CHAPTER ccxxxiii.

An Act to empower the North Dublin Street Tramways Company to construct new tramways; and for other purposes. [11th August 1876.]

A.D. 1876.

WHEREAS by the "North Dublin Street Tramways Act, 1875," the North Dublin Street Tramways Company (herein-after called "the Company") were incorporated and empowered to lay down in and near the city of Dublin the tramways in that Act mentioned: 38 & 39 Vict. c. ccix.

And whereas it is expedient that the Company should be empowered to lay down and maintain the several additional tramways in this Act described, and to work the same, and the tramways authorised by the Act of 1875, by animal power only:

And whereas plans and sections showing the lines and levels, and describing the position in the streets along which they are to be laid down, of the tramways and works by this Act authorised, have been deposited with the respective clerks of the peace for the county of Dublin and for the county of the city of Dublin, and those plans and sections are in this Act referred to as the deposited plans and sections:

And whereas the objects of this Act cannot be attained 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:

Short title.

1. This Act may be cited for all purposes as "The North Dublin Street Tramways Act, 1876."

Provisions of certain general Acts incorporated

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to cancellation and surrender of shares) of "The Companies Clauses Act, 1863," section 17 of "The Railways Clauses Consolidation Act, 1845," sections 13, 17, 18, and 19 of "The Rail-

A.D. 1876.

ways Clauses Act, 1863," "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Act, 1845," except the provisions thereof with respect to the entry upon, purchase, and taking of lands otherwise than by agreement, "The Lands Clauses Consolidation Acts Amendment Act, 1860," and section 3 (interpretation of terms) and Parts II. and III. of "The Tramways Act, 1870," are incorporated with and form part of this Act, save where the same are expressly varied or excepted by this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or in part incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "the Act of 1875" shall mean "The North Dublin Street Tramways Act, 1875;" the expressions "railway" and "work," as used in the sections of "The Railways Clauses Consolidation Act, 1845," and "The Railways Clauses Act, 1863," incorporated herewith, shall mean the tramways and works hereby authorised; the expression "the tramways" or "the undertaking" shall mean the tramways and works and undertaking of the Company as authorised by the Act of 1875 and this Act; and the expression "the Corporation" shall mean the Lord Mayor, aldermen, and burgesses of the city of Dublin.

Power to make tramways according to deposited plans.

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

Tramway No. 1, length one mile two furlongs five chains, in the city of Dublin and county of the city of Dublin, commencing at or near the fountain in James's Street, at the junction therewith of Bow Lane, passing in an easterly direction along James's Street, James's Gate, Thomas Street, Cutpurse Row, Corn Market, High Street, Christ Church Place, Castle Street, Cork Hill, Dame Street, and College Green, and terminating in College Green, at or near the Grattan Monument, opposite the Bank of Ireland, at a point distant three chains or thereabouts from the equestrian statue of King William the Third, measured therefrom in an easterly direction.

Tramway No. 1A, length four furlongs seven chains eleven yards, in the city of Dublin and county of the city of Dublin, commencing at the point herein-before described as the com-

mencement of Tramway No. 1, and passing along James's Street, James's Gate, and Thomas Street, to the western end of Cutpurse Row, and then terminating by a junction with the proposed Tramway No. 1.

Tramway No. 1B, length four chains, wholly in Corn Market and High Street, in the county of the city of Dublin, commencing and terminating respectively by junctions with the proposed Tramway No. 1, at the south-eastern end of Upper Bridge Street, and at a point one chain east of the western end of High Street.

Tramway No. 1C, length eight chains eleven yards, wholly in High Street and Christ Church Place, in the county of the city of Dublin, commencing and terminating respectively by junctions with the proposed Tramway No. 1, at a point opposite the southern end of Saint Michael's Lane, and at the western end of Castle Street.

Tramway No. 1D, length three furlongs one chain thirteen one-fifth yards, wholly in the county of the city of Dublin, commencing by a junction with the proposed Tramway No. 1, in Castle Street, at a point three chains or thereabouts east of the western end of the said street, passing along Castle Street, Cork Hill, Dame Street, and College Green, and terminating in College Green by a junction with Tramway No. 1, at a point distant one chain or thereabouts from the point of termination of said Tramway No. 1.

Tramway No. 2, length one mile two furlongs seven chains and fourteen yards, partly in the county of the city of Dublin, partly in the city of Dublin, and partly in the county of Dublin, commencing by a junction with Tramway No. 1, at a point in James's Street distant two chains or thereabouts east of the Fountain, passing along James's Street, Mount Brown, Old Kilmainham, Richmond Road, Golden Bridge Road, and terminating at a point in said last-mentioned road distant two chains or thereabouts from the centre of Golden Bridge, measured therefrom in an easterly direction.

Tramway No. 2A, length one mile two furlongs six chains, eleven yards, partly in the county of the city of Dublin, partly in the city of Dublin, and partly in the county of Dublin, commencing by a junction with Tramway No. 1A, herein-before described, at a point in James's Street distant two chains or thereabouts east of the said Fountain, passing along James's Street, Mount Brown, Old Kilmainham, Richmond Road, and Golden Bridge Road, and terminating by a junction with

A.D. 1876.

Tramway No. 2, at a point thereon distant one chain or thereabouts from and on the east side of the point of termination of said Tramway No. 2, herein-before described.

Tramway No. 3, length one furlong one chain seventeen two-third yards, situate wholly in the county of the city of Dublin, commencing by a junction with Tramway No. 1 authorised by the North Dublin Street Tramways Act, 1875, at the point of commencement of said last-mentioned tramway in Capel Street, at or near Grattan Bridge, passing thence over or along Grattan Bridge, Essex Bridge, Parliament Street, and terminating by a junction with Tramway No. 1 in Dame Street, at a point distant half a chain or thereabouts from the south-west corner of the house known as No. 1, Parliament Street.

Tramway No. 3A, length seven chains, wholly in the county of the city of Dublin, commencing by a junction with Tramway No. 3, herein-before described, at a point distant $4\frac{1}{2}$ chains from the point of commencement of said Tramway No. 3, passing thence along Essex Bridge, Parliament Street, Dame Street, and terminating by a junction with Tramway No. 1, herein-before described, at a point in Cork Hill distant half a chain or thereabouts from the south-east corner of the house known as 28, Parliament Street, and measured therefrom in a westerly direction.

Tramway No. 3B, length one chain, situate wholly in the county of the city of Dublin, being a short curve, one chain in length or thereabouts, to connect Tramways No. 3A and 1D at the junction of Parliament Street with Cork Hill and Dame Street, commencing by a junction with Tramway No. 1, at a point distant $10\frac{1}{2}$ chains or thereabouts from the point of commencement of said Tramway No. 3, and terminating by a junction with Tramway No. 1D, at a point distant 7 chains or thereabouts from the point of commencement of said Tramway No. 1D.

Tramway No. 3C, length one one-fourth chain, wholly in the county of the city of Dublin, being a short curve, one chain in length or thereabouts, to connect Tramways No. 3 and 1D at the junction of Parliament Street with Dame Street and Cork Hill, commencing by a junction with Tramway No. 3, at a point distant $10\frac{1}{2}$ chains from the point of commencement of said Tramway No. 3, and terminating by a junction with Tramway No. 1D, at a point distant eight chains or thereabouts from the point of commencement of said Tramway No. 1D.

Company to remove tramways on

5. If the Corporation shall express their opinion, by resolution at a meeting of their body duly summoned for that purpose, that the

tramways on Cork Hill are an inconvenience to the traffic passing over that street and ought to be removed, it shall then be referred to the engineer of the Company and the engineer for the time being or other engineer to be appointed by the Corporation, and if such engineers shall be unanimous in opinion, or if the referee hereby appointed, in case of their disagreement, shall decide that the said tramways on Cork Hill are an inconvenience to the traffic and ought to be removed from that street, the Company shall thereupon remove the tramways from Cork Hill and restore the roadway to its former condition at their own proper costs and charges.

Cork Hill if required.

6. If the engineer of the Company and the engineer for the time being of or other engineer to be appointed by the Corporation shall differ in opinion, it shall then be referred to the architect of the Board of Public Works in Ireland, whose decision on the points referred to him shall be final.

Providing for reference to the architect of the Board of Works.

7. If and whenever the contemplated new street from Cork Hill westward, in the direction of Christ Church Cathedral, shall be made and opened for public traffic, the Corporation may require the Company to apply to Parliament for power to make, form, and lay down tramways on such new street, and to remove all tramways or portions of tramways in Cork Hill, Castle Street, or any other street running in a line with the new street in which tramways may have been laid down as aforesaid.

Company to apply for power to make tramways in new street when opened.

8. In making, forming, laying down, and maintaining Tramway No. 3 over any of the tramways of the Dublin Tramways Company, the following provisions shall apply:

For protection of Dublin Tramways Company.

1. The Company shall construct the crossings over the tramways of the Dublin Tramways Company, situate on the quays at each end of Grattan Bridge, by Tramway No. 3, under the superintendence and to the satisfaction of the engineer for the time being of the said Dublin Tramways Company.
2. The Dublin Tramways Company may from time to time erect such signals and conveniences incident to such crossings, and may from time to time appoint and remove such signalmen or other persons as may be necessary for the prevention of danger at and near such crossings, and all the expenses of erecting and maintaining those signals and conveniences (if any), and of employing those signalmen or other persons, and all incidental current expenses, shall at the end of every half-year be repaid by the Company to the Dublin Tramways Company, and in default thereof may be

A.D. 1876.

recovered from the Company in any court of competent jurisdiction.

3. The Company in using the said crossings shall be subject to such reasonable byelaws as may from time to time be made respecting their use by the Dublin Tramways Company, and such byelaws shall be reduced into writing, and shall have affixed thereto the common seal of the Dublin Tramways Company.

4. If the Company shall at any time consider that an unnecessary expenditure is incurred by the Dublin Tramways Company in the employment of signalmen as aforesaid, or that the byelaws and regulations of that Company as to the use of the said crossings are unreasonable, they may upon either of those points, after giving one week's notice to the Dublin Tramways Company, from time to time apply to the engineer of the Board of Works in Ireland to determine the question in difference between the two companies, and the decision of such engineer shall be final; but in arriving thereat he shall have regard to the working of the traffic of the Dublin Tramways Company, and their right to have the same provided for in the first instance as the original occupiers.

Extending certain sections of Act of 1875 to this Act.

9. The sections of the Act of 1875 set forth and specified in the schedule to this Act annexed shall extend to and form part of this Act as fully and effectually as if those sections had been expressly repeated and re-enacted in this Act.

Power to raise new capital.

10. The Company may from time to time raise, by the creation and issue of new shares of not less than ten pounds each, such sums of money as they shall think necessary, not exceeding in the whole fifty thousand pounds, in addition to the moneys which they are already authorised to raise by shares.

Shares not to issue until one fifth paid up.

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

Calls.

12. One fifth 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, and three fourths of the amount of a share shall be the utmost aggregate amount of calls in any year upon any share.

Power to divide shares.

13. 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 called "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.

14. 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 dividends on the two half shares in manner following; (that is to say,) first, in payment of dividend, after such rate, not exceeding six 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 amount for the time being paid up on the preferred half share, and the remainder, if any, in payment of dividend on the deferred half share; and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

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

15. 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.

16. 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 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

A.D. 1876.

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 on certificates.

17. 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.

18. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for 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.

19. 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.

20. 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.

Receipts on behalf of incapacitated persons.

21. If any money be payable to any shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate, as the case may be, shall be a sufficient discharge to the Company for the same.

Power to borrow on mortgage.

22. The Company may from time to time borrow on mortgage, in addition to the sums which they are already authorised to borrow, any sum or sums not exceeding in the whole twelve thousand five hundred pounds, and of that sum they may borrow from time to time not exceeding six thousand two hundred and fifty pounds in respect of every twenty-five thousand pounds of the said capital of fifty thousand pounds by this Act authorised to be raised by shares; but no part of any such sum of six thousand two hundred and fifty pounds shall be borrowed until the whole of the respective twenty-five thousand pounds of capital in respect of which it is to

be borrowed is issued and accepted, and one half thereof is paid up, and 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 whole of the respective twenty-five thousand pounds of capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such twenty-five thousand pounds has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the respective twenty-five thousand pounds of capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and 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 certificate shall be sufficient evidence thereof.

Arrears may be enforced by appointment of a receiver.

23. 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; and in order to authorise the appointment of a receiver in respect of principal, the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less than two thousand pounds in the whole.

Moneys borrowed on mortgage to have priority.

24. All moneys to be borrowed on mortgage under any former Act relating to the Company or under this Act, from the time when the same shall be advanced, and the interest for the time being due thereon, shall (except as otherwise provided by the next following section of this Act) have priority against the Company, and all the property from time to time of the Company, over all other claims on account of any debts incurred or to be incurred, or engagements entered into or to be entered into by them after the passing of this Act; but nothing in this section shall affect any claim in respect of land acquired by the Company for the purposes of this Act, or injuriously affected by the construction of the tramway, or by the exercise of any of the powers conferred upon the Company.

Existing mortgages to have priority.

25. All mortgages granted by the Company under the authority of the Act of 1875, which shall be subsisting at the passing of this Act, shall during the continuance thereof have priority over all mortgages granted under the authority of this Act.

A.D. 1876.

Application of moneys.

26. All moneys raised under this Act, whether by share or borrowing, shall be applied for the purposes of this Act and the Act of 1875.

Mortgages to comprise purchase money paid on compulsory sale.

27. 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 the provisions of the Act of 1875 or this Act, and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage.

Endorsement of notice of power of future purchase by the Corporation.

28. 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 tramways in the event of their being purchased by the local authority under the provisions of the Act of 1875 or this Act.

Company not to create debenture stock.

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

Period for completion of works.

30. The tramways shall be completed within two years from the passing of this Act, and on the expiration 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.

Land by agreement.

31. The Company may from time to time purchase and acquire (by agreement), in addition to any land which they are already authorised to acquire, such land as they may require for their undertaking, not exceeding in the whole five acres.

Increase of number of directors and quorum.

32. Whereas the number of directors was limited by the Act of 1875 to three, and the quorum of a meeting of such directors to two, be it enacted, that the number of directors may be increased to any number not exceeding five, and when the number of directors is five or four the quorum shall be three.

Deposit money not to be repaid until tramways opened, or half the capital paid up and expended.

33. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, a sum of five hundred and thirty pounds three shillings and ninepence Government New Three per Cent. Stock, being equal to five per cent. upon the amount of the estimate in respect of the tramways, has been transferred into the Court of Chancery in Ireland in respect of the application to Parliament for this Act: Be it enacted, that, notwithstanding anything contained in the said Act, the said sum so transferred as aforesaid in respect of the application for this Act shall not be paid or transferred to or on the application of the person or persons, or

the majority of the persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previous to the expiration of the period limited by this Act for completion of the tramways, either open the tramways for the public conveyance of passengers, or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the amount of the capital by this Act authorised to be raised by means of shares, and have expended for the purpose of this Act a sum equal in amount to such one half of the said capital; and if the said period shall expire before the Company shall either have opened the tramways for the public conveyance of passengers, or have given such proof as aforesaid to the satisfaction of the Board of Trade, the said stock deposited as aforesaid shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above mentioned Act to the contrary notwithstanding.

Application of deposit.

34. The said stock so deposited as aforesaid shall be applicable, and after due notice in the Dublin 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 tramways, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been made, and also in compensating all road authorities for the expense incurred by them in taking up any tramways, 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 tramways, and shall be distributed in satisfaction of such compensation as aforesaid, in such manner and in such proportions as to the Court of Chancery in Ireland may seem fit; and if no such compensation shall be payable, or if a portion of the said stock shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said stock, 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 Court of Chancery in Ireland thinks fit to order, on the application of the

A.D. 1876.

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 Court, 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: Provided, that until the said stock has been repaid to the depositors, or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons, or the majority of the persons, named in such warrant or order as aforesaid, or the survivors or survivor of them.

Tolls to be paid as directed by the Company.

35. The tolls and charges by this Act authorised shall be paid to such persons and at such places upon or near to the tramways, and in such manner and under such regulations, as the Company shall, by notice to be annexed to the list of tolls, appoint.

Tolls.

36. The Company may demand and take in respect of the tramways the tolls and charges which they are by the Act of 1875 authorised to demand and take with respect to the tramways by that Act authorised, as if the tramways had formed part of the tramways by that Act authorised.

Recovery of tolls, penalties, &c.

37. All tolls, charges, penalties, and other moneys which, under the Act of 1875 and this Act, may become payable to or by the Company, may be recovered in any court of competent jurisdiction, or (or at the option of the party claiming the payment, or, as the case may be, of the Company) in manner provided by "The Railways Clauses Consolidation Act, 1845," with respect to the recovery of damages not specially provided for; and penalties.

Advertisement to be inserted in Dublin Gazette.

38. The advertisement required by section 46 and Schedule C., Part II., of "The Tramways Act, 1870," to be inserted in the London or Edinburgh Gazette, shall in the case of the Company be inserted in the Dublin Gazette.

Interest not to be paid on calls paid up.

39. The Company shall not, out of any money by this Act authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him: Provided always, that this Act shall not 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 not to be paid out of capital.

40. 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 tramway, or to execute any other work or undertaking.

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

41. Nothing herein contained shall be deemed or construed to exempt 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 Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges authorised to be taken by the Company.

Expenses of Act.

42. All the 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.

A.D. 1876.

SCHEDULE referred to in the foregoing Act.

SECTIONS OF ACT OF 1875 INCORPORATED WITH ACT.

Number of Section.	Matter to which Clause relates.
6	Power to break up streets.
7	Completion of work and reinstatement of roads.
8	Repair of part of road where tramway is laid.
9	Road authority and Company may contract for paving roads on which tramways are laid.
10	Right of user only.
11	Reserving powers of road authorities to widen, &c. roads.
12	Provision as to Gas and Water Companies.
13	For protection of sewers, &c.
14	Saving rights of road authorities to open roads.
15	Form and delivery of notices.
16	Difference between Company and road authority, &c.
17	Penalty for obstruction in exercise of their powers.
18	Power for Company to use tramways with flange-wheeled carriages, &c.
19	Licenses to use the tramway may in certain events be granted to third parties by the Board of Trade.
20	In default of payment of tolls, Company may detain and sell licensees carriages.
21	Licensees to give account of passengers carried by them.
22	Licensees not giving account of passengers carried liable to penalty.
23	Disputes as to amount of tolls to be settled by justice.
24	Owners of carriages liable for trespass or damage done by their servants.
25	Persons using tramways with carriages with flange-wheels, &c. to forfeit twenty pounds on each occasion to the Company.
26	Corporation may use tramways for certain purposes.
27	Company to make sidings, &c. if required by Corporation.
28	Authorising agreements for use of tramways.
29	Penalties for wilful injury or obstruction to tramways, &c.
30	Company to be responsible for all damages.
31	Power for road authority to regulate traffic in streets.
32	Reservation of right of public to use streets.
33	Tramways, if discontinued, to be removed.
34	Proceedings in case of insolvency of Company.
35	As to winding up the affairs of the Company, &c.
36	Power of sale after tramways opened for six months.
37	Regulating inquiries before referee appointed by the Board of Trade.
38	Provision as to purchase by Corporation.

Number of Section.	Matter to which Clause relates.
39	Accounts to be produced to Corporation.
51	Passengers luggage.
52	Tolls for goods, &c.
53	Cheap fares for labouring classes.
63	Mode of formation of tramways.
64	Inspection by Board of Trade.
65	Tramways to be kept on level of surface of road.
66	Penalty for not maintaining rails and road.
67	Sewer authority to have access to sewers.
68	Company may be required to use improved form of rail.
69	Power to make additional crossings, &c.
70	Application of road materials excavated in construction of works.
71	Saving rights of the Crown.

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