ANNO DECIMO SEPTIMO & DECIMO OCTAVO

VICTORIÆ REGINÆ.

****

Cap. cxl.

An Act to authorize the Trustees of the *Rochdale and Burnley* Turnpike Roads to take Toll in respect of the Carriage of certain Stones.

[10th *July* 1854.]

WHEREAS an Act was passed in the Seventh Year of the Reign of King *William* the Fourth, intituled *An Act for* 7 W. 4. c. vi.
repairing, maintaining, and improving the Road from the Town of Rochdale *to near* Hand Bridge *near the Town of* Burnley, *and other Roads communicating therewith, and for making and maintaining other Roads also to communicate therewith, all in the County Palatine of* Lancaster, and such Act obtained the Royal Assent on the Twenty-second Day of *March* in the Year of our Lord One thousand eight hundred and thirty-seven; and it was enacted that the same should commence on the Second *Thursday* after the passing thereof, and should continue in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament: And whereas large Quantities of Flags and Edging or Kerb Stones are carted or conveyed along the Roads to which the said Act relates, or certain Parts thereof; and it is expedient that the Trustees acting under the said Act should be authorized to take Toll in respect of all Flags and

Edging or Kerb Stones so carted or conveyed, and not *bonâ fide* destined to be used in making or repairing any Turnpike Road under the Charge of the said Trustees, or in making or repairing some Highway in some Parish, Township, Hamlet, or Place liable to contribute out of the Highway Rate to the Repairs of some Part of such Turnpike Roads, or in making or repairing some public Highway within the Limits of any Improvement Act, the Limits of which Act shall comprise any Part of the Roads which now is or heretofore was Part of the said Turnpike Roads, or in building, rebuilding, or repairing any present or any future Bridge or Bridges on any such Turnpike Road or Public Highway: And whereas the Object 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Power to take Tolls for Stones.

I. It shall be lawful for the Trustees acting under the recited Act, or any Person or Persons authorized or appointed, or to be authorized or appointed, to collect the Tolls to be demanded and taken by virtue of the said Act, to demand and take, or cause to be demanded and taken, at the several and respective Turnpikes, Toll Gates, Bars, and Chains now erected or continued or hereafter to be erected upon, across, or on the Sides of the Roads under the Trust or Charge of such Trustees (subject to the Provisions of the said Act), the same Toll or Sum for or in respect of any Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage laden or partially laden with any Flags or any Edging or Kerb Stones, as they may lawfully demand and take for any Horse or Beast drawing a Waggon, Wain, Cart, or Carriage of the same Description, laden or partially laden with any other Articles not exempted from Toll by virtue of the said Act, or of any Public General Act; and the Toll hereby granted shall and may be recovered and enforced in the Manner and by the same Means as any Toll granted by the recited Act: Provided that it shall not be lawful for the said Trustees, or any Person or Persons authorized or appointed, or to be authorized or appointed, to collect the Tolls as aforesaid, to demand or take any Toll or Sum for or in respect of any Horse or other Beast drawing any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Flags or Edging or Kerb Stones which shall be *bonâ fide* destined to be used in making or repairing any Turnpike Road under the Charge of the said Trustees, or in making or repairing any Highway in any Parish, Hamlet, Township, or Place liable to contribute out of the Highway

Highway Rate to the Repairs of some Part of the said Turnpike Roads, or in making or repairing any public Highway within the Limits of some Improvement Act, which Limits shall comprise some Part of the Roads which now is or heretofore was Part of the said Turnpike Roads, or in building, rebuilding, or repairing any present or future Bridge or Bridges on any such Turnpike Road or public Highway.

Drivers of Waggons, &c. laden with Stone, &c. exempted from Toll, to give such Information as required by Toll Collector.

II. The Driver of every Waggon, Wain, Cart, or other Carriage laden or partially laden with Flags or Edging or Kerb Stones in respect of which Exemption from Toll shall be claimed shall, if required by the Person or Persons authorized or appointed to collect Toll at any such Turnpike, Toll Gate, Toll Bar, or Chain, previously to passing any such Turnpike, Toll Gate, Toll Bar, or Chain, state by whom such Driver is employed, and the Place to which such Flags or Edging or Kerb Stones are to be carried or conveyed, together with such further Information as may be necessary to enable the Collector to judge whether such Flags or Edging or Kerb Stones are properly exempted from Toll; and if any Driver shall not, when required, state the Matters aforesaid, or shall wilfully give a false Statement or any wrong Information touching any of the Matters aforesaid, or if any Person shall wilfully misinform any such Driver in order to obtain Exemption from Toll in respect of any Flags or Edging or Kerb Stones not rightly or properly exempted therefrom, such Driver or Person shall incur a Penalty not exceeding Five Pounds, to be recovered in like Manner as any Penalty imposed by the recited Act may be recovered; and in all Cases the Proof of Exemption shall be upon the Person claiming the same.

Short Title.

III. The Short Title of this Act shall be "The *Rochdale and Burnley* Road Tolls Act, 1854," which shall be a sufficient Description thereof in all Documents and for all Purposes.

Expenses of Act.

IV. All the Costs, Charges, and Expenses of and incidental to the passing of this Act, and preparatory thereto, shall be paid by the Trustees acting under the recited Act.

Term of Act.

V. This Act shall continue in force so long as the recited Act shall continue in force, and no longer.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1854.