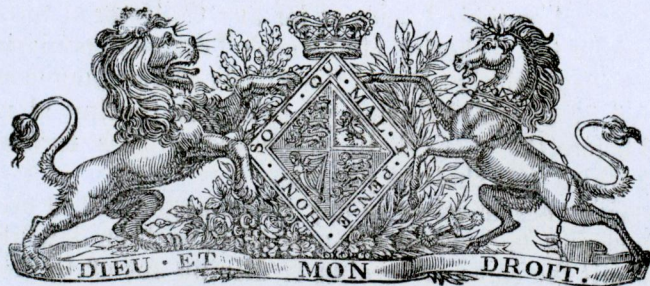


New South Wales.



ANNO VICESIMO

VICTORIÆ REGINÆ.

No. XXXVIII.

An Act to encourage the use of Broad Wheels, and to define the limits without the City of Sydney within which Toll-bars may be erected. [Assented to, 18th March, 1857.]

WHEREAS it is expedient to assimilate the Tolls upon Drays and Waggon's passing over and using roads and bridges coming within the operation of the Acts of Council second William the Fourth number twelve the thirteenth Victoria number forty-one and the seventeenth Victoria number sixteen and to encourage the use of broad wheels and to regulate the erection of Toll-gates at the entrances of the City of Sydney Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. Upon and after the first day of January next so much of the third section of the Act of Council second William the Fourth number twelve as relates to the Tolls to be demanded paid and taken for every wain waggon or other such carriage with four wheels or for any horse or other animal above four drawing the same shall be repealed. Section 3 of 2 Wm. 4 No. 12 repealed.

2. There shall thenceforward be demanded paid and taken at the several turnpike-gates referred to in the section aforesaid for every wain waggon or other such carriage with four wheels according to the number of horses or other animals whereby the same shall be drawn and for every horse or other animal above four drawing any such carriage the same tolls respectively as may now or at any time hereafter be by law demanded for any cart dray or other such carriage with two wheels drawn by the corresponding number of horses or other animals or for the corresponding number of horses or other animals above four drawing any such last-mentioned carriage and no more anything in the said Act or in the Act of Council thirteenth Victoria number forty-one or in any notice published by the Commissioners named in and acting under the authority of the third section of the last recited Act to the contrary notwithstanding. Tolls on Drays and Waggon's equalized.

Tolls Amendment Act.—1857.

After 1858 wheels under 5 inches wide to pay double toll.

3. Upon and after the first day of January one thousand eight hundred and fifty-nine every cart dray wain waggon or other such carriage both or all the wheels whereof shall be less than five inches wide in the tyre shall become and be liable to be charged double toll.

Power to measure wheels.

4. It shall thenceforward be lawful for any Trustee or Commissioner of any turnpike road or their Lessee or for any Collector of tolls or for any person acting under the authority of any such Trustee Commissioner Lessee or Collector to measure the breadth of the wheels of any waggon cart or other carriage affected by the third section of this Act passing along any such turnpike road before the same shall be allowed to pass through any toll-gate or bar at which toll shall be payable.

Penalty on preventing measuring.

5. Every owner or driver of any such waggon cart or other carriage after such measuring and examination shall have been lawfully required refusing to permit the same or turning or driving out of the road in order to avoid or evade the same or in any other way hindering or obstructing the same or attempting to pass through any toll-gate or bar before such measuring and examination shall have been effected shall for every such offence forfeit and pay any sum not exceeding five pounds to be recovered before any Justice of the Peace.

Waggons &c. not allowed to be measured shall be stopped.

6. Any such cart waggon or other carriage not measured or not examined for any such reason as aforesaid may and shall be prevented from passing any further And every collector or deputy or other person appointed to collect the tolls allowing any such waggon or other carriage to pass his toll-gate or bar before or without such measuring and examination after the same shall have been lawfully required shall for every such offence forfeit and pay any sum not exceeding five pounds to be recovered in like manner.

Penalty on allowing them to pass.

Excepted cases.

7. Nothing herein contained shall apply to any cart upon springs drawn only by one horse or other animal or to any carriage whatever drawn by one or more horses used exclusively for carrying passengers or other persons and their luggage or for the carriage of Her Majesty's mails.

Construction of wheels.

8. That all wheels which shall not be less than five inches wide shall be cylindrical that is to say of the same diameter on the inside next the carriage as on the outside so that when such wheels shall move on a flat or level surface the whole breadth of the wheel shall bear equally on such surface and that the parts of every axletree which shall be inserted into the naves of such wheels shall be horizontal that is to say that the part of the axletree inserted in one wheel shall not form an angle with that part of the axletree which shall be inserted in the opposite wheel.

Toll House &c., not to be put up within 300 yards of the City of Sydney.

9. From and after the passing of this Act no Toll-house Gate Bar Chain or Rail shall be built erected put up or continued within three hundred yards of the City of Sydney Provided nevertheless that nothing herein contained shall affect any Toll-house Gate or Bar already erected on the Roads leading to the South Head and Randwick.

Short Title.

10. This Act shall be styled and may be cited as the "Tolls Amendment Act 1857."

By Authority : WILLIAM HANSON, Government Printer, Sydney, 1857.