



# Locomotive Act 1861

## 1861 CHAPTER 70

### 3 As to the Size and Weight of Locomotives.

Every Locomotive propelled by Steam or any other than Animal Power, not drawing any Carriage, and not exceeding in Weight Three Tons, shall have the Tires of the Wheels thereof not less than Three Inches in Width, and for every Ton or fractional Part thereof additional Weight the Tires of the Wheels thereof shall be increased One Inch in Width; and every Locomotive drawing any Waggon or Carriage shall have the Tires of the Wheels thereof not less than Nine Inches in Width ; but no Locomotive shall exceed Seven Feet in Width or Twelve Tons in Weight, except as herein-after provided ; and the Wheels of every Locomotive shall be cylindrical and smooth soled, or used with Shoes or other bearing Surface of a Width not less than Nine Inches; and the Owner or Owners of any Locomotive used contrary to the foregoing Provisions shall for every such Offence, on summary Conviction, forfeit any Sum not exceeding Five Pounds : Provided always, that whereas it may be desirable that Locomotives of a greater Width than Seven Feet and of a greater Weight than Twelve Tons should be allowed to be used under certain Circumstances, any Person desiring to use any such Locomotive on any Street or public Highway within the City of *London* or the Liberties thereof, or within the Limits of the Metropolis as defined by the Act of the Eighteenth and Nineteenth Years of Her present Majesty, for the better Local Management of the Metropolis, or within any other City or Municipal or Parliamentary Borough, or on any Turnpike Road or other public Highway, shall apply within the City of *London* to the Lord Mayor for the Time being, or within any Municipal or Parliamentary Borough in *Scotland* to the Lord Provost or other Chief Magistrate thereof, and in other Places to the Corporation, Commissioner, Trustees, and Surveyors, or other Persons having the Charge of any such Street, Highway, Turnpike, or other Road over which it may be proposed to work such Locomotive, for Permission to use the same; and the said Lord Mayor, the said Lord Provost or Chief Magistrate, or such Corporation, Commissioners, Trustees, Surveyor, and other Persons as aforesaid, shall have Power to authorize such Locomotive to be used on such Road or Roads, or Part of any Road or Roads, and under such Condition or Conditions as to them may appear desirable; but in the Case of the Surveyor or Surveyors of any Highway in *England* no such Permission shall be valid without also it be approved by the Justices acting in Petty Sessions for any Petty Sessional Division within which it is proposed to use such Locomotive.