



# Locomotive Act 1861

1861 CHAPTER 70 24 and 25 Vict

An Act for regulating the use of locomotives on turnpike and other roads, and the tolls to be levied on such locomotives and on the waggons and carriages drawn or propelled by the same. [1st August 1861]

**Modifications etc. (not altering text)**

- C1 Preamble omitted under authority of [Statute Law Revision Act 1892 \(c. 19\)](#)
- C2 Words of enactment repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

[<sup>F1</sup>1 **Scale of Tolls to be taken after passing of this Act.**

From and after the passing of this Act, all Trustees, Corporations, Commissioners, and other Persons acting under and in execution of any existing General or Local Turnpike Road Act or Public Bridge Act shall demand and take Tolls not exceeding the Tolls following ; that is to say,

For every Locomotive propelled by any Power, containing within itself the Machinery for its own Propulsion, such a Toll for every Two Tons Weight or fractional part of every Two Tons Weight that such Locomotive shall weigh as shall be equal to the Toll or Tolls by their respective Acts made payable for every Horse drawing any Waggon, Wain, Cart, or Carriage with Wheels of a Width similar to those of such Locomotive ; or in the Case of a Toll by any such Act made payable being charged on the Horse or Horses drawing any such Waggon, Wain, Cart, or Carriage, without reference to the Width of the Wheels thereof, then such a Toll for every Two Tons or fractional Part thereof that such Locomotive shall weigh as shall be equal to One Horse drawing such Waggon, Wain, Cart, or Carriage ; which Tolls respectively shall be payable so often as Tolls made payable as aforesaid for such Waggon, Wain, Cart, or Carriage shall be payable at the same Gate :

<sup>F2</sup>  
...

For every Waggon, Wain, Cart, or Carriage drawn or propelled by any Locomotive, for each Pair of Wheels thereof such a Toll as shall not exceed the Toll by their respective Acts made payable for Two Horses drawing any Waggon, Wain, Cart, or Carriage with Wheels of a similar Width, and for every additional

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Wheel thereof One Half Toll in addition to the said Toll ; or in the Case of a Toll by any such Act made payable being charged on the Horse or Horses drawing any such Waggon, Wain, Cart, or Carriage, without reference to the Width of the Wheels thereof, then such a Toll for each Wheel as shall be equal to One Horse drawing such Waggon, Wain, Cart, or Carriage ; which said Toll or Tolls shall be payable so often as the Toll made payable as aforesaid for such Waggon, Wain, Cart, or Carriage drawn by Horses shall be payable at the same Gate :  
F2 . . .]

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**Textual Amendments**

**F1** S. 1 except as it applies to the Swinford Bridge Act 1767 and the Dunham Bridge Act 1830 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1, Pt.XV**.

**F2** Words in s. 1 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1, Pt. XV**.

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**Modifications etc. (not altering text)**

**C3** The text of ss. 1, 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**C4** S. 1 excluded (5.7.1994) by 1994 c. viii, **s. 46(1)**

F3 2 ..... F4

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**Textual Amendments**

**F3** S. 2 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1, Pt. XV**.

3 ..... F5

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**Textual Amendments**

**F4** S. 3 repealed by Locomotives Amendment (Scotland) Act 1878 (c. 58), **s. 3** and Highways and Locomotives (Amendment) Act 1878 (c. 77), **s. 28**

4 ..... F6

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**Textual Amendments**

**F5** Ss. 4, 12, 13 repealed by Road Traffic Act 1930 (c. 43), **Sch. 5**

5 ..... F6

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**Textual Amendments**

**F6** Ss. 5, 9, 11, 15 repealed by Locomotives Act 1865 (c. 83), **s. 2**

*Changes to legislation: There are currently no known outstanding effects for the Locomotive Act 1861. (See end of Document for details)*

**6** ..... **F7**

**Textual Amendments**

**F7** S. 6 repealed by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1, 2), s. 1(8), **Sch. 7 para. 14(1)(a)**

**7** **Damage caused by locomotives to bridges to be made good by owners.**

**F8** .....

**Textual Amendments**

**F8** S. 7 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 14**

**8** ..... **F9**

**Textual Amendments**

**F9** S. 8 repealed by Locomotives Amendment (Scotland) Act 1878 (c. 58), **s. 3** and Highways and Locomotives (Amendment) Act 1878 (c. 77), **s. 30**

**9** ..... **F10**

**Textual Amendments**

**F10** Ss. 5, 9, 11, 15 repealed by Locomotives Act 1865 (c. 83), **s. 2**

**F11** **10** .....

**Textual Amendments**

**F11** S. 10 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1, Pt. XV.**

**11** ..... **F12**

**Textual Amendments**

**F12** Ss. 5, 9, 11, 15 repealed by Locomotives Act 1865 (c. 83), **s. 2**

**12, 13.** ..... **F13**

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*Changes to legislation: There are currently no known outstanding effects for the Locomotive Act 1861. (See end of Document for details)*

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**Textual Amendments**

**F13** Ss. 4, 12, 13 repealed by [Road Traffic Act 1930 \(c. 43\)](#), **Sch. 5**

**14 Short title.**

This Act may be cited as “The Locomotive Act, 1861.”

**15** ..... **F14**

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**Textual Amendments**

**F14** Ss. 5, 9, 11, 15 repealed by [Locomotives Act 1865 \(c. 83\)](#), **s. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Locomotive Act 1861.