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An Act to authorise the Pimlico, Peckham, and Greenwich Street Tramways Company to extend their authorised Tramways; and for other purposes. [10th August 1870.]

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WHEREAS by "The Pimlico, Peckham, and Greenwich Street Tramways Act, 1869" (in this Act called "the Act of 1869"), the Pimlico, Peckham, and Greenwich Street Tramways Company (in this Act called "the Company") were incorporated for the purpose of making and maintaining certain street tramways: 32 & 33 Vict. c. xcv.

And whereas the construction of the tramways by this Act authorised would be of public advantage, and it is expedient that the Company be authorised to construct the same, and to raise further moneys for that purpose:

And whereas it is expedient that the Company and the Metropolitan Street Tramways Company be authorised to enter into and carry into effect agreements as by this Act provided:

And whereas plans and sections, showing the lines and levels of the works by this Act authorised and the lands to be taken for the purposes thereof, and books of reference to those plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of those lands, were in the month of November last deposited with the respective clerks of the peace for the counties of Surrey, Middlesex, and Kent, and those plans, sections, and books of reference are in this Act referred to as the plans, sections, and books of reference originally deposited for this Act:

And whereas other plans and sections (showing certain alterations in the lines of certain of the tramways by this Act authorised), with a book of reference thereto, were in the month of June one thousand eight hundred and seventy deposited with the respective clerks of the peace for the counties of Surrey and Middlesex, and the last-mentioned plans, sections, and book of reference are in this Act referred to as the additional plans, sections, and book of reference deposited for this Act:

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And whereas a Bill has been in the present session introduced into Parliament under the short title of "The Pimlico, Peckham, and Greenwich Street Tramways (Various Powers) Bill" for (amongst other things) authorising the Company to construct additional passing places in connexion with the tramway No. 2 authorised by the Act of 1869, and to convert other tramways authorised by that Act into double lines of tramway, and the said Bill has passed or is about to pass into a law, and is in this Act referred to as "The Various Powers Bill:"

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 Pimlico, Peckham, and Greenwich Street Tramways (Extensions) Act, 1870."

Provisions of general Acts herein named incorporated.

2. "The Lands Clauses Consolidation Acts, 1845 (except the provisions thereof with respect to the purchase of lands otherwise than by agreement), 1860, and 1869," and the provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the distribution of the capital of the Company into shares, with respect to the transfer or transmission of shares, with respect to the payment of subscriptions and the means of enforcing the payment of calls, with respect to the forfeiture of shares for nonpayment of calls, with respect to the remedies of creditors of the Company against the shareholders, with respect to the borrowing of money by the Company on mortgage or bond, with respect to the conversion of the borrowed money into capital, with respect to the consolidation of the shares into stock, and with respect to the provision to be made for affording access to the special Act by all parties interested, and Part I. (relating to cancellation and surrender of shares), and Part II. (relating to additional capital), and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," and "The Companies Clauses Act, 1869," are (except where expressly varied by this Act) incorporated with and form part of 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 have the same respective meanings, unless there be something in the subject or context repugnant to such construction; the expression "the plans deposited for the Act of 1869" means the plans deposited with the clerk of the peace for the county of

Surrey with respect to the application to Parliament for and mentioned or referred to in the Act of 1869, and where any authorised tramway is in this Act referred to under a number or number and letter the tramway authorised by the Act of 1869 and distinguished on the plans deposited for the Act of 1869 by the same number or number and letter is intended; the expressions "street" and "road" mean respectively any carriageway being a public highway, and the carriageway of any bridge forming part of or leading to the same; and the expression "local authority" shall mean "the Metropolitan Board of Works;" and the expression "road authority" means the board, vestry, district board, commissioners of sewers, or other commissioners, trustees, or other body having the control of the street or road referred to; the term "district," in relation to a road authority, means the area within the jurisdiction of such road authority; the expressions "the tramways," "the tramway," or any like expression referring to any tramways or tramway of the Company, shall mean and include (unless the contrary appear by the context) as well the tramways authorised by the Act of 1869 as the tramways by this Act authorised; and in this Act, and in any Act wholly or in part incorporated herewith, the expression "superior court" or "court of competent jurisdiction," or any other like expression, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute; and the word "contingencies" in "The Companies Clauses Act, 1845" (section 122), as incorporated with this Act, shall include the contingency of the undertaking being sold to the Metropolitan Board of Works at a sum less than the aggregate amount of the capital and debts of the Company.

Additional plans and sections to be retained by clerks of the peace.

4. The additional plans and sections and book of reference deposited for this Act with the respective clerks of the peace for the counties of Surrey and Middlesex as aforesaid shall be retained by them, and all the provisions of the Public General Act of the first year of the reign of Her present Majesty, chapter 83, shall extend and apply to those additional plans and sections.

Power to make tramways according to deposited plans.

5. Subject to the provisions of this Act, the Company may make, form, lay down, and maintain (as to all the street tramways hereinafter described, except tramways Nos. 3, 7, 8, and 10) in the lines and according to the levels shown on the plans and sections originally deposited for this Act, and as to the said tramways Nos. 3, 7, 8, and 10 in accordance with the same plans and sections as varied by the additional plans and sections deposited for this Act, and in all respects in accordance with such plans and sections respectively, the

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street tramways herein-after described, with all proper rails, plates, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the books of reference deposited for this Act as may be required for that purpose. The tramways herein-before referred to and authorised by this Act are,—

GROUP A (ELEPHANT AND CASTLE AND VAUXHALL TO VICTORIA STATION).

A tramway (No. 1) (two miles and seven links in length) commencing in the St. George's Road in the parish of St. George the Martyr, Southwark, in the county of Surrey, at a point about ten feet north of the public urinal at the east end of St. George's Road, running thence along the St. George's Road, Lambeth Road, Church Street, across the Thames Embankment, south side, and Lambeth Bridge, and thence into Horseferry Road, Greycoat Place, Old Rochester Row, Artillery Row, and thence into and in a westerly direction along Victoria Street, and terminating in that street, in the parish of St. Margaret, Westminster, in the county of Middlesex, at a point opposite or nearly opposite the end of Carlisle Street:

A short junction tramway (No. 1a) (one chain and thirty-two links in length), wholly in the parish of Lambeth, in the county of Surrey, commencing in Lambeth Road by a junction with tramway (No. 1), by this Act authorised, opposite the north-east corner of the public urinal in Lambeth Road, near its junction with Kennington Road, and terminating in Kennington Road by a junction with the authorised tramway (No. 4) at a point about sixty feet south-west of the south-west corner of the same public urinal:

A tramway (No. 2) (two miles and fourteen links in length) commencing in St. George's Road, Southwark, aforesaid, at a point about ten feet south of the public urinal at the east end of that road, running thence along the St. George's Road, Lambeth Road, Church Street, across the Thames Embankment, south side, and Lambeth Bridge, and thence into Horseferry Road, Greycoat Place, Old Rochester Row, and Artillery Row, and thence into and in a westerly direction along Victoria Street aforesaid, and terminating in that street at a point opposite or nearly opposite the end of Carlisle Street:

A short junction tramway (No. 2a) (one chain and thirty-five links in length), wholly in the said parish of Lambeth, commencing by a junction with tramway (No. 2), by this Act

authorised, in the Lambeth Road, opposite the south-east corner of the public urinal in that road, near its junction with Kennington Road, and terminating in Kennington Road by a junction with the authorised tramway (No. 4a) at a point about seventy-one feet south-west of the south-west corner of the same public urinal:

A tramway (No. 3) (two chains and ten links in length), wholly in the parish of St. Margaret, Westminster, and St. George's, Hanover Square, in the county of Middlesex, commencing in Victoria Street by a junction with tramway (No. 1), by this Act authorised, at its termination, passing thence in a westerly direction into (and in a southerly direction along) Vauxhall Bridge Road, and terminating in that road opposite the public drinking fountain in the centre of the said road near the end of Victoria Street:

A tramway (No. 5) (one furlong one chain and eighteen links in length), and a tramway (No. 6) (one furlong one chain and twenty-eight links in length), commencing respectively in St. George's Road aforesaid (tramway No. 5 by a junction with tramway No. 2, by this Act authorised, and tramway No. 6 by a junction with tramway No. 1, by this Act authorised), at a point eighty-six feet east of the point at which the centre line of St. George's Road is intersected by the centre line of Lambeth Road, and passing thence respectively in a north-westerly direction along St. George's Road to and terminating respectively in Westminster Bridge Road, in the parish of Lambeth, in the county of Surrey, at a point one hundred and twenty-two feet west of the centre of the public lamp post and safety crossing in the open space at the junction of Westminster Bridge Road and St. George's Road:

A tramway (No. 7) (one mile one furlong two chains and seventy-seven links in length) commencing in Upper Kennington Lane, in the said parish of Lambeth, opposite or nearly opposite the junction of Goding Street with that lane, running thence along Upper Kennington Lane in a westerly direction into and along New Bridge Street and across Vauxhall Bridge into and along Vauxhall Bridge Road, and terminating in the parish of St. George's, Hanover Square, by a junction with tramway (No. 3) at its termination:

A tramway (No. 8) (one mile one furlong one chain and ninety-five links in length) commencing in Upper Kennington Lane aforesaid, opposite or nearly opposite the junction of Goding Street with that lane, running thence along Upper Kennington Lane in a westerly direction into and along New Bridge Street

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and across Vauxhall Bridge into and along Vauxhall Bridge Road aforesaid, and terminating by a junction with tramway (No. 7) at a point about one chain south of the termination of that tramway.

GROUP B (ELEPHANT AND CASTLE TO WESTMINSTER AND BLACKFRIARS BRIDGES).

A tramway (No. 9) (seven furlongs two chains and ninety-five links in length), wholly in the parishes of St. George the Martyr, Southwark, and Christ Church, Southwark, in the county of Surrey, or one of those parishes, commencing at a point opposite and south of the Alfred's Head public-house at the corner of Newington Causeway and London Road, and running thence along the London Road into and across St. George's Circus, and thence into and along Blackfriars Road, and terminating opposite or nearly opposite Holland Street:

A tramway (No. 10) (seven furlongs three chains and five links in length), wholly in the said parishes of St. George the Martyr, Southwark, and Christ Church, Southwark, aforesaid, or one of those parishes, commencing at a point opposite and south of the Alfred's Head public-house at the corner of Newington Causeway and London Road, and running thence along the London Road into and across St. George's Circus, and thence into and along Blackfriars Road, and terminating opposite or nearly opposite Holland Street:

A tramway (No. 11) (five furlongs two chains and twenty-five links in length), and a tramway (No. 12) (five furlongs two chains and twenty links in length), commencing respectively in St. George's Circus aforesaid, tramway (No. 11) by a junction with tramway (No. 9), and tramway (No. 12) by a junction with tramway (No. 10), and passing thence respectively in a westerly direction along St. George's Circus into and along Westminster Bridge Road aforesaid, and terminating respectively in that road at or near the junction therewith of Belvedere Road and Stangate.

GROUP C (MISCELLANEOUS JUNCTIONS, &c.).

A tramway (No. 13) (three chains and seven links in length), wholly in the parishes of St. George the Martyr, Southwark, and St. Mary, Newington, or one of those parishes, commencing by a junction with tramway (No. 1), by this Act

authorised, at its commencement, passing thence across the open space formed by the junction of St. George's Road, London Road, Newington Causeway, New Kent Road, Walworth Road, and Newington Butts, and terminating at or about the western end of New Kent Road:

A tramway (No. 14) (three chains and twenty links in length), wholly in the said parishes of St. George the Martyr, Southwark, and St. Mary, Newington, or one of those parishes, commencing by a junction with tramway (No. 2), by this Act authorised, at its commencement, passing thence across the open space formed by the junction of St. George's Road, London Road, Newington Causeway, New Kent Road, Walworth Road, and Newington Butts, and terminating at or about the western end of New Kent Road:

A tramway (No. 15) (two chains and ninety-five links in length), wholly in the said parishes of St. George the Martyr, Southwark, and St. Mary, Newington, or one of those parishes, commencing by a junction with tramway (No. 9) at its commencement, passing thence across the open space formed by the junction of London Road, Newington Causeway, New Kent Road, Walworth Road, Newington Butts, and St. George's Road, and terminating at or near the western end of New Kent Road:

A tramway (No. 16) (three chains in length), wholly in the said parishes of St. George the Martyr, Southwark, and St. Mary, Newington, or one of those parishes, commencing by a junction with tramway (No. 10) at its commencement, passing thence across the open space formed by the junction of London Road, Newington Causeway, New Kent Road, Walworth Road, Newington Butts, and St. George's Road, and terminating at or about the western end of New Kent Road:

A tramway (No. 17) (one furlong four chains and forty links in length) commencing in Lambeth Road aforesaid by a junction with tramway (No. 1), by this Act authorised, at a point one hundred feet west of the junction of St. George's Road with Lambeth Road, and thence running in a north-easterly direction along Lambeth Road into St. George's Circus, and there terminating, in the parish of St. George the Martyr, Southwark, aforesaid, by a junction with tramway (No. 10) at a point about thirty-three feet from and north-west of the north-west corner of the kerb round the Obelisk in the centre of the Circus:

A tramway (No. 18) (one furlong four chains and forty-seven links in length) commencing in the said Lambeth Road by a

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junction with tramway (No. 2), by this Act authorised, at a point one hundred feet west of the junction of St. George's Road with Lambeth Road, and thence running in a north-easterly direction along Lambeth Road into St. George's Circus, and there terminating, in the parish of St. George the Martyr, Southwark, aforesaid, by a junction with tramway (No. 9) at a point about twenty-four feet from and north-west of the north-west corner of the kerb round the Obelisk in the centre of the Circus.

GROUP D (ELEPHANT AND CASTLE TO CAMBERWELL).

A tramway (No. 19) (one mile four furlongs four chains and forty links in length) commencing in the parish of St. Mary, Newington, aforesaid, in the open space formed by the junction of Newington Causeway, New Kent Road, Walworth Road, Newington Butts, St. George's Road, and Lambeth Road, by a junction with tramways (No. 13 and No. 15) at a point thirty-seven feet from and north of the centre of the northern front of the Elephant and Castle Tavern, thence running in a south-easterly direction into and along Walworth Road, Camberwell Road, and into the street on the south side of Camberwell Green, and terminating in the last-mentioned street at a point about thirty-seven feet from and south-west of the public drinking fountain at the south-west corner of Camberwell Green:

A tramway (No. 20) (one chain in length), wholly in the parish of St. Mary, Newington, aforesaid, commencing in the open space above mentioned, at a point twenty-eight feet from and north of the centre of the northern front of the Elephant and Castle Tavern, and thence passing by a curved line in a south-easterly direction, and terminating at or near the northern end of the Walworth Road by a junction with tramway (No. 19):

A tramway (No. 21) (one mile two furlongs six chains and forty links in length) commencing in the Walworth Road, in the parish of St. Mary, Newington, aforesaid, by a junction with tramway (No. 19), opposite or nearly opposite Hampton Street, and passing thence in a southerly direction along the Walworth Road and Camberwell Road into the street on the south side of Camberwell Green, and terminating in that street at a point about forty-six feet from and south-west of the public drinking fountain at the south-west corner of Camberwell Green:

A short junction tramway (No. 22) (one chain in length), wholly in the parishes of Lambeth and Camberwell aforesaid, or one

of those parishes, commencing by a junction with tramway (No. 19) at a point about fifty-five feet north-west of the public drinking fountain at the south-west corner of Camberwell Green, and running thence for one chain in a southerly direction, and terminating by a junction with tramway (No. 21).

GROUP E (ELEPHANT AND CASTLE TO NEW CROSS).

A tramway (No. 23) (five furlongs and twenty-eight links in length) commencing in the New Kent Road aforesaid, at or about the western end of that road, by a junction with tramway (No. 15) at its termination, passing thence along the New Kent Road, and terminating at or near the eastern end of that Road, in the parish of St. George the Martyr, Southwark, aforesaid:

A tramway (No. 24) (five furlongs and thirty-two links in length) commencing at or about the western end of the New Kent Road aforesaid by a junction with tramway (No. 16) at its termination, passing thence along the New Kent Road, and terminating at or near the eastern end of that road:

A tramway (No. 25) (two miles one furlong eight chains and ninety links in length) commencing in the New Kent Road aforesaid by a junction with tramway (No. 23) at its termination, and passing thence into and along the Old Kent Road and the New Cross Road, and terminating in the parish of St. Paul, Deptford, in the county of Surrey, in the last-mentioned road, at a point about two chains from and east of the junction therewith of Queen's Road:

A tramway (No. 26) (two miles one furlong eight chains and eighty links in length) commencing in the New Kent Road aforesaid by a junction with tramway (No. 24) at its termination, and passing thence into and along the Old Kent Road and the New Cross Road, and terminating in the last-mentioned road at a point about two chains from and east of the junction therewith of the Queen's Road.

GROUP F (EXTENSIONS TO GREENWICH AND WOOLWICH).

A tramway (No. 27) (one mile four furlongs six chains and thirty links in length), wholly in the parish of Greenwich, in the county of Kent, commencing in the street called Deptford Bridge, at a point about ninety yards from and east of the centre of the bridge carrying that street over the River Ravensbourne, passing thence in an easterly direction along Deptford

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Bridge, and thence into and along Greenwich Road, London Street, Church Street, Nelson Street, Trafalgar Road, and the Greenwich and Woolwich Lower Road, otherwise Woolwich Road, and terminating in the last-mentioned road opposite or nearly opposite to Hatcliffe Street West:

A tramway (No. 28) (one mile four furlongs five chains and thirty links in length), wholly in the parish of Greenwich aforesaid, commencing at a point nine feet five inches south of the point of commencement of tramway (No. 27), and passing thence in an easterly direction along Deptford Bridge to and along Greenwich Road, London Street, Church Street, Nelson Street, Trafalgar Road, and the Greenwich and Woolwich Lower Road, otherwise Woolwich Road, and terminating in the last-mentioned road by a junction with tramway (No. 27) at a point about one chain from and west of its termination:

A tramway (No. 29) (one mile five furlongs nine chains and forty-five links in length) commencing in the parish of Greenwich aforesaid by a junction with tramway (No. 27) at its termination, passing thence in an easterly direction along the Greenwich and Woolwich Lower Road into Albion Road, and terminating in that road in the parish of Woolwich, in the county of Kent, opposite Sand Street:

A tramway (No. 30) (three furlongs three chains and twenty links in length), wholly in the parish of Greenwich aforesaid, commencing in Blackheath Road at a point about one chain from and west of the east end of that road, thence passing along Blackheath Road into and along South Street and London Street, and terminating in London Street by a junction with tramway (No. 27) at a point about two hundred and forty feet west of the junction of Royal Hill and London Street:

A tramway (No. 31) (three furlongs three chains and twenty-six links in length), wholly in the parish of Greenwich aforesaid, commencing in the Blackheath Road at a point about nine feet south of the commencement of tramway (No. 30), passing thence along Blackheath Road into and along South Street and London Street, and terminating in the last-mentioned street by a junction with tramway (No. 28) at a point about two hundred and forty feet west of the junction of Royal Hill with London Street:

A tramway or passing place (No. 32) (three chains and ten links in length), wholly in the Greenwich and Woolwich Lower Road, and in the parishes of Greenwich and Charlton in the county of Kent, or one of them, commencing and terminating by junctions with tramway (No. 29), the point of commence-

ment being about forty feet west and the point of termination being about one hundred and fifty feet east of the junction of Lombard Road with the Greenwich and Woolwich Lower Road:

A tramway (No. 33) (five furlongs four chains and thirty-four links in length), wholly in the parish of Woolwich aforesaid, commencing in Albion Road by a junction with tramway (No. 29) at its termination, passing thence in an easterly direction along Albion Road into and along George Street, Church Street, the Lower Road, between Church Street and High Street, Edward Street, Powis Street, Green's End, and Beresford Square, and terminating in Beresford Square at a point ten feet from and south-west of the public lamp post in the centre of that square:

A tramway (No. 34) (one mile one furlong and eleven links in length), wholly in the parish of Woolwich aforesaid, commencing in Albion Road by a junction with tramway (No. 29) at its termination, passing thence in an easterly direction along Albion Road, into and along George Street, Church Street, the Lower Road aforesaid, and High Street, and terminating in High Street by a junction with tramway (No. 33) at a point about four chains from and west of the junction of Edward Street with High Street:

A tramway (No. 35) (two furlongs five chains and thirty links in length), wholly in the parish of Woolwich aforesaid, commencing in Powis Street by a junction with tramway (No. 33) at a point about four chains east of the junction of Edward Street and Powis Street, passing thence along Powis Street and Green's End into Beresford Square, and terminating in that square by a junction with tramway (No. 33) at a point one chain from and south-west of the termination of that tramway.

For protection of London and South-western Company's land, &c.

6. Provided always, that nothing in this Act contained shall be held or construed to authorise the Company to take, use, or interfere with any land, railway, or work of the London and South-western Railway Company without, in every case, the consent in writing of that company, under their common seal.

For protection of Vauxhall Bridge Company.

7. Provided also, that, notwithstanding anything in this Act contained to the contrary, the Company shall not construct any tramway or other works connected therewith upon or along Vauxhall Bridge or any part thereof, or upon or along the approaches or any part of the approaches to the said bridge under the jurisdiction of the Vauxhall Bridge Company, nor shall the Company enter upon,

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take, use, or interfere with any land or property of the Vauxhall Bridge Company, without, in every case, the previous consent in writing of that company, under their common seal.

Company to acquire only a right to use certain bridges.

8. Provided further, that nothing in this Act contained, and none of the powers by this Act conferred upon the Company as to the laying down, construction, and maintenance of any tramway or tramways upon or along Lambeth Bridge and Vauxhall Bridge, or either of those bridges, or the approaches to such respective bridges, shall be deemed to confer upon the Company any property in, but merely, subject to the provisions of this Act, the right to use and occupy the said bridges and approaches, and the right so conferred upon the Company shall not entitle them to any compensation in the event of the said bridges or either of them being purchased by the Metropolitan Board of Works.

Confirming heads of agreement between Company and Lambeth Bridge Company.

9. The heads of agreement between the Company and the Lambeth Bridge Company, a copy whereof is set forth in the schedule to this Act, are hereby confirmed and made binding on the Company and the parties thereto, and shall be carried into effect accordingly.

Company not to erect buildings in parish of Woolwich.

10. Nothing in this Act contained shall authorise or be construed as authorising the Company to erect any building, waiting-room, or erection whatever in the parish of Woolwich, in the county of Kent.

Mode of formation of tramways.

11. Every tramway to be made, formed, or laid down under this Act shall be constructed with two rails, to be laid at a distance (reckoning from the inside edge of each rail) of four feet and eight inches and half an inch from each other, and shall be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of the road, and shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic, in the manner (if any) prescribed by the Board of Trade by any rules for the time being in force made by them under the powers of any Act of Parliament enabling them in that behalf.

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

12. Where in any street or 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 street or 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 means of such passing place or places the traffic shall, when necessary, be diverted from the one tramway to the other.

Tramways to be always kept on level with surface of streets.

13. If any road authority shall hereafter alter the level of any street along or across which any tramway of the Company 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 street as altered.

Repair of part of street where tramway is laid.

14. The Company shall, at their own expense, at all times maintain, and (as to the tramways Nos. 1 to 26 included in groups A, B, C, D, and E) shall in like manner pave and keep paved, in good condition and repair, so much of any street whereon any tramway by this Act authorised is laid as lies between the rails of the tramway and (where two tramways of the Company are laid in any street at a distance of not more than four feet from each other) the portion of the street between the tramways, and, in every case, so much of the street as extends eighteen inches beyond the rails of and on each side of any of the said tramways of the Company. And if, within fourteen days after delivery by the Company to the road authority of the notice by this Act required to be given of the intention of the Company to break open the street for the purpose of laying down any of the said tramways Nos. 1 to 26, the road authority shall give directions in writing to the Company as to the materials to be used in paving or as to the mode of paving any street or part of any street, such directions shall be followed by the Company in executing the works in the respective street or part of a street to which the directions apply.

Company hereafter to pave parts of certain streets in certain events.

15. If at any time after the expiration of ten years from the passing of this Act any road authority interested shall give notice in writing to the Company requiring them to pave and keep paved any street or streets or any portion of any street or streets within the jurisdiction of such road authority in which any of the tramways numbers 27 to 35, included in group F, are or is laid, the Company shall, at their own expense, within a reasonable time, pave and at all times thereafter keep paved, in good condition and repair, with such materials and in such manner as such road authority shall by the notice direct, so much of the street or streets or portion of street or streets specified in the said notice as lies between the rails of the tramway and as extends eighteen inches beyond the rails of and on each side of the tramway.

Roads in parish of Camberwell to be paved if required.

16. If the vestry of the parish of Camberwell shall, by requisition under the seal of the vestry served upon the Company, require that so much of the tramway to be authorised by this Act as is to be laid along streets or roads under the jurisdiction or control of that vestry shall be paved, and at all times kept paved in good condition

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and repair, with four-inch Mount Sorrel granite pitching (or such other granite of an equal quality as may be mutually agreed on), at the expense of the Company, the Company shall comply therewith in executing the works in the respective portions of streets to which such requisition shall apply to the extent of so much thereof as lies between the rails of the respective tramway and the space between the double lines thereof and as extends eighteen inches beyond the rails of, and on each side of the respective tramway: Provided always, that if the Company fail to comply with the said requisition, the said vestry may, if they think fit, at any time after giving seven days notice to the Company of their intention, pave and keep in good condition and repair with granite of the above-mentioned quality those portions of roadway, and the expense thereof shall be repaid to the vestry by the Company.

If tramways abandoned roads to be restored.

17. If the Company abandon their undertaking or any part of the same, and take up any tramway or part of any tramway belonging to them, they shall, with all convenient speed, and in all cases within six weeks at the most (unless the road authority otherwise consents in writing), fill in the ground and make good the surface, and, to the satisfaction of the road authority, restore the portion of road upon which such tramway was laid to as good a condition as that in which it was before such tramway was laid thereon, and clear away all surplus paving, or metalling material, or rubbish occasioned by such work, and they shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night.

Road authority may do the work in default of Company.

18. If the Company fail to comply with the provisions of either of the four last preceding sections, the road authority, if they think fit, may themselves at any time, after seven days notice to the Company, open and break up the street and do the works necessary for the paving, repair, and maintenance of the street to the extent in the respective sections above mentioned instead of the Company, and the expense incurred by the road authority in so doing shall be repaid to them by the Company.

As to settlement of differences.

19. Provided always, that any difference between the Company and any road authority as to the reasonableness of any directions to be given as aforesaid shall be settled in manner provided by this Act with respect to other differences between the Company and any road authority.

Period for completion of works.

20. The tramways and works by this Act authorised shall be completed within three 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.

Power to apply existing funds.

21. The Company may from time to time apply towards any of the purposes of this Act any moneys which they have raised or may hereafter raise under the Act of 1869, and which may not be required for the purposes to which by that Act such moneys are made applicable.

Power to raise additional capital.

22. The Company may from time to time raise, by the creation and issue of new ordinary shares or new ordinary stock, or (at the option of the Company) by either of those modes, any further sum or sums of money, not exceeding in the whole one hundred and sixty thousand pounds.

Sections 43 to 52 of Act of 1869 applied to new share capital.

23. The provisions of the sections of the Act of 1869 numbered from 43 to 52 (both numbers inclusive) shall apply to the shares in the additional capital by this Act authorised to be raised.

Power to borrow on mortgage.

24. The Company may from time to time borrow on mortgage, in addition to the sums which by the Act of 1869 they are authorised to borrow, any sum or sums not exceeding in the whole forty thousand pounds, and of that sum they may borrow from time to time not exceeding ten thousand pounds in respect of every forty thousand pounds of the additional capital of one hundred and sixty thousand pounds by this Act authorised, but no part of any such sum of ten thousand pounds shall be borrowed until the whole of the respective forty thousand pounds of additional capital in respect of which it is to be borrowed is subscribed for, 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 forty thousand pounds of additional capital has been subscribed for, 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 or portion of stock in such forty thousand pounds has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the respective forty thousand pounds of additional capital was issued bonâ fide, and is held by the subscribers or their assigns, and that such subscribers or their 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.

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Existing mortgages to have priority.

25. All mortgages granted by the Company before the passing of this Act, in pursuance of the powers of the Act of 1869, and which shall be subsisting at the time of the passing of this Act, shall during the continuance of such mortgages have priority over any mortgages to be granted by virtue of this Act.

Applying sect. 55 of Act of 1869.

26. Section 55 (for appointment of a receiver) of the Act of 1869 shall apply to all mortgages under this Act.

Moneys borrowed on mortgage to have priority.

27. All moneys to be borrowed on mortgage under this Act, from the time when the same shall be advanced, and the interest for the time being due thereon, shall 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; 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.

Debenture stock.

28. The Company may create and issue debenture stock.

Application of moneys.

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

Certain sections of the Act of 1869 repealed.

30. The sections numbered 7 to 10 (both numbers inclusive), 14 to 41 (both numbers inclusive), and 69, and 73 to 81 (both numbers inclusive) of the Act of 1869 are by this Act repealed.

General saving of rights under repealed sections.

31. Notwithstanding the repeal of the said sections of the Act of 1869, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done, suffered, and confirmed by or under the repealed sections, or any of them, shall be as valid as if the repeal had not happened, and the repeal and the operation of this Act shall accordingly be subject and without prejudice to everything so done, suffered, or confirmed, and to all rights, liabilities, claims, and demands, both present and future, which, if the repeal had not happened, would be incident to or consequent on any and every thing so done, suffered, and confirmed: Provided always, that the generality of this provision shall not be restricted by any of the other provisions of this Act.

Power to break up streets, &c.

32. The Company from time to time, for the purpose of making, forming, laying down, maintaining, and renewing any tramway or works authorised by the Act of 1869, or by the Various Powers Bill if passed into a law, or by this Act, or any part or parts thereof respectively, or for the paving, repair, and maintenance of a road

whereon any tramway or any part of any tramway of the Company is laid, may open and break up any road, subject to the following regulations:

1. They shall give to the road authority notice of their intention, specifying the time at which they will begin to do so, and the portion of road proposed to be opened or broken up, such notice to be given seven days at least before the commencement of the work:
2. They shall not open, or break up, or alter the level of any road except under the superintendence and to the reasonable satisfaction of the road authority or its surveyor, unless the authority or its surveyor refuses or neglects to give such superintendence at the time specified in the notice, or discontinues the same during the work:
3. They shall pay all reasonable expenses to which the road authority is put on account of such superintendence:
4. They shall not, without the consent of the road authority, open or break up at any one time a greater length than one hundred yards of any road which does not exceed a quarter of a mile in length, and in the case of any road exceeding a quarter of a mile in length the Company shall leave an interval of at least a quarter of a mile between any two places at which they may open or break up the road, and they shall not open or break up at any such place a greater length than one hundred yards.

Where the carriageway over any bridge forms part of or is a road within the jurisdiction of a road authority, but such bridge is vested in some person or persons, corporation, or company distinct from such road authority, any work which the Company may be empowered to construct, and which affects or in anywise interferes with the structural works of such bridge, shall be constructed under the superintendence (at the cost of the Company) and to the reasonable satisfaction of such person, persons, corporation, or company, unless, after notice to be given by the Company seven days at least before the commencement of such work, such superintendence is refused or withheld.

Completion of works and reinstatement of road.

33. When the Company have opened or broken up any portion of any road, they shall be under the following further obligations; namely,

1. They shall with all convenient speed, and in all cases within four weeks at the most (unless the road authority otherwise consents in writing), complete the work on account of which they opened or broke up the same, and (subject to the

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formation, maintenance, or renewal of the tramway) fill in the ground and make good the surface, and, to the satisfaction of the road authority, restore the portion of the road to as good condition as that in which it was before it was opened or broken up, and clear away all surplus paving, or metalling material, or rubbish occasioned thereby:

2. They shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night:

3. They shall bear or pay all reasonable expenses of the repair of the road for six months after the same is restored, as far as those expenses are increased by the opening or breaking up.

If the Company fail to comply in any respect with the provisions of the present section, they shall for every such offence (without prejudice to the enforcement of specific performance of the requirements of this Act, or to any other remedy against them,) be liable to a penalty not exceeding twenty pounds, and to a further penalty not exceeding five pounds for each day during which any such failure continues after the first day on which such penalty is incurred.

Road authority and the Company may contract for paving roads on which tramways are laid.

34. The road authority on the one hand, and the Company on the other hand, may from time to time enter into and carry into effect, and from time to time alter, renew, or vary, contracts, agreements, or arrangements with respect to the paving and keeping in repair of the whole or any portion of the roadway of any road on which the Company shall lay any tramway, and the proportion to be paid by either of them of the expense of such paving and keeping in repair.

Provision as to gas and water companies.

35. For the purpose of making, forming, laying down, maintaining, repairing, or renewing any of their tramways, the Company may from time to time, where and as far as it is necessary or may appear expedient for the purpose of preventing frequent interruption of the traffic by repairs or works in connexion with the same, alter the position of any mains or pipes for the supply of gas or water, or any tube, wires, or apparatus for telegraphic or other purposes, subject to the provisions of this Act, and also subject to the following restrictions; (that is to say,)

1. Before laying down a tramway in a road in which any mains or pipes, tubes, wires, or apparatus may be laid, the Company shall, whether they contemplate altering the position of any such mains or pipes, tubes, wires, or apparatus, or not, give seven days notice to the company, persons, or person

to whom such mains or pipes, tubes, wires, or apparatus may belong, or by whom they are controlled, of their intention to lay down or alter the tramway, and shall at the same time deliver a plan and section of the proposed work. If it should appear to any such company or person that the construction of the tramway as proposed would endanger any of the said mains or pipes, tubes, wires, or apparatus, or interfere with or impede the supply of water or gas or the telegraphic or other communication, such company or person (as the case may be) may give notice to the Company to lower or otherwise alter the position of the said mains or pipes, tubes, wires, or apparatus, in such manner as may be considered necessary; and any difference as to the necessity of any such lowering or alteration shall be settled in manner provided by this Act for the settlement of differences between the Company and other companies or persons, and all alterations to be made under this section shall be made with as little detriment and inconvenience to the company or person to whom such mains or pipes, tubes, wires, or apparatus may belong or by whom the same are controlled, or to the inhabitants of the district, as the circumstances will admit, and under the superintendence of such company or person, or of their surveyor or engineer, if they or he think fit to attend, after receiving not less than forty-eight hours notice for that purpose, which notice the Company are hereby required to give:

2. The Company shall not remove or displace any of the mains or pipes, valves, syphons, plugs, tubes, wires, or apparatus, or other works belonging to or controlled by any such company or person, or do anything to impede the passage of water or gas or the telegraphic or other communication into or through such mains or pipes, tubes, wires, or apparatus, without the consent of such company or person, or in any other manner than such company or person shall approve, until good and sufficient mains, pipes, valves, syphons, plugs, and other works necessary or proper for continuing the supply of water or gas or telegraphic or other communication as sufficiently as the same was supplied by the mains or pipes, tubes, wires, or apparatus proposed to be removed or displaced shall, at the expense of the Company, have been first made and laid down in lieu thereof and ready for use, and to the satisfaction of the surveyor or engineer of such water or gas or other company, or of such person, or, in case of disagreement between such surveyor or engineer and the

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Company, as an engineer appointed by the Board of Trade shall direct:

3. The Company shall not lay down any such pipes contrary to the regulations of any Act of Parliament relating to such water, or gas, or other company, or relating to telegraphs:

4. The Company shall make good all damage done by them to property belonging to or controlled by any such company or person, and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property, or with the private service pipes of any person supplied by any such company or person with water or gas:

5. If by any such operations as aforesaid the Company interrupt the supply of water or gas in or through any main or main pipe, they shall be liable to a penalty not exceeding twenty pounds for every day upon which such supply shall be so interrupted.

For protection of sewers, &c.

36. Where any of the tramways of the Company shall or may pass over, under, or by the side of, or so as to interfere with any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Metropolitan Board of Works, or of any vestry or district board constituted under "The Metropolis Local Management Act, 1855," and "The Metropolis Management Amendment Act, 1862," or with any sewers or works to be made or executed by the said boards or vestry, or any of them, or shall or may in any way affect the sewerage or drainage of the districts under their or any of their control, the Company shall not commence such work until they shall have given to the said Metropolitan Board, district board, or vestry, as the case may be, fourteen days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such respective board or vestry, as the case may be, for the time being, with all necessary particulars relating thereto, nor until such board or vestry respectively shall have signified their approval of the same, unless such board or vestry respectively, as the case may be, do not signify their approval, disapproval, or other directions within fourteen days after service of the said notice and particulars as aforesaid, and the Company shall comply with and conform to all reasonable directions and regulations of the said Metropolitan Board and of the respective boards or vestries in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such boards or vestries shall reasonably require, for the proper protection of and for

preventing injury or impediment to the sewers and works hereinbefore referred to, or by reason of the tramways, and shall save harmless the said Metropolitan Board, district board, and vestry respectively against all and every the expense to be occasioned thereby, and all such works shall be done under the direction, superintendence, and control of the engineer or other officer or officers of the said Metropolitan Board, district board, and vestry, as the case may be, at the reasonable costs, charges, and expenses in all respects of the Company; and when any new, altered, or substituted work as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Company, under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said Metropolitan Board, district boards, and vestries respectively, and be maintained by them, as the case may be, as any sewers or works now are or hereafter may be, and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said Metropolitan Board, district boards, and vestries, or any or either of them, or of their successors, with respect to any such sewer, drain, watercourse, defence, or work as aforesaid, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

Rights of authorities and companies, &c. to open roads.

37. Nothing in the Act of 1869 or in this Act shall take away or abridge any power to open or break up any road along or across which any tramway is laid, or any other power vested in any local authority or road authority for any of the purposes for which such authority is respectively constituted, or in any company, body, or person for the purpose of laying down, repairing, altering, or removing any pipe for the supply of gas or water, or any tubes, wires, or apparatus for telegraphic or other purposes, but in the exercise of such power every such local authority, road authority, company, body, or person shall be subject to the following restrictions; (that is to say,)

1. They shall cause as little detriment or inconvenience to the Company as circumstances admit:
2. Before they commence any work whereby the traffic on the tramway will be interrupted, they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the Company notice of their intention to commence such work, specifying the time at which they will begin to do so, such notice to be given eighteen hours at least before the commencement of the work:

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3. They shall not be liable to pay to the Company any compensation for injury done to the tramway by the execution of such work, or for loss of traffic occasioned thereby, or for the reasonable exercise of the powers so vested in them as aforesaid:

4. Whenever, for the purpose of enabling them to execute such work, the local authority or the road authority shall so require, the Company shall either stop traffic on the tramway to which the notice shall refer, where it would otherwise interfere with such work, or shore up and secure the same at their own risk and cost during the execution of the work there: Provided that such work shall always be completed by the local authority or the road authority, as the case may be, with all reasonable expedition:

5. Any company, body, or person shall not execute such work, so far as it immediately affects the tramway, except under the superintendence of the Company, unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work, or discontinue the same during the progress of the work, and they shall execute such work at their own expense and to the reasonable satisfaction of the Company: Provided that any additional expense imposed upon them by reason of the existence of the tramway in any road or place where any such mains, pipes, tubes, wires, or apparatus shall have been laid before the construction of such tramway shall be borne by the Company.

Difference between Company and road authority, &c.

38. If any difference arises between the Company on the one hand, and any local authority, road authority, or any gas or water company, or any company, body, or person to whom any sewer, drain, tube, wires, or apparatus for telegraphic or other purposes may belong, or any other company, on the other hand, with respect to any interference or control exercised or claimed to be exercised by them or him, or on their or his behalf, or by the Company by virtue of the Act of 1869 or of this Act, in relation to any tramway or work, or in relation to any work or proceeding of the local authority, road authority, body, company, or person, or with respect to the propriety of or the mode of execution of any work relating to any tramway, or with respect to the amount of any compensation to be made by or to the Company, or on the question whether any work is such as ought reasonably to satisfy the local authority, road authority, body, company, or person concerned, or with respect to any other subject or thing regulated by or comprised in the Act of 1869 or this Act, the matter in difference shall (unless otherwise

specially provided by this Act) be settled by an engineer or other fit person nominated as referee by the Board of Trade, on the application of either party, and the expenses of the reference shall be borne and paid as the referee directs.

Power to Company to use tramways with flange-wheeled carriages, &c.

39. The Company may use on their tramways carriages with flange wheels, or wheels suitable only to run on a grooved rail, and, subject to the provisions of this Act, the Company shall have the exclusive use of their tramways for carriages with flange wheels, or other wheels suitable only to run on a grooved rail. All carriages used on any tramway shall be moved by animal power only. No carriage used on any tramway of the Company shall extend beyond the outer edge of the wheels of such carriage more than eleven inches on each side.

Licenses to use the tramway may in certain events be granted to third parties by the Board of Trade.

40. If at any time after any tramway or part of any tramway shall have been for three years opened for public traffic it shall be represented in writing to the Board of Trade by the local authority, or by the road authority of any road in which such tramway or part of a tramway is laid, or by twenty inhabitant ratepayers of any district in which such tramway or part of a tramway is laid, that the public are deprived of the full benefit of the tramway, the Board of Trade may (if they consider that primâ facie the case is one for inquiry) direct an inquiry by a referee under this Act into the truth of the representation, and if the referee report that the truth of the representation has been proved to his satisfaction, the Board may from time to time grant licenses to any company or person to use such tramway, in addition to the Company, for the conveyance of similar traffic to that conveyed by the Company, with carriages to be approved by the Board, subject to the following provisions, conditions, and restrictions; that is to say,

1. The license shall be for any period not less than one year nor more than three years from the date of the license, but shall be renewable by the Board, if they, upon inquiry, think fit:
2. The license shall be to use the whole of such tramway for the time being opened for public traffic, or such part or parts of such tramway as the Board, having reference to the cause for granting the license, shall think right:
3. The license shall direct the number of carriages which the licensee or licensees shall run upon such tramway, and the mode in which and times at which such carriages shall be run:
4. The license shall specify the tolls to be paid to the Company by the licensee or licensees for the use of the tramways:

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5. The licensee or licensees, and their officers and servants, shall permit one person, duly authorised for that purpose by the Company, to ride free of charge in or upon each carriage of the licensee or licensees run upon the tramways, for the whole or any part of the journey:

6. The Board of Trade may at any time after the granting of any license revoke, alter, or modify the same, for good cause shown to them.

In default of payment of tolls, licensee's carriages may be detained and sold.

41. If, on demand, any licensee fail to pay the tolls due in respect of any passengers carried in any carriage, it shall be lawful for the Company to detain and sell such carriage, or, if the same shall have been removed from the tramway or premises of the Company, to detain and sell any other carriages on such tramway or premises belonging to such licensee, and out of the moneys arising from such sale to retain the tolls payable as aforesaid, and all charges and expenses of such detention and sale, rendering the overplus (if any) of such moneys, and such of the carriages as shall remain unsold, to the person entitled thereto.

Licensees to give account of passengers carried by them.

42. Every licensee shall, on demand, give to an officer or servant, authorised in that behalf by the Company, an exact account in writing, signed by such licensee, of the number of passengers conveyed by any and every carriage used by him on the tramways.

Licensees not giving account of passengers carried liable to penalty.

43. If any such licensee fails to give such account to such officer or servant demanding the same as aforesaid, or if any such licensee, with intent to avoid the payment of any tolls, gives a false account, he shall for every such offence forfeit to the Company a sum not exceeding five pounds, and such penalty shall be in addition to any tolls payable in respect of the passengers carried by any such carriage.

Disputes as to amount of toll to be settled by justice.

44. If any dispute arise concerning the amount of the tolls due to the Company from any licensee, or concerning the charges occasioned by any detention or sale of any carriage, under the provisions herein contained, the same shall be settled by a justice, and it shall be lawful for the Company in the meanwhile to detain the carriage, or (if the case so require) the proceeds of the sale thereof.

Owners of carriages liable for damage done by their servants.

45. Every licensee shall be answerable for any trespass or damage done by his carriage or horses, or by any of the servants or persons employed by him, to or upon the tramway, or to or upon the property of any other person, and, without prejudice to the right of action against the licensee or any other person, every such servant or other person may lawfully be convicted of such trespass or

damage before a justice of the peace, either by the confession of the party offending, or by the oath of some credible witness, and upon such conviction every such licensee shall pay to the Company or to the persons injured, as the case may be, the damage to be ascertained by such justices, so that the same do not exceed fifty pounds.

Tramways to be removed in certain cases.

46. If at any time after the opening of any tramway in any district for traffic the Company discontinue the working of such tramway, or of any part thereof, for the space of three calendar months (such discontinuance not being occasioned by circumstances beyond the control of the Company, for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control), and such continuance is proved to the satisfaction of the Board of Trade, the said Board, if they think fit, may by order declare that the powers of the Company in respect of the tramway, or the part thereof so discontinued, shall from the date of such order be at an end, and thereupon the said powers of the Company shall cease and determine, unless the same are purchased by the local authority in manner by this Act provided. Where any such order has been made, the road authority of such district may, at any time after the expiration of two months from the date of such order, under the authority of a certificate to that effect by the Board of Trade, remove the tramway or part of the tramway so discontinued, and the Company shall pay to the road authority the cost of such removal, and of the making good of the road by the road authority, such cost to be certified by the clerk for the time being or by some other authorised officer of the road authority, whose certificate shall be final and conclusive; and if the Company fail to pay the amount so certified within one calendar month after delivery to them of such certificate or a copy thereof, the road authority may, without any previous notice to the Company (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of the materials of the tramway or part of tramway removed, either by public auction or private sale, and for such sum or sums, and to such person or persons, as the road authority may think fit, and may out of the proceeds of such sale pay and reimburse themselves the amount of the cost certified as aforesaid, and of the cost of sale, and the balance (if any) of the proceeds of the sale shall be paid over by the road authority to the Company.

Proceedings in case of insolvency of Company.

47. If at any time after the opening of any tramway in any district for traffic it appears to the local authority or to the road authority of such district that the Company are insolvent, so that they are unable to maintain such tramway or work the same with

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advantage to the public, and such local authority or road authority makes a representation to that effect to the Board of Trade, the Board of Trade may direct an inquiry by a referee into the truth of the representation, and if the referee shall find that the Company are so insolvent as aforesaid the Board of Trade may, by order, declare that the powers of the Company shall at the expiration of six calendar months from the making of the order be at an end, and the powers of the Company shall cease and determine at the expiration of the said period, unless the same are purchased by the local authority in manner by this Act provided, and thereupon such local authority or road authority, as the case may be, may remove the tramway in like manner and subject to the same provisions as to the payment of the costs of such removal, and to the same remedy for recovery of such costs, in every respect, as in cases of removal under the next preceding section.

Future purchase of undertaking by Metropolitan Board of Works.

48. The Metropolitan Board of Works may, if by resolution passed at a special meeting they so decide, within six months after the expiration of a period of twenty-eight years from the passing of this Act, and within six months after the expiration of every subsequent period of seven years, or within three months after any order made by the Board of Trade under either of the two next preceding sections, with the approval of the Board of Trade, by notice in writing require the Company to sell, and thereupon the Company shall sell to them their undertaking upon terms of paying the then value (exclusive of any allowance for past or future profits of the undertaking, or any compensation for compulsory sale, or other consideration whatsoever,) of the tramway, and all lands, buildings, works, materials, and plant of the Company suitable to and used by them for the purposes of their undertaking, such value to be, in case of difference, determined by an engineer or other fit person nominated as referee by the Board of Trade, on the application of either party, and the expenses of the reference to be borne and paid as the referee directs. And when any such sale has been made, all the rights, powers, and authorities of the Company in respect to the undertaking sold, or, where any order has been made by the Board of Trade under either of the next preceding sections, all the rights, powers, and authorities of the Company previous to the making of such order in respect of the undertaking sold, shall be transferred to, vested in, and may be exercised by the Metropolitan Board of Works, in like manner as if that Board had been authorised by the Act of 1869 and this Act to construct the tramways, and had been named in the Act of 1869 and this Act instead of the Company. No such resolution shall be valid unless

a month's previous notice of the meeting and of the purpose thereof has been given in manner in which notices of meetings of such Board are usually given, nor unless two thirds of the members constituting such Board are present and vote at the meeting, and a majority of those present and voting concur in the resolution, and it shall be lawful for the chairman of any such meeting, with the consent of a majority of the members present, to adjourn the same from time to time. And the Metropolitan Board of Works may, in order to raise money for the purpose of carrying this section into effect, create additional stock, not exceeding in the whole three hundred thousand pounds, under "The Metropolitan Board of Works (Loans) Act, 1869," in like manner and with the like sanction in and with which they may create stock in order to raise money for the purposes of the Acts mentioned in the first schedule to that Act, and all the provisions of that Act shall apply as if that money were raised and that stock were created for the purposes of the last-mentioned Acts, with the exception that the money required for the purposes of this section may be borrowed by them in addition to the sum limited by section thirty-eight of "The Metropolitan Board of Works (Loans) Act, 1869:" Provided always, that the Metropolitan Board of Works shall not, under the powers of this Act and of any other Act passed in the present session for the construction of tramways in the metropolis, and of "The Tramways Act, 1870," create additional stock exceeding in the whole three hundred thousand pounds.

As to winding up the affairs of the Company, &c.

49. After the expiration of such period of six calendar months from the making of any such order as in this Act above mentioned by the Board of Trade, declaring that the powers of the Company shall cease, the Court of Chancery may at any time, upon the petition of the Company, or of creditors of the Company representing not less than one thousand pounds of the debts owing by the Company, make an order for the winding up of the affairs of the Company and for the dissolution of the Company, and "The Companies Act, 1862," and "The Companies Act, 1867," in reference to the winding up the affairs and to the dissolution of a company by the Court, may, so far as the said Court shall think it convenient and expedient so to do, be applied to the winding up the affairs of the Company under an order made for that purpose, or the said Court may otherwise regulate and conduct the winding up the affairs of the Company as to the said Court may seem most convenient or expedient.

Power of sale after tramways

50. When the tramways of the Company have been opened for traffic for a period of six months, the Company may, with the con-

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opened for six months.

sent of the Board of Trade, sell their undertaking to any person, persons, corporation, or company, and when any such sale has been made all the rights, powers, authorities, obligations, and liabilities of the Company in respect to their undertaking shall be transferred to, vested in, and may be exercised by and shall attach to the person, persons, corporation, company, or local authority to whom the same has been sold, in like manner as if such person, persons, corporation, or company had been authorised to construct the tramways of the Company instead of the Company.

Tolls.

51. The Company may from time to time demand and take, in respect of the tramways by this Act authorised, tolls and charges not exceeding those which they are authorised to take, and for the time being may lawfully take, in respect of the tramways authorised by the Act of 1869.

Certain sections of Act of 1869 applied to this Act.

52. The provisions of the sections of the Act of 1869 numbered 67, 68, 70, 71, and 72 shall apply to the tramways by this Act authorised, and the tolls to be taken in respect thereof: Provided always, that a list of the tolls and charges shall be exhibited in a conspicuous place outside as well as inside each of the carriages used upon the tramways.

Cheap fares for labouring classes.

53. The Company shall, and they are hereby required, at all times after the opening of their tramways for public traffic, to run carriages each way every morning in the week, and every evening in the week, Sundays, Christmas Day, and Good Friday always excepted, at such hours, not being later than seven in the morning or earlier than six in the evening respectively, as the Company think most convenient, for artisans, mechanics, and daily labourers, at such fares as may be from time to time fixed by the Board of Trade: Provided that in case of any complaint made to the Board of Trade of the hours appointed by the Company for the running of such carriages, or the number of such carriages, or if complaint be made by the Company or any person interested in the matter as belonging to the labouring class as to the before-mentioned fares, the said Board shall have power from time to time to inquire into any such complaint, and to make such order thereon as they see fit, which order shall be carried into effect accordingly.

Byelaws.

54. Subject to the provisions of this Act, the Metropolitan Board of Works may from time to time make regulations as to the following matters:

The rate of speed to be observed in travelling upon the tramway:

The distances at which carriages using the tramway shall be allowed to follow one after the other:

The stopping of carriages using the tramway:
The traffic on the road in which the tramway is laid.

The Company may from time to time make regulations—

For preventing the commission of any nuisance in or upon any carriage or in or against any premises belonging to them:

For regulating the travelling in or upon any carriage belonging to them.

And for better enforcing the observance of all or any of such regulations, it shall be lawful for the said Board and the Company respectively to make byelaws for all or any of the aforesaid purposes, and from time to time repeal or alter such byelaws and make new byelaws, provided that such byelaws be not repugnant to the laws of that part of the United Kingdom where the same are to have effect. Notice of the making of any byelaw under the provisions of this Act shall be published by the local authority or the Company making the same by advertisement, according to the regulations contained in Part II. of the Schedule (C.) to "The Tramways Act, 1870," annexed, and unless such notice is published in manner aforesaid such byelaw shall be disallowed by the Board of Trade. No such byelaw shall have any force or effect which shall be disallowed by the Board of Trade within two calendar months after a true copy of such byelaw shall have been laid before the Board, and a true copy of every such proposed byelaw shall, not less than two calendar months before such byelaw shall come into operation, be sent to the Board of Trade, and shall be delivered to the Company if the same was made by the Metropolitan Board of Works, and to the said Board if made by the Company.

Penalties in byelaws.

55. Any such byelaw may impose reasonable penalties for offences against the same, not exceeding forty shillings for each offence, with or without further penalties for continuing offences, not exceeding for any continuing offence ten shillings for every day during which the offence continues, but all byelaws shall be so framed as to allow in every case part only of the maximum penalty being ordered to be paid.

Proof of byelaws.

56. The production of a written or printed copy of any byelaws made under the authority of this Act, authenticated by the signature of any secretary or assistant secretary of the Board of Trade, shall, without proof of the signature of such secretary or assistant secretary, be evidence of the existence of such byelaws, and that all preliminaries requisite to the making and operation thereof have been duly observed and fulfilled.

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Penalty for obstruction of Company in laying out tramway.

57. If any person wilfully obstructs any person acting under the authority of the Company in the lawful exercise of their powers in setting out or making, forming, laying down, repairing, or renewing a tramway, or defaces or destroys any mark made for the purposes of setting out the line of the tramway, or wilfully damages or destroys any property of the Company, he shall for every such offence be liable to a penalty not exceeding five pounds.

Penalties for wilful injury or obstruction to tramways, &c.

58. If any person without lawful excuse (the proof whereof shall lie on him) wilfully does any of the following things; namely,

Interferes with, removes, or alters any part of a tramway or of the works connected therewith;

Places or throws any stones, dirt, wood, refuse, or other material on any part of a tramway;

Does or causes to be done anything in such manner as to obstruct any carriage using a tramway, or to endanger the lives of persons therein or thereon;

Or knowingly aids or assists in the doing of any such thing;

he shall for every such offence be liable (in addition to any proceedings by way of indictment or otherwise to which he may be subject) to a penalty not exceeding five pounds.

Penalty on passengers practising frauds on the Company.

59. If any person travelling or having travelled in any carriage on any tramway avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance knowingly and wilfully proceeds in any such carriage beyond such distance and does not pay the additional fare for the additional distance, or attempts to avoid payment thereof, or if any person knowingly and wilfully refuses or neglects, on arriving at the point to which he has paid his fare, to quit such carriage, every such person shall for every such offence be liable to a penalty not exceeding forty shillings.

Transient offenders.

60. It shall be lawful for any officer or servant of the Company, and all persons called by him to his assistance, to seize and detain any person discovered either in or after committing or attempting to commit any such offence as in the next preceding section is mentioned, and whose name or residence is unknown to such officer or servant, until such person can be conveniently taken before a justice, or until he be otherwise discharged by due course of law.

Penalty for bringing dangerous goods on the tramway.

61. No person shall be entitled to carry or to require to be carried on any tramway any goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the

book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding twenty pounds for every such offence, and it shall be lawful for the Company to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.

Penalty for persons using tramways with carriages with flange wheels, &c.

62. If any person (except under a lease from or by agreement with the Company, or under license from the Board of Trade as by this Act provided,) uses a tramway or any part thereof with carriages having flange wheels, or other wheels suitable only to run on the rail of such tramway, such person shall for every such offence be liable to a penalty not exceeding twenty pounds.

Company to be responsible for all damages.

63. The Company or their lessees, as the case may be, shall be answerable for all accident, damages, and injuries happening through their act or default, or through the act or default of any person in their employment, by reason or in consequence of any of their works or carriages; and shall save harmless all road and other authorities, companies, or bodies, collectively and individually, and their officers and servants, from all damages and costs in respect of such accidents, damages, and injuries.

Recovery of tolls, penalties, &c.

64. All tolls, penalties, and charges under the Act of 1869 or this Act, or under any byelaw made in pursuance of the Act of 1869 or this Act, may be recovered and enforced before two justices of the peace, in manner directed by the Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter forty-three, intituled "An Act to facilitate the performance of the duties "of justices of the peace out of sessions within England and Wales "with respect to summary convictions and orders," and any Act amending the same.

Right of user only.

65. Notwithstanding anything in the Act of 1869 or this Act contained, the Company shall not acquire or be deemed to acquire any right other than that of user of any road along or across which they lay any tramway.

Reserving powers of road authorities to widen, &c. roads.

66. Nothing in this Act shall take away or affect any power which any road authority may have by law to widen, alter, divert, or improve any road.

Power for police authorities to regulate traffic in roads.

67. Nothing in this Act shall limit the powers of the Commissioners of Police in the metropolis to regulate the passage of any traffic along or across any road along or across which any tramways are laid down, and the said Commissioners may exercise their authority as well on as off the tramway, and with respect as well

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to the traffic of the Company or their lessees as to the traffic of other persons.

Reservation of right of public to use roads.

68. Nothing in the Act of 1869 or in this Act, or in any byelaw made under this Act, shall take away or abridge the right of the public to pass along or across every or any part of any road along or across which any tramway is laid, whether on or off the tramway, with carriages not having flange wheels, or wheels suitable only to run on the rail of the tramways.

Regulating inquiries before referee appointed by the Board of Trade.

69. Every inquiry which by this Act the Board of Trade are empowered to make or direct shall be made in accordance with the following provisions:

1. The inquiry shall be held in public, before an officer to be appointed in that behalf by the Board, herein-after called the referee, and whose appointment shall be by writing, which shall specify all the matters referred to him:
2. Ten days notice at the least shall be given by the referee to the parties upon whose representation the Board of Trade shall have directed the inquiry of the time and place at which the inquiry is to be commenced:
3. The inquiry shall be commenced at the time and place so appointed, and the referee may adjourn the inquiry from time to time, as may be necessary, to such time and place as he may think fit:
4. The referee, by summons, shall, on the application of any party interested in the inquiry, require the attendance before himself, at a place and time to be mentioned in the summons, of any person to be examined as a witness before him, and every person summoned shall attend the referee, and answer all questions touching the matter to be inquired into, and any person who wilfully disobeys any such summons, or refuses to answer any question put to him by such referee for the purposes of the said inquiry, shall be liable to a penalty not exceeding five pounds: Provided always, that no person shall be required to attend in obedience to any such summons unless the reasonable charges of his attendance shall have been paid or tendered to him, and no person shall be required in any case, in obedience to any such summons, to travel more than ten miles from his place of abode:
5. The referee may and shall administer an oath, or an affirmation where an affirmation in lieu of an oath would be admitted in a court of justice, to any person tendered or summoned as a witness on the inquiry:

6. Any person who upon oath or affirmation wilfully gives false evidence before the referee shall be deemed guilty of perjury:

7. The referee shall make his report to the Board of Trade in writing, and shall deliver copies of the report, upon request, to all or any of the parties to the inquiry.

Power to enter into traffic arrangements with Metropolitan Street Tramways Company.

70. The Company and the Metropolitan Street Tramways Company may from time to time enter into and carry into effect contracts or arrangements with respect to the following purposes, or any of them; (that is to say,)

The user, working, maintenance, and management of their respective undertakings, or some part or parts thereof respectively:

The providing of rolling and working stock:

The appointment, removal, and payment of officers and servants:

The interchange, transmission, collection, and delivery of traffic coming from or destined for the undertakings of the respective companies:

The fixing, collection, division, apportionment, and appropriation by and between the companies of the rates, tolls, and charges upon their respective undertakings:

And all incidental matters.

As to the construction of the tramways of the Company and other companies in same streets.

71. In any case in which any of the tramways of the Company are intended to be laid in any street or road along or upon which any other company have for the time being power to lay down a tramway or tramways, the works of the two companies shall be constructed in such manner and under such regulations and subject to such conditions as to ownership, use, maintenance, and management as shall be agreed upon between the two companies, or as shall, in case of difference between them, be determined by an arbitrator to be appointed, on the application of either company, by the Board of Trade, and the costs of any such arbitration shall be in the discretion of the arbitrator, and the arbitrator shall have power to make regulations with reference to the matters aforesaid, or any of them, and with reference to the future use, maintenance, and management of the tramways of both or either of the companies, and if either company fail to comply with any regulations so made they shall forfeit to the other company for every such failure the sum of one hundred pounds, and the further sum of fifty pounds for every day or part of a day during which the non-compliance shall continue to exist.

Tolls on traffic conveyed partly on the tram-

72. During the continuance of any such agreement, the tramways of the Company and of the Metropolitan Street Tramways Company shall, for the purposes of tolls and charges, be considered as one

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ways of the Company and partly on the tramways of the Metropolitan Street Tramways Company.

tramway, and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the tramways of the Company and partly on the tramways of the Metropolitan Street Tramways Company for a less distance than three miles, tolls and charges may only be charged as for three miles; and in respect of passengers, for every mile or fraction of a mile beyond three miles, tolls and charges as for one mile only; and no other short-distance charge shall be made for the conveyance of passengers partly on the tramways of the Company and partly on the tramways of the Metropolitan Street Tramways Company.

Interest not to be paid on calls paid up.

73. 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."

Deposit for future Bills not to be paid out of capital.

74. 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 provisions of general Acts.

75. 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.

Expenses of Act.

76. 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.

The SCHEDULE above referred to.

Heads of Agreement between the Pimlico, Peckham, and Greenwich Street Tramway Company of the one part, and the Lambeth Bridge Company of the other part.

1. The Lambeth Bridge Company (herein called the Bridge Company) shall not oppose the application to Parliament of the Pimlico, Peckham, and Greenwich Street Tramway Company (herein called the Tramway Company) for the extensions of their authorised tramways, including the construction of a tramway or tramways to cross Lambeth Bridge (herein called the bridge), but, on the contrary, shall assent to, and, if required, by petition and otherwise, support such application on the terms herein contained.

2. One line of rails alone shall be laid on the bridge, unless the Bridge Company consent to a double line.

3. The uppermost surface of the rails shall be made and maintained by the Tramway Company on a level with the surface of the roadway of the bridge. The gauge of the tramway shall not exceed four feet eight and a half inches between the groove. The shape and size of the rails shall be subject to the approval of the Bridge Company, and the rails shall be laid in such position and bedded in such manner as the Bridge Company shall direct. The width of the carriages of the Tramway Company shall not be more than seven feet.

4. The rails shall be so constructed as that the wheels of ordinary vehicles cannot get into the groove in which the wheels of the carriage of the Tramway Company will run, and so that such vehicles shall in no way be impeded by the rails in crossing the bridge. The edge of the groove on the other side of the rail shall be of such hard material as the Bridge Company shall approve of, to prevent wear.

5. The Tramway Company shall keep the rails and the roadway between the rails, and for eighteen inches on either side beyond the rails, in repair.

6. If the Tramway Company lay down one line of rails only over the bridge they shall relay at least one half of the roadway of the bridge. If with the consent of the Bridge Company they lay down two lines of rails, they shall relay the whole of such roadway. In either case they may use the old material, if in the opinion of the engineer of the Bridge Company it is fit and sound.

7. In laying down or repairing the rails the Tramway Company shall not at any one time interfere with more than half the roadway of the bridge at once, so that the other half may remain open for the ordinary traffic, and they shall leave three places on the bridge at which carriages may pass each other. And they shall complete any work commenced by them in reasonable time, of which the Bridge Company shall be sole judge.

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8. No work, except of ordinary repair, shall be done by the Tramway Company on the bridge without submitting a plan to the Bridge Company a fortnight before such works are commenced. All works of the Tramway Company shall be done to the satisfaction of the engineer to the Bridge Company.

9. If the engineer of the Bridge Company shall certify that any work of the Tramway Company on the bridge is incomplete or defective, and the Tramway Company shall fail to make good the same to the satisfaction of such engineer within a reasonable time after notice (of which time such engineer shall be sole judge), the Bridge Company may complete and make good the same, and the Tramway Company shall repay the amount to the Bridge Company on demand.

10. The toll to be paid by the Tramway Company to the Bridge Company in respect of each carriage or omnibus of the Tramway Company crossing the bridge, not usually drawn by more than two horses, shall be twopence, which shall include one additional horse to surmount the incline of the bridge, if thought necessary by the Tramway Company. But if in any one year the tolls payable by the Tramway Company to the Bridge Company shall not amount to three hundred and fifty pounds, the Tramway Company shall pay a sum to the Bridge Company to make up that amount as a minimum.

11. If the Tramway Company cease to run carriages for six months, or the rails of the Tramway Company are removed from each side of the bridge, the Bridge Company may remove the rails on the bridge and relay the wood pavement, and the Tramway Company shall repay the cost thereof to the Bridge Company, and all powers of the Tramway Company over the bridge shall cease.

12. The Bridge Company shall be deemed a street authority within the provisions of the Tramway Company's Act as to matters not herein provided for.

13. A formal agreement for carrying out these heads of agreement shall, if required by either party, be drawn up and executed, such formal agreement to be settled by Francis Savage Reilly, Esquire, if the parties do not agree.

Dated this 18th day of June 1870.

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