CHAPTER cxcii.

An Act to authorise the South London Tramways Company to construct additional Tramways to confer further powers on that Company and for other purposes. A.D. 1882.

[10th August 1882.]

WHEREAS by the South London Tramways Act 1879 (in this Act called the Act of 1879) the South London Tramways Company (in this Act called the Company) were incorporated and were authorised to construct various tramways: 42 & 43 Vict. c. cxcvii.

And whereas by the South London Tramways (Extensions) Act 1880 (in this Act called the Act of 1880) and by the South London Tramways Act 1881 (in this Act called the Act of 1881) the Company were authorised to construct additional tramways: 43 & 44 Vict. c. xvi. 44 & 45 Vict. c. clxxxiv.

And whereas it is expedient that the Company be authorised to construct the tramways in this Act described and to raise money by additional shares and by borrowing for that purpose:

And whereas it it expedient that the Company be authorised to abandon the construction of a small portion of tramway No. 5 authorised by the Act of 1880:

And whereas it is expedient that the time limited by the Act of 1879 and extended by the Act of 1881 for the completion of tramway No. 15A and a portion of tramway No. 15 authorised by the Act of 1879 should be extended:

And whereas it is expedient that the time limited by the Act of 1880 for the completion of certain tramways authorised by that Act should be extended:

And whereas it is expedient that the Company should be authorised to enter into agreements and arrangements with the board of works for the Wandsworth district with reference to the widening of York Road Battersea and to subscribe and use their capital and funds towards the cost of that widening:

And whereas it is expedient that the agreement between the City of London and Metropolitan Tramways Company Limited (herein-

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after called the City Company) and the Company set forth in the schedule to this Act should be confirmed:

And whereas plans and sections showing the situation lines and levels of the tramways authorised by this Act with a book of reference to those plans have been duly deposited with the clerk of the peace for the county of Surrey and are herein-after referred to as the deposited plans sections and books of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited as the South London Tramways Act 1882.

Incorporation of general Acts. 8 & 9 Vict. c. 16.

2. The provisions of the Companies Clauses Consolidation Act 1845 with respect to

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for nonpayment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The conversion of the borrowed money into capital;

The consolidation of the shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices;

And the provision to be made for affording access to the special Act by all parties interested;

And Part I. (relating to the cancellation and surrender of shares) and Part II. (relating to additional capital) of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 section 3 (interpretation of terms) section 19 (local authority may lease and take tolls) and Part II. (construction of tramways) and Part III. (general provisions) of the Tramways Act 1870;

26 & 27 Vict. c. 118. 32 & 33 Vict. c. 48. 33 & 34 Vict. c. 78.

are (except where expressly varied by this Act) incorporated with and form part of this Act.

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Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction the word "tramways" shall unless otherwise expressed mean the tramways and works by this Act authorised the word "contingencies" in the Companies Clauses Consolidation Act 1845 section 122 shall with reference to the Company be construed to include the contingency of the undertaking being sold to the local authority under the Tramways Act 1870 section 43 at a sum less than the aggregate amount of the capital and debts of the Company.

Power to make tramways.

4. Subject to the provisions of this Act the Company may make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails plates works and conveniences connected therewith. The tramways herein-before referred to and authorised by this Act are:—

A tramway No. 1 (single line) 9.15 chains in length commencing in Wandsworth Road by a junction with the existing or authorised tramway of the Company at a point about $1\frac{1}{4}$ chains measured along that road in a north-easterly direction from Westbury Street, and terminating in Wandsworth Road at a point about $3\frac{1}{4}$ chains measured in a north-easterly direction along that road from Pensbury Street or Road:

A tramway No. 2 (double line) 2.5 chains in length commencing at the termination of tramway No. 1, and terminating in Wandsworth Road at a point about $\frac{1}{2}$ a chain measured in a north-easterly direction along that road from Albion Road:

A tramway No. 3 (single line) 1 furlong 6.2 chains in length commencing at the termination of tramway No. 2 and terminating in Wandsworth Road about $5\frac{1}{2}$ chains measured in a north-easterly direction along that road from Milton Street:

A tramway No. 4 (double line) 2.5 chains in length commencing at the termination of tramway No. 3 and terminating in Wandsworth Road at a point about $\frac{1}{2}$ a chain measured in a north-easterly direction along that road from Howard Street:

A tramway No. 5 (single line) 1 furlong 6.2 chains in length commencing at the termination of tramway No. 4 and terminating in Wandsworth Road at a point about $5\frac{1}{2}$ chains measured in a north-easterly direction along that road from Brookland Road:

A tramway No. 6 (double line) 2.5 chains in length commencing at the termination of tramway No. 5 and terminating in

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Wandsworth Road at a point about $\frac{1}{4}$ of a chain measured in a north-easterly direction along that road from Devonshire Road:

A tramway No. 7 (single line) 1 furlong 6.2 chains in length commencing at the termination of tramway No. 6 and terminating in Wandsworth Road at a point about a $\frac{1}{4}$ of a chain measured in a north-easterly direction along that road from Pascal Street:

A tramway No. 8 (double line) 2.5 chains in length commencing at the termination of tramway No. 7 and terminating in Wandsworth Road at a point about $2\frac{3}{4}$ chains measured in a north-easterly direction along that road from Pascal Street:

A tramway No. 9 (single line) 1 furlong 7.2 chains in length commencing at the termination of tramway No. 8 and terminating in Wandsworth Road at a point about 1 chain measured in a southerly direction along that road from Miles Street:

A tramway No. 10 (double line) 5.85 chains in length commencing at the termination of tramway No. 9 and terminating in Wandsworth Road at a point about $4\frac{3}{4}$ chains measured in a north-easterly direction along that road from Miles Street:

A tramway No. 11 (single line) 1 furlong 1.25 chains in length commencing at the termination of tramway No. 10 and terminating in Wandsworth Road at a point about $5\frac{1}{2}$ chains measured in a north-easterly direction along that road from Clark's Place:

A tramway No. 12 (double line) 3.35 chains in length commencing at the termination of tramway No. 11 and terminating in the open space known as Vauxhall Cross at a point about 1 chain measured in a south-westerly direction from the lamp standard on the northernmost refuge there:

A tramway No. 13 (single line) 1.4 chains in length commencing at the termination of tramway No. 12 and terminating at Vauxhall Cross aforesaid by a junction with the commencement of tramway No. 45 authorised by the South London Tramways Act 1881 at a point about $4\frac{1}{2}$ yards measured in a south-westerly direction from the lamp standard aforesaid:

A tramway No. 19 (single line) 1 furlong 3.45 chains in length commencing in Nine Elms Lane by a junction with the existing tramway of the Company at the termination thereof in that lane and terminating in Nine Elms Lane at a point about 1 chain measured in a westerly direction along that lane from Wandsworth Road:

A tramway No. 20 (double line) 1.4 chains in length commencing at the termination of tramway No. 19, and terminating by

a junction with tramway No. 10 at a point about 2 chains measured in a north-easterly direction along Wandsworth Road from Miles Street:

A tramway No. 21 (double line) 1.2 chains in length commencing in a road leading from Victoria Road Battersea to the south-eastern entrance gate of Battersea Park at a point about $\frac{3}{4}$ of a chain from that entrance gate measured in a south-easterly direction along that road and terminating in the Victoria Road aforesaid at a point about 2 chains measured in a south-easterly direction from the said entrance gate:

A tramway No. 22 (single line) 9.2 chains in length commencing at the termination of tramway No. 21 and terminating in the Prince of Wales Road Battersea at a point about 9 chains measured in an easterly direction along that road from Victoria Road aforesaid:

A tramway 22A (single line) 0.9 chain in length commencing in Victoria Road aforesaid by a junction with tramway No. 1 authorised by the South London Tramways (Extensions) Act 1880 from a point about $\frac{3}{4}$ of a chain measured in a northerly direction along Victoria Road aforesaid from the lamp standard on the refuge at the intersection of Victoria and Prince of Wales Roads aforesaid and terminating by a junction with tramway No. 22 at a point about $\frac{1}{2}$ a chain measured in an easterly direction along the Prince of Wales Road from the lamp standard last aforesaid:

A tramway No. 23 (double line) 2.5 chains in length commencing at the termination of tramway No. 22 and terminating by a junction with the existing tramway of the Company in Battersea Park Road at a point about $4\frac{1}{4}$ chains measured in a south-westerly direction along that road from Steward's Lane Battersea:

A tramway No. 24 (single line) 1 chain in length commencing by a junction with the southernmost line of rails of the existing tramway of the Company in Battersea Park Road at a point about $1\frac{1}{2}$ chains measured in a north-easterly direction along that road from Lockington Street or Road and terminating in Battersea Park Road by a junction with the northernmost line of rails of the existing tramway of the Company there at a point about $2\frac{1}{4}$ chains measured in a north-easterly direction along that road from Lockington Street or Road:

A tramway No. 25 (single line) 2 chains in length commencing in Westminster Bridge Road by a junction with the tramway authorised by the City of London and Metropolitan Tramways 44 & 45 Vict. c. clxiv.

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Order 1881 confirmed by the Tramways Orders Confirmation (No. 3) Act 1881 at a point about $1\frac{3}{4}$ chains measured in a westerly direction from the Obelisk Saint George's Circus and terminating by a junction with tramway No. 53 authorised by the South London Tramways Act 1881 at a point in Saint George's Circus about $\frac{1}{4}$ of a chain south of the Obelisk aforesaid:

A tramway No. 26 (double line) 6.9 chains in length commencing in the Southwark Bridge Road by a junction with tramway No. 53 authorised by the South London Tramways Act 1881 at a point about $\frac{3}{4}$ of a chain measured in a northerly direction along that road from Borough Road and terminating in Southwark Bridge Road at a point about $6\frac{1}{4}$ chains measured in a southerly direction along that road from Borough Road:

A tramway No. 27 (single line) 4.2 chains in length commencing at the termination of tramway No. 26 and terminating in Southwark Bridge Road at a point about $3\frac{3}{4}$ chains measured in a southerly direction along that road from Lancaster Street:

A tramway No. 28 (double line) 2.65 chains in length commencing at the termination of tramway No. 27 and terminating in Southwark Bridge Road at a point about $1\frac{3}{4}$ chains measured in a south-easterly direction along that road from York Street:

A tramway No. 29 (single line) 0.5 chain in length commencing at the termination of tramway No. 28 and terminating in Southwark Bridge Road at a point about $2\frac{1}{4}$ chains measured in a south-easterly direction along that road from York Street:

A tramway No. 30 (double line) 1 chain in length commencing in the Borough Road by a junction with tramway No. 53 authorised by the South London Tramways Act 1881 at a point about $\frac{1}{2}$ a chain measured in a westerly direction along that road from Lancaster Street and terminating at or near the junction of Lancaster Street with Borough Road at a point about $3\frac{3}{4}$ chains measured in a north-westerly direction along Lancaster Street from Earl Street:

A tramway No. 31 (single line) 8.45 chains in length commencing at the termination of tramway No. 30 and terminating in Southwark Bridge Road at a point about $\frac{1}{2}$ a chain measured in a southerly direction along that road from Lancaster Street.

The herein-before described tramways will pass from through or into or be situated in the parishes of Saint Mary Battersea Clapham Lambeth and Saint George the Martyr Southwark or some or one of them all in the county of Surrey.

Mode of formation of tramways.

5. Subject to the provisions of this Act every tramway to be made or laid down under this Act shall be constructed with two

rails to be approved by the Board of Trade on a gauge of four feet eight and a half inches and shall be laid and maintained in such a manner that the uppermost surface of the rail shall be on a level with the surface of the street or road.

Power to apply existing funds.

6. The Company may from time to time apply towards any of the purposes of this Act to which capital is properly applicable any moneys which they have raised or may hereafter raise under any other Act or Acts and which may not be required for the purposes to which by the respective Acts such moneys are made applicable.

Power to raise additional capital.

7. The Company may from time to time raise by the creation and issue of new ordinary shares or new ordinary stock or new preference shares or new preference stock or (at the option of the Company) by any or either of those modes any further capital not exceeding in the whole forty thousand pounds.

Certain sections of Act of 1879 applied to new share capital.

8. The provisions of the sections of the Act of 1879 numbered from 21 to 31 (both numbers inclusive) shall apply to the shares in the additional capital by this Act authorised to be raised.

Power to borrow.

9. In addition to any sum which by any other Act or Acts they are authorised to borrow the Company may from time to time borrow on mortgage any further sum or sums not exceeding in the whole ten thousand pounds but no part of that sum shall be borrowed until the whole additional capital of forty thousand pounds by this Act authorised is issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act 1845 (before he so certifies) that the whole of such additional capital has been issued and accepted and that one half thereof has been paid up and that not less than one fifth part of the amount of each separate share or the whole of the stock in such additional capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such additional capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

Mortgage to comprise purchase money paid

10. Every mortgage of the Company's undertaking shall be deemed to comprise all purchase money which may be paid to the Company in the event of a compulsory sale to the local authority

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on compulsory sale.

under section 43 of Tramways Act 1870 and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage.

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

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

Existing mortgages to have priority.

12. All mortgages granted by the Company before the passing of this Act and which shall be subsisting at the time of the passing of this Act shall during the continuance of such mortgage have priority over any mortgages to be granted by virtue of this Act.

Repealing provisions of former Acts with respect to appointment of a receiver.

13. Every provision in any Act passed before the present session of Parliament whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver for enforcing payment by the Company of arrears of interest or principal or principal and interest shall be and the same is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provision.

Appointment of a receiver.

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

Company not to create debenture stock.

15. The Company shall not create debenture stock.

Priority of mortgages over other debts.

16. All money raised or to be raised by the Company on mortgage under the provisions of this Act shall have priority against the Company and the property from time to time belonging to the Company over all other claims on account of any debts incurred or to be incurred or engagements entered into by them. Provided always that this priority shall not affect any claim against the Company or their property in respect of any mortgage granted or to be granted by the Company under the provisions of any former Acts or any claim for land taken used or occupied by the Company for the purposes of this Act or any former Act or injuriously affected by the construction of the works of or by the exercise of any powers conferred on the Company.

Application of moneys.

17. All moneys raised under this Act whether by shares stock or borrowing shall be applied for the purposes only of this Act to which capital is properly applicable.

Period for completion of works.

18. The tramways shall be completed within two years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Company for executing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Purchase of land by agreement.

19. The Company may from time to time purchase and acquire by agreement such land as they may require for their undertaking not exceeding in the whole ten acres.

Deposit money not to be repaid except so far as tramway is opened.

20. Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter 20 one thousand two hundred and twenty-one pounds Consolidated Three Pounds per Cent. Annuities being equal to five per centum upon the amount of the estimate in respect of the tramways proposed to be authorised by the Bill for this Act as introduced into Parliament has been transferred to the account of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act. And whereas certain of the tramways so proposed to be authorised were struck out of the Bill during its progress through Parliament. And whereas nine hundred and forty-one pounds Consolidated Three Pounds per Cent. Annuities part of the said one thousand two hundred and twenty-one pounds Consolidated Three Pounds per Cent. Annuities represents five per cent. upon the estimate of expense of the tramways by this Act authorised to be constructed and is in this Act referred to as the deposit fund. Be it enacted that notwithstanding anything contained in the said Act the deposit fund shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them which persons survivors or survivor are or is in this Act referred to as the depositors unless the Company shall previously to the expiration of the period limited by this Act for completion of the tramways open the same for the public conveyance of passengers. Provided that if within such period as aforesaid the Company open any portion of the tramways for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the tramways opened as aforesaid and the portion of

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the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the tramways so opened bears to the entire length of the tramways hereby authorised the Chancery Division shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

Application of deposit.

21. If the Company do not previously to the expiration of the period limited for the completion of the tramways complete the same and open them for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the tramways or any portion thereof and also in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively and in making good all damage caused to such roads by the construction or abandonment of such tramway and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall either be forfeited to Her Majesty and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner as the Chancery Division thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the Chancery Division if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be otherwise applied as part of the assets of the

Company for the benefit of the creditors thereof: Provided that until the deposit fund has been repaid to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

Company may be required to use improved form of rail.

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

Further provision as to construction of tramways.

23. In addition to the requirements of section 26 of the Tramways Act 1870 the Company shall at the same time as they give notice to the road authority of their intention to open or break up any road for the purpose of constructing laying down maintaining and renewing any of the tramways lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining and renewing those tramways and a statement of the materials intended to be used therein and the Company shall not commence the construction laying down maintenance or renewal of any of the tramways or part of any of the tramways respectively except for the purpose of necessary repairs until that plan and statement have been approved by the Board of Trade and after that approval the works shall be executed in accordance in all respects with that plan and statement and under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the road authority as provided by section 26 of the said Act: Provided always that the word "materials" in this enactment does not include materials used for paving any part of any street under the provisions of the Tramways Act 1870 or this Act.

Penalty for not maintaining rails and road in good condition.

24. The Company shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways by this Act authorised and of all other tramways of the Company and the substructure upon which the same rest and if the Company at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall for every such offence be subject

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to a penalty not exceeding five pounds for every day on which the non-compliance continues and that penalty may be recovered in manner provided by section 56 of the said Act and the tramways of the Company for the purposes of this section shall include any tramways purchased by the Company or taken on lease by them during the continuance of any lease.

Inspection by Board of Trade officer.

25. In case it is represented in writing to the Board of Trade by the road authority of any district in which the tramways or any portion thereof are or is situate or by twenty inhabitant ratepayers of that district that the Company have made default in complying with the provisions in the last preceding section contained or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by that Board and if the officer report that the default mentioned in the representation has been proved to his satisfaction then and in every such case a copy of the report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of the default and of the liability of the Company to the penalty or penalties in respect thereof as is or are by the last preceding section imposed.

Special provision as to penalties for not maintaining tramways in good condition.

26. In addition to any other provisions of this Act the Company shall maintain and keep the tramways by this Act authorised and all other tramways belonging to or leased by the Company in good condition and repair to the satisfaction of the road authority of the district within which the tramways respectively are or may be situate and if the Company at any time fail to maintain and keep the same in good condition and repair to such satisfaction as aforesaid they shall for every default be subject to a penalty not exceeding five pounds for every day on which the default continues and the penalty may be recovered in manner provided by the said section 56 of the Tramways Act 1870 but by the road authority only.

Applying provisions of Act of 1879 as to tolls &c.

27. The tramways by this Act authorised shall for the purposes of tolls and charges and for all other purposes be deemed to be part of the tramways authorised by the Act of 1879 and the several provisions of that Act relating to tolls and charges except so far as they may be inconsistent with any of the provisions of this Act are incorporated with and form part of this Act.

Company not to carry animals and goods.

28. The Company shall not carry on the tramways any goods animals or other things other than passengers and passengers luggage not exceeding the weight in that behalf mentioned in the Act of 1879 and small parcels.

Cheap fares for labouring classes.

29. The Company at all times after the opening of the tramways or any part or parts thereof for public traffic shall and they are hereby required to run carriages each way every morning in the week and every evening in the week (Sundays Christmas Day and Good Fridays always excepted) at such hours not being later than seven in the morning or earlier than six in the evening respectively as the road authority think most convenient for artisans mechanics and daily labourers at tolls or charges not exceeding one halfpenny per mile (the Company nevertheless not being required to take any fares less than one penny) and the Company shall be liable to a penalty of not exceeding five pounds per day for every day on which they fail to run any such carriage as aforesaid the penalty to be payable to and recoverable by the road authority: Provided always that the Company shall not be liable to any penalty if the failure to run any such carriage as aforesaid arises from any act of the road authority or their officers or from circumstances over which the Company have no control: Provided also that in case of any complaint made to the Board of Trade of the hours appointed by the road authority for the running of carriages the said Board shall have power to fix and regulate the same from time to time.

Periodical revision of tolls.

30. If at any time after three years from the opening for public traffic of the tramways or any portion of the tramways or after three years from the date of any order made in pursuance of this section in respect of the tramways or any portion of the tramways it is represented in writing to the Board of Trade by the local authority of any district in which the tramways or portion of the tramways are or is wholly or partially situate or by twenty inhabitant ratepayers of that district or by the Company that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramways or portion of the tramways should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by that Board in accordance with the provisions of the Tramways Act 1870 and if the referee report that it has been proved to his satisfaction that all or any of the tolls and charges should be revised the Board may make an order in writing altering modifying reducing or increasing all or any of the tolls or charges to be demanded and taken in respect of the traffic on the tramways or portion of the tramways in such manner as they think fit and thenceforth that order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section: Provided always that the tolls and charges prescribed by any such order shall not exceed in amount the tolls and charges by this Act authorised.

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Inspection by Board of Trade.

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

Tramways to be kept on level of surface of road.

32. If and whenever after the passing of this Act any road authority shall alter the level of any road along or across which any part of the tramway is laid or authorised to be laid the Company may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Sewer authority to have access to sewers.

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

Traffic to be suspended during works of drainage.

34. If and whenever in the opinion of the Metropolitan Board of Works it shall be necessary or expedient for the purpose of constructing or altering any sewer or drain to interfere with any of the tramways or the roadway in which the same shall be made that Board may without any consent or concurrence on the part of the Company enter upon and interfere with those tramways or that roadway after having given except in case of emergency at least one month's previous notice in writing to the Company of their intention so to do and the Company shall during the execution of any of those works either suspend the traffic upon the tramway or make provision at their own expense for carrying on the same in a manner satisfactory to the engineer of the Board so as not to interfere with any of those works and shall have no claim for compensation against the Board.

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

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

Power to make additional crossings &c.

36. The Company may subject to the provisions of this Act with the consent of the local authority and road authority from time to time make maintain alter and remove such crossings passing places sidings junctions and other works in addition to those particularly

specified in and authorised by this Act as they find necessary or convenient for the efficient working of the tramways or for providing access to any warehouses stables or carriage-houses or works of the Company: Provided that in the construction of any of those works no rail shall be so laid that a less space than nine feet and six inches shall intervene between it and the outside of the footpath on either side of the road if the owner or owners or occupier or occupiers of the premises abutting on the place where the rail is proposed to be laid shall by writing under his or their hand addressed to the Company express their objection thereto.

Temporary tramways.

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

Abandonment of portion of tramway No. 5 authorised by Act of 1880.

38. The Company may and shall abandon the construction of so much of tramway No. 5 authorised by the Act of 1880 as lies between a point $1\frac{1}{4}$ chains measured in a north-easterly direction along Wandsworth Road from Westbury Street and the termination of that tramway.

Extension of time for completion of a certain tramway and part of tramway authorised by the Act of 1879.

39. The time limited by the Act of 1879 as extended by the Act of 1881 for the completion of tramway No. 15A and so much of tramway No. 15 by the Act of 1879 authorised as is situate in York Road in the parish of Saint Mary Battersea between Falcon Lane and Plough Lane is hereby further extended until the eleventh day of August one thousand eight hundred and eighty-three and that period shall for all purposes be deemed to be the period originally limited by the Act of 1879 and extended by the Act of 1881 for the completion of those tramways: Provided that if those tramways be not completed within the period limited by this Act then on the expiration of that period the powers by the Act of 1879 the Act of

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1881 and this Act granted to the Company for making and completing those tramways or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Extension of time for completion of certain tramways authorised by the Act of 1880.

40. The time limited by the Act of 1880 for the completion of tramways Nos. 16 16A 16B 17 17A 18 19 and 19A authorised by that Act is hereby extended until the twenty-ninth day of June one thousand eight hundred and eighty-three and that period shall for all purposes be deemed to be the period originally limited by that Act for the completion of those tramways. Provided that if those tramways be not completed within the period limited by this Act then on the expiration of that period the powers by the Act of 1880 and this Act granted to the Company for making and completing those tramways or otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall then be completed.

Agreements with Wandsworth District Board of Works as to widening of York Road Battersea.

41. The Company and the board of works for the Wandsworth district may from time to time enter into contracts and agreements with reference to the widening of York Road Battersea and the Company may with the consent of the proprietors holding at least three fourths of the paid-up capital of the Company present in person or by proxy at an extraordinary general meeting convened with due notice of the matter contribute and use their capital funds towards the expense of effecting that widening.

Confirmation of the agreement with the City Company.

42. The agreement dated the 23rd day of June 1882 and made between the City Company of the one part and the Company of the other part a copy of which is set forth in the schedule to this Act is hereby confirmed and made binding on the parties thereto respectively and full effect may and shall be given thereto.

Saving rights of Metropolitan Board of Works to stop up streets. 18 & 19 Vict. c. 120.

43. Nothing in this Act contained shall extend or be construed to extend to alter abridge or take away any of the rights powers and privileges conferred upon the Metropolitan Board of Works by the Metropolis Management Act 1855 or any other Act relating to that Board as to stopping for public traffic any road or street under the jurisdiction of that Board for the purpose of constructing repairing and maintaining the sewers along or under any such road or street.

For protection of Wandsworth and Putney Gas Light and Coke Company.

44. Section 35 of the Act of 1880 shall extend and apply to the tramways and works authorised by this Act.

For protection of the London Gas Light Company.

45. Section 37 of the South London Tramways Act 1881 shall be applicable and applied to the protection of the London Gas Light Company with reference to the tramways and works by this Act authorised.

For the protection of the Lambeth Vestry.

46. For the protection of the vestry of the parish of Lambeth (in this section called the Lambeth Vestry) the following provisions shall have effect and be observed with respect to the construction of tramways in the parish of Saint Mary Lambeth:—

(A.) The Company shall not commence the construction of any of the tramways or works by this Act authorised in the parish of Lambeth until they shall have given to the Lambeth Vestry twenty-one days notice in writing of their intention to commence the same by leaving such notice at the office of the Lambeth Vestry with plans elevations sections and other necessary particulars of the construction of the said tramways and works nor until the Lambeth Vestry shall have signified their approval of the same unless the Lambeth Vestry fail to signify their approval or their disapproval or to give other directions with regard thereto within twenty-one days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid in which event the Company may proceed forthwith with the works according to the said plans elevations and sections and in case such plans elevations sections and other particulars are not agreed upon any difference between the Company and the Lambeth Vestry with reference to any of the matters aforesaid shall be determined in manner provided by the Tramways Act 1870 with respect to differences between the promoters and any road authority:

(B.) As regards all roads in the parish of Saint Mary Lambeth so much of every road whereon any tramway is laid as (1) lies between the rails of such tramway (2) lies between the rails of any loop passing place crossing siding or junction in connexion with any tramway (3) lies between the rails of such tramway and any such loop passing place or crossing siding or junction (4) not being more than 4 feet in width lies between any two tramways laid by the Company and (5) extends 3 feet beyond the rails of and on each side of every tramway loop passing place crossing siding and junction the existing paving of the carriageway shall be taken up and the carriageway shall be paved by the Company at their own expense with New Guernsey granite cubes of the same dimensions as are now laid down in any street or road in which the tramway shall be so constructed (if any) and if there be no such granite cubes in such road then with granite cubes 3 inches by 9 inches all such granite cubes to be laid upon a foundation or substructure of Portland cement concrete of such thickness as

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shall be approved by the Lambeth Vestry and under the superintendence of and with such other usual materials and in the manner required by and to the reasonable satisfaction of the Lambeth Vestry or with such other paving foundation or materials as the Lambeth Vestry may approve and every portion of such road (including the portions of road to be paved with wood under sub-section E) shall be deemed to be the portion of the road which is to be at all times afterwards maintained and kept in good condition and repair by the Company within the intent and meaning of this Act and the Tramways Act 1870 and the reasonable expense to which the Lambeth Vestry may be put on account of such superintendence shall be paid by the Company:

(C.) The remainder of the carriageway of every such road shall if it be so required by the Lambeth Vestry be taken up and relaid by the Company at their own expense with the paving and metal taken up and under the superintendence of and in the manner required by and to the satisfaction of the Lambeth Vestry:

(D.) In every case where the Company shall construct passing places in a single line such passing places shall as far as practicable where required by the Lambeth Vestry be laid in the centre of the road and the roadway for the full length of such passing places shall (in lieu of the portion of road provided for by sub-section B of this section) be paved with granite or wood by the Company for the entire width of the road and with respect to such places the whole width of the road between the footways shall be deemed to be the portion of road which is to be at all times afterwards maintained and kept in good condition and repair by the Company within the intent and meaning of this Act and the Tramways Act 1870:

(E.) Where the tramway of the Company passes a church chapel public school or institution the Company shall if desired by the Lambeth Vestry pave the road within and between the rails and for three feet on each side with wood including (as part of such three feet) at the edge of such wood pavement a stretching course of Guernsey granite of similar description to that hereinbefore provided for:

(F.) So much of section 26 of the Tramways Act 1870 as provides that the promoters shall not do certain things therein mentioned except under the superintendence and to the reasonable satisfaction of the road authority unless that authority refuses or neglects to give such superintendence at the time specified in

the notice or discontinues the same during the works and that the promoters shall pay all reasonable expenses to which the road authority may be put on account of such superintendence shall extend and apply also to the works (except maintenance and repairs) in the 27th and 28th sections of that Act and in the last preceding paragraph of this section referred to:

(G.) Any paving metalling or material excavated or displaced by the Company in the construction of the undertaking from any road under the jurisdiction or control of the Lambeth Vestry shall be the property of the vestry and the Company shall when and as required deliver all such of the said paving metalling or material as shall not be used in relaying the remainder of the carriageway as provided in sub-section C to the surveyor for the time being of the said vestry or to such person or persons as he may appoint to receive the same and at such place not being more than two miles from where the same is excavated as the said surveyor may direct: Provided that if within seven days after the excavation of any paving metalling or material not required for the purpose of relaying the carriage way aforesaid the same be not delivered to the surveyor or such person or persons or at such place as aforesaid the Company shall forfeit and pay to the Lambeth Vestry a sum not exceeding forty shillings for every day during which the said paving metalling or material is not so delivered and such penalty shall be recoverable by and payable to the Lambeth Vestry and shall be a penalty within the meaning of section 56 of the Tramways Act 1870. Any difference between the Company and the Lambeth Vestry or their surveyor or other person with reference to any of the matters aforesaid shall be determined in manner provided by the Tramways Act 1870 with respect to differences between the promoters and any road authority:

(H.) The Company shall at all times with such materials and in such manner as the Lambeth Vestry shall direct and to their satisfaction maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways of the Company and the substructure upon which the same rest and the paving laid down by the Company in pursuance of sub-sections B D E and F aforesaid and if the Company at any time fail to comply with this provision or with any of the provisions of section 28 of the Tramways Act 1870 they shall (without prejudice to the enforcement in any manner of the requirements of this Act or to any other remedy against the Company) be subject to a

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penalty not exceeding ten pounds for every day on which such act of omission continues after forty-eight hours notice shall have been given to or left at the office of the Company by the clerk or surveyor for the time being of the Lambeth Vestry and such penalty shall be recoverable by and payable to the Lambeth Vestry and shall be a penalty within the meaning of section 56 of the said Act. The proviso in section 28 of the Tramways Act 1870 contained empowering the road authority if the promoters fail to comply with the provisions of that section after seven days notice to the promoters to do the works therein mentioned and recover the expense thereof from the promoters shall be read as though forty-eight hours were therein substituted for seven days and as so altered shall extend and apply not only to the works necessary for the repairs and maintenance in that section mentioned but also to the works necessary for the maintenance and repairs in this section provided for:

(I.) If and whenever in the opinion of the Lambeth Vestry it shall be necessary or expedient for the purpose of constructing or altering any sewer or drain to interfere with any tramways of the Company constructed under this or any other Act or the roadway in which the same shall be made the Lambeth Vestry may without any consent or concurrence on the part of the Company enter upon and interfere with such tramways or roadway after having given except in case of emergency at least one month's previous notice in writing to the Company of their intention so to do and the Company shall during the execution of any such works either suspend the traffic upon such tramway or make provision at their own expense for carrying on the same in a manner satisfactory to the engineer of the Lambeth Vestry so as not to interfere with any such work and shall have no claim for compensation against the Lambeth Vestry:

(J.) Where the tramways hereby authorised are so laid that a less space than 9 feet 6 inches shall intervene between the outer edge of the rail and the footway and it should be considered necessary or expedient by the surveyor of the Lambeth Vestry in the construction of those tramways that any parts of the footways should be thrown into the road then such alteration shall be made and all expenses connected therewith and all expenses incurred in placing the paving of the footway and roadway so altered into proper condition shall be borne and paid by the Company.

For protection of Wandsworth

47. For the protection of the board of works for the Wandsworth district (herein-after called the Wandsworth Board) the

following provisions shall be observed and have effect (that is to say):—

District Board of Works.

(1.) The Company shall not commence the construction of any of the tramways or works by this Act authorised within the district of the Wandsworth Board until they shall have given to the Wandsworth Board twenty-one days notice in writing of their intention to commence the same by leaving such notice at the office of the Wandsworth Board with plans elevations sections and other necessary particulars of the construction of the said tramways and works nor until the Wandsworth Board shall have signified their approval of the same unless the Wandsworth Board fail to signify such approval or their disapproval or other directions within twenty-one days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid in which event the Company may proceed forthwith with the works according to the said plans elevations and sections and in case such plans elevations and sections and other particulars are not agreed upon any difference between the Company and the Wandsworth Board with reference to any of the matters aforesaid shall be determined in manner provided by the Tramways Act 1870 with respect to differences between the promoters and any road authority:

(2.) As regards all roads within the district of the Wandsworth Board (other than Nine Elms Lane) so much of the road whereon the tramways are laid in each case as lies between the rails (two or four as the case may be) and as extends three feet beyond the outer rails of and on each side of the tramways (double or single as the case may be) shall be paved by the Company at their own expense with 4-inch by 7-inch Aberdeen or Guernsey granite cubes on 10 inches of Portland cement concrete (exclusive of bedding) mixed in the proportions of 6 of Thames ballast to one of Portland cement and grouted with Portland cement or in such other manner as may be agreed upon and at all passing places wherever the same occur or may hereafter be constructed along the course of the tramways or where there shall be a double line of rails the whole width of the roadway at such points from kerb to kerb shall be paved by the Company in like manner at their own expense:

(3.) As regards so much of Nine Elms Lane as is contained within the parish of Battersea the whole of the granite pitching which has been laid down in the roadway of the said lane shall be taken up and removed by the Company to the depôt of the

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Wandsworth Board at Battersea and the whole of such roadway from kerb to kerb shall be paved by the Company at their own expense with new sets of four-inch by seven-inch Aberdeen or Guernsey granite cubes on ten inches of Portland cement concrete (exclusive of bedding) mixed in the proportions of six of Thames ballast to one of Portland cement and grouted with Portland cement or in such other manner as may be agreed upon:

(4.) All the said works affecting any road shall be executed by the Company in manner in this enactment directed under the superintendence and to the satisfaction of the Wandsworth Board and every such road shall be deemed to be the road which is to be at all times afterwards maintained and kept in good condition and repair by the Company within the intent and meaning of this Act and the Tramways Act 1870 and the reasonable expense to which the Wandsworth Board is put on account of such superintendence shall be paid by the Company:

(5.) So much of section 26 of the Tramways Act 1870 as provides that the promoters shall not do certain things therein mentioned except under the superintendence and to the reasonable satisfaction of the road authority unless that authority refuses or neglects to give such superintendence at the time specified in the notice or discontinues the same during the works and that the promoters shall pay all reasonable expenses to which the road authority is put on account of such superintendence shall extend and apply also to the works in the 27th and 28th sections of the said Act and the last preceding section of this enactment referred to (except as to maintenance and repairs):

(6.) Any paving metalling or material excavated or displaced by the Company in the construction of the undertaking from any road under the jurisdiction or control of the Wandsworth Board shall be the property of the Wandsworth Board and the Company shall when and as required deliver the said paving metalling or material to the surveyor for the time being of the Wandsworth Board or to such person or persons as he may appoint to receive the same and at such depôt in one or other of the parishes comprised within the district of the Wandsworth Board as he may direct. Provided that if within seven days after the excavation of any such paving metalling or material the same is not delivered to the surveyor or such person or persons or at such depôt as aforesaid the Company shall forfeit and pay to the Wandsworth Board a sum not exceeding forty shillings for every day during which the said

paving metalling or material is not so delivered and such penalty shall be recoverable by and payable to the Wandsworth Board and shall be a penalty within the meaning of section 28 of the Tramways Act 1870. Any difference between the Company and the Wandsworth Board or surveyor or other person with reference to any of the matters aforesaid shall be determined in manner provided by the Tramways Act 1870 with respect to differences between the promoters and any road authority:

(7.) The Company shall at all times with such materials and in such manner as the Wandsworth Board shall direct and to their satisfaction maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways of the Company and the substructure upon which the same rest and if the Company at any time fail to comply with this provision or with any of the provisions of section 28 of the Tramways Act 1870 they shall (without prejudice to the enforcement in any manner of the requirements of this Act or to any other remedy against the Company) be subject to a penalty not exceeding ten pounds for every day on which such act or omission continues after forty-eight hours notice shall have been given to or left at the offices of the Company by the clerk or the surveyor for the time being of the Wandsworth Board and such penalty shall be recoverable by and payable to the Wandsworth Board and shall be a penalty within the meaning of section 56 of the said Act. The proviso in section 28 of the Tramways Act 1870 empowering the road authority if the promoters fail to comply with the provisions of that section after seven days notice to the promoters to do the works therein mentioned and recover the expenses thereof from the promoters shall be read as though forty-eight hours were therein substituted for seven days and as so altered shall extend and apply not only to the works necessary for the repairs and maintenance in that section mentioned but also to the works necessary for the maintenance and repairs in this section provided for:

(8.) If the Company shall in the district of the Wandsworth Board fail to comply with the provisions contained in subsection 4 of section 26 of the Tramways Act 1870 they shall be liable to a penalty of five pounds for every day during which such failure shall continue such penalty to be recovered by and payable to the Wandsworth Board:

(9.) If in the opinion of the Wandsworth Board it shall be necessary for the better laying down and construction of any

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tramways not already constructed within the said district to alter the level of any road or street or to narrow or widen any roadway or footway and in consequence thereof to alter the remainder of the roadway or footpath adjoining such alterations including the repaving widening narrowing or raising of the roadway or footpath as the case may be shall be effected by the Company to the satisfaction of the Wandsworth Board or in default thereof by the Wandsworth Board at the expense of the Company:

(10.) The Company shall lay down in front of any and every place of worship or hospital (if any) which any tramway not already constructed shall pass (if so required by the board) a wooden or other noiseless paving in so much of the road as is to be constructed and maintained by the Company as is directly opposite such place of worship or hospital and for a distance of ten yards beyond each end of the frontage of such place of worship or hospital:

The tramway No. 4 on the deposited plans shall not be constructed at the point shown on the deposited plans but shall be constructed between a point opposite the western corner of Union Grove and a point $2\frac{1}{2}$ chains westward of the point where Union Grove intersects Wandsworth Road:

(11.) The rails to be used in laying the tramways within the district of the Wandsworth Board shall be of the best steel and shall be such as the Board of Trade may approve and the said rails and the chairs and the substructure on which the rails are laid shall be submitted to and approved by the Wandsworth Board or their surveyor before the Company commences the construction of any part of the tramway:

(12.) No bell or other similar thing shall be used by the Company or attached to their carriages horses or harness without the consent in writing under the common seal of the Wandsworth Board nor shall such bells or similar things be continued to be used by them if after such consent has been so given the same shall at any time be revoked in writing as aforesaid and the Company shall be liable to a penalty of forty shillings for every day on which they fail to comply with the provisions of this section such penalty to be recoverable by and payable to the Wandsworth Board and such penalty shall be a penalty within the meaning of section 56 of the Tramways Act 1870:

(13.) The Company on the one hand and any vestry or district board on the other hand may from time to time enter into and carry into effect agreements with respect to the cost of widening and improving any roads streets courts passages and footpaths

within the parishes of Saint Mary Lambeth Saint Mary Battersea Clapham and Wandsworth and as to the contributions by the Company towards the moneys to be expended on such works and the Company may for the purposes of such contribution apply any moneys which they are by this Act authorised to raise provided that any such agreement shall be approved of by not less than three fourths of the votes of the shareholders of the Company present in person or by proxy at a special meeting convened for the purpose and that nothing in this section shall be held to authorise the Company or any vestry or district board to execute any works:

(14.) In addition to any other provisions of this Act the Company shall maintain and keep the tramways by this Act authorised and all other tramways belonging to or leased by the Company within the district of the Wandsworth Board in good condition and repair to the satisfaction of that board and if the Company at any time fail to maintain and keep the same in good condition and repair to such satisfaction as aforesaid they shall for every such default be subject to a penalty not exceeding five pounds for every day on which such default continues and such penalty may be recovered in manner provided by the said section 56 of the Tramways Act 1870 but by the Wandsworth Board only:

(15.) The Company shall not open for traffic the tramways by this Act authorised to be constructed within the district of the Wandsworth Board or any of them until the Company have carried out and complied with all the provisions herein contained for the protection of that board.

For the protection of the London and South-western Railway Company.

48. For the protection of the London and South-western Railway Company (herein-after called the South-western Company) the following provisions with respect to the construction and maintenance of any tramways by this Act authorised to be constructed opposite alongside or in front of any property of the South-western Company (in this section called the tramway) if and when the same shall be constructed shall have effect that is to say—

1. During the construction and in the maintenance of the tramway the Company shall not stop or otherwise interfere with or obstruct the traffic of the South-western Company except so far as may be reasonably necessary:

2. The traffic of the South-western Company shall at all times have precedence of the traffic of the Company and the cars of the Company shall not approach or pass over any of the lines of the South-western Company at a greater rate of speed

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than six miles per hour and the cars of the Company shall not on any pretence be permitted to stop upon any of the lines of the South-western Company unless unavoidably compelled to do so by stoppage of other vehicular traffic:

3. In working and using the tramway the Company shall at all times before any car approaches or passes over any of such lines of rails announce and give proper and timely warning of the approach of such car by means of a whistle:

4. The Company shall not in the working of their tramway obstruct or interfere with the free ingress and egress at any of the entrances or exits of the South-western Company in the Nine Elms Lane or in the Wandsworth Road and no car shall be permitted to stand or pull up opposite to or within ten feet of either side of any such entrance or exit gates or of either side of the Nine Elms Lane at its junction with the Wandsworth Road and no car shall be permitted to block or obstruct in any way the free access to and from the South-western Company's Vauxhall Station.

Interest not to be paid on calls paid up.

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

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

50. 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.

Provisions as to general Tramway Acts.

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

Costs of Act.

52. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

MEMORANDUM OF AGREEMENT made the 23rd day of June 1882 between The South London Tramways Company (herein after called "the Company") of the one part and The City of London and Metropolitan Tramways Company Limited (herein-after called "the City Company") of the other part.

Whereas by a Provisional Order of the Board of Trade made under the authority of the Tramways Act 1870 and intituled "The City of London and Metropolitan Tramways Order 1881" and which was afterwards duly confirmed by the Tramways Orders Confirmation Act 1881 the construction of certain tramways (more particularly described in the said order and therein and hereinafter called the tramways) situate in the parishes of Saint Mary Lambeth and Saint George the Martyr in the borough of Southwark all in the county of Surrey was authorised and certain rights authorities powers and privileges in relation thereto were conferred upon the Promoters being the City Company.

And whereas the utility of the tramways so authorised would be greatly enhanced if they were incorporated and worked with the tramway system of the Company.

And whereas a Bill is now passing through Parliament the object of which is (among other things) to empower the Company to purchase and the City Company to sell and transfer the tramways including all their rights powers privileges and authorities in relation thereto under the said Order of 1881 confirmed as aforesaid together with the sum of seven hundred and thirty-three pounds three shillings and eightpence now standing to the credit of Henry Wright a director of the City Company and all other the benefit and advantage of the said Order in relation to the tramways Now it is hereby agreed by and between the parties hereto for the considerations herein appearing as follows:—

1. The City Company shall sell and transfer and the Company shall purchase subject to any mortgages or charges affecting the same First all the rights powers privileges and authorities conferred upon the City Company by the said Order of 1881 so made and confirmed as aforesaid or to which by virtue of the said Order and confirming Act or any other proceedings matter or thing relating thereto the City of London Company now are or at any time hereafter shall or may be entitled Secondly all right title and claim which may belong to or be exercised by the City Company over the sum of seven hundred and thirty-three pounds three shillings and eightpence now standing to the credit of Henry Wright a director of the City Company and deposited in the Bank of England to the credit of Her Majesty's Paymaster General in the matter of the said Order.

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2. As the consideration for the said sale transfer and purchase the Company shall within one month after the said recited Bill shall become an Act of Parliament pay to Messrs. Sutton & Ommaney the solicitors for and on behalf of the City Company the sum of one thousand five hundred pounds and the receipt of the said Messrs. Sutton & Ommaney shall be a full and sufficient discharge to the Company for the same and the Company shall further in the deed or deeds of conveyance and assignment by the City Company to the Company covenant to indemnify and save harmless the City Company from and against all actions suits claims and demands for or by reason or on account or in consequence of any breach or non-performance or of alleged breach or non-performance of any duty or obligation (if any) the performance of which is by the said Order so confirmed as aforesaid or by the Tramways Act 1870 cast or made incumbent upon the City Company.

3. Concurrently with the payment of the said sum of one thousand five hundred pounds the City Company shall execute to the Company a proper deed or deeds of conveyance and assignment of the tramways and the rights powers privileges and authorities herein-before in clause 1 particularly mentioned which deed or deeds shall be prepared by and at the costs of the Company and the same shall contain all proper covenants and provisions for carrying the agreement into effect such deed or deeds shall be submitted to the City Company for their approval and the Company shall pay all usual and proper charges of the City Company incurred in approving examining and executing the same and the said deed or deeds so approved shall be tendered to the City Company for their execution at least seven days before the expiration of the month referred to in clause 2 hereof.

4. The City Company at the expense in all things of the Company undertake and agree to support the Company in promoting the said recited Bill and at the like expense to render all the assistance in their power in carrying out the objects to be thereby obtained so far as regards the transfer to the Company of the tramways of the City Company and the other provisions of the Bill relating thereto.

5. The City Company also at the like expense undertake and agree to do or concur with the Company and (if necessary) to procure the concurrence of their directors and officers in doing all acts and things necessary for the transfer to the Company of all right title and claim in and over the tramway and every part thereof.

6. All costs charges and expenses of the City Company of or in relation to the approval examining and executing this agreement and of carrying the same into effect shall be paid by the Company.

7. In the event of the said Bill not becoming an Act of Parliament on or before the first day of September next this agreement and everything herein contained shall be determined and become void.

8. In case of any difference arising between the parties hereto the matter in difference shall be referred to the decision of Mr. Frederick Clifford or whom failing to the decision of Mr. Herbert Clifford Saunders Q.C. whose decision on

all matters in difference submitted to him shall be final and conclusive and binding on all parties hereto. A.D. 1882.

In witness whereof the parties hereto have caused to be affixed their common seals the day and year first above written.

Seal of the South London Tramways Company.

Seal of the City of London and Metropolitan Tramways Company Limited.

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