CHAPTER clxx.

An Act for incorporating and conferring powers on the Leicester Tramways Company. [2d August 1877.]

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WHEREAS in the year one thousand eight hundred and seventy-three a company was incorporated under "The Companies Acts, 1862 and 1867," with limited liability, for the purpose of constructing tramways in and near Leicester, and the company so incorporated is in this Act referred to as the limited company:

And whereas by "The Leicester Tramways Order, 1873," (in this Act called "the Order,") the limited company were authorised to construct and maintain the tramways in that Order described, and which tramways are completed and opened for public traffic:

And whereas the present share capital of the limited company consists of fifty thousand pounds, divided into five thousand shares of ten pounds each, the whole of which has been subscribed for, and forty-three thousand eight hundred and sixty pounds paid up, and they have borrowed on mortgage six thousand pounds:

And whereas it is expedient that additional tramways should be constructed in and near Leicester, and that additional capital should be provided for that purpose:

And whereas it is expedient that the limited company should be dissolved, and re-incorporated with further and other powers:

And whereas plans and sections of the proposed tramways showing the lines and levels thereof have been deposited with the clerk of the peace for the county of Leicester, and are herein-after referred to as the deposited plans and sections:

And whereas the objects aforesaid 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,)

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Short title.

1. This Act may be cited for all purposes as "The Leicester Tramways Act, 1877."

Certain provisions of general Acts herein named incorporated.

2. "The Companies Clauses Consolidation Act, 1845," and Part I. (relating to cancellation and surrender of shares) and Part II. (relating to additional capital) of "The Companies Clauses Act, 1863," as amended by "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," (except the provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the promoters of the undertaking), and section three (interpretation of terms) and Parts II. and III. of "The Tramways Act, 1870," so far as the same are applicable to and not varied or excepted by or inconsistent with the provisions of this Act, are hereby incorporated with and form part of this Act, and shall apply to the undertaking of the Company.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to or inconsistent with such construction:

The expression "the Company" means the Company incorporated by this Act;

The expressions "the tramways," except when the tramways by this Act authorised are expressly mentioned, and "the undertaking" shall respectively mean and include the tramways and works connected therewith by this Act vested in or authorised to be made or maintained by the Company, and the lands, buildings, estate, right, title, property, privileges, effects, and undertaking of the Company, and every part thereof, respectively;

The word "contingencies" in "The Companies Clauses Consolidation Act, 1845," section one hundred and twenty-two, shall, with reference to the Company, be construed to include the contingency of the undertaking being sold to the local authority under section forty-three of "The Tramways Act, 1870," at a sum less than the aggregate amount of the capital and debts of the Company;

The expression "the corporation" shall mean the mayor, aldermen, and burgesses of the borough of Leicester;

The expression "the borough" means the borough of Leicester;

The expressions "superior courts" or "courts of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall for the purposes

of this Act be read and have effect as if the debt or demand in respect of which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Incorporation of Company.

4. From and after the passing of this Act the limited company shall be dissolved, and the several persons and corporations who immediately before the passing of this Act were members of that company, and all other persons and corporations who have subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and they are hereby united into a company for the purpose herein-after mentioned, and shall be incorporated by the name of "The Leicester Tramways Company," and by that name shall be a body corporate, with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

General purposes of the Company.

5. The Company shall be established for maintaining and working the tramways authorised by the Order, and for carrying the powers of the Order and of this Act into execution.

Property vested in Company incorporated by this Act.

6. Subject to the provisions of this Act, all the lands, tramways, erections, buildings, powers, rights, interests, and easements which immediately before the passing of this Act were vested in the limited company, or in any person in trust for them, or to which that company was in anywise entitled, and all carriages, horses, rails, plant, apparatus, stock, effects, matters, and things which immediately before the passing of this Act were the property of the limited company, and all moneys, securities, credits, effects, and other property whatsoever which immediately before the passing of this Act belonged to the limited company or to any trustee on their behalf, and the benefit of all contracts and engagements entered into by and on behalf of the limited company and immediately before the passing of this Act in force, shall be and the same are hereby vested in the Company to the same extent and for the same estate and interest as the same were previously to the passing of this Act vested in the limited company or any trustee on their behalf, and may, according to the provisions of this Act, be held and enjoyed, sued for and recovered, maintained, altered, discontinued, removed, dealt with, and disposed of by the Company as they think fit.

Memorandum of association of the limited company to be void,

7. Subject to the provisions of this Act, the memorandum and articles of association of the limited company shall, as to any prospective operation thereof, be wholly void, and the Company and the shareholders shall be exempted from all the provisions, restrictions, and requirements of any Act except "The Tramways Orders

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Confirmation Act, 1873," which applied to the limited company, and the members thereof as such; but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum and articles of association incurred before the passing of this Act, but such liability or obligation in respect of any such breach shall continue, and, save as in this Act otherwise provided, may be enforced by or on behalf of the Company as nearly as may be in like manner as the same might have been enforced by or on behalf of the limited company if this Act had not been passed.

without prejudice to remedies for antecedent breaches thereof.

Nothing to affect previous rights and liabilities.

8. Except as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered by or with reference to the limited company, or the members thereof as such, shall be as valid as if the company had not been incorporated and the said memorandum and articles of association had not been avoided by this Act; and such incorporation and avoidance and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered, and to all powers, rights, liabilities, claims, and demands, both present and future, which, if the company were not incorporated, and the said memorandum and articles of association were not avoided by this Act, and this Act were not passed, would be incidental to or consequent on any and every thing so done or suffered; and with respect to all such powers, rights, liabilities, claims, and demands, the Company shall to all intents and purposes represent the limited company, and the members thereof as such, and the property of the limited company, as the case may be; and the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Contracts prior to the passing of this Act to be binding.

9. Except as is by this Act otherwise expressly provided, all purchases, sales, conveyances, grants, assurances, deeds, contracts, bonds, and agreements entered into or made before the passing of this Act by, to, or with the limited company, or any trustees or persons acting on behalf of the limited company, or by, to, or with any other person to whose rights and liabilities they have succeeded, and now in force, shall be as binding and of as full force and effect in every respect against or in favour of the Company, and may be enforced as fully and effectually as if, instead of the limited company or the trustees or persons acting on behalf of the limited company, the Company had been a party thereto.

Actions, &c. not to abate.

10. Nothing in this Act contained shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity, which was pending by or against the limited company, or any member thereof in relation to he affairs of the limited company,

or to which the limited company, or any member thereof in relation to such affairs, were parties immediately before the passing of this Act; but any such action, suit, or other proceeding may be maintained, prosecuted, or continued by or in favour of or against the Company, as the case may be, in the same manner and as effectually and advantageously as the same might have been maintained, prosecuted, and continued by or in favour of or against the limited company, or any member thereof, if this Act had not been passed, the Company and shareholders therein being, in reference to the matters aforesaid, in all respects substituted for the limited company and its members respectively.

Trustees of limited company to be indemnified.

11. Every trustee or other person in whom or in whose name any lands, works, buildings, easements, rights, property, or effects belonging to the limited company were vested immediately before the passing of this Act, and who (being authorised so to do) entered into any bond, covenant, contract, or engagement in respect of the same or otherwise on behalf of the limited company, shall be indemnified, out of the funds and property of the Company, against all liability (including costs, charges, and expenses) which he may sustain or incur or be put unto by reason of his having entered into such bond, covenant, contract, or engagement.

Company to satisfy liabilities of limited company.

12. From and after the passing of this Act, and except as is by this Act otherwise expressly provided, the Company shall in all respects be subject to and shall discharge all obligations and liabilities to which the limited company immediately before the passing of this Act were subject, and shall indemnify the members, directors, officers, and servants of the limited company, and their respective representatives, from all such obligations and liabilities, and from all expenses and costs in that behalf.

Judgment in respect of existing liabilities may be enforced against individual shareholders.

13. If any judgment, decree, or order be at any time after the passing of this Act obtained against the Company in respect of any debt or liability owing or incurred, or in respect of any contract made or tort committed, by the limited company before the passing of this Act, and be not fully satisfied out of the property of the Company, then and in every such case the judgment, decree, or order may be enforced and execution thereon issued against the property and effects of any person who was a member of the limited company immediately before the passing of this Act, or at the time when the contract was made or the tort was committed in respect of which such debt or liability accrued or was incurred, and legally responsible in respect of such debt or liability, to the same extent as if this Act had not been passed.

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Reimbursement of shareholder in such case.

14. Every person against whom or against whose property or effects any such judgment, decree, or order is enforced shall be entitled to recover against the Company all loss, damage, costs, and charges which he incurs by reason of the execution, and shall be entitled to contribution for so much thereof as remains unsatisfied from the several other persons against whom execution on the judgment, decree, or order might, in accordance with this Act, have been issued, and the contribution may be recovered in like manner as contribution in ordinary cases of copartnership.

Recovery of sums due to the Company.

15. All sums of money which immediately before the passing of this Act were due or accruing to the limited company shall be payable to and may be collected and recovered by the Company in like manner as if they had become payable for the like matters supplied or done under this Act.

As to payment of debts owing before passing of Act.

16. All persons who immediately before the passing of this Act owed any money to the limited company, or to any person on their behalf, shall pay the same, with all interest (if any) due or accruing upon the same, to the Company; and all debts and moneys which immediately before the passing of this Act were due or recoverable from the limited company, or for the payment of which the limited company were or but for this Act would be liable, shall be paid, with all interest (if any) due or accruing upon the same, by or be recoverable from the Company.

Certificates, &c. to remain in force.

17. Notwithstanding the avoidance of the said memorandum and articles of association, all certificates (until cancelled under the powers of this Act), sales, transfers, and dispositions heretofore made or executed under them for and with respect to any shares in the limited company shall remain in full force and continue and be available in all respects as if the said memorandum and articles of association had not been avoided.

Books, &c. continued evidence.

18. All documents, books, and writings which, if the said dissolution and avoidance had not taken place, would have been receivable in evidence, shall be admitted as evidence in all courts of law and equity and elsewhere, notwithstanding such dissolution and avoidance.

Officers to continue until removed.

19. All the officers and servants of the limited company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments, together with the salaries and emoluments thereto annexed, until they resign the same, or be removed therefrom by the Company, and shall have the like powers and authorities for the purposes of this Act,

and for carrying the same into execution, and shall be subject and liable to the like conditions, obligations, pains, and penalties, and to the like powers of removal, and to the like rules, restrictions, and regulations in all respects whatever as if they had been appointed under this Act.

Present registers of members to be continued.

20. The books kept by the limited company for entering the names and designations of the members thereof, with the numbers of their shares, and the proper distinguishing number of such shares, shall and may continue to be kept for the same purpose by the Company, and shall, until some other register of shareholders shall be provided by the Company, be taken and considered as the register of shareholders required to be kept by "The Companies Clauses Consolidation Act, 1845."

Power to make tramways according to deposited plans.

21. Subject to the provisions of this Act and of Parts II. and III. of "The Tramways Act, 1870," the Company may make, form, lay down, work, use, and maintain the tramways herein-after described, in the lines and according to the levels shown on the deposited plans and sections, with all proper rails, plates, sleepers, works, and conveniences connected therewith. The tramways herein-before referred to and authorised by this Act are—

Tramway No. 1 (single line), three furlongs two chains and fifty links in length, wholly situate in the parish of Knighton, commencing by a junction with the existing tramway at its termination on the Market Harborough and Loughborough turnpike road, and terminating on that turnpike road opposite Knighton Lane;

Tramway No. 2 (single line), two furlongs five chains and twenty-five links in length, commencing in the parish of Saint Margaret, Leicester, by a junction with the eastern line of the existing tramway in Gallowtree Gate, and terminating in the parish of Saint Mary, Leicester, in Welford Road;

Tramway No. 2A (single line), two chains and fifty links in length, commencing in the parish of Saint Margaret, Leicester, by a junction with the western line of the existing tramway in Gallowtree Gate, and terminating in the parishes of Saint Martin and Saint Margaret, Leicester, or one of them, in Horsefair Street by a junction with the proposed tramway No. 2 herein-before described;

Tramway No. 4 (single line), one mile four furlongs and eight chains in length, commencing in the parish of Saint Mary, Leicester, in the Welford Road, and terminating in the parish of Aylestone, in the Aylestone Road;

Tramway No. 4A (single line), seven furlongs seven chains and fifty links in length, wholly in the parish of Saint Mary,

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Leicester, commencing in the Welford Road, and terminating in that road by a junction with the proposed Tramway No. 4 herein-before described;

Tramway No. 4B (single line), one furlong one chain and fifty links in length, wholly in the parish of Aylestone, commencing in the Aylestone Road by a junction with the proposed Tramway No. 4 herein-before described, and terminating in the same road by a junction with the said Tramway No. 4;

Tramway No. 6 (single line), one mile two chains and fifty links in length, commencing in the parish of Saint Margaret, Leicester, by a junction with the existing tramway opposite the east side of the Clock Tower, and terminating in the extra-parochial place of Leicester Abbey Lands in the road leading from Leicester to Ashby-de-la-Zouch;

Tramway No. 6A (single line), seven chains and fifty links in length, wholly in the parish of Saint Margaret, Leicester, commencing by a junction with Tramway No. 6 herein-before described opposite the north side of the Clock Tower, and terminating in Church Gate by a junction with Tramway No. 6;

Tramway No. 6B (single line), one furlong and three chains in length, commencing in the parish of Saint Margaret, Leicester, by a junction with Tramway No. 6 in Church Gate, and terminating in the parish of All Saints, Leicester, by a junction with the said Tramway No. 6;

Tramway No. 6C (single line), one furlong two chains and twenty-five links in length, commencing in the parish of All Saints, Leicester, by a junction with Tramway No. 6 in Sanvey Gate, and terminating in the said parish of All Saints by a junction with Tramway No. 6 in North Gate Street;

Tramway No. 6D (single line), one furlong six chains and fifty links in length, commencing in the parishes of All Saints and Saint Margaret, Leicester, or one of them, by a junction with Tramway No. 6, in Frog Island, and terminating in the extra-parochial place of Leicester Abbey Lands by a junction with Tramway No. 6 in the road leading from Leicester to Ashby-de-la-Zouch;

all which said tramways and works are situate in the county of Leicester.

22. With respect to the Post Office telegraph system the following provisions shall take effect:

Restriction on works affecting Post Office telegraph system.

(A.) The Company shall not by any work or thing interfere with any telegraph post, wire, tube, apparatus, or work of Her Majesty's Postmaster General, or execute or do any work or thing causing or likely to cause any interruption of or impedi-

ment to postal telegraphic communication, unless and until the Company have given to the Postmaster General one calendar month's previous notice in writing of their intention to execute or do the proposed work or thing, specifying all necessary and proper particulars relating thereto, and unless and until the Postmaster General has approved of the proposed work or thing by writing delivered to the Company, or has failed to approve or to disapprove of the same for one calendar month after service of such notice and particulars on him: Provided always, that this section shall not be deemed to prevent the Company executing any repairs or other works or things which shall be necessary to prevent accidents, and in any such case the Company shall forthwith give notice to the Postmaster General of any such interference, and the reason for the same:

Power for Postmaster General to annex conditions.

(B.) Her Majesty's Postmaster General may annex to his approval under this Act of any work or thing such reasonable terms and conditions as to the time and mode of execution of any such such work or thing as he thinks fit, and the Company shall observe and perform the same:

Power of entry for Postmaster General.

(C.) The engineer and other officers and servants and workmen of Her Majesty's Postmaster General may at and for all reasonable times enter on and into and remain on any of the tramways, lands, and works of the Company for the purpose of examining, repairing, altering, or removing any telegraph post, wire, tube, apparatus, or work, the property of the Postmaster General, being thereon.

Compensation by Company to Postmaster General, an penalty.

(D.) The Company shall from time to time make full compensation to Her Majesty's Postmaster General for any expense, loss, or damage which he is put to or sustains by reason of the Company by any work or thing executed or done by them interfering with any telegraph post, wire, tube, apparatus, or work of the Postmaster General; and if at any time any such work or thing causes an interruption of or impediment to postal telegraphic communication, the Company shall, in addition to making compensation as aforesaid, be liable to forfeit a sum not exceeding twenty pounds for every twenty-four hours during which that interruption or impediment continues; and the amount of any such expense, loss, damage, or forfeiture shall be a debt due from the Company to the Crown, and be recoverable accordingly with costs, or the same may be recovered with costs on behalf of the Postmaster General as a penalty is recoverable from the Company:

This section to remain in force for only one year &c.

(E.) Inasmuch as it is contemplated to introduce a general measure for the better protection of the national telegraphs,

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and to enlarge the powers of the Postmaster General in relation thereto, this section shall only remain force for one year from the date of the passing of this Act, and to the end of the then next session of Parliament.

Company may be required to use improved form of rails.

23. The Board of Trade may from time to time, upon the application of the local authority or road authority of any district, require the Company to adopt and apply such improvements in any tramway within such district, including the rails thereof, as experience may from time to time suggest, having regard to the greater security of the public and advantage to the ordinary traffic; and the Company shall with all reasonable despatch comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

24. The Company shall at all times maintain and keep in good condition and repair the rails of which any of the tramways shall for the time being consist; and if the Company at any time fail to comply with this provision, or with any of the requirements of section twenty-eight of "The Tramways Act, 1870," they shall be subject to a penalty not exceeding five pounds for every day on which such act of omission continues; and such penalty may be recovered as by clause fifty-six of the said Act is provided.

Sewer authority to have access to sewers.

25. Every sewer authority shall at all times have free access to and communication with all their sewers and drains, and power to lay lateral and private drains to communicate therewith, without the consent or concurrence of the Company; and the provisions contained in the thirty-second and thirty-third sections of "The Tramways Act, 1870," shall be applicable, in the case of any sewer or private drain of or under the control of the sewer authority, as if the same were a pipe for the supply of gas or water.

Passing places to be constructed where less than a certain width left between footway and tramway.

26. Where in any road in which a double line of tramway is laid there shall be less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches, the Company shall and they are hereby required to construct a passing place or places connecting the one tramway with the other; and by the means of such passing place or places the traffic shall, when necessary, be diverted from one tramway to the other.

Tramways to be kept on a level with surface of roads.

27. If any road authority shall hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Company may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Power to make additional crossings, passing places, &c. where necessary.

28. The Company may, subject to the provisions of this Act, with the consent of the local authority and road authority, from time to time make, maintain, alter, and remove such crossings, passing places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Act, as they find necessary or convenient for the efficient working of the tramways, or for providing access to any warehouses, stables, or carriage houses or works of the Company: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road, if the owner or owners or occupier or occupiers of the premises abutting on the place where such rail is proposed to be laid shall, by writing under their hand addressed to the Company, express their objection thereto.

Application of road materials excavated in construction of works.

29. Subject to the provisions of the next following section, any paving, metalling, or material excavated by the Company in the construction of the undertaking from any road under the jurisdiction or control of any road authority may be applied by the Company, as far as may be necessary, in or towards the reinstating of the road, and the maintenance, for six months after completion of any of the tramways within the district of such road authority, of so much of the roadway on either side of such tramways as the Company are by section twenty-eight of "The Tramways Act, 1870," required to maintain; and the Company shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of the road authority, or to such person or persons as he may appoint to receive the same: Provided, that if, within seven days after the setting aside of the surplus arising from the excavation of any such paving, metalling, or material, and notice duly given, such surplus is not removed by such surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Company, and may be dealt with, removed, and disposed of by them in such a manner as they may think fit. Any difference between the Company and any road authority or surveyor or other person with reference to any of the matters aforesaid shall be determined in manner provided by "The Tramways, Act, 1870," with respect to differences between the promoters and any road authority.

Application of road materials excavated on

30. The hard material, paving, and metalling excavated by the Company in the construction of the undertaking from any road under the jurisdiction or control of the trustees of the Market

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Market Harborough and Loughborough turnpike road, &c.

Harborough and Loughborough turnpike road shall belong to and be the property of the said trustees; and the earth, clay, and other material, except as aforesaid, arising from the excavation, shall belong to the Company, and shall be removed by them forthwith; and the Company shall pave with granite the whole of the space between the rails of the tramway and the portion of any of the road under the jurisdiction or control of the said trustees between the tramway and so much of the said road as extends eighteen inches beyond the rails of and on each side of any such tramway. Any difference between the Company and the said trustees or their surveyor or other person with reference to any of the matters aforesaid shall be determined in manner provided by "The Tramways Act, 1870," with respect to differences between the promoters and any road authority.

Temporary tramways.

31. Where, by reason of the execution of any work affecting the surface or soil of the road along which any tramway is laid, it shall, in the opinion of the road authority, be necessary or expedient temporarily to remove or discontinue the use of such tramway, or any part thereof, the Company shall, within fourteen days of receiving an order in writing from any road authority under the hand of their clerk or secretary, discontinue or take up such tramway for such term as may be necessary for the execution of the said work: Provided that the Company may, with the sanction of the road authority, and subject to such conditions and in accordance in all respects with such regulations as they, the said road authority, may from time to time make or prescribe, construct on the same or any adjacent road, and, with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued to be used.

Inspection by Board of Trade.

32. The tramways shall not be opened for public traffic until they have been inspected and certified to be fit for such traffic by the Board of Trade.

Capital.

33. The capital of the Company shall be one hundred thousand pounds, whereof fifty thousand pounds is in this Act called the original capital, and fifty thousand pounds is in this Act called the additional capital, which shall be raised in manner herein-after mentioned, and the original capital shall be divided into five thousand shares of ten pounds each, which shares are in this Act called "the old shares," and the Company may convert into stock the whole or any part of the original or additional capital when fully paid up.

Vesting of old shares in present shareholders.

34. The old shares shall be vested in the several persons who immediately before the passing of this Act were the registered members of the limited company, in substitution for the existing shares of the limited company, in the proportion of one share for every old share; and every share so vested shall be subject and liable to the same trusts, powers, provisions, declarations, agreements, charges, liens, and incumbrances as immediately before the passing of this Act affected the existing shares in the limited company for which the old share is substituted, and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

Company shall call in and cancel existing share certificates, and issue new certificates in lieu thereof.

35. The Company shall call in and cancel the existing certificates of shares in the limited company, and issue in lieu thereof certificates of the substituted old shares in the form and under the conditions prescribed by "The Companies Clauses Consolidation Act, 1845," but the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship of old shares under this Act until they shall have delivered up to the Company to be cancelled the certificates of proprietorship issued to them before the passing of this Act, or shall have proved to the reasonable satisfaction of the Company the loss or destruction thereof.

Additional capital.

36. In addition to the original capital herein-before authorised, the Company may from time to time raise by the creation and issue, at their option, of new ordinary shares or stock, or new preference shares or stock, or wholly or partially by one or more of those modes respectively, such further sum or sums of money as they think fit, not exceeding fifty thousand pounds; and the additional capital shall form and for all purposes be deemed part of the general capital of the Company.

As to amount of new shares.

37. Any new shares, whether ordinary or preference, issued under this Act, shall be of a nominal amount not less than ten pounds.

Shares not to be issued till one fourth paid up.

38. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fourth of the amount of such share shall have been paid in respect thereof.

Calls.

39. One fourth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls.

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Power to divide shares.

40. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share in their capital into half shares, of which one shall be called "preferred half share," and the other shall be call "deferred half share": Provided always, that the Company shall not divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up; and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon), and the residue to the credit of the preferred half share.

Dividends on half shares.

41. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividend on the two half shares in manner following; (that is to say,) first, in payment of dividend, after such rate not exceeding six pounds per centum per annum as shall be determined once for all at a general meeting of the Company specially convened for the purpose, on the preferred half share, and the remainder (if any) in payment of dividend on the deferred half share.

Dividend on preferred shares to be paid out of the profits of the year only.

42. Each preferred half share shall be entitled, out of the profits of each year, to the dividend which may have been attached to it by the Company as aforesaid, in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company.

Half shares to be registered and certificates issued.

43. Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof: Provided always, that the directors shall not be bound to issue a certificate of any half share until the certificate of the existing share be delivered to them to be cancelled, unless it be shown to their satisfaction that the certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated in certificates.

44. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

45. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for the non-payment of calls shall apply to all preferred half shares to be created under the authority of this Act, and every such preferred half share shall for that purpose be considered a whole share distinct from the corresponding deferred half share: Provided always, that until any forfeited preferred half share shall be sold by the directors of the Company, all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

Preferred shares not to be cancelled or surrendered.

46. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half shares in capital.

47. The several half shares under this Act shall be half shares in the capital of the Company; and every two half shares, whether preferred or deferred, or one of each, held by the same person, shall confer such right of voting at meetings of the Company, and (subject to the provisions herein-before contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Receipt in case of persons not sui juris.

48. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to borrow on mortgages.

49. The Company may at any time and from time to time after the passing of this Act borrow on mortgage, in respect of the original capital of fifty thousand pounds, any sum not exceeding in the whole, together with the sum already borrowed, twelve thousand pounds.

Power to borrow in respect of additional capital.

50. In addition to the sum of twelve thousand pounds which the Company are authorised to borrow by the last preceding section, they may from time to time borrow on mortgage, in respect of the additional capital of fifty thousand pounds by this Act authorised to be raised by shares or stock, any sum not exceeding in the whole twelve thousand pounds, at the time or times after mentioned; (that is to say,) when twenty thousand pounds of the additional capital shall have been issued and accepted, and one half thereof shall have been paid up and certified as herein-after mentioned, five

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thousand pounds; and a sum not exceeding three thousand five hundred pounds when an additional fifteen thousand pounds of share capital shall have been issued and accepted, and one half thereof shall have been paid up and certified as herein-after mentioned; and a sum not exceeding three thousand five hundred pounds when the remaining fifteen thousand pounds of the share capital shall have been issued and accepted, and one half thereof shall have been paid up and certified as herein-after mentioned; but no part of the said respective sums of five thousand pounds, three thousand five hundred pounds, and three thousand five hundred pounds shall be borrowed until the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the required amount of capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one-fourth part of the amount of each separate share in the required amount of capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said required amount of capital as is to be raised by means of stock is paid up, and that such capital was issued and accepted, and paid up bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and also if such capital is raised by shares that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Arrears may be enforced by appointment of a receiver.

51. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages, by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than two thousand pounds in the whole.

Company not to create debenture stock.

52. The Company shall not create or issue debenture stock.

Mortgage to comprise purchase money paid on compulsory sale.

53. Every mortgage of the Company's undertaking shall be deemed to comprise all purchase money which may be paid to the Company in the event of a compulsory sale to the local authority under section forty-three of "The Tramways Act, 1870," and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage.

Indorsement of notice of power of future purchase by the local authority.

54. Every mortgage deed granted by the Company under this Act shall be endorsed with notice that such mortgage will not be a charge upon the tramway in the event of its being purchased by the local authority under the forty-third section of "The Tramways Act, 1870."

Priority of mortgages over other debts.

55. All money raised or to be raised by the Company on mortgage under the provisions of this Act shall have priority against the Company, and the property from time to time of the Company, over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act.

Application of moneys.

56. All moneys raised under this Act, whether by shares or stock or borrowing, shall be applied to the purposes of this Act only.

General meetings.

57. The first ordinary meeting of the Company shall be held within six months after the passing of this Act, and the future ordinary meetings of the Company shall be held half-yearly in the months of February or March and August or September in every year, or in such other months as the Company by the resolution of an extraordinary general meeting shall from time to time determine.

Quorum of meetings.

58. The quorum to constitute a general meeting, whether ordinary or extraordinary, of the Company shall be five shareholders holding in the aggregate not less than five thousand pounds paid up in the capital of the Company.

Extraordinary meeting convened by shareholders.

59. The number of shareholders who may require an extraordinary meeting to be convened shall not be less than five holding in the aggregate not less than five thousand pounds paid up in the capital of the Company.

Votes.

60. At all meetings of the Company every shareholder shall be entitled to one vote in respect of every share and in respect of every complete sum of ten pounds of stock held by him.

Number of directors.

61. The number of directors shall be five, but the Company may from time to time reduce the number, provided that the number be not less than three.

Qualification of directors.

62. The qualification of a director shall be the possession in his own right of not less than one thousand pounds paid up in the capital of the Company.

Quorum of directors.

63. The quorum of a meeting of directors shall be three, and if the number of directors be reduced to three the quorum shall be two.

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First directors.

64. William Barfoot, Daniel Busby, Joseph Crisp Clarke, Clement Stretton, and William Turton shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act.

Election of directors.

65. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall, subject to the power herein-before contained for reducing the number of directors, elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of "The Companies Clauses Consolidation Act, 1845;" and the several persons elected at any such meeting, being neither removed nor disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided in the same Act.

Auditors not required to hold shares.

66. The auditors need not hold shares in the Company.

Secretary may be a director.

67. Clement Stretton, the present secretary, may be a director of the Company.

Power to purchase lands.

68. The Company may from time to time purchase and acquire by agreement such land as they may require for the purposes of their undertaking, not exceeding in the whole three acres.

Penalty unless tramways are opened within the time limited.

69. If the Company fail within the period limited by this Act to complete the tramways which they are herein-before authorised to construct, the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the tramway in respect of which such default has been made is completed and opened for public traffic, or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of such tramway; and the said penalty may be applied for by any road authority, landowner, or other person claiming to be compensated in accordance with the provisions of the next following section of this Act, or by the Solicitor of Her Majesty's Treasury, and in the same manner as the penalty provided in section three of "The Railway and Canal Traffic Act, 1854;" and every sum of money recovered by way of such penalty as aforesaid shall be paid, under the warrant or order of such court or judge as is specified in that section, to an account opened or to be opened, in the name and with the privity of Her Majesty's Pay-

master General on behalf of the Chancery Division of the High Court of Justice, in the bank and to the credit specified in such warrant or order, and shall not be paid thereout except as hereinafter provided; but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening such line by unforeseen accident or circumstances beyond their control; provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application of penalty.

70. Every sum of money so recovered by way of penalty as aforesaid shall be applicable, and after due notice in the "London Gazette" shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the tramway, or any portion thereof, and for which injury or loss no compensation or inadequate compensation shall have been paid, and also in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively, and in making good all damage caused to such roads by the construction or abandonment of such tramway, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit; and if no such compensation be payable, or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum or sums of money recovered by way of penalty, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the said Division thinks fit to order, on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the said Division, if the Company is insolvent, and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Period for completion of works.

71. The tramways by this Act authorised shall be completed within two years from the passing of this Act, and on the expira-

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tion of that period the powers by this Act granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Tolls for passengers.

72. The Company may demand and take for every passenger upon any of the tramways, or any part or parts thereof respectively, including tolls for the use of the tramway and of carriages, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding the following; (that is to say,)

For every person conveyed for any distance not exceeding two miles, twopence; and for any distance beyond two miles, for every mile or portion of a mile, one penny.

Passengers luggage.

73. Every passenger travelling upon any of the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof.

Cheap fares for labouring classes.

74. Section eighteen of "the Order" is hereby repealed, and in lieu thereof the provisions of this section shall have effect. The Company shall and they are hereby required, so long as their cars shall be moved by animal power, to run upon each tramway now existing from and after the passing of this Act, and upon each tramway hereby authorised from and after the opening for traffic, one carriage each way along each tramway route within the borough of Leicester to and from the Clock Tower every morning in the week and every evening in the week, (Sundays, Christmas Day, and Good Friday always excepted,) at such times between the hours of half-past five and eight in the morning and half-past five and seven in the evening as the corporation think most convenient, for artizans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (the Company, nevertheless, not being required to take any fare less than one penny); and the Company shall be liable to a penalty not exceeding one pound for every day in respect of each tramway route on which they do not run such carriages as aforesaid; and if and when the carriages shall be authorised to be and shall be drawn or propelled by steam or other than animal power on any of the tramways existing or to be constructed as by this Act authorised, the said Company shall and they are hereby required to run on all the tramways now existing or hereafter to be constructed on which carriages shall be drawn or propelled as aforesaid such further number of carriages, at the charges previously mentioned in this section, as the corporation may think requisite, and at such times between the hours aforesaid as

the corporation may appoint, for artizans, mechanics, and daily labourers, subject in case of default to the penalty herein-before mentioned: Provided always, that the Company shall not be liable to any such penalty if the failure to run any such carriage arises from any act of the corporation or their officers, or from circumstances over which the Company have no control: Provided also, that in case of any complaint made to the Board of Trade of the hours appointed by the corporation for the running of any such carriages, the said Board shall have power to fix and regulate the same from time to time.

Tolls for small parcels.

75. The Company may demand and take in respect of any small parcels conveyed by them on the tramways, except as is by this Act specially provided, including the tolls for the use of the tramways, and for waggons, trucks, and motive power, and every other expense incidental to the conveyance, any tolls or charges not exceeding the following; (that is to say,)

For every parcel not exceeding seven pounds in weight, threepence:

For every parcel exceeding seven pounds in weight, but not exceeding fourteen pounds in weight, fivepence:

For every parcel exceeding fourteen pounds in weight, but not exceeding twenty-eight pounds in weight, sevenpence:

For every parcel exceeding twenty-eight pounds in weight, but not exceeding fifty-six pounds in weight, ninepence:

For parcels exceeding fifty-six pounds but not exceeding five hundred pounds in weight, the Company may demand such sum as they think fit:

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

Company not to carry animals, minerals, &c. without consent of corporation.

76. The Company shall not convey or permit to be conveyed upon the tramways, or any of them, any animals, minerals, or goods, (except small parcels or passengers luggage not exceeding twenty-eight pounds in weight,) without the previous consent in writing of the corporation.

Tolls for animals, &c. if corporation consent.

77. When the Company have obtained the consent in writing of the corporation, they may demand and take, in respect of any animals, goods, or minerals conveyed by them on the tramways, except as is by this Act specially provided, including the tolls for the use of the tramway, and for waggons, trucks, and motive power, and every other expense incidental to the conveyance, such tolls

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or charges as may be fixed by the corporation, and as shall not exceed the tolls and charges following; (that is to say,)

In respect of animals conveyed upon the tramways, or any part thereof, as follows:

For every horse, mule, or other beast of draught or burden, per head per mile sixpence:

For every ox, cow, bull, or head of cattle, per head per mile sixpence:

For calves, pigs, sheep, and small animals, per head per mile threepence farthing:

In respect of goods and other things conveyed on the tramways, or any part thereof, as follows:

For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fireclay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton per mile threepence:

For all iron, ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fireclay), and for wrought iron not otherwise specifically classed herein, and for heavy iron castings, including railway chairs, per ton per mile threepence:

For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton per mile fourpence:

For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton per mile fourpence:

For every carriage, of whatever description, under one ton in weight, per mile tenpence:

With additional charge of twopence per quarter of a ton over one ton in weight:

For the carriage of single parcels of great weight:

For the carriage of any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, shall exceed four tons but shall not exceed eight tons, such sum as the Company may think fit, not exceeding eightpence per ton per mile:

For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage,

shall exceed eight tons, such sum as the Company may think fit.

Regulations as to tolls.

78. The following provisions and regulations shall apply to the fixing of all tolls and charges payable under this Act; (that is to say,)

Short distances.

For all animals or goods conveyed for a less distance than three miles, the Company may demand tolls and charges as for three miles:

Fractional parts of a mile.

For a fraction of a mile beyond three miles, or beyond any greater number of miles, the Company may demand tolls and charges for such fraction in proportion to the numbers of quarters of a mile contained therein, and if there be a fraction of a quarter of a mile such fraction shall be deemed a quarter of a mile:

Fractional parts of a ton.

For a fraction of a ton the Company may demand toll according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton:

General weight.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight:

Weight of stone and timber.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

Justices may stop traffic.

79. The justices acting in and for the borough of Leicester in petty sessions assembled may, if and when they think fit, by notice in writing, direct the Company, at any time after the expiration of twenty-four hours from the service of such notice, to stop, delay, or suspend the working of the tramways in any of the roads and streets within the said borough for the purpose of facilitating traffic during the holding of any markets or fairs, or during the time of any public meeting, procession, or demonstration, or during such time as, in the opinion of the said justices, the said roads or streets are likely to be more than usually thronged or crowded: Provided always, that such stoppage, delay, or suspension shall continue so long only as may be reasonably necessary for the purposes aforesaid, or any of them.

Corporation may use the tramway for sanitary purposes.

80. The corporation may and shall have power to use the tramways for sanitary purposes at any time between the hours of twelve o'clock at night and six o'clock in the morning, paying such tolls as may be agreed upon between the corporation and the Company.

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Penalty for failure to work tramways.

81. If the Company fail to work the traffic on any of the tramways they shall be liable to pay to the corporation a penalty of ten pounds a day for every day on which they fail so to do; such penalty to be recovered in the county court for Leicester as and for liquidated damages: Provided always, that the Company shall not be liable to any such penalty if the failure to work the tramways arises from any act of the corporation or their officers, or from circumstances over which the Company have no control.

As to purchase of tramways by corporation.

82. For the purposes of section forty-three of "The Tramways Act, 1870," the period after the expiration of which the corporation may purchase the existing tramways of the Company, and the tramways by this Act authorised, under the authority of the said section, shall be twenty-one years from the time of the passing of "The Tramways Orders Confirmation Act, 1873:" Provided always, that the Company may be required to sell their undertaking to the corporation at any time after the expiration of twelve years and before the expiration of twenty-one years from the time of the passing of "The Tramways Orders Confirmation Act, 1873;" but if the Company are so required to sell their undertaking they shall not be compelled to do so upon the terms and conditions specified in said section 43, nor unless the corporation shall, by a resolution passed in accordance with the provisions of the said section 43, decide to purchase the whole of the tramways of the Company, and all lands, buildings, works, carriages, horses, plant, property, and effects of the Company used by them for the purpose of their undertaking, at such price, upon such terms, and subject to such conditions as may be agreed on between the Company and the corporation, or as, in case of difference, may be determined by arbitration in manner provided by "The Lands Clauses Consolidation Act, 1845," for the settlement of questions of disputed compensation; and any purchase so made shall be deemed to be a purchase of the undertaking of the Company under the authority of the said section 43.

Sale of portions of undertaking to local authorities.

83. If within the time limited by section forty-three of the Tramways Act, 1870, for the purchase of the undertaking by a local authority, any local authority other than the corporation become possessed of any street tramway in their district, and shall give not less than six months notice in writing to the Company of their desire to purchase that portion of the undertaking of the Company which is contained within their district, or if the corporation have, under the powers of the last preceding section, purchased that portion of the undertaking, if such local authority shall give the like notice to the corporation, and in either case shall have obtained

the consent of the Local Government Board to such purchase, the Company or the corporation, as the case may be, shall sell, and the local authority shall purchase, such portion of the undertaking of the Company within the district of such local authority, and such purchase shall be deemed to be a purchase under section forty-three of the Tramways Act, 1870.

Corporation to participate in surplus profits.

84. When in any year ending on the thirty-first day of December the clear profits of the Company shall amount to more than sufficient to pay a dividend at the rate of twelve pounds ten shillings per centum per annum on the amount paid up on the ordinary shares of the Company, the corporation shall be entitled to and may demand and take from the Company one moiety of such surplus profits; and the Company shall and they are hereby required to account for and pay over to the corporation the said moiety of such surplus profits on or before the first day of April next after the said thirty-first day of December; and the moneys received from time to time by the corporation from such surplus profits shall be applied by them, in the first instance, in widening Church Gate and North Gate Street, and, when that is effectually done, in widening and improving any other street in the borough of Leicester along which any of the tramways are or may be laid.

Copies of Company's balance sheet to be delivered to corporation.

85. A copy of every half-yearly balance sheet of the accounts of the Company shall, within fourteen days after the same have been approved at an ordinary meeting of the Company, be delivered to the corporation or to their town clerk for the time being; and the books, accounts, and vouchers of the Company shall at all reasonable times be open to the inspection of the corporation, or a person appointed by them to inspect the same, for the space of two calendar months next after the delivery to the corporation or town clerk of a copy of such balance sheet as aforesaid.

As to use of portion of Tramway No. 6.

86. The Company shall not, without the consent of the corporation first obtained, use for their ordinary traffic that portion of Tramway No. 6 which is situate between the junction of that tramway with the existing tramway of the Company on the east side of the Clock Tower to a point one hundred yards northward from that junction; but such portion of tramway shall be used only for the passage of the carriages from and to the depôt, and not for the conveyance of passengers, animals, or goods.

Carriages to be approved by corporation.

87. No carriage shall be used by the Company in the conveyance of traffic upon the tramways until such carriage has been submitted to and approved by an officer appointed for that purpose by the corporation, and the Company shall maintain and keep every

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such carriage in good repair and condition to the reasonable satisfaction of such officer.

As to future extensions of the tramways within the borough of Leicester.

88. If the corporation at any time give six months notice to the Company requiring that the lines of the tramways shall be extended to other districts or places within the borough of Leicester, the Company shall and they are hereby required to take all steps necessary, by way of application to the Board of Trade or to Parliament, to enable them to comply with such notice; but the Company shall not be bound to take any such steps unless such extensions, if constructed, may reasonably be expected when worked to afford a fair and adequate return to the Company for the costs to be incurred in applying for, obtaining, constructing, and working the same: Provided always, that if any difference arises between the corporation and the Company as to the reasonableness of such request, the question in difference shall be determined by the Board of Trade, whose decision shall be final and conclusive; and in case such request is found by the Board of Trade to be unreasonable, no such request shall be repeated under the authority of this section until after the expiration of three years from the date of such finding.

Form and delivery of notices.

89. With respect to the notices to be given by or to the Company, and to the delivery thereof by or to the Company, the following provisions shall have effect; namely,

(1.) Every notice shall be in writing or print, or partly in writing and partly in print, and if given by the Corporation shall be sufficiently authenticated by being signed by the town clerk or borough surveyor, and if given by any other road authority, by being signed by their clerk or secretary:

(2.) Any notice to be delivered by or to the Company to or by any road authority or other body, or any company, may be delivered by being left at the principal office of that authority, body, or company, or of the Company, (as the case may be,) or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office.

Interest not to be paid on calls paid up.

90. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividends to any shareholder on the amount of the calls made in respect of the shares held by him, but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation Act, 1845."

Deposits for future bills.

91. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other tramways, or to execute any other work or undertaking.

Tramways not exempt from provisions of present and future general Acts.

92. Nothing in this Act contained shall exempt the Company or the tramways from the provisions of any general Act relating to tramways now in force, or which may hereafter pass during this or any future session of Parliamant, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Act.

Expenses of Act.

93. 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.

LONDON: Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1877.