



Highway Act 1835

1835 CHAPTER 50

LXX Steam Engines, &c. not to be erected within a certain Distance of Roads.

And be it further enacted, That from and after the Commencement of this Act it shall not be lawful for any Person to sink any Pit or Shaft, or to erect or cause to be erected any Steam Engine, Gin, or other like Machine, or any Machinery attached thereto, within the Distance of Twenty-five Yards, nor any Windmill within Fifty Yards, from any Part of any Carriageway or Cartway, unless such Pit or Shaft or Steam Engine, Gin, or other like Engine or Machinery, shall be within some House or other Building, or behind some Wall or Fence, sufficient to conceal or screen the same from the said Carriageway or Cartway, so that the same may not be dangerous to Passengers, Horses, or Cattle; nor shall it be lawful for any Person to make or cause to be made any Fire for calcining or burning of Ironstone, Limestone, Bricks, or Clay, or the making of Cokes, within the Distance of Fifteen Yards from any Part of the said Carriageway or Cartway, unless the same shall be within some House or other Building, or behind some Wall or Fence, sufficient to screen the same from the same Carriageway or Cartway as aforesaid; and in case any Person shall offend in any of the Cases aforesaid, every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for each and every Day such Pit, Shaft, Windmill, Steam Engine, Gin, Machine, or Fire shall be permitted to continue contrary to the Provisions of this Act; which said Penalties shall be levied, recovered, and applied in such and the same Manner as any Penalty or Forfeiture for any other Offence on any Highway may be levied, recovered, and applied : Provided, that nothing herein contained shall be construed to restrain any Person or Persons from using, repairing, rebuilding, or enlarging any Windmill, Steam Engine, Gin, or other like Machine, or any Kiln or other Erection used for the Purpose of calcining or burning of Ironstone, Limestone, Bricks, or Clay, or the making of Cokes, which may have been erected and may be in existence at the passing of this Act.