

ANNO DECIMO OCTAVO & DECIMO NONO

## VICTORIÆ REGINÆ.

Cap. clxxix.

An Act to correct an Oversight in "The Hereford Improvement Act, 1854." [30th July 1855.]

HEREAS an Act was passed in the last Session of Parliament, intituled An Act for the Improvement of the City of 17 & 18 Vict. Hereford, and other Purposes, and of which the Short c. xxxi. Title is "The Hereford Improvement Act, 1854:" And whereas the said Act contains a Provision that the same shall be put in force for all the Purposes thereof within the City of Hereford and the Suburbs and Liberties thereof (in that Act called the City), and for the Purposes of Sewage and Drainage and Waterworks respectively also within the further Limits in that Behalf appearing by the Provisions of that Act relating to those several Purposes: And whereas the Liberties of the City of Hereford extend far beyond the said City and the Suburbs thereof, and include a large Area of purely agricultural Land: And whereas there are included within the said Liberties and within the Limits of the said Act several Turnpike Roads, the Length of which within the said Limits amounts in the aggregate to Fourteen Miles or thereabouts: And whereas there now are, and were at and for a long Time previous to the passing of the said Act, Six several Toll Gates and Toll Houses within the said Limits, but without the Streets of the said City, at which Gates the Trustees of the said Roads or their Lessees have been accustomed to levy Toll: [Local.]32 KAnd

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And whereas the Trustees of the said Turnpike Roads have hitherto repaired the same up to the Points where such Roads respectively join the Streets of the said City: And whereas the whole of the Provisions of "The Towns Improvement Clauses Act, 1847," are incorporated with and form Part of "The Hereford Improvement Act, 1854:" And whereas by the Fiftieth Section of "The Towns Improvement Clauses Act, 1847," it is enacted, that the Trustees of any Turnpike Road shall not collect any Toll on any Road within the Limits of the Special Act, or lay out any Money thereon: And whereas at the Time of the passing of "The Hereford Improvement Act, 1854," it was not intended by the Mayor, Aldermen, and Citizens of the City of Hereford (in the said Act, and also in this Act, called "the Corporation)," or by the Trustees of the said Roads, or by any other Body or Person, that the levying of Tolls upon the said Roads within the said Limits should be prevented, or that the Trustees should be restricted from laying out any Money thereon: And whereas "The Hereford Improvement Act, 1854," came into operation on the Fourth Wednesday next after the Second Day of June One thousand eight hundred and fifty-four: And whereas for many Months after the Commencement of the said Act neither the Corporation nor the said Trustees were aware that the levying of Tolls and the repairing of Roads by the Trustees within the said Limits had become illegal in consequence of the passing of the said Act, and Tolls continued to be levied, and the said Roads were repaired, in the same Manner as before the passing of the said Act; but the levying of such Tolls and the repairing of such Roads by the Trustees was shortly after that Discovery discontinued: And whereas the Income of the said Trustees would be diminished if they were restrained from levying Tolls within the said Limits: And whereas the Expense of repairing the said Roads within the said Limits would, if the same could not be repaired as heretofore by the said Trustees, be thrown upon the Corporation, and such Expense would be a heavy and unnecessary Burden on the Citizens of Hereford, for defraying which no adequate Provision is made by the said Act: And whereas the Incorporation of the said Fiftieth Section of "The Towns Improvement Act, 1847," with "The Hereford Improvement Act, 1854," is the Result of an Oversight on the Part of those who obtained the said Act: And whereas it is expedient that the said Oversight should be corrected, and that the said Trustees should be empowered to levy Toll upon and to repair the said Turnpike Roads within the said Limits, in the same Manner as they might have done if "The Hereford Improvement Act, 1854," had not been passed: And whereas those Objects 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 Com-

mons,

Section 50. of

10 & 11 Vict.

**c.** 34. not to

form Part of

17 & 18 Vict.

c. 17.

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mons, in this present Parliament assembled, and by the Authority of the same, as follows:

- I. This Act may be cited for any Purpose as "The Hereford Im-Short Title. provement Act, 1854, (Correction of Oversight) Act, 1855."
- II. Section Fifty of "The Towns Improvement Clauses Act, 1847," shall not after the passing of this Act be incorporated with or form Part of "The Hereford Improvement Act, 1854;" and from and after the passing of this Act it shall be lawful for the Trustees of any Turnpike Road within the Limits of "The Hereford Improvement Act, 1854," or their Lessees, Agents, or Officers, to levy Tolls upon such Road within such Limits, and to repair such Road, in the same Manner and to the same Extent as if "The Hereford Improvement Act, 1854," had not been passed.

III. The Costs, Charges, and Expenses of obtaining this Act shall Expenses of be paid by the Corporation in the same Manner as if the same had Act, formed Part of the Costs of obtaining "The Hereford Improvement Act, 1854."

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