CHAPTER clviii.

An Act to amend the provisions of the Dublin Southern District Tramways Act 1893 relating to the speed at which engines carriages and trucks may be driven or propelled on the tramways of the Dublin Southern District Tramways Company and for other purposes. A.D. 1898.

[25th July 1898.]

WHEREAS by the Dublin Southern District Tramways Act 1893 (herein-after called "the Act of 1893") the Dublin Southern District Tramways Company were empowered to use electrical power for moving carriages upon their tramways or any part thereof:

And whereas by section 5 of the Act of 1893 it was enacted that the exercise of the powers conferred by that Act with respect to the use of electrical power should be subject to the regulations set forth in the schedule thereto or any other regulations that might be added thereto or substituted therefor by an Order of the Board of Trade which they were thereby empowered to make for affording reasonable protection to the public against danger in the exercise of the powers by the said Act conferred with respect to the use of electrical power And by the said schedule it was amongst other things provided that the speed at which engines carriages and trucks might be driven or propelled along the tramways should not exceed the rate of eight miles an hour and when passing through movable facing points should not exceed the rate of four miles an hour:

And whereas it is expedient that so much of the said schedule as is herein-before last recited should be repealed and that the maximum rate of speed should be such as may from time to time be prescribed in manner herein-after provided:

And whereas the object of this Act cannot be obtained 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

A.D. 1898.

Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title.

1. This Act may be cited for all purposes as the Dublin Southern District Tramways Act 1898.

Interpretation.

2. In this Act unless there be something in the subject or context repugnant to such construction the expression "the Company" means the Dublin Southern District Tramways Company the expression "the tramways" means the tramways of the Company or any part thereof :

In this Act and in the Act of 1893 and in the provisions of the Tramways Act 1870 applied thereto the expression "local authority" means the township commissioners or other body having the control of the roads or streets within their respective districts on which the tramways or any part thereof are laid down.

Application of certain sections of Tramways Act 1870.

3. The provisions of sections 46 and 47 of the Tramways Act 1870 shall apply to the tramways and to the Company in relation thereto as fully and effectually as if those sections mutatis mutandis had been re-enacted in this Act and made applicable to the tramways and to the Company And for the purposes of the Acts relating to the Company and of the Act of 1893 and of this Act the words "the London or Edinburgh Gazette" in Schedule C. Part II. sub-section 2 of the said Act of 1870 shall mean the Dublin Gazette.

Cars moved by electric power to be deemed stage carriages.

4. Notwithstanding anything contained in section 80 of the Dublin Carriage Act 1853 all carriages moved by electric power under this Act or the Act of 1893 shall be deemed to be stage carriages within the meaning of the said Act of 1853 and sections 7 and 8 of the Dublin Amended Carriage Act 1854 shall apply in the case of the carriages moved by electric power under this Act or the Act of 1893 in like manner as if the said carriages were mentioned and described in the Schedule B to the said Act of 1854 annexed.

Amendment of First Schedule of Act of 1893.

5. So much of the First Schedule to the Act of 1893 as relates to the speed at which engines carriages and trucks may be driven or propelled along the tramways or may pass through movable facing points shall be and the same is hereby repealed and the said First Schedule shall be read and have effect as if in lieu of the said repealed provisions the following provisions had been inserted :—

"The speed at which engines carriages and trucks may be driven or propelled along the tramways shall not exceed such rate as the Board of Trade shall from time to time prescribe ;

"The speed at which engines carriages and trucks may pass through movable facing points shall not exceed such rate as the Board of Trade shall from time to time prescribe."

Power to Board of Trade to authorise different rates of speed.

6. The Board of Trade may by any order made in pursuance of section 5 of the Act of 1893 and of this Act prescribe different rates of speed not exceeding the maximum rate of speed from time to time allowed on the now existing lines of the Dublin United Tramways Company or any modifications thereof authorised before the passing of this Act at which engines carriages and trucks may be driven or propelled along different parts of the tramways such parts and the rates of speed applicable thereto respectively to be specified in such order.

Provision as to byelaws by local authority.

7. The provisions of the Tramways Act 1870 and of the Act of 1893 and of this Act relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramways shall not authorise the local authority to make any byelaws sanctioning a higher rate of speed than that to be prescribed by any order to be made by the Board of Trade at which engines carriages and trucks are to be driven or propelled on the tramways under the authority of the Act of 1893 or of this Act but the local authority may if they think fit make byelaws under the provisions of the said Tramways Act 1870 and of the Act of 1893 or of this Act for restricting the rate of speed to a lower rate than that so prescribed.

Company not to charge higher rates on Sundays or public holidays.

8. It shall not be lawful for the Company or any person working or using the tramways to take or demand on Sunday or on any bank or other public holiday any higher tolls or charges than those levied by them on ordinary week days.

Costs of Act.

9. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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