CHAPTER lxviii.

An Act to extend the time for the widening and improvement of the North Bridge by the Corporation of Edinburgh under an agreement confirmed by the Edinburgh Tramways Act, 1871, and to authorise the Edinburgh Street Tramways Company to relinquish the construction of certain of their authorised Tramways; and for other purposes.

A.D. 1874.

[30th June 1874.]

WHEREAS by "The Edinburgh Tramways Act, 1871," (in this Act called "the Act of 1871,") the Edinburgh Street Tramways Company (in this Act called "the Company") were incorporated for the purpose of making and maintaining certain street tramways to be situate within the city of Edinburgh, the town of Leith, and the burgh of Portobello respectively, and the time for the completion whereof was limited to three years from the passing of the Act:

34 & 35 Vict. c. lxxxix.

And whereas by section 44 of "the Act of 1871" the agreement set forth in three schedules to that Act were respectively confirmed and made part of the Act, and it was enacted that the same should be carried into effect accordingly:

And whereas the agreements so confirmed were, (1st) an agreement between the Right Honourable the Lord Provost, Magistrates, and Town Council of the City of Edinburgh (in this Act called "the Corporation of Edinburgh") of the first part, and certain of the promoters of the Bill for the Act of 1871 of the second part (which agreement is in this Act referred to as "the agreement with the Corporation of Edinburgh"); (2ndly) an agreement between the City of Edinburgh Road Trust (in this Act called "the Edinburgh Road Trust") of the first part, and the same promoters of the second part (which agreement is in this Act referred to as "the agreement with the Edinburgh Road Trust"); and (3rdly) an agreement between the Provost, Magistrates, and Council of the Burgh of Leith (in this Act called "the Corporation of Leith") of the first part, and the same promoters of the second part (which agreement is in this Act referred to as "the agreement with the Corporation of Leith"):

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And whereas by the second article of the agreement with the Corporation of Edinburgh it was provided, amongst other things, that the whole of the tramways authorised by the Act of 1871 should be completed within three years from the passing of the Act:

And whereas the Corporation of Edinburgh and the Edinburgh Road Trust have, from various causes, been unable hitherto to complete the execution of the works connected with the widening and improving of the North Bridge, Edinburgh, provided for in the agreements first and second before mentioned, at present in progress, and that it is just and expedient that any doubts which may have arisen as to the construction of the said agreements as regards the widening and improving the said bridge should be removed, and that, upon the removal of the tramways already constructed along such bridge and North Bridge Street, the Company should reconstruct the same as a single line of tramway only:

And whereas the Company, in further performance on their part of the agreement with the Corporation of Edinburgh, have made and completed the tramways Nos. 6 and 6A authorised by the Act of 1871, but in consequence of the narrowness of the roadway over the North Bridge the working and user of the tramways there is attended with great inconvenience and with danger to the public traffic:

And whereas by "The Edinburgh Street Tramways Act, 1873," (in this Act called "the Act of 1873,") the period limited for the construction of such of the authorised tramways of the Company as were not then completed was extended for the period of one year from the expiration of the period limited in that behalf by the Act of 1871:

And whereas it is expedient that the Company be authorised to abandon and relinquish the construction of the tramways and parts of tramways in this Act specified, and, for the convenience of the residents in the districts in which such tramways are authorised to be laid, to run a service of omnibuses in lieu thereof:

And whereas it is expedient that the Company be enabled to exercise the powers of the third section of the Act of 1873 with reference to so much of the tramways Nos. 1 and 1A in this Act specified, notwithstanding that they may not be required so to do by the local and road authorities:

And whereas the purposes of this Act 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 Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited as "The Edinburgh Tramways Act, 1874."

Extending time mentioned in section 5 of Act of 1871.

2. The agreement with the Corporation of Edinburgh and the agreement with the Edinburgh Road Trust and the Act of 1871 shall respectively be read and have effect as if in the fifth article of the agreement with the Corporation of Edinburgh, instead of the words "not exceeding two years," there were and had been originally inserted therein the words "not exceeding five years."

Company may abandon certain tramways.

3. The Company may abandon and relinquish the construction of the whole of the tramways Nos. 4, 4A, 4B, 4C, 5B, 5C, 5D, 5E, 5F, 5G, 9, and 9A authorised by the Act of 1871, and so much of the tramways Nos. 5 and 5A, also authorised by the said Act, as is situate between the respective points of commencement thereof opposite South East Circus Place in Howe Street and a point in Stanley Road about six yards or thereby east of the New Cut: Provided always, that prior thereto and within six months from and after the passing of this Act the Company shall pay over to the Edinburgh Road Trust the sum of one thousand five hundred pounds, and shall within twelve months from and after the passing of this Act pay over to the Edinburgh Road Trust the like sum of one thousand five hundred pounds, which two sums the Edinburgh Road Trust shall apply towards the causewaying of such portions of the carriageway not maintained by the Company of narrow or other streets within their district as they shall elect, and in which any tramway or tramways are laid.

If required by local authority Company to provide and work omnibuses in connexion with their tramways.

4. The Company shall (by themselves or others), if and when required by the local authority of Edinburgh by one month's notice in writing to that effect, provide good and sufficient conveyance by means of omnibuses between such point in Princes Street or Waterloo Place as the local authority may from time to time determine, and the bridge across the Water of Leith at Stockbridge, which omnibuses shall not be run less frequently than four times each way every hour between the hours of nine in the forenoon and nine in the afternoon of each lawful day, and shall also run omnibuses as aforesaid between the Royal Institution in Princes Street, Edinburgh, or such other place as the local authority of Edinburgh may from time to time determine; and such point in the place known as or called Trinity as the local authority of Leith may fix, which last-mentioned omnibuses shall not be run less frequently than three times each way every hour between the hours of nine in the forenoon and

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nine in the afternoon on each lawful day during the months of June, July, August, and September, and twice every hour between nine in the forenoon and eight in the afternoon each lawful day during the other months of the year, and said omnibuses shall be run in connexion with the various systems of tramways of the Company; and, in the event of every failure of the Company to comply herewith, they shall be liable to pay and shall pay on demand to the local authority of the district in which such failure takes place a sum of five pounds sterling for each day during which such failure shall continue, such sum to be recovered by such local authority in the same way and manner as debts are recoverable by the laws of Scotland, and it shall be lawful for the said Company to apply its funds from time to time for that purpose, or for purchasing omnibuses, horses, and premises for that purpose, and demand and take in respect of passengers and parcels carried in or by such omnibuses such tolls and charges as they think fit, not exceeding the charges which by the Act of 1871 the Company are entitled to charge in the event of the construction of the tramways to Stockbridge and Trinity, and the Company may charge a sum not exceeding twopence per mile for first-class passengers on those routes and any tramway routes worked in connexion therewith, and may also charge a sum not exceeding one penny per mile for parcels by such omnibuses not exceeding fifty-six pounds in weight, and for parcels in excess thereof such charges as they may from time to time think fit: Provided always, that the fares between Stockbridge and Newington by omnibus and car shall not exceed threepence first class and twopence second class for each passenger.

Company may exercise powers, under sect. 3 of Act of 1873, as to portions of tramways 1 and 1A without requisition from authorities.

5. Notwithstanding anything contained in the Act of 1873, the Company may, as regards so much of the tramways Nos. 1 and 1A authorised by the Act of 1871 as is situate between the street opposite the General Post Office, Edinburgh, and the street opposite or nearly opposite Bellfield Lane, Portobello, exercise the powers conferred upon them by the 3rd section of the Act of 1873, notwithstanding that they may not be required so to do by the local or road authorities of any district in which such tramways are to be laid: Provided always, that such section shall otherwise remain in full force and effect.

Varying section 5 of Act of 1873.

6. The fifth section of the Act of 1873 shall, so far as regards Princes Street, or any part thereof, be and the same is hereby varied, to the effect that the application therein referred to to the Board of Trade shall be made by both the local and road authorities, and that the Board of Trade shall determine the question as to payment of the costs to be incurred, whether the same, or any part thereof, shall be borne by the Company or by the said local and road authorities

or either of them: Provided always, that in the event of the said street or any part thereof being widened by the local or road authority, the said section shall be read and construed as if the words "at the cost of such local or road authority, as the case may be," had been omitted therefrom, and in the event of any such widening the cost of the alteration or modification of such tramways shall be paid by the Company, but this provision shall not apply unless and until the local or road authority shall have widened the said street, or any part thereof, to the extent of ten feet.

Upon widening of North Bridge, Company to substitute a single line of tramway, &c.

7. Upon the widening of the North Bridge the Company shall, in lieu of the double line now existing, lay and maintain a single line of tramway along North Bridge Street and the North Bridge, according to plans to be submitted to the local and road authorities, and the same shall be laid in the centre of the said street and bridge respectively; and in the event of any difference arising as to the position of the said single line of tramway, or the said plans shall not be approved within one calendar month after the delivery thereof to the said authorities respectively, the position of the said tramway and other matters in difference shall be settled by the Board of Trade.

Saving agreements scheduled to Act of 1871.

8. Saving as is in this Act expressly provided, nothing in this Act shall prejudice or affect the three several agreements scheduled to the Act of 1871, but those agreements shall, subject to the provisions of the Act of 1873 and of this Act, remain in full force and effect.

Expenses 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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