CHAP. 114.

An Act to amend the Tramways (Ireland) Acts, 1860 and 1861. [21st August 1871.]

A.D. 1871.

WHEREAS it is expedient to amend "The Tramways (Ireland) "Act, 1860," and "The Tramways (Ireland) Amendment "Act, 1861:"

Be it therefore 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:

Tramways may be worked by mechanical power.

1. Notwithstanding anything contained in "The Tramways "(Ireland) Act, 1860," the grand jury of any county may approve of any application for authority to make and maintain a tramway to be worked by a locomotive engine or other mechanical power, and the Lord Lieutenant may make an Order in Council authorising the making and maintaining of such tramway, subject to such conditions and restrictions as the grand jury or the Lord Lieutenant respectively may think fit to make with respect to the speed at which any train upon such tramway should be moved, or the nature of the traffic to be conveyed on such tramways. The term "grand jury of any county" in this section shall include all and any of the parties or persons mentioned in section thirty-eight of "The Tramways Act, 1860," and thereby declared in the cases therein mentioned to be in the place of the grand jury, and having and being subject to all the like rights, powers, and duties.

Mode of formation of tramway and inspection of same.

2. Every tramway which is hereafter authorised under the authority of this Act, or of the Acts to be read together with this Act, shall be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of any road along or across which the same shall be laid, and no tramway to be worked by a locomotive engine or other mechanical power shall be opened for public traffic until the same has been inspected

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and certified to be fit for such traffic by an engineer to be appointed for such purpose by the Board of Trade; and the Regulation of Railways Acts, 1840–1871, so far as circumstances will admit, and subject to the provisions of this Act, shall apply to every tramway to be worked by a locomotive engine or other mechanical power as if such tramway were a railway; and in the construction of the said Act for the purposes of this Act the term "company" in the said Acts shall include the owner of any such tramway.

Locomotives on tramways.

3. Every locomotive propelled by steam on any tramway in Ireland under the authority of this Act shall be worked according to the following rules and regulations; viz.,

1. The whistle of such locomotive shall not be sounded for any purpose whatever; nor shall the cylinder taps be opened within sight of any person riding, driving, leading, or in charge of a horse upon the road; nor shall the steam be allowed to attain a pressure such as to exceed the limit fixed by the safety-valve, so that no steam shall blow off when the locomotive is upon the tramway:
2. Every person in charge of such locomotive shall provide two efficient lights, to be affixed conspicuously one at each side on the front of the same, between the hours of one hour after sunset and one hour before sunrise.

In the event of a non-compliance with any of the provisions of this section, the owner or owners of the locomotives shall, on summary conviction thereof before two justices, be liable to a penalty not exceeding ten pounds.

Restraint on speed of locomotives on tramways.

4. It shall not be lawful to drive any such locomotive along any such tramway at a greater speed than six miles an hour, or through any city, town, or village at a greater speed than three miles an hour; and any person acting contrary thereto shall for every such offence, on summary conviction thereof, forfeit any sum not exceeding ten pounds.

Recited Acts and this Act to be read together.

5. "The Tramways (Ireland) Act, 1860," and "The Tramways (Ireland) Amendment Act, 1861," as amended by this Act, and this Act, shall be read together as one Act.

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