CHAPTER cxxviii.

An Act for amending the Edinburgh Tramways Act, 1874, in regard to the lines of Tramways on North Bridge and North Bridge Street, Edinburgh. [19th July 1875.]

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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 making and maintaining certain street tramways in the city of Edinburgh, the town of Leith, and the burgh of Portobello respectively, including a double line of tramways from Princes Street, Edinburgh, passing into and along the northern portion of North Bridge Street, along the roadway of the said North Bridge, and southern portion of the said North Bridge Street:

34 & 35 Vict. c. lxxxix.

And whereas by the 7th section of the Edinburgh Tramways Act, 1874, (in this Act called "the Act of 1874,") it was provided that upon the widening of the said North Bridge, the widening and improvement of which bridge were provided for in the agreements between the lord provost, magistrates, and town council of Edinburgh (in the said recited Acts and this Act called the "local authority") and the city of Edinburgh Road Trust (in the said recited Acts and this Act called the "road authority") and the Company as regards the said bridge, and which agreements were confirmed by the Act of 1871, the Company should, in lieu of the double line which had been laid down under the Act of 1871, and was then 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 aforesaid, to be laid in the centre of the said street and bridge respectively, and it was further provided that in the event of any difference arising as to the position of the said single line of tramway, or if the said plans should not be approved within one calendar month after the delivery thereof to the said authorities respectively, the position of the said tramway, and the other matters in difference, should be settled by the Board of Trade:

37 & 38 Vict. c. lxxviii.

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And whereas the said North Bridge has recently been widened and improved, and the same has been completed, so far as the main structure of the bridge is concerned, but since the passing of the Act of 1874 it has been ascertained that public inconvenience would result if the Company were required to substitute to the full extent, as directed by the said 7th section of the said Act of 1874, a single line of tramway in lieu of the double line now existing, and it is expedient that the provision contained in the said 7th section of the said Act of 1874 be modified as in this Act appearing, but that object 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, 1875."

Section 7 of Act of 1874 repealed.

2. Section 7 of the Act of 1874 is hereby repealed, and the two following sections of this Act are hereby substituted therefor.

As to mode of laying and maintaining tramways in North Bridge Street and North Bridge.

3. Within one month from and after the passing of this Act the Company shall, in lieu of the double line of tramway now existing, laid from Princes Street southwards, along the northern portion of North Bridge Street, North Bridge, and the southern portion of North Bridge Street, lay, and shall thereafter maintain, a double line of tramway from Princes Street southwards, along the northern portion of North Bridge Street, and along North Bridge to a point on the carriage-way over the arches at or near to the south end of North Bridge, and a single line of tramway, without any sidings or passing places, from the last-mentioned point southwards, along and to the south end of the southern portion of North Bridge Street, and which single line of tramway shall be laid in the middle of the carriage-way, and shall, at or near to the south end of the said single line, at such place and in such mode as may be fixed by the local and road authorities, be connected with the double line now existing southwards, all according to such plans as may be approved by the local and road authorities; and in the event of any difference arising between the local and road authorities as to the said plans, or the connexion of the said single line with the double line now existing southwards, the said difference shall be settled by the Board of Trade: Provided always, that upon the expiry of one month from and after the passing of this Act the Company shall

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not use the double line of tramway now existing on the southern portion of North Bridge Street; and provided also, that the Company shall not lay or use any rail of the said single or double lines of tramways nearer to the outside of the kerbstone of the foot pavement on either side of the carriage-way of the said streets or bridge than nine feet and six inches; and provided also, in regard to the double line of tramway hereby authorised, the Company shall be entitled to hold as laid, and to use as a portion of the said double line, so much of the double line of tramway now existing as is laid at a greater distance than nine feet and six inches from the outside of the kerbstone of the foot pavement on either side of the carriage-ways of the said streets or bridge.

Board of Trade may require alteration of tramways.

4. At any time after the expiration of three years from and after the passing of this Act, and from time to time thereafter, the Board of Trade may, on application by the said local and road authorities, if, on inquiry following on such application, the Board of Trade shall be of opinion that the double line of tramway or the single line of tramway hereby authorised, or any portion thereof, is dangerous or inconvenient to the public, and in the case of the double line, that the same ought to be removed and a single line be substituted therefor, and in the case of the single line, that the same ought to be removed and a double line substituted therefor, or other alteration or modification made, require the Company so to do; and on such requisition the Company shall be bound to comply with and give effect to such requisition; and if the Company shall fail to comply with such requisition within the time which may be therein specified, then such tramway or portion thereof shall be deemed to be a tramway to which all the provisions of "The Tramways Act, 1870," relating to the discontinuance of tramways after proof of such discontinuance, shall apply, and may be dealt with accordingly: Provided always, that the Board of Trade shall determine the question as to the payment of the costs to be incurred in the execution of any works under such requisition, 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; and provided also, that the Board of Trade shall not require or authorise the Company so to lay, and the Company shall not so lay and shall not use, any double or single line of tramway that for a distance of thirty feet or upwards a less space than nine feet and six inches shall intervene between the outside of the kerbstone of the foot pavement on either side of the carriage-way of any of the said streets or bridge and the nearest rail of the tramway, if one third of the owners or one third of the occupiers of the houses,

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shops, or warehouses abutting upon the part of the carriage-way where such less space shall intervene as aforesaid shall, in such manner and at such time as may be prescribed by the Board of Trade, express their dissent from any tramway being so laid.

Saving agreements scheduled to former Act.

5. Saving as 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 Edinburgh Street Tramways Act, 1873," and of the Act of 1874, and of this Act, remain in full force and effect.

Expenses of Act.

6. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, whether incurred by the Company or by the said local authority or road authority, shall be paid by the Company.

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