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Cap. xlvi.

An Act to discontinue the taking of Toll on the Turnpike Roads leading from the Town of *Antrim* towards *Coleraine*, and to provide for the future Maintenance of such Roads.

[23d *June* 1856.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth and in the First Year of the Reign of Her present Majesty, intituled *An Act for maintaining, repairing, and amending Turnpike Roads from the Town of* Antrim *in the County of* Antrim, *towards* Coleraine *in the County of* Londonderry: (7 W. 4. & 1 Vict. c.xli.) And whereas in consequence of the Establishment of Railways in the County of *Antrim*, running for the most Part parallel to the said Turnpike Roads, the Amount of Tolls now collected on the said Roads is found insufficient for the Repair and Maintenance of the same: And whereas there is

no Debt due by the Trustees of the said Roads in respect thereof: And whereas it is expedient that the Turnpikes on the said Roads should be abolished, and that the Collection of Tolls on the same should cease, and also that the said Roads should in future be maintained as the other free Highways of the said County are now maintained; but such Purposes cannot be effected without the Aid and 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; that is to say,

Short Title.

I. This Act may be cited for all Purposes as "The *Antrim* and *Coleraine* Turnpikes Abolition Act, 1856."

Interpretation of Terms.

II. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; (that is to say,)

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

"Barony" shall include Half Barony:

"Officer" shall include Secretary, Treasurer, Clerk, Surveyor, and Toll Collector:

"Roads" shall include Bridges and all other Works appertaining to the Roads.

7 W. 4 & 1 Vict. c. xli. repealed, and Roads thereupon declared public.

III. On and after the First Day of *October* next after the passing of this Act the recited Act is hereby repealed, and from thenceforth the Trustees appointed by the said Act shall be discharged from the Execution of the Trusts and Powers thereby vested in them, and the Collection and taking of Tolls upon the Roads in the said Act mentioned shall absolutely cease, and upon and from the said First Day of *October* next the said Roads shall be and become and are hereby declared to be public Roads of the County of *Antrim*, and shall be maintained and kept in repair in like Manner, and shall be subject to the like Provisions, as other public Roads within the said County.

Officers to account and deliver up

IV. The Officer or Officers employed under the said Act hereby repealed shall, within Thirty Days after the said First Day of *October* next,

next, make up, sign, and balance their Accounts up to the said First Day of *October*, and shall lay the same before the Secretary of the Grand Jury of the County of *Antrim*, who is hereby authorized to examine such Officer or Officers upon Oath as to the Truth of their Accounts, and to approve and certify any Balance that may be due by any such Officer or Officers, and every such Officer or Officers shall pay or deliver to the Treasurer of the said County, or to such Person as he shall direct and appoint to receive the same, all Monies or Balances so certified as due and owing, together with all Securities, Vouchers, Receipts, Accounts, and other Documents, and also all Materials, Tools, Implements, and other Things in his or their Possession or Control by virtue of his said Office, for the Use and Benefit of the Ratepayers of the County of *Antrim*; and if any such Officer shall neglect or refuse to render such Accounts, or to pay any such Balance, or to deliver to the said Treasurer, or the Person appointed by him as aforesaid, any of the Documents or Things aforesaid in his Possession or Control by virtue of his said Office, such Officer shall for every such Offence be liable to a Penalty not exceeding Ten Pounds, in the Discretion of the Justices before whom such Offender shall be convicted. Documents, &c.

V. All Fines or Penalties inflicted or imposed by this Act may be sued for and recovered in a summary Way by the Order and Adjudication of any Justice or Justices of the Peace at Petty Sessions, under and subject to the several Provisions and Regulations relating to summary Jurisdiction contained in "The Petty Sessions (*Ireland*) Act, 1851," and shall be applied in the Manner by the said Act directed. Penalties, &c., how to be recovered.

VI. Upon and after the said First Day of *October* next, all Lands, Quarries, Tenements, and Hereditaments, and all Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, Lamps, Lamp Posts, Monies, Choses in Action, and all other Property vested in or belonging to the Trustees of the said Roads for the Purposes thereof, shall vest in the Treasurer of the County of *Antrim*, for such Estate or Interest as the said Trustees shall have therein; and the said Trustees and their Officers, and all other Persons in possession thereof, shall surrender the same, and all the Title Deeds, Leases, Contracts, Instruments, or Things relating thereto, to the Treasurer of the said County, to be by him applied as by this Act directed. Property of Trust to vest in Treasurer of County of Antrim.

VII. The

Trust Property to be sold.

VII. The said Treasurer shall, as soon as conveniently may be after the said First Day of *October* next, sell and dispose, or authorize the Sale and Disposal of the Estate and Interest in such of the Lands or other Real Property of the said Turnpike Trust so vested in him as shall not be required for the Purposes of the said Roads, and the Rights, Members, and Appurtenances thereof, and of such Personal Property as aforesaid, either by Public Auction or by Private Contract, and either in One Lot or in several Lots, as to him shall seem fit, to such Persons as shall be willing to become the Purchasers thereof or of any Part thereof; and the said Treasurer shall have full Power and Authority to enter into all necessary Contracts for Sales, or to rescind or vary the same, and to give full and effectual Discharges for the Purchase Money thereof or any Part thereof, and to execute all necessary Conveyances for vesting the same in the Purchasers thereof or any Part thereof, for all the Estate or Interest therein which shall be vested in the said Treasurer; and the said Treasurer shall and he is hereby authorized and required to take down and remove all or any Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, or other Things which shall encroach or be upon the said Roads, and may, if he think fit, take down or remove all or any other Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, or other Things the Property of the said Turnpike Trust, and may sell and dispose of the Materials thereof in manner aforesaid: Provided always, that before the said Treasurer shall sell and dispose of or offer for Sale and Disposal any Piece of Ground not wanted for the Purposes of the Roads, he shall in the first instance offer the same to the Person from whom or from whose Antecessor the same shall have been purchased, and whose Lands shall adjoin thereto, and if such Person shall refuse or shall not agree to purchase the same he shall offer the same to any Person whose Lands shall adjoin thereto, and if such Person shall thereupon refuse or shall not agree to purchase the same, such Land may be sold to any Person who may be willing to become the Purchaser thereof as aforesaid.

Application of Produce of Sales and Balances in Hands of Trustees.

VIII. All Monies to arise from such Sales of the Property of such Turnpike Trust, after deducting the necessary Expenses thereof, and all Monies to be received from the Trustees or Officers of such Turnpike Trust, shall be applied by the Treasurer of the County in the first instance in discharge of the Costs, Charges, and Expenses of obtaining this Act, and the said County or the Baronies thereof wherein is situate the said Turnpike Trust shall be entitled to Credit for

for the Amount of such Monies so applied; and the said Secretary shall from Time to Time certify to the said Treasurer the Sum to Credit for which the County or any Barony thereof shall be entitled, and thereupon it shall be lawful for the Grand Jury to deduct from any Presentment to be made and levied off the County or Barony thereof under the Provisions of this Act, the Amount to Credit for which the County or Barony shall be so certified to be entitled, and the Balance of all Monies so arising shall be by the said Treasurer applied in aid of the Presentments to be made under this Act in relation to such Trust.

Expenses of Act, how to be paid.

IX. All the Costs, Charges, and Expenses attending or incident to the applying for and obtaining this Act shall be paid as by this Act provided, and it shall be lawful for all Persons having Claims in respect of such Costs, Charges, and Expenses, at any Time within Twelve Months after the passing of this Act, to deliver to the Secretary of the Grand Jury an Estimate or Account thereof; and it shall be lawful for the Secretary, if he shall so think fit, to cause the same or any Part thereof to be taxed by the proper Officer or Officers, and the Secretary shall award to the Persons entitled thereto the Amount of such Accounts, or, in case of Taxation, the Amount thereof as taxed, and the Sums so awarded or taxed shall be the First Charge on all Monies applicable to such Purpose which shall come to the Hands of the Treasurer of the County by virtue of this Act in preference to all other Claims whatsoever.

Grand Jury to present Costs, &c.

X. The Sums which the Secretary shall have ascertained to be payable by the said County of *Antrim*, or any Barony thereof, shall be payable by the Grand Jury of such County, and at the Assizes or Presenting Term next after the said Secretary shall have so certified, the said Grand Jury are hereby authorized and required to present the whole Sums certified to be payable in respect of such Costs, Charges, and Expenses as aforesaid, to be raised off the County at large, or any Barony thereof, in One Instalment; and in default of such Presentment, the Court at the Assizes shall order the Amount of such Costs, Charges, and Expenses to be raised off such County or any Barony thereof, and such Order shall have the Force of a Presentment, and the Treasurer of such County shall insert the Amount of such Costs, Charges, or Expenses in his Warrant, and the same shall be applotted, raised, and levied as if the same had been duly presented; and when and so soon as the Amount of such

Costs, Charges, and Expenses shall be raised and received by the said Treasurer, such Treasurer shall immediately pay the same to the Persons entitled thereto.

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