these Objects 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, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The *Wellington* Suspension Bridge and Road Act, 1860."

Interpretation of Terms.

II. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction:

The Expression "recited Act" shall mean the Local Act, Tenth *George* the Fourth, Chapter Forty-three, herein-before recited:

The Expression "the Trustees" shall mean the Trustees for the Time being acting in the Execution of the recited Act and this Act:

The Words "Bridge" and "Road" shall respectively mean the *Wellington* Suspension Bridge and the Road constructed and formed under the Authority of the recited Act.

Road to be a Turnpike Road, and Provisions of 1 & 2 W. 4. c. xliii. incorporated.

III. The Road shall be deemed and held to be a Turnpike Road, and the Enactments and Provisions of the General Turnpike Road Act, First and Second *William* the Fourth, Chapter Forty-three, intituled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in* Scotland, so far as not varied or altered by the recited Act or this Act, are hereby incorporated with this Act, and shall be applicable to the Bridge and Road, and to the Tolls or Pontages leviable under the recited Act and this Act, notwithstanding that no Authority is given by the recited Act or this Act for erecting Turnpikes or levying Tolls, except at and for the Passage of the Bridge; and the Tolls or Pontages leviable under the recited Act and this Act shall be subject to the Exemptions from Tolls specified in Sections Thirty-six and Thirty-seven of the said General Turnpike Road Act.

Tolls or Pontages continued.

IV. It shall be lawful for the Trustees, with the Powers and Authorities and subject to the Provisions contained in the recited Act and this Act, and the Act incorporated herewith, to continue to demand and take, or cause to be demanded and taken, the Tolls or Pontages specified in the recited Act, before any Passage over the Bridge shall be permitted.

V. The

Application of Funds.

V. The whole Tolls or Pontages levied and Monies received by the Trustees under the Authority of the recited Act and this Act shall be applied as follows:

First, in defraying the Expenses of applying for and passing this Act, and incidental thereto:

Second, in paying any Ground Rents or other annual Sums payable for Land taken for the Purposes of the Bridge and Road, and in defraying the Expense of maintaining and repairing the Bridge and Road:

Third, in paying the Salaries of the Clerk, Treasurer, and Collector, and other Officers and Persons employed by the Trustees, and the other Charges and Expenses of managing the Trust:

Fourth, in paying Interest, not exceeding the Rate of Three Pounds *per Centum per Annum*, on the Principal Sums specified in the Schedule to this Act annexed.

Sinking Fund to be established.

VI. In order to redeem the said Ground Rents, and to pay off and discharge the Principal Sums or Subscriptions specified in the Schedule to this Act annexed, the Trustees shall every Year appropriate and set apart as a Sinking Fund any Sums that may remain after providing for the Purposes above specified, and paying Interest on the said Subscriptions at the Rate of Three Pounds *per Centum per Annum*, which Sinking Fund shall be applied in redeeming the said Ground Rents and in paying off the said Subscriptions; and the Trustees shall from Time to Time cause the Sums set apart for such Sinking Fund to be deposited in some Bank in *Scotland*, incorporated by Act of Parliament or Royal Charter, and to be increased by Accumulation in the way of Compound Interest or otherwise, until the same shall be of sufficient Amount to redeem the said Ground Rents or to pay off the said Subscriptions or some Part thereof: Provided that Notice of the Intention so to apply any Part of the said Sinking Fund shall be given to all the Persons and Incorporations who for the Time being are in Right of the said Subscriptions, and the Trustees shall from Time to Time pay or divide such Part of the said Sinking Fund to and among such of the said Persons or Incorporations as shall be willing to compound for their Subscriptions on the Terms most favourable to the Trust.

Trustees not to oppose Erection of Bridge over the Dee.

VII. The Trustees shall not oppose, in Parliament or otherwise, the Erection of any Bridge over the River *Dee*, and shall not be entitled to claim Compensation in the event of any such Bridge being hereafter erected.

Continuation of recited Act.

VIII. The whole Enactments, Powers, and Provisions of this Act and of the recited Act, so far as not varied or altered by this Act, shall be and continue in force for the Term of Thirty-one Years from and after the

the passing of this Act, and thence to the End of the then next Session of Parliament.

Road not exempt from Provisions of future General Acts.

IX. Nothing herein contained shall be deemed to exempt the recited Act or this Act from and the same are hereby made subject to the Provisions of any General Act relating to Turnpike Roads in *Scotland* which may be passed during the present or any future Session of Parliament.

The SCHEDULE to which this Act refers.

The Trustees of John Menzies of Pitfoddels, Esquire, deceased	£4,335
The Reverend William David Morrice of Tullos . .	3,465
Alexander Crombie of North Loirston, Esquire . .	865
Miss Rachel Anne Morice of No. 2, Golden Square, Aberdeen	640
Alexander Davidson of Balnagask, Esquire . . .	170
The Incorporation of Hammermen of Aberdeen . .	170
The Incorporation of Shoemakers of Aberdeen . . .	170
	£9,815

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