ANNO QUARTO

GEORGII IV. REGIS.

CAP. X.

An Act to rectify a Mistake in an Act, intituled *An Act for making and maintaining certain Roads and Bridges in the Counties of* Lanark *and* Dumbarton, in so far as relates to the Application of certain Exchequer Bills therein mentioned.

[19th *March* 1823.]

WHEREAS by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for making and* 1 G. 4.
maintaining certain Roads and Bridges in the Counties of c. lxxxiv.
Lanark *and* Dumbarton, the Commissioners for the Issue of Exchequer Bills under Two several Acts of the Fifty-seventh Year of the Reign of His late Majesty, intituled *An Act to authorize the Issue of* 57 G. 3. c. 34.
Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, *in Manner therein mentioned,* and *An Act to amend an Act, made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor,* were authorized and required to advance to the Commissioners of Highland Roads and Bridges, appointed by an Act of the Forty-third Year of His late Majesty, intituled *An Act for granting to His Majesty the Sum* 43 G. 3. c. 80.
of Twenty thousand Pounds, to be issued and applied towards making

Roads

Roads and Bridges in the Highlands of Scotland; *and for enabling the Proprietors of Lands in* Scotland *to charge their Estates in* Scotland *with a Proportion of the Expence of making and keeping in Repair Roads and Bridges in the Highlands of* Scotland; any Sum not exceeding Fifty-one thousand four hundred and seventy-five Pounds, to be applied to the making of certain Roads and Bridges in the aforesaid Counties of *Lanark* and *Dumbarton*, in the manner by the said first-recited Act directed: And whereas by the first-recited Act, intituled *An Act for making and maintaining certain Roads and Bridges in the Counties of* Lanark *and* Dumbarton, it is enacted, that such Sums of Money which shall have been expended within Fourteen Months before the passing of this Act, upon the Expenditure thereof being authenticated and vouched to the Satisfaction of the said Commissioners of Highland Roads and Bridges to have been properly made, shall be held and taken to be a Payment or Payments, *pro tanto*, of the One-third Part of the estimated Expence of making the said Roads required to be advanced by the said Trustees or other Persons for the Purposes of this Act; and upon the whole of such One-third Part being completed or made up by the Advance or Deposit of the said Trustees or otherwise, to the Satisfaction of the said last-mentioned Commissioners, such Commissioners may and shall advance and apply, towards the making or completing such Parts or Portions of the said Roads, for or on account of which such Sums shall have been advanced by the said Trustees and others, the other Two-third Parts of the estimated Expence of making the same; and further, that the Trustees of any District of the said Roads in which any Sums of Money shall have been advanced and expended as aforesaid, or in which such Trustees or any other Person shall have undertaken or subscribed for One-third Part of the Expence of making any Portion of the Roads of such District, or their Committees aforesaid, shall, (after such Road or any Part thereof, made and completed as aforesaid, shall have been delivered over or given in charge by the said last-mentioned Commissioners to such Trustees), have the Superintendence and Management of such Districts and Portions of such Roads, and of the Tolls arising thereon; and such Tolls shall always be applied by them as follows; namely, in the First Place, towards the Annual Maintenance and Repair of the Roads of such District, and the Expence of collecting the said Tolls and putting this Act into Execution; and in the Second Place, the Net Residue or Surplus of the said Tolls shall be appropriated to the Payment, *pari passu*, of the Interest falling due upon the said Two-third Parts of the estimated Expence of making the said Roads in such District to be advanced by the said Commissioners for the Issue of Exchequer Bills, and of the One-third Part of such estimated Expence to be advanced by the said Trustees or other Persons Creditors for such Third Part; and further, that if, by reason of the said Trustees or other Persons not advancing to the said Commissioners of Highland Roads and Bridges, or depositing as aforesaid the One-third Part of the estimated Expence of finishing any Part or Portion of the said Roads as aforesaid, any Part of the Monies arising by the said Exchequer Bills to be received by such Commissioners of Highland Roads and Bridges shall remain for a Time exceeding Seven Years unappropriated and unapplied to the making or completing of the said Roads, such Money shall be, by the said Commissioners of Highland Roads and

1 G. 4. c. lxxxiv.

Bridges, repaid to the said Commissioners for the Issue of Exchequer Bills; whereby it appears to have been the true Intent and Meaning of the said Act, that for every Sum to be deposited or advanced in the Manner therein mentioned by the Trustees thereby appointed, equal to One-third Part of the estimated Expence of completing any Portion or Division of the said Roads thereby authorized to be made, the said Commissioners of Highland Roads and Bridges should apply towards the making or completing such Portion or Division of the said Roads a Sum equal to Two-third Parts of the said estimated Expence; but in directing the Application of such Monies the said last-mentioned Commissioners were, by a Mistake or Error in the Clause to that Effect, directed to apply a Sum equal to Two-thirds of the Amount so deposited, whereby the Intention of the Act would be utterly defeated, inasmuch as no more than One-third Part and Two-thirds of such Third Part of the estimated Expence would be provided for (that is Five Parts in Nine), instead of One-third and Two-thirds, that is, the whole of such estimated Expence; and it is expedient and necessary that such Mistake or Error should be explained and rectified: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the true Intent and Meaning of so much of the said first-mentioned Act as is above specially recited and referred to, is and shall be and be held to have been, that when and as often as the said Trustees thereby appointed should or may produce to the said Commissioners of Highland Roads and Bridges, or their Agent or other Person authorized by them, an Estimate, made and signed and authenticated by the Surveyor or Engineer employed or to be employed by the said last-mentioned Commissioners, of the Expence of completing any Portion of the said Roads thereby authorized to be made, and also deposit in the Bank there mentioned, in the Name of the said Commissioners, a Sum equal to One-third Part of the estimated Expence of such Portion or Division of the said Roads, or applicable to the general Expence to be incurred in carrying the said Act into Execution, the said last-mentioned Commissioners should and shall from Time to Time draw and apply, towards the making or completing such Portion of the said Roads for or on account of which such Deposit was or may be made, the Sum so deposited, and also a Sum equal to Two-third Parts of the Amount of such estimated Expence as aforesaid; any thing in the said first-recited Act inconsistent herewith or to the contrary notwithstanding.

When Trustees should produce an Estimate of the Expence of completing the Roads, and deposit in the Bank One-third of such Expence, the Commissioners of Highland Roads and Bridges may apply that Deposit, and also the other Two-thirds of the Expence.

II. And be it further enacted, That the said first-recited Act, and all and every the Clauses, Provisions, Conditions, Exceptions, Powers, Authorities, Articles, Rules, Penalties, Forfeitures, Matters, and Things therein contained, shall remain in full Force and Effect, except in so far as the said Act is by this Act explained or rectified.

Powers of recited Act remain, except as by this Act rectified.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1823.