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A N
E N Q U I R Y

RELATIVE TO THE

H I G H W A Y S

I N T H E

S H I R E O F B E R W I C K .

Submitted to the Consideration of the
HERETORS and TENANTS in the Shire.



A N
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 R E L A T I V E T O T H E
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 S H I R E O F B E R W I C K.

Submitted to the consideration of the HERETORS and TENANTS
 in the S H I R E.

HAVING, at the general meeting of the heretors, on the twenty second of December last, thrown out some general objections, which occurred at that time, to the proposal of a turnpike law, for the amending certain roads within the shire of BERWICK; and the observations which I then made having been considered by some as groundless and contradictory to the practice, both in ENGLAND and SCOTLAND; I thought it proper in a matter of so much importance, to ascertain from facts the probable produce of tolls and the charges which might be expected to be incurred in making and keeping in repair the roads, by means of the turnpike law proposed; and the situation of DUNBAR appearing to me to resemble that of EYMOUTH and BERWICK, as to the nature and quantity of exports of the produce, and imports for the supply of the adjacent countries of EAST LOTHIAN and the MERSE, I was at some pains to procure the accompts of the turnpike roads in EAST LOTHIAN, and to examine into them. In order to adapt these accompts to the roads leading to EYMOUTH and BERWICK, from the country lying to the north of the TWEED, a situation simular to that of DUNBAR and the circumjacent country, I separated the charges and produce of the turnpike roads of this, from those of the western district, which, owing to the great intercourse with the metropolis, could not be applicable to a situation like that of the shire of BERWICK; and I found the charges of making and keeping in repair the turnpike roads, and the produce of the tolls in the eastern district of EAST LOTHIAN, at a medium during the first eighteen years, after passing the act, according to a state of the accompts laid before the committee of heritors, and which

has been seen and examined by several members thereof, and by other gentlemen, versant in such matters, to stand thus:

YEARLY PRODUCE £139 : 3 : 11¹/₂

YEARLY CHARGES.

Viz. To pay £214	
10 : 2, the proportion which falls to this district, for paying the act and incidents, would require annually nearly	£17
Treasurers salary about	12
Overseers salary.	
N. B. This was discontinued the last nine years of the account, otherwise this article would have been nearly double	9 : 6 : 3 ¹ / ₂ 38 : 6 : 3 ¹ / ₂
Rent of toll-houses and toll-bars	7 : 15 : 11 ⁶ / ₁₂
Allowance to toll-gatherers, reckoned only at £12 a year each	48 55 : 15 : 11 ⁶ / ₁₂
Balance remaining for making roads, building bridges and for repairs of ditto	45 : 00 : 10 139 : 3 : 11 ¹ / ₂

THIS is a real state of the account taken from facts, and therefore cannot be controverted. As I have reason to think that the commerce of DUNBAR, for corn, goods and coal, with the neighbouring country to be full as considerable as that of EYMOUTH

or BERWICK with the country on the north side of the ENGLISH border, for these articles; I really believe that the produce of tolls on a turnpike road through the MERSE to EYMOUTH and BERWICK, would, ceteris paribus, be nearly in the proportion of the produce of tolls in the eastern district of EAST LOTHIAN. But as the road through DUNBAR was used as the only high road betwixt LONDON and EDINBURGH, during the whole eighteen years, from the accounts of which the above state is taken; I may venture to affirm, that, ceteris paribus, a turnpike road through the MERSE to EYMOUTH and BERWICK, would not produce of toll in proportion to what is stated in the above account. We see that of £139 : 3 : 11¹/₂ of produce, only £45 : 00 : 10 remains to be applied in making twelve miles of road, building bridges, and keeping these in repair. How ineffectual such a balance for such a purpose! How heavy the charges! The article for toll-gatherers and rent of toll-houses only, amounts to 40 per cent. of the produce: and this occasioned alone by the nature of the mode adopted for making these roads, in a country, where the traffick is not so great as to afford a large sum to be levied, so as to render the proportion of charges to the produce inconsiderable †.

ALTHOUGH I should think the above account sufficient to

† As the produce of the tolls in the western was much more considerable than what was raised in the eastern district of East Lothian, and as the charges were paid not according to the length of road, (as necessarily stated in this account) but according to the sums raised, a greater proportion of the charges must have fallen upon the western district; and the charges paid by the eastern district for passing the act, and for treasurers and overseers salary, must not have been so much as what is exhibited in the above state of the account. Nevertheless, the above account sufficiently shews, even in the now increased state of the tolls, how burthensome the charges must be upon the eastern district; especially since travellers betwixt London and Edinburgh do now generally take another rout. I doubt not, therefore, but the heretors and tenants in the eastern district will find it their interest to throw open the toll gates in that district, to pay off their turnpike debt, and keep the road in repair, by means of an equal contribution or assessment. I am informed a proposal to this purpose has already been spoken of.

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convince any person of the impropriety of this mode of making the high roads, and also of the heavy charges and lasting taxation attending it in a like situation; I shall nevertheless endeavour to form an estimate with all the exactness the nature of the subject can admit of, upon the data, which have come to my knowledge, of the probable produce, in case of the establishment of turnpikes in the MERSE, and of the charges which it may be expected would be incurred thereby. It is upon the resemblance of the situations of DUNBAR and the eastern district of EAST-LOTHIAN to that of EYMOUTH and BERWICK and the adjacent country, as noticed above, that I found the computation.

	MILES
THE distance from EYMOUTH to the extremity of the shire, on the road to EDNAM, is about	22½
From BERWICK bounds to the junction with this road, about	7½
	<hr/>
IN all, proposed to be applied for nominally, miles	30

THE toll-bars required upon these roads would be,

	TOLL-BARS
AT EYMOUTH	2
At CHIRNSIDE	1
At junction of BERWICK and EYMOUTH roads	1
Betwixt said junction and EDNAM, believed	2
At BERWICK bounds	1
At separation of New-water-ford and BERWICK roads	1
	<hr/>
In all toll-bars	8

BUT let it be supposed, that seven toll-bars might be made to answer.

THE whole produce of tolls raised in the eastern district of EAST-LOTHIAN being £2504 : 16 : 1, and this being proportioned equally upon the four toll-bars there, affords £35 : 17 : 6¼ at each bar yearly, supposing the tolls in the MERSE to produce, at an average, ceteris paribus, the same as in the eastern

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district of EAST-LOTHIAN, then the above seven bars would produce yearly £251 : 2 : 10

CHARGES.

SEVEN toll-gatherers at £12 each yearly. N.B. This is too small an allowance for the toll-gatherers pains and risk; but as that sum was the lowest wages paid by the trustees in EAST-LOTHIAN, I shall make up the present estimate on that footing. Then seven toll-gatherers at £12 each yearly £84

Seven toll-houses and toll-bars at £40 each, making £280, which, reckoning the rent at fourteen years purchase, would amount yearly to 20

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Passing the act and incidents, yearly 29 : 8 : 1
 Treasurers salary yearly 30
 Overseers salary ditto 25

84 : 8 : 1

Remains to be employed on thirty miles of road, bridges and repairs

62 : 14 : 9 251 : 2 : 10

IN this case the article of toll-gatherers and toll-houfes alone amounts to $41\frac{4}{5}$ per cent. of the whole produce of tolls.

IT may be said, however, that the tolls in the MERSE would admit of being raised higher than those levied in EAST LOTHIAN, during the eighteen years mentioned. I shall therefore suppose, they may be raised a half more, which is, I believe, as high as the gentlemen in EAST LOTHIAN thought they could admit of being raised to, when they applied for the late act of parliament; and shall consider the matter in that view. At each bar, in that case, might be levied $\text{£}53 : 16 : 3\frac{1}{2}$ yearly, and

The seven bars would produce yearly $\text{£}376 : 14 : 2\frac{1}{2}$

Rent of seven toll-houfes and toll-bars yearly, as above $\text{£}20$

Profit to seven toll-gatherers, allowing only $\text{£}12$ to each per annum, yearly $84 \quad 104$

Passing the act and incidents, annually $29 : 8 : 1$

Treasurers salary 30

Overseers salary $25 \quad 84 : 8 : 1$

Remains balance to be employed in making thirty miles of road, in building bridges and in repairs $188 : 6 : 1\frac{1}{2} \quad 376 : 14 : 2\frac{1}{2}$

THE article of toll-gatherers and toll-houfe rents amounts in this case to $27\frac{6}{8}$ per cent. of the produce.

ON taking the whole sum expended upon the turnpike road, bridges and repairs in EAST LOTHIAN, during the first eighteen years after passing the act, and allowing the sum bestowed in building bridges to be equal to the statute work employed on that road; I found that the mile of road must have cost, at an a-

verage, in making and keeping in repair during said eighteen years, $\text{£}275$ the mile. Now as it cannot be expected, that roads can be executed in the MERSE and kept in repair at a cheaper rate than in EAST LOTHIAN, on account of the easy access to materials, every where, in the eastern district, I must reckon, at least, a like sum of $\text{£}275$ upon the mile of road in the MERSE, made and kept in repair eighteen years.

LET it be considered then, how many miles, by the above balance of $\text{£}188 : 6 : 1\frac{1}{2}$, might be expected to be made and kept in repair, during eighteen years, and the money borrowed paid off, during the term of the proposed turnpike law, viz. thirty one years; supposing the said roads to be completed, during the first eighteen years. The value of $\text{£}188 : 6 : 1\frac{1}{2}$ for thirty one years, applied annually to the roads, during the first eighteen years, being $\text{£}240 : 15 : 10\frac{1}{2}$, the whole sum during the said eighteen years would amount to $\text{£}4334 : 5 : 6$; which sum of $\text{£}4334 : 5 : 6$ being divided by the cost of a mile $\text{£}275$, only $15\frac{7}{8}$ miles of road could in that case be completed and kept in repair during the first eighteen years.—It appears, therefore, that the mode of a turnpike law would not only be very burthensome to the shire, on account of the great proportion paid for collecting, out of the money levied; but would also be ineffectual to complete the length of the road proposed.

BUT it may be alledged, that the turnpike act proposed would take in a greater extent of road, and therefore the charges would be proportionably lower. I shall therefore enquire, what additional roads might be made, in consequence of the proposed turnpike law; and what the produce and charges upon the whole may be expected to amount to.

	MILES
THE communication from the BERWICK road to the New-water-ford	3
The communication from EYMOUTH road, from the enclosures east of EAST-MAINS to BERWICK bounds	5
Communication from DUNSE with the BERWICK road	5

From DUNSE by SWINTON to UPSETTLINGTON
about 11

In all, miles 24

UPON the above roads there will be required of additional toll gates;

ON the New-water-ford road	0	
On the CHIRNSIDE road at BERWICK bounds	1	
At DUNSE upon the two roads	1	
At UPSETTLINGTON	1	
And at NORHAM west-ford, or at the dam-ford	1	
	4	
To the former account of miles	30	
Add miles	24	54 miles
	7	
To the former account of toll-bars	7	
Add toll-bars	4	11 toll-bars

PRODUCE of the said eleven toll-bars at the foregoing encreased rate of tolls, viz. £53 : 16 : 3 1/2 yearly each £591 : 19 : 6 1/2

C H A R G E S.

Viz. Eleven toll-gatherers, allowing no more than £12 each yearly £132

Eleven toll-houses and gates £440, or yearly, at fourteen years purchase 31 : 8 : 5 163 : 8 : 5

Passing act and incidents, yearly 29 : 8 : 1

Treasurer, yearly £30
Overfeer, ditto 25 £84 : 8 : 1

Remains for making roads, building bridges and keeping them in repair 304 : 3 : 0 1/2 591 : 19 : 6 1/2

IN this case, as before, the charges on toll-gatherers and toll-houses amount to 27 1/2 per cent.

LET it next be calculated, how many miles of road may be expected to be made and kept in repair, and the money borrowed paid off, in the term of the proposed turnpike law, thirty one years, by means of the above yearly balance of £304 : 3 : 0 1/2, supposing it wholly applied during the first eighteen years of that period. The value of £304 : 3 : 0 1/2 for thirty one years applied yearly during first eighteen years, being £405 : 7 : 9 1/2, the whole sum to be applied during eighteen years would amount to £7297 : 0 : 0 1/2

Which sum of £7297 : 0 : 0 1/2 being divided by £275, as above, the average cost of a mile of road, affords of road made by the above balance, paid off, during the above term, 26 1/2 miles. By means therefore of £591 : 19 : 6 1/2, the gross produce of the eleven toll-bars stated in the above account, there could be made and kept in repair only miles 26 1/2

So that there would remain unfinished at the end of the term of thirty one years, proposed in the bill, miles 27 1/2

—of the proposed road, viz. miles 54

Now let it be considered, what length of road may be completed and kept in repair, during eighteen years, and the money borrowed paid off, by means of a like sum of £591 : 19 : 6 1/2, raised yearly by a general equal contribution or taxation upon her

ritors and tenants; supposing such a tax to amount in the whole to £2000 a year; to be raised yearly, during a like period of thirty one years, and applied during the first eighteen years.

THE annual charges would be, to treasurer	£30
To an overseer, of addition to the present allowance	15
For passing the act and incidents	30
In all	75

And the proportion of this annual charge, which would fall to	591 : 19 : 6 ² / ₃
Being deducted, viz.	22 : 4 : 0

There remains to be applied to roads yearly 579 : 15 : 6²/₃

The value of £579 : 15 : 6²/₃ annually for thirty one years applied yearly during the first eighteen years being 759 : 19 : 9⁶/₁₂

The whole sum to be applied in eighteen years would amount to 13679 : 16 : 0⁶/₁₂

Which sum of £13679 : 16 : 0⁶/₁₂ being divided by £275 †, the average cost of a mile, shews the above annual sum of £591 : 19 : 6²/₃, raised by way of contribution or assessment, to be sufficient to make and keep in repair during the first eighteen years, miles 49⁸/₁₀

But I have made it appear, that, by means of a like sum raised from the shire by a turnpike law, there can be made and kept in repair during the like term only miles 26¹/₂

† This sum of £275 has been thought too small an allowance for making and keeping in repair a mile of road. But in making up these estimates I have thought it proper to adhere to facts. If the roads in the Merse can be completed at a lower rate, that circumstance would be in favour of the mode of assessment; as the excess of the number of miles which might be made by this means, above the number of miles which might be effected by turnpikes, would increase in proportion to the diminution of the expence.

It is therefore evident, that a sum, raised by way of assessment, in a given time, would be sufficient to make nearly double the length of road, that could be made by a like sum, raised by a turnpike law, in the same given time.

In the above estimates I have only allowed £12 a year to each toll gatherer, for maintenance, profit and risk. There was from £12 to £16 a year paid to the toll-gatherers in EAST-LOTHIAN while the tolls were in the hands of the trustees; but as it is to be presumed, that no trustees would scruple to give higher wages upon a certainty of a faithful account of the tolls by the toll-gatherer, and as no person would run the risk of taking the tolls, without having a probability of making a sufficient profit in the worst of years; I cannot think any person would take a toll-bar without having the probable expectation of earning at least a shilling a day, or about £18 a year. There was a rise of £22 upon the tolls in EAST-LOTHIAN, the eighteenth year after the act took place, which shews, that the toll-gatherers earned more than a bare maintenance during the foregoing years. For these reasons, it appears, that the £12 allowed in the above estimates is low, and therefore, that the mode of turnpikes would occasion a higher charge and a heavier burthen on the shire, than is therein deduced.

LASTLY, if it be proposed to include all the principal roads in the MERSE, leading to the sea-ports, or towards the coal and lime, in a turnpike law, (and I confess the same arguments may be used for erecting turnpikes on the whole of the roads, as on those leading from KELSO to EYMOUTH and BERWICK) the toll on such roads could not be properly collected by means of less than thirty turnpikes; to support which, even at the lowest allowance, would require £450 annually; an yearly burthen upon the shire, equal to five shillings sterling on the hundred pounds Scots of valued rent.

As it is intended by the proposed turnpike law to levy a toll on lime carriages, it is thought by some that a greater sum would be raised than what is above allowed. No doubt, but the toll on this article, taken at the fords of the TWEED, would be somewhat considerable, but as this and coal are the sole articles which would have occasion to pass these fords, I doubt whether these tolls would surpass the allowance; except on one branch of the road,

leading from EDNAM towards EYMOUTH and BERWICK, for the making of which, the proposed application to parliament for a turnpike law is principally intended, very little time would probably be ever carried. But suppose the toll on lime to occasion a higher produce than what is above allowed, still such toll would be a load upon improvements, and the charges of levying it would fall entirely upon the heritors and tenants within the shire.

I HAVE shewn above, if the road from EDNAM towards BERWICK and EYMOUTH be the only object of the proposed turnpike law, that, in case such a law shall take place, the charges will at the lowest amount to $41\frac{1}{8}$ per cent. of the whole toll raised; and that, if the money borrowed be paid off in the duration of the act, only $15\frac{7}{8}$ miles can be completed.

I HAVE also made it appear, that, if the roads leading from DUNSE to the New-water and UPSETLINGTON fords, and the communication betwixt the EYMOUTH road towards BERWICK on the north side of WHITTADDER, shall be comprehended in the proposed act, with the above road from EDNAM towards BERWICK and EYMOUTH, or made in consequence of such an act; the charges in that case would be equal to $27\frac{1}{8}$ per cent of the sum levied at the whole tolls, and that, in case the money advanced upon the credit of the tolls be paid off during the period of the act, only $26\frac{1}{2}$ miles can be made and kept in repair; while by means of an equal contribution or assessment $49\frac{1}{8}$ may be completed.

BUT it may be said, that money may be borrowed to make part of the $14\frac{7}{8}$ miles in the first case, and the $27\frac{1}{2}$ miles in the latter case, left in the original unfinished state, upon the faith of the tolls to be raised after the expiration of the first thirty one years by a turnpike law. This too would be inadequate; and is a system, which would intail a perpetual tax upon the shire; in promoting of which, the writer of this enquiry can never concur.

THUS have I endeavoured to investigate, whether the method of making the highways in the shire of BERWICK by means of a turnpike law, or by an assessment, would be most chargeable to the shire, and I find what I formerly advanced before the general meeting of heritors at EDINBURGH, namely, *that the mode of a turnpike law must be attended with a heavy and lasting expence upon the shire*, is confirmed by undoubted facts. Such as

lay any stress upon the support that the turnpike roads would meet with from the toll raised on strangers passing through the MERSE, will certainly be deceived. It would amount to a mere trifle. They will confess, no doubt, that the toll, on the great high road from LONDON to EDINBURGH, ought greatly to exceed it. Yet if they examine into the accompts of the EAST-LOTHIAN turnpike, they will find, that at BILLSDEAN, through which all the travellers betwixt LONDON and EDINBURGH must have passed during eighteen years, there was never raised more than from £ 23 to £ 25 of free toll in the year, even with the assistance of all the country to the eastward and westward of that toll-bar. If made-roads then are desired, (and desired they ought to be, in the shire of BERWICK) the inhabitants thereof must expect to pay for them, whether the funds be raised by turnpikes or by an assessment. I have shewn the mode of assessment to be most effectual, and least burthensome.

BUT why be at the expence of making the high roads, to be used by strangers who contribute nothing? Why, answer I, are avenues made to your houses? Why are your houses ornamented with neat or elegant furniture? Were these intended merely for the use of the occupier? Why bestow considerable sums upon the perfecting your sea-port, and leave that sea-port inaccessible? Or why, to render that sea-port useful, should we load ourselves, and distress our neighbours with an oppressive tax? Let us invite our good neighbours of TIVIOTDALE, of NORTHUMBERLAND, of EAST-LOTHIAN to our houses; let us shew them the way to our markets and sea-ports, by the means of excellent roads, free and without interruption. By so doing, I doubt not, but we should soon reap solid advantages, equal to the immediate satisfaction in obliging.

BESIDES the reasons against the proposed application to parliament for a turnpike law, many others may be alledged.—The impracticability of putting up toll-bars, in such a manner as to prevent such as may incline to avoid them from eluding the tolls; by which means, masters, instead of contributing to the support of the roads, would frequently be cheated by their servants, who would elude the tolls, get drunk and destroy their horses.—The interruption and oppression of toll-bars and the delay and sauciness of toll-gatherers.—The check

upon the establishment of arts and manufactures; for certainly a manufacturer would prefer settling in a country where he could find good roads free of toll, to setting up his manufacture in a country where, supposing other advantages alike, he would pay a heavy toll for the carriage of his materials and goods. And what would, in some measure, defeat the end proposed by turnpikes, namely, the making good roads, is, that by a turnpike law the funds are collected in smalls, and the contributors, probably, having no immediate concern in the application, and not anxious about it; the important business of making the highways frequently falls upon the overseer and undertaker: Whereas if the money were raised by assessment, and applied at the sight and for the benefit of the contributor, there is little doubt but he would see it expended to the best advantage.

BUT it is said, that, by means of a turnpike law, roads are soonest executed. This is the strongest argument I have heard in favour of turnpikes. Yet we see many instances of the length of time taken, even by this method. There was little of the EAST LOTHIAN turnpike roads executed, till towards the latter end of the period of the first eighteen years, and some miles remained in its original bad state after that period. Does not some part of the BERWICK turnpike roads remain unfinished at this day? and it were to be wished, that still more had at this time continued in the same state as before passing the act.—We saw above, that by an assessment, $49\frac{8}{9}$ miles may be made with the same sum raised from the shire as $26\frac{1}{2}$ miles by means of turnpikes. Surely then $26\frac{1}{2}$ miles would be sooner completed by the first, than by the latter method, if the necessary expence can, by the first method, be procured. That money may be borrowed upon the security of an assessment, as easily, nay more easily, than upon the credit of a turnpike, there can be little doubt. I am, however, of opinion, that borrowing to the full extent upon public funds ought by no means to be allowed. But if money may be borrowed upon an assessment, and a greater extent of road made by an equal sum raised, then the argument in favour of tolls, on account of expedition, falls to the ground.

To make the greatest extent of road, in the shortest time, by the least oppressive method, and this, by doing justice to all concerned, is the object I have in view. And it is with an inten-

tion to throw all the light I can upon this subject, and to prompt others, not to precipitate, but to consider with attention a matter of so much importance to the shire; to examine into the extent of the roads proposed to be repaired; into the facility of procuring materials; into the cost of such roads; and also into the funds which may be required and procured to answer such purposes, that I have entered into this enquiry; and that I offer these observations to the consideration of the committee of heretors, and to all others who have any concern in this matter. When these things shall be duly and attentively enquired into, and discussed, I shall be most willing to join in promoting what shall be found to be the most beneficial scheme for the amendment of the highways; from an opinion of the benefits arising from thence, not only in respect of oeconomy and profit, but with regard to the ornament and good policy of the shire, and to the ease, commodiousness, and satisfaction of each individual in it, and of strangers who may sojourn in it, or pass through it.

THAT the utility of made-roads may appear, with regard to profit and good oeconomy, I shall endeavour to shew what advantages may be expected from them on one article only. Let it be supposed, that one plow-gate of land employs a cart constantly, during the usual driving season, to carry lime shells. In the present state of the roads, carts generally carry five bolls. If the roads were made, they could carry seven and a half, or eight bolls, with as much ease as at present five bolls. Now allowing a cart at present to bring home yearly two hundred and fifty bolls; if the roads were made, such a cart with seven and a half bolls would bear one hundred and twenty five bolls more in the same number of rakes or turns; they would also in the case of made-roads go a greater number of rakes, but I suppose only one hundred and twenty five bolls additional; reckoning the average price for leading five bolls at three shillings, then there would be twenty five times three shillings or £3 : 15 of gain upon the single article of leading; and as this one hundred and twenty five bolls would lime two and a half English acres of ground, upon which I cannot reckon less than 10 s. a year gain per acre, which being valued as $7\frac{1}{2}$ per cent. to 100, affords £6 : 13 : 4, from which deducting £1 : 5, the value of the prime cost of lime for one acre, produces with the addition of the above £3 : 15 the sum of

£9 : 3 : 4 of clear gain, by employing one cart yearly. To procure the means of gaining this £9 : 3 : 4, no one, I should think, would scruple to contribute £2, £3, or even more if required. Granting five hundred carts to be annually employed in carrying lime, and there are probably a greater number, there would be an annual profit to the shire of £4583 : 6 : 8, and if the gain upon leading of lime for the pease and turnip breaks in winter, when the plough cannot work; on carrying corn to markets not on horseback but in carts; on leading of coal, of materials for building, and other articles, be added, the vast advantages of made-roads will appear. As both heritors and tenants would be so much the gainers, I am of opinion, they should both contribute towards a fund for this useful purpose, *the mending the highways*; and as in all well regulated societies, the several members ought to join in what is advantageous to the whole, I would fain hope that every person concerned will concur in so laudable and beneficial an undertaking.

HAVING laid the above enquiry before the committee of heritors appointed to make up a bill to be laid before the parliament, I was desirous that the committee, or some member, would have drawn up the heads of a bill in conformity thereto: But the committee, as also several heritors in private, having requested me to point out a scheme, by which the highways in the shire may be amended, in a manner agreeable to these observations; in compliance with the desire of these gentlemen, I presume to lay before the committee and the other heritors of the shire, the following general heads, which if they meet with approbation, may, with their assistance, be extended in the form of a bill. I must therefore premise a hint from the paper which I had the honour to read before the general meeting of heritors in December last, and which I think consistent with the principles inculcated in the foregoing observations: viz. 'That a plan can be framed equal and just, and by which the different parishes may obtain benefit from the roads, in proportion to the respective contributions, I make no doubt. The present laws, although not sufficient for the above purpose, yet if properly enforced, somewhat in the manner prescribed in the EAST LoTHIAN act, would no doubt contribute greatly towards the amendment of the roads. As such a scheme would fall altogether on the tenantry, it is

' thought, the proprietors of lands should contribute at least as much as the additional tax thereby laid on the tenants. This is but reasonable. By this means it is presumed a fund may be procured, not only to compleat the principal roads in a few years, but also for the preservation of them, and the amendment of the bye-roads for the future.' In conformity therefore to these principles and to the preceding observations, I shall proceed to offer some general heads or proposals.

GENERAL HEADS, upon which a bill may be framed for the amendment of the highways in the shire of BERWICK.

THAT an act of parliament be applied for next sessions, to empower the whole heritors of the shire,
 1st. To make up exact lists of all the plow-gates in the shire, allowing _____ acres for each plow-gate in the MERSE or low country, and _____ acres for each plow-gate in LAMMER-MUIR.

2dly. To order an exact survey to be made of the principal roads in the shire, and of bridges that are wanting.

N. B. By means of such a survey, the number of acres, and of course, plow-gates in each parish, may be ascertained.

3dly. To take under their consideration such a survey, with power in order to shorten roads and to avoid bad pulls, to make what alterations shall be found by them for the publick benefit, in such a manner as to do as little damage as possible to private property, and to fix and determine the situation of such bridges, and direction of such roads for the future, unless where alterations may be required for publick utility.

4thly. To cause estimates to be taken of the expence which would be necessary to make such principal roads and bridges; and after having ascertained the expence of such principal roads and bridges, to proportion such expence upon the several plow-gates in the shire, in such a manner that the heritor may pay one moiety, and the tenant the other †.

† No tenant scruples to give 7½ per cent. for parishable improvements, and good roads ought certainly to be the first, and are the most beneficial improvements; though parishable, or frequently in need of repairs.

N. B. ALTHOUGH many tenants may, at the time, have few years of their tacks to run, yet as they will reap the benefit of their advanced assessment on a new tack of their own, or of any other farm in the shire, I should not think this unreasonable. Otherwise recourse may be had upon the incoming tenant for the indemnification of the away-going, according to a rate to be settled by the heritors, before passing the act, and according to the number of years to run of the lease.

5thly. To take an account of the number of horses kept by such as have little or no land, and to settle a rate to be paid for each yearly, as also for saddle horses and gentlemen's carriages.

6thly. To levy such moieties and rates in the manner proposed in the bill printed by direction of the committee; failing which, to authorize the collector of the cess to levy the same along with the land tax; and to appoint an heritor in each parish, to receive the assessment of each respective parish, who shall account for the same.

7thly. To empower the heritors and tenants in each parish to meet annually on a day fixed for that purpose; and to consult together, upon what principal road such their annual proportion shall be applied, and if the heritors and majority of tenants be not unanimous, then the heritors at their annual general meeting shall appoint where the assessment of such parish shall be applied (provided it be applied in some one road useful to such parish) but if they be unanimous, the said proportion of such parish shall be applied upon such a principal road as they shall have fixed upon for that purpose; and the several heritors and tenants shall produce receipts of their annual proportions paid on, or before the day of such a parochial meeting.

8thly. To continue the statute work to be employed on the private parish roads, in the manner directed by the bill, now under the consideration of the committee.

9thly. To determine in what manner EYMOUTH harbour shall be completed, and the defective funds made good for that purpose.

THE proposer making no doubt, (if it shall be thought proper to make use of them) but that, after they shall have been duly considered, some useful variations may occur in the application of them to the making up the bill proposed.

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