CHAPTER cxci.

An Act to incorporate the South Staffordshire Tramways Company; and for other Purposes. [26th August 1889.] A.D. 1889.

WHEREAS the South Staffordshire and Birmingham District Steam Tramways Company, Limited (in this Act called "the Limited Company") were incorporated under the Companies Acts, 1862 to 1880, with limited liability for the purpose of constructing, purchasing, maintaining and working tramways in the counties of Stafford and Warwick, and the adjoining counties, or any of them, with a capital of £300,000, divided into 30,000 shares of £10 each:

And whereas by a special resolution of the Limited Company passed at an extraordinary general meeting, held on the 20th May, 1885, and confirmed at another extraordinary general meeting, held on the 15th June, 1885, it was, in accordance with the articles of association of the Limited Company, resolved that the capital of the Company should be increased to £350,000, by the creation of five thousand additional shares of £10 each, and that such shares, as well as the 3,718 shares then unallotted, should be issued with such preferential rights to dividend and priority in the distribution of assets, and on such terms as the directors might think expedient:

And whereas in pursuance of the said resolution it was resolved at a meeting of the board of directors, held on the 5th August, 1885, that 8,718 shares of £10 each should be issued, with a cumulative dividend of £6 per cent., and that in the event of the dividend on the ordinary shares exceeding 3 per cent. in any year, the holders of such preference shares should be entitled to share equally with the holders of ordinary shares in the surplus profits or income of the Company; and it was further resolved, that in the event of the Company being wound up the holders of such preference shares should be entitled to have the assets of the Company

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applied in the first instance to repaying to them the amount paid on the preference shares held by them respectively:

And whereas the capital of the Limited Company now consists of £350,000, divided into 35,000 shares of £10 each, of which 26,342 shares are ordinary shares as aforesaid, and 8,658 shares are preference shares as aforesaid:

And whereas all of the said 26,342 ordinary shares have been issued, but 412 of such shares have been cancelled, leaving 25,930 ordinary shares upon which £256,360 8*s*. 4*d*. has been paid up, and 7,600 of the said preference shares have been issued, upon which £75,900 has been paid up:

And whereas the Limited Company have issued mortgage debentures to the amount of £33,920, bearing interest at the rate of £5 per cent. per annum, and such debentures have been issued as part of a class or series limited to the amount of £50,000 intended to rank equally:

42 & 43 Vict. c. cxciii.

And whereas by the Staffordshire Tramways Order, 1879, confirmed by the Tramways Orders Confirmation Act, 1879, and herein-after referred to as "the Order of 1879," the Staffordshire Tramways Company, Limited, in this Act called "the Staffordshire Company," were authorised to construct certain tramways in the parishes of Darlaston and Wednesbury, in the county of Stafford, to be used by animal power only:

43 & 44 Vict. c. clxxii.

And whereas by the Staffordshire Tramways (Additional Powers) Order, 1880, herein-after referred to as "the Staffordshire Order of 1880," confirmed by the Tramways Orders Confirmation (No. 1) Act, 1880, power was given to use steam or any mechanical power on the Tramways Nos. 1 to 1 G, authorised by the Order of 1879:

45 & 46 Vict. c. lxx.

And whereas by the Staffordshire Tramways (Extension) Order, 1882, confirmed by the Tramways Orders Confirmation (No. 2) Act, 1882, and in this Act referred to as "the Staffordshire Order of 1882," the Staffordshire Company were authorised to construct additional tramways in the said parishes, and in the parish of Walsall, in the county of Stafford, to be used under certain restrictions with steam or any mechanical power, and were also authorised to use steam or any mechanical power on Tramway No. 2, authorised by the Order of 1879:

44 & 45 Vict. c. clxiii.

And whereas by the Wednesbury and West Bromwich Tramways Order, 1881, confirmed by the Tramways Orders Confirmation (No. 2) Act, 1881, and in this Act called "the Wednesbury Order," the promoters of that Order were authorised to construct certain tramways in the parishes of Wednesbury, Handsworth, and West

Bromwich, in the county of Stafford, and to use on those tramways steam or any mechanical power : A.D. 1889.

And whereas by the South Staffordshire Tramways Order, 1881, confirmed by the Tramways Orders Confirmation (No. 2) Act, 1881, and in this Act called "the South Staffordshire Order," the promoters of that Order were authorised to construct certain tramways in the parishes of Wednesbury, Tipton, and Sedgley, in the county of Stafford, and Dudley, in the county of Worcester, and to use on such tramways steam or any mechanical power :

And whereas all the tramways authorised by the previously recited Orders (with the exception of Tramways Nos. 1 to 1 G authorised by the Order of 1879, and Tramway No. 2 authorised by the Staffordshire Order of 1882, which tramways have been abandoned) have been constructed and opened for public traffic, and the same and the undertakings thereof have, with the consent of the Board of Trade, as required by section 44 of the Tramways Act, 1870, been sold and transferred to and are now owned and worked by the Limited Company :

And whereas by the Walsall and District Tramways Order, 1880, confirmed by the Tramways Orders Confirmation (No. 2) Act, 1880, and in this Act called "the Walsall Order of 1880," the promoters of that Order were authorised to construct certain tramways in the borough of Walsall, in the county of Stafford, and to use on those tramways steam or any mechanical power : 43 & 44 Vict. c. clxxiii.

And whereas by the Walsall and District Tramways Order, 1882, confirmed by the Tramways Orders Confirmation (No. 3) Act, 1882, and in this Act called "the Walsall Order of 1882," the promoters of that Order were authorised to construct certain extension tramways in the said borough of Walsall, and the said parish of Wednesbury, and to use on those tramways steam or any mechanical power : 45 & 46 Vict. c. ci.

And whereas by the Walsall Order of 1882, the period for the completion and opening for public traffic of the tramways authorised by the Walsall Order of 1880, was extended to the 26th day of August, 1883 :

And whereas by the Walsall and District Tramways Order, 1884, confirmed by the Tramways Orders Confirmation (No. 2) Act, 1884, and in this Act called "the Walsall Order of 1884," the Limited Company were substituted for the promoters of the Walsall Order of 1880, and the Walsall Order of 1882, and the undertakings authorised by such Orders were transferred to and vested in the Limited Company, and the Limited Company were authorised to construct certain tramways in the said parish of Wednesbury, 47 & 48 Vict. c. lxxx.

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instead of and in substitution for certain portions of the tramways authorised by the Walsall Order of 1882, and by such Order the periods previously limited for the completion and opening for public traffic of the tramways authorised by the Walsall Order of 1880 and the Walsall Order of 1882 were further extended to the third day of January, 1885, and power was given to use steam or any mechanical power on the tramways authorised by the Order now in recital:

And whereas the whole of the tramways authorised by the Walsall Order of 1880, and by the Walsall Order of 1882 (as varied by the Walsall Order of 1884) and by the Walsall Order of 1884, have been constructed and opened for public traffic, with the exception of a small portion of Tramway No. 2, authorised by the Walsall Order of 1882, the time for the completion and opening for public traffic whereof has been prolonged by certificate of the Board of Trade to the 3rd of July, 1888:

And whereas by the Dudley and Tipton Tramways Order, 1881, confirmed by the Tramways Orders Confirmation (No. 2) Act, 1881, and in this Act called "the Dudley Order of 1881," the promoters of that Order were authorised to construct certain tramways in the borough of Dudley, in the county of Worcester, and in the parish of Tipton, in the county of Stafford, and to use on those tramways steam or any mechanical power:

50 Vict. c. xxii.

And whereas by the South Staffordshire and Birmingham District Steam Tramways Order, 1886, confirmed by the Tramways Orders Confirmation (No. 3) Act, 1886, and in this Act called "the Order of 1886," the Limited Company were substituted for the promoters of the Order of 1879, the Staffordshire Order of 1882, and the Dudley Order of 1881, and were authorised to abandon Tramways Nos. 1 to 1 G., authorised by the Order of 1879, Tramway No. 2, authorised by the Staffordshire Order of 1882, and Tramway No. 5, authorised by the Dudley Order of 1881, and the Limited Company were authorised with such consent as therein mentioned, to exercise running powers, subject as therein expressed, over all or any of the tramways belonging to the Birmingham Central Tramways Company, Limited, the Birmingham and Aston Tramways Company, Limited, and the North Birmingham Tramways Company, Limited, respectively:

And whereas it is expedient to confer upon the Company by this Act proposed to be incorporated powers to work the tramways, as in this Act defined, by means of electricity or by the cable system, and to construct and execute such works and things as may be requisite for such purposes:

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And whereas it is expedient that the Limited Company should be dissolved and re-incorporated with further and other powers:

And whereas it is expedient that the nominal amount of the ordinary share capital should be reduced, and that provisions should be made with regard to the preference share capital and to the payment of the preference dividends thereon:

And whereas the objects aforesaid 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 (that is to say):—

Short title.

1. This Act may for all purposes be cited as the South Staffordshire Tramways Act, 1889.

Incorporation of Acts.

2. The following Acts and parts of Acts, namely, the Companies Clauses Consolidation Act, 1845, Parts I. and II. (relating to cancellation and surrender of shares and to additional capital), of the Companies Clauses Act, 1863, as amended by the Companies Clauses Act, 1869, the Lands Clauses Consolidation Act, 1845 (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the promoters of the undertaking), the Lands Clauses Consolidation Acts Amendment Act, 1860, section 3 (interpretation of terms), section 19 (local authority may lease and take tolls), and Parts II. and III. of the Tramways Act, 1870, so far as the same respectively are applicable to and are not varied by or inconsistent with the provisions of this Act, are hereby incorporated with and form part of the provisions 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 partially incorporated herewith have the same respective meanings unless the same be varied by this Act, or unless there be something in the subject or context repugnant to such construction.

"The Company" means the Company incorporated by this Act.

"The tramways" means and includes the tramways respectively authorised by the Order of 1879, the Staffordshire Order of 1880, the Staffordshire Order of 1882, the South Staffordshire Order, the Wednesbury Order, the Walsall Order of 1880, the Walsall Order of 1882, the Walsall Order of 1884, the Dudley Order of 1881, and the Order of 1886 (except such parts of the said tramways as have been abandoned as aforesaid), together

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with all the rights, powers, privileges, authorities and duties conferred on or vested in or imposed upon the respective promoters of the said several Orders, or any of them or any person on their behalf, for the purposes of their respective Orders (except as far as the same or any of them related to such parts of the said tramways as have been abandoned as aforesaid).

"The undertaking" means the undertaking of the Company.

The expression "the promoters" means the promoters respectively referred to and empowered by the said Orders, and also any other persons or corporations in whom the rights, powers, and authorities of the original promoters of such Orders respectively are now vested.

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 section 43 of the Tramways Act, 1870, at a sum less than the aggregate amount of the capital and debts of the Company.

The expression "the profits" shall with reference to the Company be construed to mean the surplus of the earnings or revenue of the Company, after payment thereout of the maintenance and working expenses and interest on any sum or sums borrowed by the Company.

Incorporation of Company.

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

General purposes of Company.

5. The Company shall be established for acquiring, constructing, maintaining, and working the tramways respectively authorised by the several Orders herein-before referred to, and for carrying the powers of the Orders and of this Act into execution.

Company to exercise all powers

6. The Company shall exercise all the powers and perform the duties conferred or imposed by the following Orders upon the

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respective promoters thereof so far as such powers and duties are now subsisting, as though the same were embodied in and formed part of this Act (that is to say) :—The powers of—

conferred by recited Orders.

The Staffordshire Tramways Order, 1879.
The Staffordshire Tramways (Additional Powers) Order, 1880.
The Staffordshire Tramways (Extension) Order, 1882.
The Wednesbury and West Bromwich Tramways Order, 1881.
The South Staffordshire Tramways Order, 1881.
The Walsall and District Tramways Order, 1880.
The Walsall and District Tramways Order, 1882.
The Walsall and District Tramways Order, 1884.
The Dudley and Tipton Tramways Order, 1881.
The South Staffordshire and Birmingham District Steam Tramways Order, 1886.

Property vested in Company incorporated by this Act.

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

Memorandum of association of the Limited Company to be void without prejudice to remedies for antecedent breaches thereof.

8. Subject to the provisions of this Act, the memorandum and articles of association of the Limited Company shall, as to any prospective operation thereof, be wholly void, and the Company and the shareholders shall be exempted from all the provisions, restrictions, and requirements of the Companies Acts 1862 to 1886, but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum and articles of association incurred before the passing of this Act (including the liability to pay calls

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due and payable upon the ordinary shares or any of them), but such liability or obligation in respect of any such breach shall continue, and save as in this Act otherwise provided may be enforced by or on behalf of the Company as nearly as may be in like manner as the same might have been enforced by or on behalf of the Limited Company if this Act had not been passed.

Confirmation of acts of Limited Company and adoption thereof.

9. Except as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered by or with reference to the Limited Company or the members thereof as such shall be as valid as if the Company had not been incorporated and the said memorandum and articles of association had not been avoided by this Act, and such incorporation and avoidance and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered, and the Company shall to all intents and purposes represent the Limited Company, and the members thereof as such, and the property of the Limited Company as the case may be, and the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Contracts prior to the passing of this Act to be binding

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

Actions, &c. not to abate.

11. Nothing in this Act contained shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity which was pending by or against the Limited Company, in relation to the affairs thereof, or to which the Limited Company were parties immediately before the passing of this Act, but any such action, suit, or other proceeding may be maintained, prosecuted, or continued by or in favour of or against the Company, as the case may be, in the same manner and as effectually and advantageously as the same might have been maintained, prosecuted, and continued by or in favour of or against the Limited Company if this Act had not been passed, the Company and shareholders therein being, in reference to the matters aforesaid, in all respects substituted for the Limited Company and its members respectively.

Trustees of Limited Company to be indemnified.

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

Company to satisfy liabilities of Limited Company.

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

Recovery of sums due.

14. Except as is by this Act otherwise expressly provided, all sums of money which immediately before the passing of this Act were due or accruing to the Limited Company for calls on shares or otherwise, shall be payable to and may be collected and recovered by the Company in like manner as if they had become payable in respect of calls or for matters supplied or done under this Act.

As to payment of debts owing before passing of Act.

15. Except as is by this Act otherwise expressly provided, all persons who immediately before the passing of this Act owed any money to the Limited Company, or to any person on their behalf, shall pay the same with all interest (if any) due or accruing upon the same to the Company, and all debts and moneys which immediately before the passing of this Act were due or recoverable from the Limited Company, or for the payment of which the Limited Company were or but for this Act would be liable, shall be paid with all interest (if any) due or accruing upon the same by or be recoverable from the Company.

Certificates, &c., to remain in force.

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

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Books, &c., continued evidence.

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

Officers to continue until removed.

18. All the officers and servants of the Limited Company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments, together with the salaries and emoluments thereto annexed, until they resign the same or be removed therefrom by the Company, and shall have the like powers and authorities for the purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like conditions, obligations, pains and penalties, and to the like powers of removal, and to the like rules, restrictions and regulations in all respects whatever, as if they had been appointed under this Act.

Present registers of members to be continued.

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

Capital.

20. The capital of the Company shall consist of eighty-six thousand five hundred and eighty pounds preference capital, divided into eight thousand six hundred and fifty-eight preference shares of ten pounds each, and a sum of one hundred and twenty-nine thousand six hundred and fifty pounds ordinary stock.

Dividend on preference shares.

21. The holders of the preference shares shall be entitled to a preferential dividend of six per cent. per annum on the amount for the time being paid up on the preference shares held by them respectively, and also to such further dividends as are provided by the next section. If in any year ending on the 31st day of December there are not profits available for the payment of the full amount of preferential dividend for that year no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company: Provided always that this provision shall not apply until the expiration of seven years from the passing of this Act, during which period a cumulative preferential dividend may be paid on the preference shares: And in the event of the Company being wound up, the holders of

the preference shares shall be entitled to have the surplus assets of the Company applied in the first instance to repaying to them the amount paid on the preference shares held by them respectively, before any repayment is made in respect of the ordinary stock.

Provision for payment of dividends, &c.

22. The profits of the Company in each year shall be applied as follows, videlicet :—

1. In payment of all sums payable in respect of the preference dividend upon the preference shares.
2. In setting aside such sum or sums as the directors of the Company may think fit, and a general meeting of the Company may approve for or towards a reserve fund, or a fund to provide for depreciation or to meet contingencies.
3. In payment of a dividend for the year upon the ordinary stock not exceeding six per cent.
4. In payment of a further dividend upon the preference shares and the ordinary stock equally, without preference or priority.

Rights of holders of ordinary stock.

23. Subject to the provisions of the last two preceding sections the several holders of ordinary stock shall be entitled to participate in the dividends and profits of the Company according to the amount of their respective interests in such stock, and such interests shall in proportion to the amount thereof, and subject to the provisions of this Act, confer on the holders thereof respectively the same privileges and advantages for the purpose of voting at meetings of the Company and for other purposes as would have been conferred by shares of an equal amount in the capital of the Company, but so that none of such privileges or advantages, except the participation in the dividends and profits of the Company and the qualification for the office of directors, shall be conferred by any aliquot part of such amount of ordinary stock as would not if existing in shares have conferred such privileges or advantages respectively.

Interim dividends.

24. The directors may from time to time, at the end of any half-year, without the sanction of a general meeting, declare and pay an interim dividend out of the profits of the half-year, having regard to the rights of the holders of the preference shares and the ordinary stock: And such interim dividend may be declared and paid on the ordinary stock notwithstanding that the profits then received or earned, or estimated, may not suffice to cover the dividends upon the preference shares for the whole of the current year.

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Preference shareholders in Limited Company to accept preference shares in Company.

25. Upon the passing of this Act the several persons who immediately before the passing of this Act were the registered holders of preference shares in the Limited Company shall respectively be entitled by way of substitution for the preference shares held by them in the Limited Company to the like number of preference shares in the Company, that is to say, one preference share in the Company for each preference share in the Limited Company, and such shares shall be vested in them accordingly. Every preference share so vested shall be deemed to be paid up to the same extent and no more as the preference share in the Limited Company for which it is substituted, and any amount remaining unpaid upon any such shares may be called up in the same manner as if the shares were issued to new subscribers under the authority of this Act.

Ordinary shareholders in Limited Company to accept reduced amount of stock in Company.

26. Upon the passing of this Act the several persons who immediately before the passing of this Act were the registered holders of ordinary shares in the Limited Company, shall respectively be entitled by way of substitution for each fully paid-up ordinary share held by them in the Limited Company to an amount or amounts of ordinary stock in the Company equal to one half of the amount of such share. With regard to ordinary shares in the Limited Company which are not fully paid up, the holders thereof shall respectively be entitled in respect of such shares to an amount of ordinary stock of the Company bearing the same proportion to the amount paid up on each such share as the amount to be substituted for a paid-up share bears to the amount of a paid-up share, and if and when during the period of two years after the passing of this Act, any person who at the passing of this Act was the holder of an ordinary share in the Limited Company not fully paid up or his executors or administrators shall pay to the Company any sum in respect of the amount payable for calls upon such share, he or they shall be entitled to a further amount of ordinary stock of the Company bearing the like proportion to the amount which shall be so paid by him or them.

Surplus ordinary stock (if any) may be issued by the Company.

27. If at the expiration of the said period of two years after the passing of this Act any part of the ordinary stock shall remain undisposed of under the last preceding section, the same may be issued by the Company upon such terms as may be thought proper for the benefit of the Company.

Vesting of shares and stock in present

28. Every preference share and every sum of ordinary stock to which any person shall become entitled under the preceding sections, by way of substitution for any preference or ordinary

shares in the Limited Company, shall be subject and liable to the same bequests, trusts, powers, provisions, declarations, agreements, charges, liens and incumbrances as immediately before the passing of this Act affected the share in the Limited Company for which it is substituted, and any deed, agreement, or other instrument or testamentary or other disposition shall take effect with reference to the whole or a proportionate part of the substituted stock, as the case may be.

shareholders by way of substitution.

29. The Company shall call in and cancel the existing certificates of shares of the Limited Company, and issue in lieu thereof certificates of the substituted preference shares, or of the substituted amounts of ordinary stock, in the form and under the conditions prescribed by the Companies Clauses Consolidation Act, 1845: Provided always that the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship of preference shares or stock under this Act until they shall have delivered up to the Company to be cancelled the certificates of proprietorship issued to them before the passing of this Act, or shall have proved to the reasonable satisfaction of the Company the loss or destruction thereof: And provided also that with regard to the holders of ordinary shares in the Limited Company not fully paid up, they shall not be entitled to any certificate of proprietorship of the stock to be substituted for the same or any part thereof unless or until they shall have paid to the Company the whole amount payable for calls in respect of the ordinary shares in the Limited Company, held by them respectively at the passing of this Act.

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

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

Shares not to be issued till one fifth paid up.

31. One fifth of the amount of a share shall be the greatest amount of a call, and two months, at least, shall be the interval between successive calls.

Calls.

32. The Company may convert into stock the whole or any part of the share capital if and when fully paid up.

Power to convert shares into stock.

33. If any money is payable to a holder of shares or stock in or mortgages of the Company, being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt in case of persons not sui juris.

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Borrowing powers.

34. The Company may at any time, and from time to time after the passing of this Act, borrow on mortgage of their undertaking, any sum or sums not exceeding in the whole the sum of fifty thousand pounds, including the sum of thirty-three thousand nine hundred and twenty pounds, the amount now owing upon the mortgage debentures issued by the Limited Company as aforesaid.

Provisions as to existing mortgage debentures.

35. The mortgage debentures issued by the Limited Company as aforesaid shall whilst subsisting rank equally with all or any mortgages to be made or issued by the Company under this Act, and subject to this provision the holders of the mortgage debentures issued by the Limited Company shall, as against the undertaking of the Company have after the passing of this Act and be entitled to the same rights and remedies in all respects under or in respect of the mortgage debentures held by them respectively, or the principal moneys and interest thereby intended to be secured, as they would respectively have had or been entitled to as against the undertaking of the Limited Company if this Act had not been passed.

For appointment of a receiver.

36. The mortgagees of the undertaking of the Company (including the holders of the mortgage debentures issued by the Limited Company as aforesaid) 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.

37. The Company shall not create debenture stock.

Mortgage to comprise purchase money paid on compulsory sale.

38. Every mortgage of the Company's undertaking shall be deemed to comprise all purchase money which may be paid to the Company in the event of a compulsory sale to the local authority, under section 43 of the Tramways Act, 1870, or under this Act, 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.

39. Every mortgage deed granted by the Company under this Act shall be indorsed 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 43rd section of the Tramways Act, 1870, or under this Act.

Application of moneys raised under this Act.

40. All the money raised under the authority of this Act shall be applied only to the purposes authorised by this Act, to which capital is properly applicable.

Number of directors.

41. The number of directors shall be five, but the Company may from time to time reduce or increase the number, provided that the number be never less than three nor more than six.

Qualification of directors.

42. The qualification of a director shall be the possession, in his own right, of not less than twenty-five shares in the undertaking, or an amount of ordinary stock or shares substituted for or representing twenty-five ordinary shares in the capital of the Limited Company.

Quorum.

43. The quorum of a meeting of directors shall be three.

First directors.

44. William James Carruthers Wain, William Busby, Charles Edward Davison, Christopher James, and Frank Henry Lloyd shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act.

Election of directors.

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

First ordinary meeting.

46. The first ordinary meeting of the Company shall be held within eight months after the passing of this Act, and the future ordinary meetings of the Company shall be held in the month of March in every subsequent year, or in such other month in every subsequent year as the Company by the resolution of an extraordinary general meeting shall from time to time determine.

Auditors not required to hold shares.

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

Power to purchase lands.

48. The Company may from time to time purchase, take upon lease, or otherwise acquire by agreement such land as they may require for the purposes of their undertaking not exceeding in the whole ten acres, in addition to any land at the date of the passing of this Act belonging to the Limited Company, and may at any time sell and dispose of any such land or any part thereof, and in like

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manner acquire other land: Provided that the quantity of land to be purchased, taken upon lease, or otherwise acquired by the Company does not at any time exceed the said quantity, but nothing in this Act shall exonerate the Company from any action, indictment, or other proceeding for nuisance, in the event of any nuisance being caused by them, upon any lands acquired under the powers of this section.

Restriction on taking houses of labouring class.

49. The Company shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire ten or more houses, which after the passing of this Act have been, or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. For the purposes of this section, the expression "labouring class" includes mechanics, artizans, labourers and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

Scale of voting.

50. The prescribed scale of voting shall be one vote in respect of every ten pounds of paid-up capital of the Company, whether ordinary or preference.

Electric or cable power may be used on tramways.

51. The carriages used upon the tramways may, subject to the provisions of this Act, and, with the consent in writing of the Board of Trade, and so far as such tramways are situate within the borough of Walsall, with the consent of the local authority during a period of seven years after the passing of this Act, be moved by means of haulage with wire ropes, cables, chains, electrical apparatus, or other appliances placed underground, or by means of electrical power, or any mechanical power used in or upon or applied to the carriages or rails, and with the like consents, during such further periods of seven years as the said Board may from time to time specify in any order, to be signed by a secretary or an assistant secretary of the said board, by electrical power, steam power, or any mechanical power (including such haulage as aforesaid).

Company may lay down and maintain works necessary

52. If and whenever the Company shall have authority under the provisions of this Act to work the tramways, or any of them, by means of haulage with wire ropes, cables, chains, electrical apparatus, or other appliances placed underground, the Company may construct, lay down, and execute and maintain all such tubes,

passages, grooves, rails, works, apparatus, and things as may be requisite for the purpose of so working the tramways: Provided that no such works or things shall be constructed, laid, or placed above the level of the road, and all powers, restrictions and provisions relating to the construction and maintenance of the tramways respectively, under or by virtue of the several recited orders, shall apply and have effect with regard to the construction, execution, and maintenance of such works and things as aforesaid.

for using electric or cable power.

53. In constructing, laying down, executing, and maintaining any tubes, passages, grooves, rails, works, apparatus, and appliances (herein-after referred to as works) that may be requisite for working the tramways, or any of them, by means of haulage with wire ropes, cables, chains, electrical apparatus, or other appliances underground, where such works are upon any bridge carrying any road over a railway or canal or pass under any railway bridge, the promoters shall be subject to the following conditions:—

For protection of railway and canal companies.

1. The Company shall not enter upon or interfere with the railway or canal of any railway or canal company, or any of the bridges, lands, or works of a railway or canal company, or execute any works whatever under, over, or affecting the same, until the Company shall have delivered to the said railway or canal company plans and drawings of such intended works, and those plans and drawings shall have been approved in writing by an engineer appointed for that purpose by the railway or canal company, or in the event of his failure for fourteen days after the delivery of the plans and drawings, until the same shall have been approved by an engineer to be appointed on the application of the Company by the Board of Trade, and all the intended works shall be executed by the Company at their sole expense in all things according to such approved plans and drawings, and to the reasonable satisfaction of the said engineer for the time being of the railway or canal company, or in case of difference of an engineer to be appointed by the Board of Trade.

Not to enter on lands of railway or canal companies until plans of proposed works affecting those Companies approved.

2. This section is ancillary to and not in substitution for any provisions for the protection of any railway or canal company or companies in any Acts or Orders of or relating to the Company.

54. In the event of the tramways of the Company being worked by electricity, the following provisions shall have effect:—

Provision for protection of the Postmaster-General.

1. It shall not be lawful for the Company to lay down any line or rail, or to do any act or work for working the tramways

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by electricity, whereby any telegraphic line of the Postmaster-General is or may be injuriously affected, and before any such line or rail is laid down, or any such act or work is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance, and so continuing for a distance of six feet on each side of such point) the Company or their agents, not more than twenty-eight nor less than fourteen days, before commencing such work, shall give written notice to the Postmaster-General specifying the course of the line or rail, and the nature of the work, including the guage of any wire.

2. It shall not be lawful for the Company to maintain any line or rail or to do any act or work for working the tramways by electricity whereby any telegraphic line of the Postmaster-General subsequently laid down or placed by him is or may be injuriously affected: Provided that this subsection shall not apply if it be proved that ordinary and proper precautions have not been taken in the laying down or placing of such telegraphic line, or that the same has been laid down or placed in unreasonably close proximity to the line or rail of the Company.

3. The Company or their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by any line, rail, act or work of the Company.

4. Any difference which arises between the Postmaster-General and the Company or their agents with respect to any requirements so made, shall be determined by the Board of Trade, whose decision shall be final, and sections 30 to 32, both inclusive, of the Regulation of Railways Act, 1868, shall apply in like manner, as if the Company or their agents were a company within the meaning of that Act.

31 & 32 Vict. c. 119.

5. In the event of any contravention of or wilful non-compliance with this section by the Company or their agents, the Company shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues, or if the telegraphic communication is wilfully interrupted, not exceeding fifty pounds for every day on which such interruption continues.

6. Provided that nothing in this section shall subject the Company or their agents to a fine under this section, if they satisfy the court, having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident, or otherwise was a work of emergency, and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof, stating the reason for doing or executing the same without previous notice.

7. For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work, if telegraphic communication by means of such line is, whether through induction or otherwise, in any manner affected by such act or work, or by any use made of such work.

8. For the purposes of this section, and subject as therein provided, sections 2, 8, 9, 10, 11 and 12 of the Telegraph Act, 1878, shall be deemed to be incorporated with this Act, as if the Company were undertakers within the meaning of those sections, without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted. 41 & 42 Vict. c. 76.

For the protection of the National Telephone Company, Limited.

55. For the protection of the National Telephone Company Limited, its successors and assigns (in this section called "the telephone company"), the following provisions shall have effect in the event of any tramways of the Company being worked by electricity otherwise than by electrical power carried along with the carriages (that is to say) :—

1. The Company shall so construct their electric circuits, and other works of all descriptions, and shall so work their tramways in all respects as to prevent any injurious interference by induction or otherwise with the electric circuits from time to time used or intended to be used by the telephone company for the purpose of telephonic communication or with the currents in such circuits: Provided that, as regards electric circuits erected or laid down by the telephone company after the construction of the works of the Company, this sub-section shall only apply if reasonable and proper precautions have been taken in the erection or laying down of such circuits, and if they have not been erected or laid down in unreasonably close proximity to the lines or works of the Company.

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2. Seven days before commencing to lay down any electric line, or to supply electricity through any electric line, in any manner whereby the work of telephonic communication through any wires or lines belonging to the telephone company, and lawfully laid down or placed in any position by them may be injuriously affected, the Company shall, unless otherwise agreed with the telephone company, give to that company notice in writing specifying the course, nature, and gauge of such electric line, and the amount and nature of the current intended to be sent along the same, and the Company shall conform with such reasonable requirements as may from time to time be made by the telephone company for the purpose of preventing the communication through such wires or lines from being injuriously affected as aforesaid.

3. If any difference arises between the Company and the telephone company with respect to anything in this section contained, such difference shall be determined by the Board of Trade, whose decision shall be final, and sections 30 to 32, both inclusive, of the Regulation of Railways Act, 1868, shall apply in like manner as if the Company and the telephone company were companies within the meaning of that Act.

4. Nothing in this section shall apply to repairs or renewals of any electric line so long as the course, nature, and gauge of such electric line, and the amount and nature of the current sent along the same are not altered.

For the protection of the corporations of West Bromwich Dudley and Wednesbury and the local boards of Handsworth and Tipton.

56. The following provisions for the protection and benefit of the respective corporations of West Bromwich, Dudley, and Wednesbury, and the respective local boards of Handsworth and Tipton in this section referred to as the local authorities (in addition to the provisions for the protection of the local or road authorities contained in such of the several Orders mentioned in the 6th section of this Act as relate to tramways or works within the districts of the said corporations and local boards respectively which are not inconsistent therewith), shall apply and have effect with respect to any works that may be altered or constructed under and in pursuance of sections 51 and 52 of this Act:—

Interpretation clause.

(*a.*) The expressions "the tramways," "the works," and "the undertaking" shall respectively mean the tramways and works and the undertaking authorised by such of the said Orders mentioned in the 6th section of this Act as relate to tramways or works within the districts of the said corporations and local

boards respectively or any of them and by this Act authorised, and shall include tramways and works altered or constructed under the said sections of this Act.

Use of carriage or engine moved by electric power stored therein.

(*b.*) The Company shall, two calendar months before using on the tramways in the respective boroughs of West Bromwich, Dudley and Wednesbury and the respective districts of Handsworth and Tipton respectively, any carriage or engine moved by electrical power stored in such carriage or engine, give notice in writing to the clerks to the respective local authorities of their intention to use such carriage or engine, and shall deliver with such notice for the approval of the local authorities respectively designs and full descriptions of such carriage or engine. If the local authorities, or any of them, shall within one calendar month send notice by post to the Company disapproving of the use of the said carriage or engine and of the grounds thereof, and, if the matter in difference is not settled within one calendar month thereafter by agreement, the same shall be settled by a referee nominated by the Board of Trade on the application of either party, whose decision shall be final. No such carriage or engine as aforesaid shall be used on the said tramways in the districts of the said local authorities, or any of them, until the same has been approved by the local authorities respectively or the matter in difference settled in the manner in this section provided. If the local authorities respectively do not give notice of disapproval as aforesaid, they shall respectively be taken to have approved of the use of the said carriage or engine.

Cables, &c., not to be laid down or used without consent of local authorities.

(*c.*) The Company shall not, without the previous consent in writing of the local authorities respectively lay down, construct, use, or maintain in any road or street in the districts of the said local authorities, rails, tubes, wires, ropes, chains, appliances, works and conveniences, for the purpose of enabling the tramways to be used by carriages moved by means of haulage with wires, ropes, cables, chains, or electrical apparatus, and fixed steam engines, or other machinery placed underground, or by means of overhead wires. The local authorities respectively are hereby empowered to give such consents or licences from time to time upon and subject to such terms and conditions as they may think fit, so that such consents or licences shall not operate for a longer period than five years.

Mode of laying tramways to be approved by

(*d.*) Subject to the provisions of this Act, the size and construction of all engines, cables, and carriages to be used on the said tramways, and the wheels and the brakes attached

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the local authorities.

thereto, and of all mechanical appliances and things appurtenant to the engines, cables, and carriages, and the working of the tramways, and the mode of altering, laying down, or reconstructing the tramways, and the form of the rails, sleepers, fastenings, and grooves, if any, shall be such as the local authorities respectively shall require, and shall be in accordance with designs, plans, sections, and specifications, to be previously submitted to and approved of by the local authorities respectively, but so that the form of the rails, sleepers, fastenings, and grooves shall be the same throughout the whole length of the tramways in the borough of West Bromwich and in the districts of Handsworth and Tipton, and in case any dispute shall arise between the Company and the local authorities respectively as to the form of the head or upper part of the rails, or the method of fastening the rails, such dispute shall be determined by the Board of Trade.

Provisions as to construction of tramways.

(*e.*) 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 local authorities respectively of their intention to open or break up any road for the purpose of altering, constructing, or reconstructing, laying down, or maintaining and renewing any of the tramways, lay before the local authorities respectively and the Board of Trade plans, sections, and specifications, showing such tramways, and the proposed mode of altering, constructing or reconstructing, laying down, or maintaining and renewing the same, and a statement of the materials intended to be used therein, and the Company shall not commence the alteration, construction, reconstruction, laying down, or maintenance and renewal of any of the tramways or part of any of the tramways respectively, except for the purpose of necessary repairs, until such plans, sections, specifications and statement have been approved by the local authorities respectively and by the Board of Trade, and after such approval, the works shall be executed in accordance and in all respects with such plans, sections, and specifications and statement, and under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the respective local authorities, as provided by section 26 of the said Act.

Proof of byelaws.

57. The production of a printed or written copy of any byelaws made under the authority of this Act, or the recited Acts, or the recited Orders, or the Tramways Act, 1870, 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 primâ facie evidence of the existence of such byelaws, and that all preliminaries requisite to the making and operation thereof have been duly observed and fulfilled. A.D. 1889.

Provisions as to arbitration. 17 & 18 Vict. c. 125.

58. When under the provisions of the Tramways Act, 1870, and this Act, any matter of difference is referred to the arbitration of any person nominated by the Board of Trade, the provisions of the Common Law Procedure Act, 1854, shall apply to every arbitration, and the decision of the arbitrator shall be final and conclusive, and binding on all parties.

Form and delivery of notices.

59. With respect to the notices to be delivered under the recited Orders, and under this Act, and to the delivery thereof by or to the Company, the following provisions shall have effect, namely :—

Every notice shall be in writing or print, including lithograph, or partly in writing and partly in print, and shall be sufficiently authenticated if given by the Company or by the local authority by being signed by their clerk or secretary.

Any notice to be delivered by or to the company to or by any road authority or local authority, or other body or any company, may be delivered by being left at the principal office of that authority, body, or company, or of the company (as the case may be), or by being sent by post in a registered letter, addressed to their respective clerk or secretary at their principal office, and every such letter shall be deemed to be received by the authority, body, or company, or by the Company (as the case may be), on the day on which the same ought to be delivered at their principal office in the ordinary course of post.

Agreement between Company and road authority.

60. The Company may, subject to the provisions of this Act, from time to time enter into any agreement with any road authority with respect to the constructing, maintaining, removing, renewing, repairing, and using of the tramways situated within the district of such road authority, and the rails, plates, sleepers, and works connected therewith, and the facilitating the traffic over the same.

Company to contract with road authority.

61. The Company shall, if required by the road authority, make contracts with the road authority for all or any of the purposes for which contracts may be made between the promoters of any tramway undertaking and a road authority under the authority of section 29 of the Tramways Act, 1870: Provided always that the terms of any contracts shall in case the same are not agreed upon by the Company and the road authority be determined by a referee to be appointed by the Board of Trade for such purpose.

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Carrying of mails by Company.

62.—(1.) The Company, if required by the Postmaster-General, shall perform with respect to any tramway owned or worked by them all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires: Provided as follows:—

(*a.*) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the Company in or upon any carriage (that is to say):—

(i.) If the carriage is conveying or intended to convey passengers and not goods or parcels, then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers; and

(ii.) If the carriage is conveying or intended to convey parcels only, then in excess of such maximum weight as is for the time being fixed for ordinary parcels, or if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage, then as is for the time being fixed by agreement, or in default of agreement by a referee to be appointed at the request of either party by the Lord Chief Justice of England; and

(iii.) If the carriage is conveying, or intended to convey both parcels and passengers, but not goods, then in excess of the maximum weight for the time being fixed for ordinary parcels, or for the luggage of ordinary passengers, whichever is the greater.

(*b.*) Mails, when carried in or upon a carriage carrying passengers, shall be so carried as not to inconvenience the passengers, but so nevertheless that the custody of the mails, by any officer of the Post Office in charge thereof, shall not be interfered with.

(*c.*) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the Company in or upon a carriage conveying or intended to convey passengers, but not goods or parcels, except in charge of an officer of the Post Office travelling as a passenger.

(*d.*) If the Company carry goods as well as passengers and parcels, the enactments relating to the conveyance of mails by railway shall, subject to the provisions of this section, apply in like manner as if the Company were a railway company and the tramway were a railway.

(2.) The remuneration for any services which have been performed by the Company in pursuance of this section, shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the Company, or in default of agreement by a referee to be appointed by the Lord Chief Justice of England at the request of either party, and this provision shall have effect in lieu of any provision respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(3.) For the purposes of this section the expression "mails" has the same meaning as in the Regulation of Railways Act, 1873, and includes parcels within the meaning of the Post Office (Parcels) Act, 1882. 36 & 37 Vict. c. 48. 45 & 46 Vict. c. 74.

(4.) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing, under the hand of any person who is at the time either such Postmaster-General, or a secretary or assistant secretary of the Post Office, or the inspector-general of mails, and any document purporting to be signed by any such person as aforesaid shall, until the contrary is proved, be deemed, without proof of the official character of such person, to have been duly signed as required by this section.

Company shall exercise powers, &c., of promoters of recited Orders.

63. Subject to the provisions of this Act, the Company shall from and after the passing of this Act, exercise and enjoy all the rights, powers, privileges, and authorities given to, and be subject to the duties and obligations imposed upon the respective promoters of the undertakings of the recited orders respectively, so far as such rights, powers, privileges, authorities, and obligations are now subsisting and in force.

Interest not to be paid on calls paid up.

64. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of 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 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.

65. 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

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Company to construct any other tramway or to execute any other work or undertaking.

Saving of certain enactments relating to the corporation of Walsall.

66. Nothing in this Act contained shall lessen, take away, or interfere with the rights and powers of the mayor, aldermen, and burgesses of the borough of Walsall under the Walsall Order of 1880, or under sections 16, 31, 33, and 44 of the Walsall Order of 1882, or under section 8 of the Walsall Order of 1884.

Saving in favour of the Birmingham and Aston Tramways Company Limited and the Birmingham and Midland Tramways Company Limited.

67. Nothing in this Act contained shall in any way enlarge or extend the powers of the Company on or over the respective tramways of the Birmingham and Aston Tramways Company, Limited (herein-after called "the Aston Company"), and of the Birmingham and Midland Tramways Company, Limited (herein-after called "the Midland Company"), and nothing in this Act contained shall in any way prejudice lessen or interfere with the respective powers of the Aston Company and the Midland Company over the tramways hereby vested in the Company, but all such powers may be respectively exercised and enjoyed by the Company, the Aston Company, and the Midland Company to the same extent and manner (but not further or otherwise) as they might have been respectively exercised and enjoyed by the Limited Company, the Aston Company, and the Midland Company if this Act had not been passed.

Tramways not exempt from provisions of general Acts.

68. Nothing herein contained shall be deemed or construed to exempt the tramways from the provisions of any general Act relating to tramways now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by the recited Acts and Orders.

Expenses of Act.

69. 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.

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