CHAPTER cv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bootle-cum-Linacre Corporation Tramways, Gravesend, Rosherville, and Northfleet Tramways, Jarrow and Hebburn and District Tramways, Liverpool Corporation Tramways (Extension), Manchester Corporation Tramways, Middlesbrough Tramways (Extensions), North Staffordshire Tramways (Extensions), Rusholme Local Board Tramways, Shipley Tramways, South Gosforth Tramways, South Shields Corporation Tramways, Woolwich and South-east London Tramways, and York Tramways (Extensions). [18th July 1881.] A.D. 1881.

WHEREAS under the authority of the Tramways Act, 1870, the Board of Trade have made the several Provisional Orders set out in the Schedule to this Act annexed: 33 & 34 Vict. c. 78.

And whereas a Provisional Order made by the Board of Trade under the authority of the Tramways Act, 1870, is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act, and set out in the Schedule to this Act annexed, be confirmed by Act of Parliament:

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:

1. This Act may be cited as "The Tramways Orders Confirmation (No. 1) Act, 1881." Short title.

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Confirmation of Orders in Schedule.

2. The several Orders as amended and set out in the Schedule to this Act annexed shall be and the same are hereby confirmed; and all the provisions thereof, in manner and form as they are set out in the said Schedule, shall, from and after the passing of this Act, have full force and validity, and the dates of the same respectively shall be the date of the passing of this Act.

SCHEDULE.

LIST OF ORDERS.

1. BOOTLE-CUM-LINACRE CORPORATION TRAMWAYS.—Order authorising the Mayor, Aldermen, and Burgesses of the borough of Bootle-cum-Linacre to construct tramways in the said borough.
2. GRAVESEND, ROSHERVILLE, AND NORTHFLEET TRAMWAYS.—Order authorising the construction of tramways from Gravesend to Northfleet, in the county of Kent.
3. JARROW AND HEBBURN AND DISTRICT TRAMWAYS.—Order authorising the construction of tramways in the borough of Jarrow and district of Hebburn in the county of Durham.
4. LIVERPOOL CORPORATION TRAMWAYS (EXTENSION).—Order authorising the Mayor, Aldermen, and Citizens of the city of Liverpool to construct certain tramways in the said city.
5. MANCHESTER CORPORATION TRAMWAYS.—Order authorising the Mayor, Aldermen, and Citizens of the city of Manchester, in the county of Lancaster, to construct certain tramways in the said city.
6. MIDDLESBROUGH TRAMWAYS (EXTENSIONS).—Order authorising the construction of tramways in the borough of Middlesbrough and parish of Ormesby, in the North Riding of the county of York.
7. NORTH STAFFORDSHIRE TRAMWAYS (EXTENSIONS).—Order authorising the constructing of tramways in the district of the rural sanitary authority of Stone, the borough of Hanley, the borough of Burslem, the borough of Stoke-upon-Trent, the borough of Newcastle-under-Lyme, the district of the rural sanitary authority of Wolstanton, and the district of the rural sanitary authority of Cheadle, in the parish of Trentham, the township of Blurton, in the parish of Trentham, the township of Normacot, in the parish of Stone, the parish of Stoke-upon-Trent, the parish of Newcastle-under-Lyme, the parish of Wolstanton, the parish of Burslem, in the township of Knutton, in the parish of Wolstanton, and the township of Weston Coyney, in the parish of Caverswall, all in the county of Stafford.

8. Rusholme Local Board Tramways.—Order authorising the Local Board of Health for the district of Rusholme, in the county of Lancaster, to construct certain tramways in the district of the said Local Board.

9. Shipley Tramways.—Order authorising the construction of tramways in the Local Government district or township of Shipley, in the parish of Bradford, in the West Riding of the county of York.

10. South Gosforth Tramways.—Order authorising the construction of Tramways in the district of South Gosforth, in the township of Coxlodge, in the parish of Gosforth, in the county of Northumberland.

11. South Shields Corporation Tramways.—Order authorising the Mayor, Aldermen, and Burgesses of the borough of South Shields to construct tramways in the said borough.

12. Woolwich and South-east London Tramways.—Order authorising the Woolwich and South-east London Tramways Company, Limited, to construct street tramways from Woolwich to Greenwich, in the county of Kent; and amending the Woolwich and Plumstead Tramways Order, 1880.

13. York Tramways (Extensions).—Order authorising the York Tramways Company, Limited, to construct additional tramways in the city and county of the city of York, and in the East Riding of the county of York, and amending the York Tramways Order, 1879.

BOOTLE-CUM-LINACRE CORPORATION TRAMWAYS.

Bootle-cum-Linacre Corporation.

Order authorising the Mayor, Aldermen, and Burgesses of the borough of Bootle-cum-Linacre to construct Tramways in the said borough.

Short title.

1. This Order may be cited as "The Bootle-cum-Linacre Corporation Tramways Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised:

The expression "the Corporation" shall mean the mayor, aldermen, and burgesses of the borough of Bootle-cum-Linacre, in the county of Lancaster, acting by the Council:

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The expression "the borough" shall mean the said borough of Bootle-cum-Linacre:

The expression "the justices," except where otherwise provided, shall mean the justices of the peace for the county palatine of Lancaster;

The term "person" shall include a corporation.

Promoters.

The Promoters.

4. The Corporation shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes; provided that they shall not at any time hold more than two acres of land under the authority of this Order.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order (in this Order referred to as "the deposited plans" and "the deposited sections"), the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith, or for the purposes thereof.

The tramways authorised by this Order are—

Tramway No. 1, partly in double and partly in single line, commencing in Derby Road, at the boundary of the borough and the city of Liverpool, thence passing along Derby Road and Rimrose Road to its termination at the boundary of the borough and the township of Litherland, in Rimrose Road.

The double and single portions of which tramway are as follows:

1A.—A double line, 5 furlongs 6·15 chains in length, commencing at the commencement of Tramway No. 1, thence passing along Derby Road, and terminating in Rimrose Road at a point one chain or thereabouts north of Strand Road.

1B.—A single line, 9·25 chains in length, commencing at the termination of the last portion, and terminating in Rimrose Road at a point 3·10 chains north of Richmond Vale.

1C.—A double line, three chains in length, commencing at the termination of the last portion, and terminating in Rimrose Road at a point 3·80 chains south of Alexandra Terrace.

1D.—A single line, nine chains in length, commencing at the termination of the last portion, and terminating in Rimrose Road at a point one chain north of Sea View Road.

1E.—A double line, three chains in length, commencing at the termination of the last portion, and terminating in Rimrose Road at a point four chains north of Sea View Road.

1F.—A single line, 1 furlong 0·15 chains in length, commencing at the termination of the last portion, and terminating in Rimrose Road at a point 0·25 chains or thereabouts north of Cranworth Street.

1G.—A double line, three chains in length, commencing at the termination of the last portion, and terminating in Rimrose Road at a point 4·80 chains south of Hemer Terrace.

1H.—A single line, 7·75 chains in length, commencing at the termination of the last portion, and terminating in Rimrose Road at a point three chains north of Hemer Terrace.

1I.—A double line, eight chains in length, commencing at the termination of the last portion, and terminating in Rimrose Road at a point 2·15 chains south of the termination of Tramway No. 1.

1J.—A single line, 2·15 chains in length, commencing at the termination of the last portion, and terminating at the termination of Tramway No. 1.

The length of Tramway No. 1 is 1 mile 3 furlongs and 1·40 chains, the total length of the double portions being 7 furlongs 3·15 chains, and the total length of the single portions being 3 furlongs 8·30 chains.

Tramway No. 2, partly in double and partly in single line, commencing in Stanley Road, at the boundary of the borough and the city of Liverpool, passing thence along Stanley Road to its termination at the boundary of the borough and the township of Litherland, in Stanley Road.

The double and single portions of Tramway No. 2 are as follows:

2A.—A double line, seven furlongs five chains in length, commencing at the commencement of Tramway No. 2, and thence passing along and terminating in Stanley Road at a point 0·25 chains south of Marsh Lane.

2B.—A single line, 8·20 chains in length, commencing at the termination of the last portion, and terminating in Stanley Road at a point 1·60 chains north of Hornby Road.

2C.—A double line, three chains in length, commencing at the termination of the last portion, and terminating in Stanley Road at a point 4·60 chains north of Hornby Road.

2D.—A single line, 8·20 chains in length, commencing at the termination of the last portion, and terminating in Stanley Road at a point 3·50 chains south of Lydiate Lane.

2E.—A double line, three chains in length, commencing at the termination of the last portion, and terminating in Stanley Road at a point 0·50 chains south of Lydiate Lane.

2F.—A single line, 1 furlong 0·20 chains in length, commencing at the termination of the last portion, and terminating in Stanley Road at a point two chains south of the termination of Tramway No. 2.

2G.—A double line, two chains in length, commencing at the termination of the last portion, and terminating at the termination of Tramway No. 2.

The length of Tramway No. 2 is 1 mile 2 furlongs and 9·50 chains, the total length of the double portions being 1 mile and 2·90 chains, and the total length of the single portions being 2 furlongs 6·60 chains.

Provided, nevertheless, that the Promoters shall not construct so much of Tramway No. 2 as lies between the point of intersection of Lydiate Lane with

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Stanley Road and the termination of that tramway until Stanley Road be so widened as to make the width of the carriage-way of that road (between the kerbstones) between the points aforesaid not less than twenty-four feet.

Tramway No. 3, partly in double and partly in single line, commencing in Stanley Road by a junction with Tramway No. 2, at a point one chain south of Strand Road, thence passing into and along Strand Road to its termination in Derby Road at a point 0·80 chains south of Strand Road.

The double and single portions of Tramway No. 3 are as follows:

3A.—A double line, 1·20 chains in length, commencing at the commencement of Tramway No. 3, thence passing into and terminating in Strand Road at a point 0·60 chains west of Stanley Road.

3B.—A single line, 6·20 chains in length, commencing at the termination of the last portion, and terminating in Strand Road at a point 0·65 chains east of Virginia Street.

3C.—A double line, three chains in length, commencing at the termination of the last portion, and terminating in Strand Road at a point 2·35 chains west of Virginia Street.

3D.—A single line, 5·30 chains in length, commencing at the termination of the last portion, and terminating in Strand Road at a point 3·40 chains east of Bank Road.

3E.—A double line, three chains in length, commencing at the termination of the last portion, and terminating in Strand Road at a point 0·40 chains east of Bank Road.

3F.—A single line, 4·70 chains in length, commencing at the termination of the last portion, and terminating in Strand Road at a point 4·30 chains west of Bank Road.

3G.—A double line, three chains in length, commencing at the termination of the last portion, and terminating in Strand Road at a point 4·75 chains east of Irlam Road.

3H.—A single line, 4·75 chains in length, commencing at the termination of the last portion, and terminating in Strand Road at Irlam Road.

3I.—A double line, 9·15 chains in length, commencing at the termination of the last portion, and passing thence along Strand Road and into Derby Road, and terminating at the termination of Tramway No. 3.

The length of Tramway No. 3 is 4 furlongs 0·20 chains, the total length of the double portions being 1 furlong 9·35 chains, and the total length of the single portions being 2 furlongs 0·95 chains.

Tramway No. 4.—A single line 1·40 chains in length, commencing in Strand Road by a junction with Tramway No. 3, at a point one chain east of Rimrose Road, passing thence into and terminating in Rimrose Road by a junction with Tramway No. 1 at a point one chain north of Strand Road.

For the protection of the Lancashire and Yorkshire Railway Company.

7. For the protection of the Lancashire and Yorkshire Railway Company the following provisions shall be observed and have effect:

(1.) In constructing the portions of Tramway 3D and 3E the Promoters shall continue and extend Tramway 3D to a point eleven yards westward of its westward termination, as shown on the deposited plans, and shall effect the

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junction with that tramway so extended of Tramway 3E at that point instead of at the point of junction shown upon the said plans:

(2.) If the Promoters, in the construction of the said tramways or either of them, find it necessary to lower the present level of Strand Road, they shall in so doing observe and be bound by the following provisions:

The lowering of the said road, and all the works in connection therewith, shall be executed by and at the expense in all things of the Promoters, but under the superintendence and to the reasonable satisfaction in all respects of the engineer of the said railway company, and according to plans, sections, and specifications previously submitted to and reasonably approved by him in writing; and in executing the said works the Promoters shall not interfere with or injure the bridge, wing walls, abutments, or works of or connected with the said bridge, or with the free, uninterrupted, and safe user of the said railway, or disturb any of the existing lines thereof:

and if by reason of any operation, act, or default of the Promoters the said railway, railway bridge, or works, or any of the lands connected therewith, shall be damaged or injured, or the traffic on such railway impeded or interfered with, the Promoters shall make full compensation to the said railway company for any loss or expense occasioned thereby, and the amount of any such compensation (if any) shall from time to time be settled, in case of difference, in the manner provided by the Lands Clauses Consolidation Act, 1845, with respect to the purchase of lands otherwise than by agreement.

For protection of London and North-western Railway Company.

8. For the protection of the London and North-western Railway Company (in this section referred to as "the Company"), the following provisions shall apply and have effect:

1. In constructing the Tramway No. 1 (portion 1A) across the bridge of the Company over their Bootle Extension Railway the Promoters shall not alter or interfere with the structure of the said bridge or of the approaches thereto, and they shall so construct and maintain the said tramway as not to injuriously affect the stability of the said bridge and approaches; and in the event of any injury being occasioned to the said bridge and approaches, or any part or parts thereof, by the construction of the said tramway on or over the same (whether such injury shall occur either during or after the construction or in effecting the maintenance of the said tramway), or in or by the working or user thereof, the Company may, at the expense of the Promoters, restore the said bridge and approaches, or the part or parts thereof which may be injured, to as good a state and condition as they respectively were in before such injury was occasioned, and the Company may recover from the Promoters any moneys expended by them in restoring the said bridge and approaches, together with full costs and charges, by all and the same means as any simple contract debt is recoverable:

2. In case steam or any mechanical power shall be used on the said tramway laid on the said bridge, and thereupon, or at any time or times thereafter, it shall, in the opinion of the engineers of the Company and of the Promoters, or in case of difference of an engineer appointed by the

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exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the borough that the Promoters have made any such default as aforesaid the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed in respect of offences.

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

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

Additional crossings, &c. may be made where necessary.

14. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways or any of them, or for providing access to any stables, carriage-houses, sheds, or works of the Promoters or their lessees or licensees: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand, addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

15. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is, in the opinion of the Promoters, necessary or expedient temporarily to remove or discontinue the use of such tramway, or any part thereof, the Promoters may construct in the same or any adjacent road, and maintain so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

Application of road materials excavated in construction of works.

16. Any paving, metalling, or material excavated by the Promoters in the construction of any works, under the authority of this Order, from any road under their jurisdiction or control, shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit.

Tramways not to be opened until certified by Board of Trade.

17. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic, in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or an Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

Motive Power.

Carriages may be moved by animal, steam, or mechanical power.

18. The carriages used on the tramways may, subject to the provisions of this Order, be moved by animal power, and during a period of seven years after the opening of the same for public traffic, and with the consent of the Board of Trade 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 steam power or any mechanical power:

Provided always, that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to the regulations set forth in the Schedule A. to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam or any mechanical power on the tramways:

Provided also, that the lessees under any lease granted by the Promoters shall not use steam or any mechanical power on the tramways, or any part thereof, unless they are authorised to do so by special permission in such lease; and the Promoters may, with the consent of the Board of Trade and subject to the provisions of this Order, attach to such special permission such conditions and restrictions as they may think fit.

Penalty for using steam or mechanical power contrary to Order or regulations.

19. The lessees or any person using steam or any mechanical power on any of the tramways, contrary to the provisions of this Order, or to any of the regulations set forth in the Schedule A. to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall for every such offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues: Provided always, that whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the lessees, or any person using steam or any mechanical power on the tramways under the authority of this Order, have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the Schedule A. to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the lessees or such person to cease to exercise the powers aforesaid, and thereupon the lessees or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same, or any of the same, unless with the authority of the Board of Trade, and in every such

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case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws.

20. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to, byelaws with regard to any of the tramways upon which steam or any mechanical power may be used under the authority of this Order, for all or any of the following purposes; that is to say,

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine:

For regulating the emission of smoke or steam from engines used on the tramways:

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened or of impending danger, as the Board of Trade may deem proper for securing safety:

For regulating the entrance to, exit from, and accommodation in the carriages used on the tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages:

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

21. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of the Tramways Act, 1870, as to byelaws by local authority.

22. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the Corporation to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the tramways under the authority of this Order; but the Corporation may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

23. All orders and byelaws made by the Board of Trade under the authority of this Order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade, and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Order.

Traffic upon Tramways.

Traffic upon tramways.

24. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

25. The lessees shall not be bound to carry, unless they think fit, any animals, goods, minerals, or parcels other than passengers luggage not exceeding twenty-eight pounds in weight. Lessees not bound to carry animals, goods, &c.

26. In case the lessees carry animals, goods, minerals, or parcels, they may, and when required by the Corporation shall, carry the same in separate carriages or separate parts of carriages set apart for that purpose; provided that this provision shall not apply to the carriage of passengers luggage. Provisions as to carriage of animals, goods, &c.

27. Only passengers and passengers luggage not exceeding sixty-six pounds in weight, and no animals, goods, minerals, or parcels, shall be conveyed on the tramways between the hours of eight in the morning and eight in the evening, without the previous consent of the Corporation. Heavy traffic between eight a.m. and eight p.m.

28. The Corporation may, at such times and in such manner as they think fit (but subject to the provisions of this Order and to any byelaws for the time being in force with respect to the tramways), use the tramways for sanitary purposes, and for the conveyance of scavenging stuff, road-metal, and other materials required for the works of the Corporation, free of all tolls and charges in respect of such use. Corporation may use tramways for sanitary purposes.

Tolls.

29. The tolls and charges authorised by this Order to be demanded and taken are as follows; viz., Tolls and charges.

For every passenger travelling upon any of the tramways, or any part thereof, any tolls or charges not exceeding one penny per mile (and for this purpose a fraction of a mile beyond an integral number of miles shall be deemed a mile), but for any less distance than two miles any sum not exceeding twopence may be charged:

For all animals, goods, minerals, and parcels conveyed upon the tramways, any tolls or charges not exceeding the tolls and charges specified in the Schedule B. to this Order annexed, subject to the regulations in that behalf therein contained.

Such tolls or charges shall include all tolls and charges which may be demanded and taken for the use of the tramways, carriages, waggons, or trucks, and for motive power, and for every other expense incidental to such conveyance.

30. Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof; all such personal luggage to be carried by hand and at the responsibility of the passenger, and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers. Passengers' luggage.

31. The lessees shall at all times during the continuance of the demise of the tramways run carriages each way every morning in the week and every evening in the week (Sundays, Christmas Day, and Good Friday always excepted), at such hours, not being later than seven in the morning or earlier than five in the evening, as the Promoters think most convenient for artisans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (and for this purpose a fraction of a mile shall be deemed a mile), but Cheap fares for labouring classes.

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the lessees shall not be required to take any toll or charge less than one penny: Provided always, that in case of any complaint made to the Board of Trade as to the number of such carriages, or as to the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time. Every lease to be granted by the Promoters shall imply a condition of re-entry if the lessees, at any time after the expiration of twenty-one days notice requiring them to run carriages at such times and at such tolls or charges as herein-before mentioned, make default in complying with such notice, unless such default be occasioned by unavoidable accident.

Payment of tolls.

32. The tolls and charges by this Order authorised shall be paid to such persons, and at such places upon or near to the tramways, and in such manner and under such regulations as the persons entitled to demand and take such tolls and charges may, by notice to be annexed to the list of tolls and charges, appoint.

Periodical revision of tolls.

33. 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 twenty inhabitant ratepayers of the borough, or by the lessees, 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 on such 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 the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways, or on such portion of the tramways, in such manner as they think fit, and thenceforth such 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 Order authorised.

Opening of Tramways to the Public.

As to user of tramways and tolls thereon when open to be used by the public.

34. Subject to the agreement set out in Schedule C. to this Order annexed, and to any lease or agreement for a lease, the Promoters may from time to time by resolution declare the tramways, or any part thereof, to be open to be used by the public, and for such periods and subject to such conditions and restrictions as to motive power and otherwise as the Promoters may, subject to the provisions of this Order and the approval of the Board of Trade, think fit, and such user may be either concurrently with the lessees or otherwise; and so soon as the Promoters have passed such resolution, and the same has been approved by the Board of Trade by writing signed by a Secretary or an Assistant Secretary of the Board of Trade, any person may use the tramways,

or any part thereof, in accordance with the terms of such resolution and with the provisions of this Order, with carriages having flange wheels or other wheels suitable only to run on the rail of the tramways, and may demand and take for the like purposes for which tolls or charges are authorised to be demanded and taken by this Order any tolls or charges not exceeding the tolls or charges by this Order authorised to be demanded and taken for such purposes.

Tolls if tramways open to be used by the public.

35. If the tramways, or any part thereof, be declared to be open to be used by the public, the Promoters may demand and take from any person so using the tramways, or any part thereof, the following tolls and charges in respect of such user; namely,

For every passenger travelling in or upon any of the carriages of such person any tolls or charges not exceeding one half of the tolls and charges by this Order authorised to be demanded and taken by such person for such passenger;

For any animals, goods, minerals, and parcels conveyed in or upon the carriages of such person, any tolls or charges not exceeding one half of the tolls and charges specified in the Schedule B. to this Order annexed, in respect of such animals, goods, minerals, and parcels so conveyed, subject to the regulations in that behalf therein contained:

and the Promoters may, if they think fit, commute such tolls or charges so that the commuted sum may be as near as possible an equivalent of such tolls or charges.

Servants of the Promoters to ride in carriages, &c. free of charge.

36. Any person so using the tramways or any part thereof declared to be open to be used by the public, and the officers and servants of such person, shall permit any person duly authorised for that purpose by the Promoters to ride free of charge, for the whole or any part of the journey, in or upon each carriage, waggon, truck, or vehicle in or upon which any passengers, animals, goods, minerals, or parcels are conveyed upon the tramways or such part thereof.

Certain provisions of the Tramways Act, 1870, as to licensees extended to persons using the tramways when open to the public.

37. The provisions contained in the following sections of the Tramways Act, 1870; namely,

Section 36. (In default of payment of tolls, licensees carriages may be detained and sold);

Section 37. (Licensees to give account of passengers carried by them);

Section 38. (Licensees not giving account of passengers carried liable to penalty);

Section 39. (Disputes as to amount of tolls to be settled by justices); and

Section 40. (Owners of carriages liable for damages done by their servants);

shall, so far as the same are applicable in this behalf, extend and apply, mutatis mutandis, to the person or persons so using the tramways, or any part thereof declared to be open to be used by the public; and in construing those sections for the purposes aforesaid—

The expression "licensee" or "licensees" shall mean the person or persons so using the tramways or any part thereof;

The expression "passengers" shall include animals, goods, minerals, and parcels;

The expression "number of passengers" shall include the number or quantity (as the case may require) of the animals, goods, minerals, or parcels conveyed; and

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The expression "carriage" shall include any waggon, truck, or vehicle in or upon which such animals, goods, minerals, or parcels are conveyed.

Miscellaneous.

Confirmation of agreement between Corporation and Liverpool United Tramways and Omnibus Company.

38. The agreement made between the Corporation of the one part, and the Liverpool United Tramways and Omnibus Company of the other part, set forth in Schedule C. to this Order, is hereby confirmed and made binding on the parties thereto, and full effect may and shall be given thereto: Provided always, that no lease made in pursuance thereof shall take effect until the same has been approved by the Board of Trade.

Carriages or horses unfit for use may be removed.

39. The Corporation may cause to be removed from the tramways any carriage or horse which is certified by any officer appointed by the Corporation to be unfit for use upon the tramways: Provided that every certificate made by the said officer to the Corporation shall be in writing, and shall state fully the particulars in which, in the opinion of the said officer, the carriage or horse (as the case may be) is unfit for use; and notice of every such certificate, setting forth the particulars contained in the said certificate, shall be served upon the lessee or other person owning or using such carriage or horse prior to any action being taken thereon by the Corporation: Provided further, that if any dispute arise between the Corporation and such person as to the fitness or unfitness of any such carriage or horse, the same shall be settled by two justices of the borough.

Power to enter into agreements with respect to traffic, &c.

40. Any lessees or licensees on the one hand, and any person on the other hand, may, with the consent of the Board of Trade, from time to time, but subject to the provisions of this Order, enter into agreements with respect to the receiving from or forwarding to any such person any passengers, animals, goods, minerals, or parcels, and the fixing, collecting, and apportionment of tolls, charges, rents, or other receipts arising from the tramways, upon such terms and conditions as may be agreed upon between such lessee or licensee and such person, subject, nevertheless, to the control and supervision of the Promoters.

Provisions as to arbitration.

41. Where under the provisions of the Tramways Act, 1870, and this Order any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

42. With respect to notices, and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that is to say,)

(1.) Every notice shall be in writing or print or partly in writing and partly in print, and if given by the Promoters or by any local authority or any road authority shall be signed by their clerk or secretary:

(2.) Any notice to be delivered by or to the Promoters to or by any local authority, or any road authority, or other body, or any company, may be delivered by being left at the principal office of that authority, body, or company, or at the Town Hall in the borough, 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, or to the town clerk at the Town Hall.

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The Corporation may borrow 35,000*l.* to be repaid in 30 years.

43. The Corporation may, under and according to the provisions contained in section twenty of the Tramways Act, 1870, borrow for the purpose of this Order, in addition to any sum or sums of money they are already authorised to borrow, any sum or sums of money not exceeding thirty-five thousand pounds, and the time for which such sum of thirty-five thousand pounds may be borrowed shall be thirty years; and for the purpose of such borrowing the Corporation may include in any mortgage of the local rate the moneys coming to them out of the rents reserved under any lease made under the authority of this Order, and the tolls, charges, and sums authorised to be taken or received by them under the provisions of this Order.

Saving for general Acts.

44. Notwithstanding anything in this Order contained, the Promoters, lessees, and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power by any such general Act as aforesaid.

SCHEDULE A.

Break power of engines.

Every engine used on the tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

As to fittings of engines, &c.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof, and shall be fitted—

With an indicator by means of which the speed shall be shown;

With a suitable fender to push aside obstructions;

With a special bell, whistle, or other apparatus to be sounded as a warning when necessary; and

With a seat for the driver of such engine so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engine shall be concealed from view.

As to carriages.

Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers and for their safe entrance to, exit from, and

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Inspection of engines and carriages.

accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

The Board of Trade shall on the application of the Corporation, and may on complaint made by any person, from time to time inspect any engine or carriage used on the tramways and the machinery therein, and may, whenever they think fit, prohibit the use on the tramways of any such engine or carriage which in their opinion may not be safe for use on the tramways.

As to speed.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through movable facing-points shall not exceed the rate of four miles an hour.

SCHEDULE B.

TOLLS AND CHARGES FOR THE CONVEYANCE OF ANIMALS, GOODS, &c.

Animals.

	Per mile. s.	d.
For every horse, mule, or other beast of draught or burden - -	0	6
For every ox, cow, bull, or head of cattle - - - -	0	6
For every calf, pig, sheep, or other small animal - - -	0	3

Goods and Minerals.

For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fire-clay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton - - - - - -	0	3
For all iron, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fire-clay), and for wrought iron, not otherwise specially classed herein, and for heavy iron castings, including railway chairs, per ton - - - - - - -	0	3
For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton - - -	0	4
For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton - - - - - - - -	0	4
For every carriage, of whatever description, not weighing more than one ton, tenpence, and the additional sum of twopence for every additional quarter of a ton above one ton.		

Single Articles of great Weight.

	Per mile. s.	d.
For the carriage of any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, shall not exceed four tons, per ton - - - - - - -	0	8
For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, exceeds four tons, such sum as the lessees, persons, or person conveying the same may think fit.		

Parcels.

For any parcel not exceeding seven pounds in weight - - -	0	3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight - - - - - - -	0	5
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight - - - - - -	0	7
For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight - - - - - -	0	9
For any parcel exceeding fifty-six pounds in weight, such sum as the lessees, persons, or person conveying the same may think fit:		

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

Regulations as to Tolls.

For a fraction of a mile tolls and charges may be demanded and taken as for a mile.

For a fraction of a ton tolls and charges may be demanded and taken according to the numbers of the quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

SCHEDULE C.

Memorandum of Agreement entered into this eighth day of July one thousand eight hundred and eighty, between the Mayor, Aldermen, and Burgesses of the borough of Bootle-cum-Linacre (herein-after called the Corpo-

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ration) of the one part, and the Liverpool United Tramways and Omnibus Company (herein-after called the Company) of the other part. Whereas the Company are the Promoters of a Bill in the present session of Parliament, intituled, "An Act for carrying into effect an agreement for the transfer by the "Liverpool United Tramways and Omnibus Company of their tramways in "the City of Liverpool to the Corporation of Liverpool, and for the lease of "those tramways to the Company, and for other purposes," and the said Bill has passed the House of Commons, and is now pending in the House of Lords. And whereas the Corporation, while the said Bill was pending in the House of Commons, presented a petition praying to be heard by counsel against the said Bill, and with a view to avoid a parliamentary contest the Company made proposals to the Corporation to the effect contained in this Agreement, and such proposals were accepted by the Corporation, and the parties have determined to enter into these presents for the purpose of declaring the terms of the agreement concluded by such proposals and acceptance.

Now these presents witness, and it is mutually agreed between the Corporation and the Company, as follows:—

1. The Corporation shall apply to the Board of Trade under the provisions of the Tramways Act, 1870, for a Provisional Order for the construction of such tramways in their district as the council of the Corporation may determine upon, and shall use their best endeavours to obtain such Provisional Order, and afterwards to procure the same to be confirmed by Parliament, or (at the option of the Corporation) shall apply to Parliament for and use their best endeavours to obtain an Act to authorise the construction of such tramways.

2. If such provisional order should be obtained and afterwards confirmed, or if such Act should be obtained, the Corporation shall construct the lines to be so authorised, or such of them as may be considered by the Council to be expedient.

3. The Corporation shall, subject to the consent of the Board of Trade being obtained if necessary, and subject to such of the provisions of the Tramways Act, 1870, and of the provisional order or of the Act to be so obtained as may be consistent with these presents, lease the lines to be constructed by them under the powers thereby conferred to the Company, and the Company shall (subject to the consent of the Corporation of Liverpool being obtained, if necessary) accept a lease thereof for twenty-one years, to commence at the expiration of fourteen days after the date on which the said lines shall have been certified by the Board of Trade to be fit for public traffic; such lease shall contain provisions making it obligatory on the Company to run cars (including workmen's cars) at such times, and not exceeding such fares, as are mentioned in a proposed agreement prepared between the Corporation and Company, and confirmed by the Corporation on the fourteenth February one thousand eight hundred and seventy-nine, and shall also contain any other provisions necessary to make the service as convenient and economical to the public as the service would have been if governed by such proposed agreement. In case the parties shall differ as to the terms of such lease, the draft thereof shall be settled by some person to be nominated by the Board of Trade. If,

after one line is constructed, the Corporation shall construct other lines authorised by such provisional order or Act, such other lines when constructed shall also be leased to the Company on the same terms in all respects as shall be contained in the first lease, but the terms of years to be mentioned in such subsequent leases shall be co-extensive, and determine with the term of years to be mentioned in the first lease.

4. The rent to be reserved by such lease or leases shall be nine pounds per cent. upon the cost of construction of the lines leased, including therein all costs incurred by the Corporation of and incidental to obtaining the same Provisional Order and confirming Act, and of completing and carrying out the arrangement intended to be hereby made.

5. The Corporation shall maintain the lines of tramway so to be constructed by them at their own cost.

6. The Corporation are to be empowered to determine the lease on the thirty-first December one thousand eight hundred and ninety-six, by three months notice to that effect, if the lease to the Company of the tramway lines in the borough of Liverpool, which is proposed to be confirmed by the Bill promoted by the Company and so pending as aforesaid, be not renewed for at least five years beyond the said thirty-first December one thousand eight hundred and ninety-six.

7. Within three months after the passing of the Bill so promoted by the Company, and pending as aforesaid in its present or in any modified shape, the Company shall pay to the Corporation all costs incurred by the Corporation in opposing the said Bill so promoted by the Company and pending as aforesaid, and of attending the preparation and execution of these presents.

In witness whereof the said Corporation and the said Company have hereunto caused their respective common seals to be affixed the day and year first before written.

Passed under the common seal of the said Corporation, in the presence of

J. P. M'ARTHUR, Mayor,
THOS. D. PIERCE, Town Clerk.

The Seal of the Mayor, Aldermen, and Burgesses of the borough of Bootle-cum-Linacre.

Passed under the common seal of the said Company, in the presence of

ROBERT NEILSON,
PH. EBERLE.

Seal of Liverpool United Tramways and Omnibus Company.

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Gravesend, &c.

GRAVESEND, ROSHERVILLE, AND NORTHFLEET TRAMWAYS.

Order authorising the construction of Tramways from Gravesend to Northfleet, in the county of Kent.

Short title.

1. This Order may be cited as "The Gravesend, Rosherville, and Northfleet Tramways Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised; and

The term "person" shall include a corporation.

The Promoters.

4. The Gravesend, Rosherville, and Northfleet Tramways Company, Limited, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes; provided that they shall not at any time hold for such purposes more than five acres of land.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order, the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith, or for the purposes thereof, and may work and use the same.

The tramways authorised by this Order are—

Tramway No. 1.—A double line, two chains in length, wholly situate in High Street, Northfleet, commencing at a point seventeen yards east of the entrance gates to Huggens's College, and terminating in that street two chains from the point of commencement herein-before described.

Tramway No. 2.—A single line, one furlong 3·9 chains in length, wholly situate in High Street aforesaid, commencing by a junction with Tramway

No. 1 at its point of termination, and terminating eight chains east of the eastern side of Samaritan Grove:

Provided that Tramway No. 2 shall not be laid opposite any part of the police station in the parish of Northfleet so that a less space than nine feet three inches shall intervene between the curb of the footway and the nearest part of any tram car using the rails of the said tramway.

Tramway No. 3.—A double line, 1·5 chains in length, wholly situate in High Street aforesaid, commencing by a junction with Tramway No. 2 at its point of termination, and terminating 9½ chains east of the eastern side of Samaritan Grove.

Tramway No. 4.—A single line, one furlong 7·6 chains in length, wholly situate in High Street aforesaid, commencing by a junction with Tramway No. 3 at its point of termination, and terminating 1·20 chains east of the eastern side of the entrance to Northfleet Vicarage.

Tramway No. 5.—A double line, two chains in length, commencing by a junction with Tramway No. 4 at its termination, passing through High Street aforesaid and Northfleet Hill, and terminating on that hill at a point 0·80 chains south-east of the eastern boundary of the house known as No. 1, High Street.

Tramway No. 6.—A single line, nine chains in length, wholly situate on Northfleet Hill, commencing by a junction with Tramway No. 5 at its termination, and terminating at a point two chains northward of the northern corner of the Leather Bottle Inn.

Tramway No. 7.—A double line, two chains in length, wholly situate on Northfleet Hill, commencing by a junction with Tramway No. 6 at its termination, and terminating in a line with the northern side of the Leather Bottle Inn.

Tramway No. 8.—A single line, two furlongs 0·7 chains in length, wholly situate in London Road, Northfleet, commencing by a junction with Tramway No. 7 at its termination, and terminating at a point two chains west of the eastern fence of Rathbale House.

Tramway No. 9.—A double line, two chains in length, wholly situate in London Road aforesaid, commencing by a junction with Tramway No. 8 at its termination, and terminating at a point in a line with the eastern fence of Rathbale House.

Tramway No. 10.—A single line, two furlongs 3·2 chains in length, wholly situate in London Road aforesaid, commencing by a junction with Tramway No. 9 at its termination, and terminating in a line with the eastern side of the Tower entrance to Rosherville Gardens.

Tramway No. 11.—A double line, two chains in length, situate wholly in the London Road aforesaid, commencing by a junction with Tramway No. 10 at its termination, and terminating two chains east of the eastern side of the Tower entrance to Rosherville Gardens.

Tramway No. 12.—A single line, one furlong five chains in length, wholly situate in the London Road aforesaid, commencing by a junction with Tramway No. 11 at its termination, and terminating in a line with the western side of Pier Road.

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Tramway No. 13.—A double line, two chains in length, wholly situate in the London Road aforesaid, commencing by a junction with Tramway No. 12 at its termination, and terminating two chains eastward of the western side of Pier Road.

Tramway No. 14.—A single line, one furlong 8·1 chains in length, wholly situate in London Road, Gravesend, commencing by a junction with Tramway No. 13 at its termination, and terminating at a point 14·30 chains west of the south-west corner of Bath Street.

Tramway No. 15.—A double line, two chains in length, wholly situate in the London Road, Gravesend, commencing by a junction with Tramway No. 14 at its termination, and terminating 12·30 chains west of the south-west corner of Bath Street.

Tramway No. 16.—A single line, two furlongs in length, commencing in the London Road, Gravesend, by a junction with Tramway No. 15 at its termination, thence passing along that road in an easterly direction into and along the New Road, and terminating at a point three chains west of the south-west corner of Princes Street.

Tramway No. 17.—A double line, two chains in length, situate wholly in the New Road aforesaid, commencing by a junction with Tramway No. 16 at its termination, and terminating one chain west of the south-west corner of Princes Street.

Tramway No. 18.—A single line, two furlongs 2·6 chains in length, commencing in the New Road aforesaid by a junction with Tramway No. 17 at its termination, and passing in an easterly direction along that road into and along King Street and Milton Road, and terminating in the last-mentioned road at a point one chain east of the north-east corner of Peacock Street.

Tramway No. 19.—A double line, two chains in length, situate wholly in Milton Road, commencing by a junction with Tramway No. 18 at its termination, and terminating at a point half a chain east of the north-east corner of Wellington Street.

Tramway No. 20.—A single line, one furlong 7·1 chains in length, situate wholly in Milton Road, commencing by a junction with Tramway No. 19 at its termination, and terminating at a point two chains west of the south-west corner of Brunswick Road.

Tramway No. 21.—A double line, two chains in length, situate wholly in Milton Road, commencing by a junction with Tramway No. 20 at its termination, and terminating opposite the south-west corner of Brunswick Road.

The herein-before described tramways will pass from, through, or into or be situated in the parishes, townships, and extra-parochial places of Northfleet, Rosherville, Gravesend, and Milton-next-Gravesend, or some of them, all in the county of Kent.

Distance between double lines.

7. Notwithstanding anything in this Order contained, the double line of tramway by this Order authorised shall be laid so that the centre lines of each

such double line of tramway shall be three feet four inches and half an inch from the imaginary centre line of the road.

Gauge of tramways.

8. The tramways shall be constructed on a gauge of three feet and six inches: Provided always, that so much of section thirty-four of the Tramways Act, 1870, as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of the carriage shall not apply to carriages used on the tramways, but no carriage used on the tramways shall exceed five feet six inches in width.

Further provisions as to construction of tramways.

9. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters 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 such tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such 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 twenty-six of the said Act.

Promoters to pave part of road with granite.

10. The Promoters, subject to the preceding provisions of this Order, shall and they are hereby required to pave throughout the whole length of the tramways with granite sets of a depth of at least six inches, or with such other material as the road authorities of the districts in which the same are laid may approve of, and well grouted, both that part of the road which is between the rails of the tramways, and also that part of the road which is next the outer side of each of the rails, for a width of eighteen inches at least; and where in any part of a street or road there is a space of less width between the outside of the footpath on either side of the street or road and the nearest rail of the tramway than five feet, the Promoters shall and they are hereby required to pave the whole of such space throughout the whole of that part of the street or road from footpath to footpath with granite sets of a thickness of not less than six inches, and well grouted, or with such other material as the road authority of the district in which such tramway is laid may approve of, and well grouted.

As to rails of tramways.

11. 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 road authority of any district in which the tramways or any part of the tramways are or is situated, require the Promoters to adopt and apply such improvements in the tramways within such district, 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 Promoters shall, with all reasonable despatch, comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

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Gravesend, &c. Penalty for not maintaining rails and road in good condition.

12. The Promoters shall at all times maintain to the satisfaction of the road authority, and keep in good condition and repair, and so as not to be a danger or annoyance to the ordinary traffic, the rails of which any of the tramways for the time being consist and the substructure upon which the same rest, and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues; and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which 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 such district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed with respect to offences.

Further powers as to maintenance of tramways.

13. If the Promoters as to any portion of the tramways fail to comply with the provisions of section twenty-eight of the Tramways Act, 1870, or to maintain in good repair any of the rails of which the tramways for the time being consist, or the substructure on which they rest, and so as not to be a danger or annoyance to the ordinary traffic, the road authority of the district in which the said portion is situate may, after giving to the Promoters forty-eight hours notice in that behalf (and without prejudice to any other remedy), execute and do all works necessary for such maintenance and repair and for such restoration, as in the said section twenty-eight of the Tramways Act, 1870, or in this Order is mentioned, and may recover the costs, charges, and expenses of so doing from the Promoters, with full costs of suit, as a simple contract debt.

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

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

Tramways to be kept on a level with surface of road.

15. If any road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Promoters 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.

Additional crossings, &c. may be made where necessary.

16. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways, or any of them, or for providing access to any stables or carriage-houses, sheds, or works of the Promoters, subject to the approval of the road authority: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand, addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

17. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is, in the opinion of the road authority, necessary or expedient temporarily to remove or discontinue the use of such tramway, or any part thereof, the Promoters may, subject to such conditions and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and, with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

If any difference arises between the Promoters and any road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or temporary tramways under the authority of this section, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Application of road materials excavated in construction of Promoters works.

18. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority may be applied by the Promoters, so far as may be necessary, in or towards the reinstating of such road, and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway of such road on either side of such tramways as the Promoters are by this Order required to maintain; and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person or persons as he may appoint to receive the same: Provided that if, within seven days after notice in writing to the road authority that the surplus of such paving, metalling, or material is ready for removal, such surplus is not removed by the said surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority or surveyor or other person with reference to

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any of the matters aforesaid shall be determined in manner provided by the Tramways Act, 1870, with respect to all differences between the Promoters and any road authority.

Period for completion of tramways.

19. The prescribed period within which the tramways shall be completed and opened for public traffic shall be eighteen months from the date of the passing of the Act confirming this Order, or nine months from the date when the Promoters first open or break up any road for the purpose of constructing the tramways, whichever period shall first expire.

Tramways not to be opened until certified by Board of Trade.

20. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or an Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

Traffic upon Tramways.

Traffic upon tramways.

21. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Promoters not bound to carry goods.

22. The Promoters shall not be bound to carry, unless they think fit, any animals, goods, minerals, or parcels, other than passengers luggage, not exceeding twenty-eight pounds in weight.

Provision as to carriage of animals, goods, &c. in separate carriages.

23. In case the Promoters carry animals, goods, minerals, or parcels, they may, and when required by any local authority shall, convey the same in separate carriages, or separate parts of carriages, set apart for that purpose: Provided that this provision shall not apply to the carriage of passengers luggage.

Traffic on Sundays, &c.

24. Cars shall not be run on any Sunday, Good Friday, or Christmas Day past any church or other place of worship during the hours of Divine Service beyond a walking pace. In case of any car being run in contravention of the aforesaid provisions, the drivers shall be liable to a penalty not exceeding forty shillings for each offence, to be recovered summarily.

Power to local authority to suspend traffic on tramways.

25. The local authority of any district in which any of the tramways are laid shall have power at any time, and from time to time, by giving twenty-four hours previous notice in writing to the Promoters, to absolutely stop, delay, or suspend the working of the tramways in any of the roads within such district for regulating and facilitating traffic on any public occasion, procession, or demonstration, or for the execution of any works by such local authority, or for any purpose which they may, in the exercise of their powers for the good government of their district, or the safety of the public, deem necessary, such stoppage, delay, or suspension to continue only as long as may be reasonably necessary for the purposes aforesaid or any of them; and the Promoters shall not be entitled to claim, nor shall such local authority be liable to pay, any compensation or damages in respect thereof.

Tolls.

Tolls for passengers.

26. The Promoters may demand and take for every passenger travelling upon any of the tramways or any part thereof, including tolls and charges for

the use of the tramways and of carriages and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile (and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile); but the Promoters may charge for any distance less than two miles any sum not exceeding twopence.

Passengers luggage.

27. Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof, all such personal luggage to be carried at the responsibility of the passenger and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

28. The Promoters, 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 at least two carriages each way every morning in the week and every evening in the week (Sundays, Christmas Day, and Good Friday always excepted), at such hours, not being later than half-past seven in the morning or earlier than five in the evening respectively, as the Promoters think most convenient for artisans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (the Promoters, nevertheless, not being required to take any fare less than one penny), and the Promoters shall be liable to a penalty not exceeding one pound for every day except as aforesaid on which they do not run such number of carriages as aforesaid in accordance with the provisions of this section: Provided always, that the Promoters shall not be liable to any such penalty if the failure to run such number of carriages as aforesaid arises from circumstances over which the Promoters have no control; provided also, that in case of any complaint made to the Board of Trade of the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time.

Tolls for animals, goods, &c.

29. The Promoters may demand and take in respect of any animals, goods, minerals, or parcels conveyed by them on the tramways, except as is by this Order specially provided, including the tolls and charges for the use of the tramways, and for waggons or trucks, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding the tolls and charges specified in the schedule to this Order annexed, subject to the regulations therein contained.

Payment of tolls.

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

Periodical revision of tolls.

31. 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 such portion of the tramways are or is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Promoters, that under the

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circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramways or on such 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 the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit, and thenceforth such 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 Order authorised.

Miscellaneous.

Cleansing of tramway and road.

32. The local authority may cleanse any road without reference to the tramways, but whatever cleansing owing to snow or other matter impeding the traffic is requisite for the proper working of the tramways shall be executed by the Promoters, who shall, in performing the same, remove the snow or other matter from off the centre of the road into the channel at the side thereof; any dirt or other material or thing removed by the Promoters, their officers, or servants from the grooves of the tram rails shall not be allowed to remain on the road, but shall be at once taken away by the Promoters under a penalty of not exceeding forty shillings for every default.

Provisions as to arbitration.

33. Where under the provisions of the Tramways Act, 1870, and this Order, any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

34. With respect to notices, and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that is to say,)

(1.) Every notice shall be in writing or print or partly in writing and partly in print, and if given by the Promoters or by any local authority or any road authority shall be signed by their secretary or clerk.

(2.) Any notice to be delivered by or to the Promoters to or by any local authority, or any road 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 Promoters, 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.

Agreements between Promoters and road authorities.

35. The Promoters and any road authority may, subject to the provisions of this Order, from time to time enter into any agreements with respect to the construction, 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 of the traffic over the same.

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Approval of Board of Trade to sale, &c. in writing.

36. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing signed by a Secretary or an Assistant Secretary of the said Board.

Saving as to powers of borrowing on mortgage.

37. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or the approval of the Board of Trade necessary to the validity or effect of any such mortgage: Provided that every mortgage of the undertaking shall be deemed to comprise all purchase-money which may be paid to the Promoters in the event of a compulsory sale of the undertaking, or any part thereof, to the local authority under section forty-three of the Tramways Act, 1870, and that every mortgage deed granted by the Promoters shall be endorsed with notice that such mortgage will not be a charge upon the undertaking, or any part thereof, in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act, 1870.

Saving for general Acts.

38. Notwithstanding anything in this Order contained, the Promoters and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power, by any such general Act as aforesaid.

SCHEDULE.

Tolls and Charges for Animals, Goods, &c.

		Per mile. s.	d.
Animals.			
For every horse, mule, or other beast of draught or burden	per head	0	6
For every ox, cow, bull, or head of cattle - - -	„	0	6
For every calf, pig, sheep, or other small animal - -	„	0	3
Goods and Minerals.			
For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fire-clay, cinders, dung, compost, and all sorts of manure and all undressed materials for the repair of public roads or highways - - - - - -	per ton	0	3
For all iron, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and			

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		Per mile. s.	d.
Gravesend, &c.	clay (except fire-clay), and for wrought iron not otherwise specially classed herein, and for heavy iron castings, including railway chairs - - - - - - per ton	0	4
For	all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings - - - per ton	0	6
For	cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things per ton	0	6
For	every carriage, of whatever description - - - each	1	0

Small Parcels.

		Any distance. s.	d.
For	every parcel not exceeding seven pounds in weight - - each	0	3
For	any parcel exceeding seven pounds and not exceeding fourteen pounds in weight - - - - - - each	0	5
For	any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight - - - - - each	0	7
For	any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight - - - - - each	0	9
For	any parcel exceeding fifty-six pounds in weight such sums as the Promoters may think fit:		

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the Carriage of Single Articles of great Weight.

		s.	d.
For	the carriage of any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weights of which, including the carriage, exceed four tons, but do not exceed eight tons, such sum as the Promoters may think fit, not exceeding - - - per ton per mile	2	0
For	the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, exceeds eight tons, such sum as the Promoters may think fit.		

Regulations as to Tolls.

A fraction of a mile beyond an integral number of miles shall be deemed a mile.

For a fraction of a ton the Promoters may demand and take tolls and charges according to the number of the quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beach, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

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JARROW AND HEBBURN AND DISTRICT TRAMWAYS.

Jarrow and Hebburn and District.

Order authorising the construction of tramways in the borough of Jarrow and district of Hebburn, in the county of Durham.

Short Title.

1. This Order may for all purposes be cited as "The Jarrow and Hebburn and District Tramways Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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) and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expression "the borough" shall mean the borough of Jarrow in the county of Durham.

The expression "the Corporation" shall mean the mayor, aldermen, and burgesses of the borough acting by the Council.

The expression "the Local Board" shall mean the Local Board of Health for the Hebburn District in the county of Durham; and

The term "person" shall include a corporation.

Promoters.

The Promoters.

4. Charles Tennant, Esquire, M.P., of Saint Rollox, Glasgow, Andrew Leslie of Hebburn Newcastle-on-Tyne, and James Tennant of Percy Gardens, Tynemouth, and the survivors and survivor of them, and the executors or administrators of such survivor, their or his assigns, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may by agreement from time to time purchase and take on lease and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided that they shall not at any time hold for such purposes more than five acres of land.

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Construction of tramways.

Construction of Tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order and in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order as the same have been amended previous to the passing of the Act confirming this Order (in this Order referred to as "the deposited plans" and "the deposited sections") except as is herein-after provided, the tramways herein-after described, with all proper rails, plates, offices, weighbridges, stables, carriage-houses, warehouses, works, engine sheds, and conveniences connected therewith, or for the purposes thereof, and may work and use the same.

The tramways authorised by this Order are —

Tramway No. 1, commencing in the South Shields Road at the northern extremity of the approach to the bridge over the River Don at a point 100 yards northward from the springing of the north side of the northernmost arch of the said bridge and proceeding in a north and westerly direction into and along the South Shields Road, Cuthbert Terrace, High Street, Monkton Road, Grange Road, Ellison Street, Western Road, into and along a new road proposed to be made partly in the borough of Jarrow, and partly in the district of the Hebburn Local Board, and commencing near the west end of Western Road, and proceeding in a westerly direction until it joins the east end of Argyle Street, in the district of Hebburn, into and along Argyle Street, thence turning in a southern direction into and along Prince Consort Road to and terminating at a point in the centre of the said road opposite the south-east corner of Tennant Street.

Tramway No. 1 shall be laid as a single line, except at the following places, where it shall be laid as a double line of tramways; (that is to say,)

No. 1 (*a*). In South Shields Road from the commencement of Tramway No. 1, as above described, to a point 3·1 chains north of the said commencement;

No. 1 (*b*). In South Shields Road from a point 15 yards east of the north-west corner of Saint Paul's Churchyard to a point 33½ yards north-west of the said corner of the said churchyard;

No. 1 (*c*). In South Shields Road and High Street from a point 32 yards south-east of the south-east corner of Cuthbert Terrace to a point opposite the south-west corner of Cuthbert Terrace;

No. 1 (*d*). In High Street from a point 6 chains west of the south-west corner of Cuthbert Terrace to a point 9 chains west of the said corner of Cuthbert Terrace;

No. 1. (*e*). In High Street from a point 37 yards south-west of the north-west corner of Don Street to a point 301 yards south-west of the said corner of Don Street;

No. 1 (*f*). In High Street and Monkton Road from a point 23 yards north-east of the intersection of the centre lines of Monkton Road and High Street to a point opposite the north-east corner of Chapel Street;

No. 1 (*g*). In Monkton Road and Grange Road from a point 27 yards south of the north-west corner of Monkton Road and Grange Road to a point 23 yards east of the north-east corner of Caledonian Road;

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No. 1 (*h*). In Grange Road and Ellison Street from a point 30 yards east of the intersection of the centre lines of Grange Road and Ellison Street to a point opposite the south-east corner of St. James' Place;

No. 1 (*i*). In Ellison Street and Western Road from a point 30 yards south of the intersection of the centre lines of Ellison Street and Western Road to a point 26 yards west of the said intersection;

No. 1 (*j*). In Western Road from a point opposite the north-west corner of McIntyre Street to a point opposite the north-west corner of Wear Street;

No. 1 (*k*). In Western Road from a point opposite the north-west corner of Berkley Street to a point 3 chains west thereof;

No. 1 (*l*). In Western Road and the proposed new road from Western Road to Argyle Street from a point 7 chains 3 yards west of the intersection of the centre lines of Western Road and Berkley Street to a point 1 furlong 8 chains and 3 yards west of the said intersection;

No. 1 (*m*). In the proposed new road from the Western Road to Argyle Street from a point 23 yards west of the north-west corner of the schools in Colliery Square to a point 96 yards west of the said north-west corner;

No. 1 (*n*). In the proposed new road from Western Road to Argyle Street, from a point 3 chains 25 yards east of the centre of the Bede Metal Company's Railway to a point 25 yards east of the centre of the said Railway;

No. 1 (*o*). In Prince Consort Road from a point 85 yards south of the south-west corner of Argyle Street to a point 5 chains 17 yards south of the said corner of Argyle Street;

No. 1 (*p*). In Prince Consort Road from a point 3 chains north of the north-east corner of Tennant Street to a point opposite the north-east corner of Tennant Street.

The total length of Tramway No. 1 is 2 miles 6 furlongs 2·2 chains, consisting of 2 miles 1 furlong 7·1 chains of single line, and 4 furlongs 5·1 chains of double line.

Tramway No. 2, commencing on a new bridge proposed to be erected over the river Don, in continuation of the private carriage road running along the west boundary wall of Saint Paul's Churchyard (the centre of the proposed bridge to be at a point distant 2 chains 12 yards measured in a straight line in a south-east direction from the south-west corner of Saint Paul's Churchyard) at the point of the intersection thereon of the boundary line between the boroughs of South Shields and Jarrow with the said proposed bridge, and proceeding in a northern direction into and along the private road now existing along the west boundary of Saint Paul's Churchyard, and terminating by a junction with Tramway No. 1 at a point in South Shields Road 18 yards north-west of the north-west corner of Saint Paul's Churchyard.

Tramway No. 2 shall be laid as a single line except at the following place, where it shall be laid as a double line of tramways; (that is to say,)

No. 2 (*a*). In the private road existing along the west boundary of Saint Paul's Churchyard and South Shields Road from a point 18 yards south

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of the north-west corner of Saint Paul's Churchyard to a point 16 yards north-west of the said corner of Saint Paul's Churchyard.

The total length of Tramway No. 2 is 7 chains, consisting of 5·6 chains of single line and 1·4 chains of double line.

Tramway No. 3, commencing by a junction with Tramway No. 1 at a point in South Shields Road 21 yards south-east of the south-east corner of Cuthbert Terrace, and proceeding in a northern direction into and along a new street proposed to be made in continuation of Queen's Road, thence turning westward along the said proposed new street into and along Queen's Road and Grange Road to and terminating by a junction with Tramway No. 1 at a point in Grange Road 13 yards west of the intersection of the centre lines of Grange Road and Monkton Road.

Tramway No. 3 shall be laid as a single line except at the following places, where it shall be laid as a double line of tramways; (that is to say,)

No. 3 (*a*). In South Shields Road and the proposed street in continuation of Queen's Road from a point coinciding with the commencement of Tramway No. 3 to a point 1·8 chains north of the said commencement;

No. 3 (*b*). In the proposed street in continuation of Queen's Road from a point 145 yards north of the south-east corner of the houses in Cuthbert Terrace to a point 67 yards east of the centre of the Jarrow ballast crane waggon-way;

No. 3 (*c*). In Queen's Road from a point 3·1 chains east of the north-east corner of Knight Street to a point opposite the north-east corner of Knight Street;

No. 3 (*d*). In Queen's Road from a point 17 yards west of the north-west corner of Duke Street to a point 27 yards west of the north-west corner of Dogbank Row;

No. 3 (*e*). In Queen's Road and Grange Road from a point 27 yards east of the north-east corner of Staple Row to a point 16 yards west of the north-west corner of Staple Row;

No. 3 (*f*). In Grange Road from a point 16 yards east of the north-east corner of Monkton Road to a point coinciding with the termination of Tramway No. 3.

The total length of Tramway No. 3 is 5 furlongs 1·6 chains, consisting of 3 furlongs 7·2 chains of single line, and 1 furlong 4·4 chains of double line.

Tramway No. 4 (being a portion of Tramway No. 4 described on the deposited plans) commencing by a junction with Tramway No. 1 in Western Road at a point 7 chains 7 yards west of the north-west corner of Berkley Street, and proceeding in a north and west direction along Western Road and Blackett Street, and terminating in Blackett Street by a junction with Tramway No. 6 at its commencement.

Tramway No. 4 shall be laid as a single line except at the following places, where it shall be laid as a double line of tramways; (that is to say,)

No. 4 (*a*). In Western Road from the commencement of Tramway No. 4 as above described to a point 3 chains north-west of the said commencement of Tramway No. 4;

No. 4 (*b*). In Blackett Street from a point 15 yards west of the centre line of John Bowes and Company's Railways to a point 3 chains west of the said centre line of the said Railways.

The total length of Tramway No. 4 is 1 furlong 1 chain, consisting of 5·6 chains of single line, and 5·4 chains of double line.

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Tramway No. 5, a single line 2 furlongs 4·6 chains in length, commencing in the proposed new road between Jarrow and Hebburn by a junction with Tramway No. 1 at a point 3 chains 18 yards west of the centre line of the Tyne Coal Company's Railway, thence branching off in a north-westerly direction into and along a new branch road to be made in continuation eastward of Carr Street, and joining the proposed new road between Jarrow and Hebburn, thence proceeding westward along the said new branch road to and terminating by a junction with Tramway No. 5A next herein-after described at a point in the said new branch road 5 chains 19 yards east of the south-east corner of Carr Street.

Tramway No. 5A (being a portion of Tramway No. 4 described on the deposited plans), a single line 2 furlongs 9·9 chains in length commencing at the said termination of Tramway No. 5, and proceeding thence to and along Carr Street, Prince Consort Road, and terminating by a junction with Tramway No. 1 at a point in Prince Consort Road 5 yards south of the south-west corner of Argyle Street.

Tramway No. 6, commencing by a junction with Tramway No. 4 at a point in Blackett Street 3 chains west of the centre line of the railway of John Bowes and Company, and proceeding thence into and along a proposed new road or branch street from Blackett Street, to the said proposed road from Western Road to Argyle Street, and terminating by a junction with Tramway No. 1 at a point in the last-mentioned proposed road 1 furlong and 8 chains west of the intersection of the centre lines of Berkley Street and Western Road.

Tramway No. 6 shall be laid as a single line except at the following places, where it shall be laid as a double line of tramways; (that is to say,)

No. 6 (*a*). In the proposed new road from Jarrow to Hebburn, and the proposed new branch street from the said proposed new road to Blackett Street from a point 1 furlong 8 chains west of the intersection of the centre lines of Berkley Street and Western Road, to a point 4 chains 16 yards north of the south-east corner of the proposed new branch street;

No. 6 (*b*). In the proposed new branch street from the proposed road from Jarrow to Hebburn to Blackett Street, and in Blackett Street from a point 1 chain 4 yards south of the north-east corner of the proposed new branch street to a point in Blackett Street 3 yards east of the north-east corner of the said new branch street.

The total length of Tramway No. 6 will be 8 chains, consisting of 3·6 chains of single line and 4·4 chains of double line.

As to construction of Tramway No. 1 in South Shields Road and Cuthbert Terrace.

7. The Promoters shall, as to so much of Tramway No. 1 as is situate in the South Shields Road and Cuthbert Terrace, construct and maintain the same on that side of the road and terrace on which there is no footway.

For protection of the North-eastern Railway Company.

8. In constructing Tramway No. 1 across the North-eastern Railway, near the Hebburn Station thereon, the Promoters shall not alter or interfere with the structure of the bridge which carries the road over that railway, or of the

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approaches thereto, and they shall construct and maintain the said tramway on the said road over the said bridge, and approaches under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the North-Eastern Railway Company, and in accordance with plans and sections previously submitted to and approved of by him, and so as not to injuriously affect the said bridge or approaches; and in the event of any injury being occasioned to the said bridge or approaches, or any part or parts thereof respectively, by the construction of the said tramway on or over the same (whether such injury occur either during or after constructing, or in effecting the maintenance of the said tramway) the said company may, at the expense of the Promoters, restore the said bridge and approaches, or the part or parts thereof which may be injured, to as good a state and condition as they were in before such injury was occasioned, and the Promoters shall recoup to and indemnify the said company against all sums, costs, and expenses which they may pay or be put to in restoring the said bridge and approaches in manner aforesaid, and in maintaining and repairing (in case of default by the Promoters) so much of the road over the said bridge and approaches as the Promoters are liable to maintain and repair under section twenty-eight of the Tramways Act, 1870, and the said railway company may recover from the Promoters all such sums, costs, and expenses, together with full costs and charges by all and the same means as any simple contract debt may be recovered.

As to the level crossing at Palmer's shipbuilding yard.

9. As to the level crossing of the railway of Palmer's Shipbuilding Company, Limited, in Western Road (in this section referred to as "the Company"), the following provisions shall have effect; that is to say,

1. The Promoters shall lay down the tramway rails to intersect and cross the railway of the Company, according to such plans and sections and in such reasonable manner as may be approved and directed by the engineer or surveyor of the Company; and if at any time hereafter the Company shall require gates or fencing to be put up at the said crossing to stretch across the said railway and shut off the crossing by tramcars during the time the said railway at that locality shall be in use or about to be used by standing or passing trains or waggons of the Company, the Promoters shall at any time thereafter upon request put up such gates or fencing as the Company shall deem reasonable and expedient; and in case of default after the expiration of ten days after notice requiring the same the Company shall be empowered to put up and erect such gates and fencing and charge the costs thereof to the Promoters: Provided always, that the Company shall not at any time be liable for any accidental damage to any tramcars, horses, or engines of the Promoters through collision with any engines or wagons of the Company.
2. If at any time the Company cease to employ a proper person to regulate the traffic of the Company, and of the Promoters at the said level crossing, and to open and shut any gates placed across the said railway, the Promoters shall employ and pay a proper person for that purpose.
3. If at any time the said road be so altered as to pass under or over the said railway, the Promoters shall at their own cost remove the portion of the tramways which so crosses the said railway, and construct and maintain the said portion in and along the said altered road.

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10. For the protection of the Justices of the Peace for the county of Durham, the following provisions shall have effect; that is to say,

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For the protection of the Justices of the Peace for the county of Durham.

1. Notwithstanding anything shown on the deposited plans the Promoters shall not lay down, construct, or maintain any tramway or work on the existing Bridge over the River Don, or the approaches thereto.
2. Any additional expense incurred in the repairing and maintaining of any part of any main road consequent on the laying down, constructing, maintaining or using of any of the tramways in, along, or across such road, and payable out of the county rate shall be repaid to the said Justices by the Promoters in relief of the county rate.
3. If any damage be occasioned to any bridge, roadway, or footway repairable by the said Justices, or to any of the fences, walls, buttresses, retaining walls, supports, culverts or drains thereof respectively, by any car, engine, carriage, or other vehicle of the Promoters, or by reason of the construction or user of the tramways, or the repairing or relaying of the sub-structure or rails thereof, the Promoters shall, at their own expense, repair or make good any such damage under the superintendence and to the reasonable satisfaction of the surveyor of county bridges for the county of Durham, and the reasonable cost of such superintendence shall be paid by the Promoters.
4. If within forty-eight hours after notice in writing in that behalf to the Promoters under the hand of the said surveyor, the Promoters shall not have commenced to repair and make good such damage, or if having so commenced they do not diligently proceed with such repairing and making good so as to complete the same with all reasonable despatch, the said surveyor may at the cost of the Promoters execute and do all such works and things as may be reasonably necessary to repair and make good such damage.

For the protection of John Bowes, Esquire and partners, &c.

11. With respect to the crossing on the level of any railway or waggonway of or reputed to belong to, or occupied by John Bowes, Sir William Hutt, and Charles Mark Palmer, trading together as John Bowes, Esquire, and partners, the following provisions shall have effect; that is to say,

1. Wherever any tramway by this Order authorised shall cross on the level any such railway or waggonway, the Promoters shall so lay down, construct, and maintain such tramway as to cause no damage or injury to such railway or waggonway, and shall from time to time and at all times keep every such level crossing in good order and condition, and shall so use such tramway as to cause no interruption or impediment to the traffic of the said John Bowes, Esquire, and partners, or other the persons or person for the time being owners, lessees, or occupiers of such railway or waggonway, or their use of the same, and particularly but without prejudice to the generality of this Provision the promoters or other persons using such tramway shall not cross or attempt to cross such railway or waggonway while any engine or waggons is or are passing or about to pass over the same, at or near to any such crossing, or while the engine plane or other self-acting or inclined plane or ropes of such railway or waggonway is or are in motion at or near to such crossing.

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2. If the Promoters at any time negligently cause any interruption or impediment to the traffic of the said John Bowes, Esquire, and partners, or such other persons or person as aforesaid contrary to the before-mentioned requirements, they shall pay to the said John Bowes, Esquire, and partners, or such other persons or person as aforesaid, the sum of one hundred pounds for every day during which such interruption or impediment shall continue, or the said John Bowes, Esquire, and partners, or such other persons or person as aforesaid, shall at their option be at liberty to take up and remove the rails of the tramways across the railway and on either side thereof for a distance of twenty feet.

3. If such default shall consist in the Promoters not keeping the places of intersection in good order and condition, the said John Bowes, Esquire, and partners, or such other persons or person as aforesaid, shall be at liberty to make good the same, and recover the reasonable expense of so doing from the Promoters.

4. If any rails of the tramways shall be taken up and removed as aforesaid, they shall not be relaid across such railway or waggonway, or any part thereof, without the previous consent in writing of the said John Bowes, Esquire and partners, or other the persons or person aforesaid.

5. The Promoters shall, on the thirtieth day of June in every year, pay to the said John Bowes, Esquire, and partners, or such other persons or person as aforesaid, one third part of the reasonable cost of employing any watchman whom the said John Bowes Esquire, and partners, or such other persons or person as aforesaid may consider it necessary to employ, exclusively as a watchman in order to regulate the traffic at such level crossing.

6. All moneys payable by the Promoters under this section may be recovered by all and the same means as any simple contract debt may be recovered.

For the protection of the Tyne Coal Company.

12. Wherever any tramway authorised by this Order is intended to intersect or cross any railway or waggonway of or belonging to the Tyne Coal Company, Limited (in this section referred to as "the Company"), the Promoters shall so lay down, construct, and maintain the same as to cause no damage or injury to such railway or waggonway, and shall from time to time and at all times keep the crossing or place of intersection in good order and condition, and shall so use such tramway as to cause no interruption or impediment to the traffic of the Company on such railway or waggonway or their use of the same, and particularly and without prejudice to the generality of this provision shall not cross or attempt to cross such railway or waggonway while any engines or waggons are passing or about to pass over the same at or near to the place or places of intersection; and the Promoters shall at their own costs and charges, at the crossing shown on the deposited plans where Tramway No. 1 intersects the railway of the Company connecting their C. Pit with the line of the North-eastern Railway Company, keep a signalman for the purpose of facilitating the traffic and avoiding accidents, and for the efficient discharge of whose duties the Promoters alone shall be answerable: Provided that if it should be hereafter found expedient by the Promoters to make and construct a subway under the said railway, the Promoters may make and construct such subway at their own

costs and in such manner as not to damage the said railway of the Company or obstruct or unreasonably interfere with the traffic on the said railway.

For the protection of the Bede Metal and Chemical Company, Limited.

13. With respect to the crossing on the level of any railway or waggonway of or reputed to belong to or occupied by the Bede Metal and Chemical Company, Limited, the following provisions shall have effect; (that is to say,)

1. Wherever any tramway by this Order authorised shall cross on the level any such railway or waggonway, the Promoters shall so construct and maintain such tramway as to cause no damage or injury to such railway or waggonway, and shall from time to time and at all times keep every such level crossing in good order and condition, and shall so use such tramway as to cause no interruption or impediment to the traffic of the said Company, or other the persons or person for the time being owners, lessees, or occupiers of such railway or waggonway or their use of the same; and particularly, but without prejudice to the generality of this provision, the Promoters or other persons using such tramway shall not cross or attempt to cross such railway or waggonway while any engine or waggon is passing or about to pass over the same at or near to any such crossing.
2. If the Promoters at any time negligently cause any interruption or impediment to the traffic of the said Company or such other persons or person as aforesaid contrary to the before-mentioned requirements, they shall pay to the said Company or such other persons or person as aforesaid the sum of one hundred pounds for every day during which such interruption or impediment shall continue; or the said Company or such other persons or person as aforesaid shall at their option be at liberty to take up and remove the rails of the tramways across the railway and on either side thereof for a distance of twenty feet.
3. If such default shall consist in the Promoters not keeping the places of intersection in good order and condition the said Company or such other persons or person as aforesaid shall be at liberty to make good the same and recover the reasonable expense of so doing from the Promoters.
4. If any rails of the tramway shall be taken up and removed as aforesaid, they shall not be relaid across such railway or waggonway or any part thereof without the previous consent in writing of the said Company or such other persons or person as aforesaid.
5. All moneys payable by the Promoters under this section may be recovered by all and the same means as any simple contract debt may be recovered.

If the Promoters at any time deem it expedient to carry the tramway under the said railway by means of a tunnel or subway, they shall be at liberty to do so: Provided always, that such tunnel or subway be so made, constructed, and maintained by the Promoters at their own cost, and so as not to cause any damage or injury to the said railway, or any obstruction, interruption, or impediment to the traffic of the said Company or such other persons or person as aforesaid thereon or their use of the same.

For the protection of Ellison's trustees.

14. For the protection of Ralph Carr Ellison and John Ralph Carr Ellison, the trustees of the will of Cuthbert George Ellison, and the trustees for the

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time being of the said will (all of whom are in this section referred to as "the trustees"), the following provisions shall be in force and have effect:

The trustees may require the Promoters to deviate their lines, either laterally or vertically, at their own expense, at any time or times hereafter for any purpose connected with the development of the estate of the trustees in and near the township of Hebburn, herein called the Hebburn estate where such lines are laid upon any part of the Hebburn estate.

The trustees may lay, make, and maintain water and gas pipes, sewers, railways, waggonways, and roads and works connected therewith, under, over, along, or on a level with the tramways on the Hebburn estate.

The tram line for Tramways Nos. 1 and 5 must be approved by the engineer of the trustees.

The Promoters must fence on the request of the trustees both sides of the Tramways Nos. 1 and 5 where they pass through parts of the Hebburn estate not yet laid out as roads, and maintain such fences to the satisfaction of the trustees or their agents.

The Promoters shall pay all persons entitled to compensation in respect of or incidental to any of their operations on the Hebburn estate, and indemnify the trustees from all claims in respect thereof.

The Promoters shall submit to the engineer of the trustees for approval the method of laying down their permanent way, and shall not lay such way upon any part of the Hebburn estate otherwise than in manner approved of by him.

A lease shall be granted to the Promoters of the land required for the tramways for forty years at an annual rent of one shilling a year.

The Promoters shall run all risks of damage by mining operations, and have no claim for compensation against the trustees in respect thereof.

For the protection of Mrs. Drewett, &c.

15. For the protection of Isabella Drewett, her heirs, sequels in estate, and assigns, all of whom are included where in this section her name is used, the following provisions shall have effect; that is to say,

1. Notwithstanding anything shown on the deposited plans, the Jarrow ballast crane waggonway may be taken over the Tramway No. 3 on the level if the said Isabella Drewett by writing under her hand so require.
2. The height of the said new bridge to be erected for the purpose of carrying Tramway No. 2 over the River Don shall be not less than eight feet in the centre of the stream and six feet at the sides above high-water mark, and the arch of the said bridge shall extend for the full width of the water-way.
3. The Promoters shall, on the request of the said Isabella Drewett, fence both sides of the Tramways Nos. 2 and 3, and shall construct and maintain such fences to the reasonable satisfaction of the said Isabella Drewett.
4. The Promoters shall, at the request of the said Isabella Drewett, construct and from time to time alter and maintain all such gates and stiles in, through, and over the said fences as may be reasonably required by the said Isabella Drewett, and shall construct and maintain gates across the said bridge sufficient for the purpose of preventing the road over the said bridge being used as a public road.

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5. The said Isabella Drewett, for the purpose of constructing such waggon ways, to from, or over any portion of her lands or premises traversed by the Tramways Nos. 2 and 3 or either of them, as may from time to time be necessary for the purposes of such lands or premises, may, at her own cost, construct such waggonways or tramways so as to cross such tramways or tramway or either of them on the level at such point or points as she may think fit.

   All such level crossings shall be constructed under the superintendence and to the reasonable satisfaction of the engineer of the Promoters.

6. The Promoters shall (subject to the provisions herein-after contained) on the completion of Tramway No. 2, pay to the said Isabella Drewett the sum of one thousand pounds as compensation for all loss or injury that may accrue to her by reason of the construction of the said tramway.

7. The Promoters shall from time to time make such arrangements as to the traffic on Tramway No. 3 with reference to the crossing of the said ballast crane waggonway as the said Isabella Drewett may from time to time, by notice in writing to the Promoters, reasonably require.

8. The Promoters shall at their own expense pull down all the buildings and walls in front of the hall grounds through which Tramway No. 3 will pass, and shall at their own expense rebuild the same in a substantial and workmanlike manner, to the reasonable satisfaction of the said Isabella Drewett, and at such place or places as the said Isabella Drewett shall require.

9. No engine or carriage of the Promoters shall cross the said ballast crane waggonway while any waggons are on the incline of the said waggonway, and approaching the said level crossing firstly in this section mentioned.

10. The Promoters shall have a right of way in, to, over, and upon the lands of the said Isabella Drewett, but nothing in this section contained shall be construed to confer any right in or to the soil of the said lands upon the Promoters.

11. In constructing Tramways Nos. 2 and 3, the Promoters shall, so far as is practicable, construct the same on the existing surface of the soil, and they shall not at any time alter the surface of the soil without the consent in writing of the said Isabella Drewett.

12. The said Isabella Drewett shall be at liberty to convert the lands upon which Tramways Nos. 2 and 3 are to be constructed into a public road repairable by the inhabitants at large, and from and after such conversion of the same all the provisions of this Order with respect to the duties and liabilities of the Promoters with respect to public roads shall apply to the Promoters with respect to such lands so converted as aforesaid.

13. The said Isabella Drewett may at all times previous to the commencement of any works of the Promoters for the purpose of the construction of Tramways Nos. 2 and 3 or either of them in, over, or upon any lands or premises of the said Isabella Drewett, use such lands or premises for any purposes and in any manner that she may reasonably think fit.

14. In the event of the Promoters abandoning the portion of the tramways authorised to be constructed in High Street and Monkton Road, and

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laying down Tramway No. 3, the compensation herein-before prescribed to be made by the Promoters to the said Isabella Drewett in respect of the construction of Tramway No. 2, shall for all purposes be taken and deemed to be one peppercorn only.

Gauge of tramways.

16. The tramways shall be constructed on a gauge of four feet eight and a half inches, or such other gauge not being less than three feet, as the Board of Trade may approve.

Provisions as to construction of tramways.

17. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters 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 such tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade, and after such approval the works shall be executed in accordance in all respects with such 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 twenty-six of the said Act.

Mode of formation of tramways.

18. 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 road authority of any district in which the tramways or any portion thereof are or is situate, require the Promoters 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 Promoters shall with all reasonable despatch comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

19. The Promoters 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 which any of the tramways for the time being consist, and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which 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 inhabitants, ratepayers of such district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of

the Tramways Act, 1870, and if the Board of Trade certify under the hand of a Secretary or Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed in respect of offences.

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

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

Tramways to be kept on a level with surface of road.

21. If any road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Promoters 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.

Additional crossings, &c. may be made where necessary.

22. The Promoters may, subject to the approval of the road authority, from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways or any of them, or for providing access to any stables, carriage-houses, engine-houses, sheds, or works of the Promoters, or to the works or premises of private individuals desiring the same, provided such works or premises abut on the road on which the tramway is laid: Provided also, that in the construction of any such works no rail shall be so laid that a less space than ten feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

23. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is in the opinion of the road authority necessary or expedient temporarily to remove or discontinue the use of such tramways or any part thereof, the Promoters may, subject to such conditions and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and with the like consent, subject to the like conditions, and in accordance with the like regulations maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

If any difference arise between the Promoters and any road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or temporary tramways under the authority of this section, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

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Application of road materials excavated in construction of promoters works.

24. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority, may be applied by the Promoters so far as may be necessary in or towards the reinstating of such road, and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway of such road on either side of such tramways as the Promoters are by this Order required to maintain, and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required, to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person or persons as he may appoint to receive the same: Provided, that if within seven days after notice in writing to the road authority that the surplus of such paving, metalling, or material is ready for removal, such surplus is not removed by the said surveyor or by some other person or persons named by him for that purpose, such surplus, paving, metalling, or material shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority, 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 all differences between the Promoters and any road authority.

Tramways not to be opened until certified by Board of Trade.

25. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have by an Order signed by a Secretary or an Assistant Secretary of the said Board authorised the same to be opened for such traffic.

Motive Power.

Carriages on tramways may be moved by animal, steam, or mechanical power.

26. The carriages used on the tramways may, subject to the provisions of this Order be moved by animal power, and during a period of seven years after the opening of the same for public traffic, and with the consent of the Board of Trade 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 steam power or any mechanical power:

Provided always, that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to the regulations set forth in the Schedule A. to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may, and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam or any mechanical power on the tramways.

Penalty for using steam or mechanical power contrary to order or regulations.

27. The Promoters or any person using steam or any mechanical power on any of the tramways contrary to the provisions of this Order, or to any of the regulations set forth in the Schedule A. to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall for every such

offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence a further penalty not exceeding five pounds for every day after the first during which such offence continues: Provided always, that whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the Promoters or any person using steam or any mechanical power on the tramways under the authority of this Order have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the Schedule A. to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the Promoters or such person to cease to exercise the powers aforesaid, and thereupon the Promoters or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same, or any of the same, unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws.

28. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to byelaws with regard to all or any of the tramways upon which steam or any mechanical power may be used under the authority of this Order, for all or any of the following purposes; that is to say,

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine:

For regulating the emission of smoke or steam from engines used on the tramways:

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened, or of impending danger, as the Board of Trade may deem proper for securing safety:

For regulating the entrance to, exit from, and accommodation in the carriages used on the tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages:

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

29. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of the Tramways Act, 1870, as to byelaws by local authority.

30. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramways, shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Order or by any regulation made by the Board of Trade under the authority of this Order at which engines or carriages are to be driven or propelled on the tramways under the authority of this Order; but the local authority may, if they

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think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

31. All orders and byelaws made by the Board of Trade under the authority of this Order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade, and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Order.

As to contracts with road authorities where steam or mechanical power is to be used.

32. Where the Promoters or any person intend or intends to use steam or any mechanical power under the authority of this Order on the tramways, or any part thereof, they or he shall give two months previous notice of such intention to every road authority within whose district the tramways, or any part thereof, upon which they or he intend or intends to use such power are or is situated.

Where at the time of the giving of any such notice any contract, agreement, or arrangement is in force with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, then and in every such case, with the consent of the Board of Trade, it shall be lawful for the Promoters or such person by such notice, or for such road authority, by notice to be served upon the Promoters or such person, not later than forty days after the receipt by such road authority of such first-mentioned notice, to determine such contract, agreement, or arrangement, and thereupon such contract, agreement, or arrangement shall, from and after the commencement of the use of steam or any mechanical power upon such tramways, or such part thereof, be determined and of no effect.

Before using steam or any mechanical power on the tramways, or any part thereof, and thereafter from time to time, the Promoters or such person, and every such road authority, may enter into or renew, with or without modification, any contract, agreement, or arrangement with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, which they may think fit and the Board of Trade may approve.

In case any difference arises between any such road authority and the Promoters or such person as to the determination of any such contract, agreement, or arrangement, or in case any such road authority, after request in writing by the Promoters or such person, or the Promoters or such person after request in writing by any such road authority, during a period of one month after such request, refuse or fail to enter into any such contract, agreement, or arrangement, or to renew the same with or without modification, or to make a new contract instead thereof, or in case of any difference as to the terms of any such contract, agreement, or arrangement, or any renewal thereof, with or without modification, or any new contract instead thereof, then and in every such case the difference with respect to such determination, or the reason-

ableness of such refusal or failure, or the terms of such contract, agreement, or arrangement, or any renewal thereof, with or without modification, or any new contract instead thereof, shall from time to time, on the appeal of either of the parties to the Board of Trade, be determined in manner provided by the Tramways Act, 1870, with respect to all differences between the Promoters and any road authority, and thereupon the parties shall in all respects conform to such determination, and make and observe any contract, agreement, or arrangement thereby prescribed: Provided always, that while any such appeal is pending the Board of Trade may order that no steam or mechanical power shall be used on the tramways to which such appeal relates.

No steam or mechanical power shall be used on the tramways or any portion of the tramways unless there is in force, in relation to the tramways or such portion of the tramways, a contract, agreement, or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by such road authority under any contract, agreement, or arrangement in accordance with the provisions of this section shall be applied by them towards the expenses of repairing, improving, and maintaining the highways within their district, having regard in the first instance to the requirements of the roads upon which the tramways are laid.

Where steam or mechanical power is used contract with road authority not to be for longer than two years at a time.

33. Where steam or any mechanical power is used by the Promoters or any person on the tramways, or any part thereof, no contract, agreement, or arrangement made before or after the commencement of the use of steam or mechanical power as aforesaid with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of any road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, shall continue in force for any period exceeding two years at any one time after the commencement of the use of steam or mechanical power as aforesaid, or the making of such contract, agreement, or arrangement: Provided always, that any such contract, agreement, or arrangement may from time to time be renewed with or without modification, or a new contract, agreement, or arrangement may be made instead thereof.

Traffic upon Tramways.

Traffic upon tramways.

34. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Promoters not bound to carry animals, goods, &c.

35. The Promoters shall not, except as by this Order otherwise provided, be bound to carry, unless they think fit, any animals, goods, minerals, or parcels other than passengers luggage not exceeding twenty-eight pounds in weight, or than small parcels not exceeding fifty-six pounds in weight.

Corporation, &c. may require Promoters to carry goods.

36. If at any time after the opening of the tramways or any of them or any part thereof for public traffic, the Corporation or the Local Board by notice require the Promoters to arrange for and conduct a separate service for the transmission of animals, goods, minerals, or parcels other than passengers luggage, exceeding twenty-eight pounds in weight, within the borough or within

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the district of the Local Board, the Promoters shall within three months after receipt of such notice arrange for such service upon the terms of payment of tolls and charges in respect of such animals, goods, minerals, or parcels, not exceeding the tolls and charges by this Order authorised, but such service shall not be required to exceed two journeys in each direction over the whole length of the tramways on each day (Sundays, Christmas Day, and Good Friday always excepted), and in the event of any difference arising between the Corporation or the Local Board and the Promoters in respect thereof, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Limitation as to size of trucks and goods.

37. Nothing in this Order shall be construed to oblige the Promoters to provide for the conveyance of animals, goods, minerals, or parcels in trucks, or to carry goods of greater length or width than fifteen feet in length or seven feet in width.

Tolls.

Tolls.

38. The Promoters may demand and take for every passenger travelling upon any of the tramways, or any part thereof, including tolls and charges for the use of the tramways and of carriages, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile (and for this purpose the fraction of a mile beyond any integral number of miles shall be deemed a mile) but the Promoters may charge for any less distance than two miles any sum not exceeding two pence.

Passengers luggage.

39. Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof; but all such personal luggage shall be carried by hand and at the responsibility of the passenger, and not to occupy any part of a seat, nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

40. The Promoters, 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 at least two carriages each way every morning in the week and every evening in the week (Sundays, Christmas Day, and Good Friday always excepted), at such hours, not being later than seven in the morning or earlier than six in the evening respectively, as the Promoters think most convenient for artizans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (the Promoters nevertheless not being required to take any fare less than one penny): Provided that in case of any complaint made to the Board of Trade of the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time.

Tolls for animals, goods, &c.

41. The Promoters may demand and take in respect of any animals, goods, minerals, or parcels conveyed by them on the tramways, except as is by this Order specially provided, including the tolls and charges for the use of the tramways and for waggons and trucks, and for motive power and every other expense incidental to such conveyance, any tolls or charges not exceeding the tolls and charges specified in the Schedule B. to this Order annexed, subject to

the regulations in that behalf therein contained, and may charge such reasonable rates as they may think fit in respect of services performed by them in relation to such animals, goods, minerals, or parcels beyond the conveyance thereof on the tramways.

Payment of tolls.

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

Periodical revision of tolls.

43. 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 such portion of the tramways are or is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Promoters, 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 on such 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 the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing, altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit, and thenceforth such 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 Order authorised.

Miscellaneous.

Provisions as to arbitration.

44. Where, under the provisions of the Tramways Act, 1870, and this Order, any matter in 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 in every such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

45. With respect to notices, and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that is to say,)

(1.) Every notice shall be in writing or print, or partly in writing and partly in print, and if given by the Promoters or any local authority or any road authority, shall be signed by their secretary or clerk:

(2.) Any notice to be delivered by or to the Promoters to or by any local authority, or any road authority or other body, or any company, may be delivered by being left at the principal office of such authority, body, or company, or of the Promoters, as the case may be, or by

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being sent by post in a registered letter addressed to their respective clerk or secretary at such principal office.

Agreements between Promoters and road authorities.

46. The Promoters and any road authority may, subject to the provisions of this Order, from time to time enter into any agreements with respect to the construction, 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 of the traffic over the same.

Power to agree as to making streets along which tramways will be laid.

47. The Promoters may enter into and fulfil contracts and agreements with the owner of any land forming the site or part of the site of any street along or over which any tramway or part of a tramway by this Order authorised may be laid, and with the local authority within whose jurisdiction such street will be, or with such owner or local authority for the laying out, forming, making, and completing of any such street or part of a street.

Railway trucks may run over tramways.

48. If at any time after the opening of the tramways or any of them, or any part thereof for public traffic, it is required to run ordinary railway trucks over such tramways or any part thereof, the Promoters shall, subject to the provisions of this Order and section twenty-five of the Tramways Act, 1870, as to the manner in which the rails shall be laid, and to the regulations existing or future of the Board of Trade allow such trucks to be run over the said tramways: Provided that the tolls and charges for the conveyance of animals, goods, minerals, and parcels in such manner may exceed the tolls and charges recited in Schedule B. by twenty-five per centum, and provided that all traffic in such ordinary railway trucks as aforesaid shall be otherwise subject to such reasonable restrictions and regulations as the Promoters and Local Authority may from time to time make and the Board of Trade may approve.

Approval of Board of Trade to sale, &c. in writing.

49. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing, signed by a Secretary or an Assistant Secretary of the said Board.

Saving as to powers of borrowing on mortgage.

50. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage: Provided that every mortgage of the undertaking shall be deemed to comprise all purchase-money which may be paid to the Promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section forty-three of the Tramways Act, 1870, and that every mortgage deed granted by the Promoters shall be endorsed with notice that such mortgage will not be a charge upon the undertaking or any part thereof in the event of the undertaking, or such part being purchased by the Local Authority under section forty-three of the Tramways Act, 1870.

Saving for general Acts.

51. Notwithstanding anything in this Order contained the Promoters and any persons using the tramways shall be subject and liable to the provisions of any General Act now in force, or which may hereafter be passed during this or any future session of Parliament relating to tramways, or by which any tax or

duty may be granted or imposed for or in respect of tramways, or the passengers or traffic conveyed thereon, and to any future revision or alteration under the authority of Parliament of the maximum rates of tolls and charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power by any such General Act as aforesaid.

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SCHEDULE A.

Every engine used on the tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine, and any carriage drawn or propelled by such engine, to a stand, as the Board of Trade may from time to time think sufficient. Break power of engines.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof, and shall be fitted— As to fittings of engines, &c.

With an indicator by means of which the speed shall be shown;

With a suitable fender to push aside obstructions;

With a special bell, whistle, or other apparatus, to be sounded as a warning when necessary; and

With a seat for the driver of such engine, so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engine shall be concealed from view.

Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage. As to carriages.

The Board of Trade shall on the application of the local authority, and may on complaint made by any person, from time to time inspect any engine or carriage used on the tramways and the machinery therein, and may, whenever they think fit, prohibit the use on the tramways of any such engine or carriage which, in their opinion, may not be safe for use on the tramways. Inspection of engines and carriages.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour. As to speed.

The speed at which engines and carriages may pass through moveable facing-points shall not exceed the rate of four miles an hour.

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SCHEDULE B.

Tolls and Charges for Animals, Goods, &c.

Animals.

	Per mile. s.	d.
For every horse, mule, or other beast of draught or burden - -	0	3
For every ox, cow, bull, or head of cattle - - -	0	3
For calves, pig, sheep, and small animals, per head - - -	0	2

Goods and Minerals.

For all coal, culm, cannel, limestone, chalk, lime, slate, clay, ironstone, undressed or scabbled stones for building, pitching and paving slag, stone, salt, sand, cinders, and all undressed materials for the repair of public roads, per ton - - - - - -	0	3
For all iron, pig iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, wrought iron, not otherwise specially classed herein, and for heavy iron castings, (including railway chairs,) tiles, bricks, coke, charcoal, dung, manure, and compost, per ton -	0	4
For all timber or wood, per ton - - - - -	0	3
For all sugar, grain, corn, flour, hides, dyewoods, earthenware, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton - - - - -	0	5
For all cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton -	0	6
For every carriage, of whatever description - - - -	1	0

Small Parcels.

For any parcel not exceeding in weight seven pounds - -	0	3
For any parcel exceeding seven and not exceeding fourteen pounds in weight - - - - - - -	0	5
For any parcel exceeding fourteen but not exceeding twenty-eight pounds in weight - - - - -	0	7
For any parcel exceeding twenty-eight but not exceeding fifty-six pounds in weight - - - - - - -	0	9
For any parcel exceeding fifty-six and not exceeding five hundred pounds in weight, the Promoters, under the provisions of this Order, may demand and take any sum they think proper.		

Single Articles of Great Weight.

For any boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, exceeds four tons but does not exceed eight tons, per ton - - - - - - - -	3	0
For any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, exceeds eight tons, the Promoters may demand such sum as they think fit.		

Regulations as to Tolls. A.D. 1881.

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In respect of tolls and charges for animals, goods, and minerals conveyed upon the tramways, the Promoters may demand and take for any less distance than three miles tolls and charges as for three miles.

For a fraction of a mile beyond three miles or beyond any greater number of miles, the Promoters may demand and take tolls and charges for animals, goods, and minerals for such fraction in proportion to the number of quarters of a mile contained therein; and if there be a fraction of a quarter of a mile, such fraction shall be deemed a quarter of a mile.

For a fraction of a ton the Promoters may demand and take tolls and charges according to the numbers of quarters of a ton in such fraction; and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity: Provided always, that articles sent in large aggregate quantities although made up of separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but such term shall apply only to single parcels in separate packages.

LIVERPOOL CORPORATION TRAMWAYS (EXTENSION).

Liverpool Corporation Tramways (Extension).

Order authorising the Mayor, Aldermen, and Citizens of the city of Liverpool to construct certain Tramways in the said city.

Short title.

1. This Order may be cited as "The Liverpool Corporation Tramways (Extension) Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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) and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expression "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised:

The expression "the Corporation" shall mean the mayor, aldermen, and citizens of the city of Liverpool, in the county of Lancaster.

The expression "the City" shall mean the said city of Liverpool.

The term "person" shall include a corporation.

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Liverpool Corporation Tramways (Extension).

Promoters.

4. The Corporation acting by the Council shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

The Promoters. Lands by agreement.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes; provided that they shall not at any time hold for such purposes more than five acres of land under the authority of this Order.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order (in this Order referred to as "the deposited plans" and "the deposited sections") the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith or for the purposes thereof.

The tramways authorised by this Order are—

Tramway No. 1, commencing in London Road, in the parish and city of Liverpool, opposite the west side of the north end of Saint Vincent Street, by a junction with Tramway No. 1 authorised by the Liverpool Corporation Tramways Order, 1879, and passing along Norton Street, Saint Anne Street, and Cazneau Street, and terminating in Scotland Road, opposite the south side of the east end of Hornby Street, by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, in the parish and city of Liverpool.

Tramway No. 1A, commencing in London Road, in the parish and city of Liverpool, by a junction with Tramway No. 1A authorised by the Liverpool Corporation Tramways Order, 1879, opposite the west side of the north end of Saint Vincent Street, and curving to the south end of Norton Street, and terminating in Norton Street by a junction with Tramway No. 1, at a point nine lineal yards north of the north side of London Road, in the parish and city of Liverpool.

The total length of Tramway No. 1A is 1·5 chains.

Tramway No. 1B, commencing in Norton Street, in the parish and city of Liverpool, by a junction with Tramway No. 1, at a point twenty-three lineal yards south of the south side of Blandford Street, and terminating in Norton Street by a junction with Tramway No. 1, sixteen lineal yards north of the north side of Blandford Street, in the parish and city of Liverpool.

The total length of Tramway No. 1B is 2·4 chains.

Tramway No. 1C, commencing in Saint Anne Street, in the parish and city of Liverpool, by a junction with Tramway No. 1, at a point five lineal yards north of the south side of Wilton Street, and terminating in Saint Anne Street by a junction with Tramway No. 1, at a point four lineal yards north of the south side of Springfield, in the parish and city of Liverpool.

The total length of Tramway No. 1C is 2·5 chains.

Tramway No. 1D, commencing in Saint Anne Street, in the parish and city of Liverpool, by a junction with Tramway No. 1, at a point thirty-two lineal yards north of the north side of Queen Anne Street, and terminating in Saint Anne Street by a junction with Tramway No. 1, at a point thirteen lineal yards south of the south side of Mansfield Street, in the parish and city of Liverpool.

The total length of Tramway No. 1D is 2·5 chains.

Tramway No. 1E, commencing in Saint Anne Street, in the parish and city of Liverpool, by a junction with Tramway No. 1, at a point six lineal yards south of the south side of Upper Birkett Street, passing along Saint Anne Street and Cazneau Street, and terminating in Scotland Road, opposite the south side of the west end of Dryden Street, by a junction with Tramway No. 3A, constructed under the Liverpool Tramways Act, 1868, in the parish and city of Liverpool.

The total length of Tramway No. 1E is 3 furlongs 6 chains.

The total length of Tramway No. 1 is 6 furlongs 4·2 chains, the total length of the double portions (which are formed by Tramway No. 1, with 1A, 1B, 1C, 1D, and 1E respectively) being 4 furlongs 4·9 chains, and the total length of single line being 1 furlong 9·3 chains.

Tramway No. 2, commencing in Scotland Road, in the parish and city of Liverpool, by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, at a point eight lineal yards south of the south side of Taliesin Street, and passing along Scotland Road and Stanley Road, and terminating in Stanley Road at the city boundary, at a point about fifteen lineal yards north of the north side of Wolsey Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

Tramway No. 2A, commencing in Scotland Road, in the parish and city of Liverpool, by a junction with Tramway No. 3A, constructed under the Liverpool Tramways Act, 1868, at a point eight lineal yards south of the south side of Taliesin Street, and passing along Scotland Road and Stanley Road, and terminating in Stanley Road at the city boundary, at a point about fourteen lineal yards north of the north side of Rosalind Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 2 is 1 mile 1 furlong 7·8 chains, which, with 1A, forms a double line throughout.

Tramway No. 3, commencing in Stanley Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 2, at a point three lineal yards south of the south side of Lambeth Road, and passing along Lambeth Road, Sandhills Lane, and Derby Road to the city boundary, and terminating in Derby Road, at a point sixteen lineal yards north of the north side of Ensor Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

Tramway No. 3A, commencing in Stanley Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 2A at a point three lineal yards south of the

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south side of Lambeth Road and curving westerly, and terminating in Lambeth Road by a junction with Tramway No. 3, at a point five lineal yards west of the west side of Stanley Road in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 3A is 1·2 chains.

Tramway No. 3B, commencing in Lambeth Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 3, at a point eighty-four lineal yards west of the west side of Stanley Road, and terminating in Lambeth Road, by a junction with Tramway No. 3, at a point ninety-three lineal yards east of the east side of Commercial Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 3B is 2·6 chains.

Tramway No. 3C, commencing in Lambeth Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 3, at a point twelve lineal yards east of the east side of Commercial Road, crossing Commercial Road to the east end of Sandhills Lane, passing along Sandhills Lane and Derby Road, and terminating in Derby Road by a junction with Tramway No. 3, at a point nineteen lineal yards north of the north side of Sandhills Lane, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 3C is 2 furlongs 6·3 chains.

Tramway No. 3D, commencing in Derby Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 3, at a point one hundred and ninety-three lineal yards north of the north side of Sandhills Lane, passing along Derby Road, and terminating in Derby Road, at the city boundary, at a point sixteen lineal yards north of the north side of Ensor Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 3D is 4 furlongs 7·1 chains.

The total length of Tramway No. 3 is 1 mile 1 furlong 2·7 chains, the total length of the double portions (which are formed by Tramway No. 3 with 3A, 3B, 3C, and 3D respectively) being 7 furlongs 7·2 chains and the total length of single line being 1 furlong 5·5 chains.

Tramway No. 3E, commencing in Commercial Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 4, at a point three lineal yards north of the south side of Aspinall Street, and curving westerly to the east end of Sandhills Lane, and terminating in Sandhills Lane by a junction with Tramway No. 3, at a point sixteen lineal yards west of the west side of Commercial Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

Tramway No. 3F, commencing in Commercial Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No 4C, at a point three lineal yards north

of the south side of Aspinall Street, and curving westerly to the east end of Sandhills Lane, and terminating in Sandhills Lane, by a junction with Tramway No. 3C, at a point sixteen lineal yards west of the west side of Commercial Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 3E is 2 chains, which, with 3F, forms a double line throughout.

Tramway No. 4, commencing in Dale Street, in the parish and city of Liverpool, by a junction with Tramway No. 1, constructed under the Liverpool Tramways Act, 1868, at a point about five lineal yards west of the west side of Preston Street, curving into the south end of Hatton Garden, passing along Hatton Garden into Vauxhall Road and Commercial Road, and terminating in Stanley Road by a junction with Tramway No. 2, at a point opposite the west side of the north end of Commercial Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

Tramway No. 4A, commencing in Dale Street, in the parish and city of Liverpool, by a junction with Tramway No. 1, constructed under the Liverpool Tramways Act, 1868, at a point about three lineal yards east of the east side of Moorfields, curving into and passing along Moorfields and Tithebarn Street, and terminating in Vauxhall Road by a junction with Tramway No. 4, at a point seven lineal yards north of the north side of Tithebarn Street, in the parish and city of Liverpool.

The total length of Tramway No. 4A is 2 furlongs 2 chains, and is a single line throughout.

Tramway No. 4B, commencing in Vauxhall Road, in the parish and city of Liverpool, by a junction with Tramway No. 4, at a point five lineal yards north of the south side of Pickop Street, and terminating in Vauxhall Road by a junction with Tramway No. 4, at a point four lineal yards south of the north side of Marlborough Street, in the parish and city of Liverpool.

The total length of Tramway No. 4B is 2 chains.

Tramway No. 4C, commencing in Vauxhall Road, in the parish and city of Liverpool, by a junction with Tramway No. 4, opposite the south side of Banastre Street, passing along Vauxhall Road and Commercial Road, and terminating in Stanley Road by a junction with Tramway No. 2A, at a point opposite the west side of the north end of Commercial Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 4C is 1 mile 4 furlongs 3·4 chains.

The total length of Tramway No. 4 is 1 mile 6 furlongs 7·5 chains, the total length of the double portions (which are formed by Tramway No. 4 with 4B and 4C respectively) being 1 mile 4 furlongs 5·4 chains and the total length of single line being 2 furlongs 2·1 chains.

Tramway No. 5, commencing in Dale Street, in the parish and city of Liverpool, by a junction with Tramway No. 1, constructed under the Liverpool Tramways Act, 1868, at a point opposite the east side of the south end of Hatton Garden, passing along the east end of Dale Street,

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and terminating in Byrom Street by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, at a point twelve lineal yards north of the north side of Dale Street, in the parish and city of Liverpool.

The total length of Tramway No. 5 is 9·8 chains, and is a single line throughout.

Tramway No. 6, commencing in Victoria Street, in the parish and city of Liverpool, at a point opposite the west side of Temple Lane, passing along Victoria Street and the Old Haymarket, and terminating in the Old Haymarket by a junction with Tramway No. 1, constructed under the Liverpool Tramways Act, 1868, near the west end of Saint John's Lane, at a point twenty lineal yards west of the west side of Saint John's Churchyard, in the parish and city of Liverpool.

The total length of Tramway No. 6 is 2 furlongs 1·3 chains, the total length of the double portion (which is formed by Tramway No. 6 with a portion of 6A) being 1 furlong 6·5 chains, and the total length of the single line being 4·8 chains.

Tramway No. 6A, commencing in Victoria Street, in the parish and city of Liverpool, by a junction with Tramway No. 6, at a point three lineal yards west of the east side of Temple Street, passing along Victoria Street, crossing Whitechapel, and terminating in Great Charlotte Street by a junction with Tramway No. 10, at a point four lineal yards east of the east side of Whitechapel, in the parish and city of Liverpool.

The total length of Tramway No. 6A is 1 furlong 8·3 chains.

A portion of Tramway No. 6A is a single line for a length of 1·8 chains.

Tramway No. 6B, commencing in the Old Haymarket, in the parish and city of Liverpool, by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, at a point six lineal yards north of the north side of Manchester Street, crossing the Old Haymarket, and terminating in Great Charlotte Street by a junction with Tramway No. 10, at a point four lineal yards east of the east side of Whitechapel, in the parish and city of Liverpool.

The total length of Tramway No. 6B is 2·6 chains, and is a single line throughout.

Tramway No. 6C, commencing at the east end of Victoria Street, in the parish and city of Liverpool, by a junction with Tramway No. 6, at a point seven lineal yards west of the west side of the Old Haymarket, and terminating in the Old Haymarket by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, at a point six lineal yards north of the north side of Manchester Street, in the parish and city of Liverpool.

The total length of Tramway No. 6C is 1·5 chains, and is a single line throughout.

Tramway No. 7, commencing in Victoria Street, in the parish and city of Liverpool, by a junction with Tramway No. 6A, at a point three lineal yards west of the west side of Stanley Street, passing along Stanley Street and its proposed continuation to Whitechapel, and terminating in

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Whitechapel by a junction with Tramway No. 14, constructed under the Liverpool Tramways Act, 1870, at a point fifteen lineal yards north of the north side of the proposed continuation of Stanley Street, in the parish and city of Liverpool.

The total length of Tramway No. 7 is 8·4 chains, and is a single line throughout.

Tramway No. 8, commencing in Saint George's Place, in the parish and city of Liverpool, by a junction with Tramway No. 9, at a point eleven lineal yards south of the south side of Roe Street, and terminating in Lime Street by a junction with Tramway No. 1D, authorised by the Liverpool Corporation Tramways Order, 1879, at a point opposite the south-east angle of the steps leading to Saint George's Hall, in the parish and city of Liverpool.

The total length of Tramway No. 8 is 4·5 chains, and is a single line throughout.

Tramway No. 9, commencing in Saint John's Lane, in the parish and city of Liverpool, by a junction with Tramway No. 1, constructed under the Liverpool Tramways Act, 1868, at a point forty lineal yards west of the north side of Roe Street, passing along Saint John's Lane, Saint George's Place, and Lime Street, and terminating in Lime Street by a junction with Tramway No. 7A, constructed under the Liverpool Tramways Act, 1868, at a point eleven lineal yards south of the south side of Elliot Street, in the parish and city of Liverpool.

The total length of Tramway No. 9 is 1 furlong 2·7 chains, and is a single line throughout.

Tramway No. 10, commencing in Whitechapel, in the parish and city of Liverpool, by a junction with Tramway No. 14, constructed under the Liverpool Tramways Act, 1870, at a point eight lineal yards west of the west side of Great Charlotte Street, passing into and along Great Charlotte Street, Queen Square, and Roe Street, and terminating in Saint George's Place by a junction with Tramway No. 9, at a point nine lineal yards south of the south side of Roe Street, in the parish and city of Liverpool.

The total length of Tramway No. 10 is 1 furlong 1·6 chains, and is a single line throughout.

Tramway No. 11, commencing in the Old Haymarket, in the parish and city of Liverpool, by a junction with Tramway No. 3A, constructed under the Liverpool Tramways Act, 1868, at a point twenty-seven lineal yards south of the south side of Dale Street, and passing along the Old Haymarket, Byrom Street, Scotland Place, Scotland Road, and Juvenal Street, and terminating in Cazneau Street by a junction with Tramway No. 1E, at a point ten lineal yards north of the north side of Juvenal Street, in the parish and city of Liverpool.

Tramway No. 11A, commencing in Scotland Road, in the parish and city of Liverpool, by a junction with Tramway No. 11, at a point four lineal yards south of the south side of Juvenal Street, and terminating in Scotland Road by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, opposite the north side of Juvenal Street, in the parish and city of Liverpool.

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The total length of Tramway No. 11A is 0·9 chains, and with a portion of 11B forms a double line throughout.

Tramway No. 11B, commencing in the Old Haymarket, in the parish and city of Liverpool, by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, at a point six lineal yards south of the south side of Dale Street, and passing along the Old Haymarket, Byrom Street, Scotland Place, and Scotland Road, and terminating in Scotland Road by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, opposite the north side of Juvenal Street, in the parish and city of Liverpool.

The total length of Tramway No. 11B is 3 furlongs 7·3 chains.

The total length of Tramway No. 11 is 4 furlongs 6·6 chains, the total length of the double portion (which is formed by Tramway No. 11 with a portion of 11B) being 3 furlongs 6·4 chains, and the total length of single line being 1 furlong 0·2 chains.

Tramway No. 12, commencing in Kirkdale Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 3, constructed under the Liverpool Tramways Act, 1868, at a point three lineal yards west of the west side of Smith Street, passing along Smith Street, Westminster Road, and Barlow Lane, and terminating at the north side of Barlow Lane and south end of Carisbrook Road, at the city boundary in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

Tramway No. 12A, commencing in Kirkdale Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 3A, constructed under the Liverpool Tramways Act, 1868, at a point one lineal yard west of the west side of Smith Street, passing along Smith Street and Westminster Road, and terminating in Westminster Road by a junction with Tramway No. 12, at a point two lineal yards south of the north side of Bousfield Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 12A is 2 furlongs 0·1 chain.

Tramway No. 12B, commencing in Westminster Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 12, at a point thirty-two lineal yards south of the south side of Archer Street, and terminating in Westminster Road by a junction with Tramway No. 12, at a point one lineal yard south of the south side of Furness Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 12B is five chains.

Tramway No. 12C, commencing in Westminster Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 12, at a point five lineal yards north of the south side of Tintern Street, and terminating in Westminster Road by a junction with Tramway No. 12, at a point four lineal yards north of the north side of Freeland Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 12C is 3·3 chains.

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Tramway No. 12D, commencing in Westminster Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 12, at a point three lineal yards north of the north side of Kirkstall Street, and terminating in Westminster Road by a junction with Tramway No. 12, at a point four lineal yards north of the north side of Saint Hilda Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 12D is 2·4 chains.

Tramway No. 12E, commencing in Westminster Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 12, at a point fifteen lineal yards south of the south side of Bradewell Street, and terminating in Westminster Road by a junction with Tramway No. 12, at a point three lineal yards south of the south side of Tawd Street, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 12E is 4·5 chains.

Tramway No. 12F, commencing in Westminster Road, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 12, at a point thirty-six lineal yards north of the north side of Tawd Street, passing along Westminster Road and Barlow Lane, and terminating at the north side of Barlow Lane and south end of Carisbrook Road at the city boundary, in the township of Kirkdale, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 12F is 1 furlong 4·8 chains.

The total length of Tramway No. 12 is 6 furlongs 7·6 chains, the total length of the double portions (which are formed by Tramway No. 12 with 12A, 12B, 12C, 12D, 12E, and 12F respectively) being 5 furlongs 0·1 chain, and the total length of single line being 1 furlong 7·5 chains.

Tramway No. 13, commencing in West Derby Road, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 2B, authorised by the Liverpool Corporation Tramways Order, 1879, at a point one lineal yard west of the west side of Radcliffe Street, crossing the west end of West Derby Road and passing along Everton Road and Heyworth Street, and terminating at the junction of Heyworth Street and Saint Domingo Road, at a point fifteen lineal yards south of the south side of Grecian Terrace, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 13 is 7 furlongs 0·7 chains, the total length of the double portion (which is formed by Tramway No. 13 with 13A) being 4 furlongs 3·2 chains, and the total length of single line being 2 furlongs 7·5 chains.

Tramway No. 13A, commencing in Everton Road, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 13, at a point five lineal yards north of the north side of Aubrey Street, passing along Everton Road and Heyworth Street, and terminating in Heyworth Street by a junction

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with Tramway No. 13, at a point twenty-five lineal yards north of the north side of Mere Lane, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 13A is 4 furlongs 3·2 chains.

Tramway No. 14, commencing in London Road, in the parish and city of Liverpool, by a junction with Tramway No. 1A, authorised by the Liverpool Corporation Tramways Order, 1879, at a point five lineal yards west of the west side of Moss Street, curving into and passing along Moss Street, Shaw Street, Eastbourne Street, and Fitzclarence Street, and terminating in Everton Road by a junction with Tramway No. 13, at a point opposite the north side of Spencer Street, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of of Liverpool.

The total length of Tramway No. 14 is 4 furlongs 3·9 chains, and is a single line throughout.

Tramway No. 15, commencing in Everton Road, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 13, at a point nine lineal yards south of the south side of Breck Road, curving into and passing along Breck Road, and terminating at the city boundary at the junction of Belmont Road with Breck Road, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

Tramway No. 15A, commencing in Breck Road, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 16A, at a point thirteen lineal yards west of the west side of Breckfield Road South, passing along Breck Road, and terminating in Breck Road by a junction with Tramway No. 15, at a point four lineal yards west of the east side of Rydal Street, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 15A is 1 furlong 2·4 chains.

Tramway No. 15B, commencing in Breck Road, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 15, at a point one lineal yard east of the west side of Grasmere Street, and terminating in Breck Road by a junction with Tramway No. 15, at a point twenty lineal yards west of the west side of Belmont Road, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 15B is 2·5 chains.

The total length of Tramway No. 15 is 5 furlongs 3·3 chains, the total length of the double portions (which are formed by Tramway No. 15 with 15A, 15B, and a portion of 16A) being 1 furlong 7·5 chains, and the total length of single line being 3 furlongs 5·8 chains.

Tramway No. 16, commencing in Breck Road, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 15, at a point eight lineal yards west of the west side of Queen's Road, curving into and passing along Queen's Road, Breckfield Road North, and Robson Street, and terminating in Robson

Street, at a point eleven lineal yards south of the south side of Walton Breck Road, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 16 is 5 furlongs 5·9 chains, the length of the double portion (which is formed by Tramway No. 16 with a portion of 16A) being 4 furlongs 5·4 chains, and the total length of single line being 1 furlong 0·5 chains.

The total length of the remaining portions of Tramway No. 16A is 4 furlongs 4·6 chains, and is a single line.

Tramway No. 16A, commencing in Everton Road, in the township of Everton, in the parish of Walton-on-the Hill, in the city of Liverpool, by a junction with Tramway No. 13, at a point twenty-seven lineal yards north of the north side of Spencer Street, curving into and passing along Aubrey Street, Queen's Road, Breck Road, Breckfield Road North and Robson Street, and terminating in Robson Street by a junction with Tramway No. 16, at a point seventeen lineal yards north of the north side of Goschen Street, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 16A is 1 mile 1 furlong 5·4 chains.

Tramway No. 18, commencing in Kensington, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 1, authorised by the Liverpool Corporation Tramways Order, 1879, at a point five lineal yards west of the west side of Farnworth Street, curving into and passing along Farnworth Street, and terminating in West Derby Road by a junction with Tramway No. 2, authorised by the Liverpool Corporation Tramways Order, 1879, in West Derby Road, at a point six lineal yards east of the east side of Farnworth Street, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

Tramway No. 18A, commencing in Kensington, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 1A, authorised by the Liverpool Corporation Tramways Order, 1879, at a point five lineal yards west of the west side of Farnworth Street, curving into the south end of Farnworth Street, and terminating in Farnworth Street by a junction with Tramway No. 18, at a point five lineal yards north of the north side of Kensington in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 18A is 1 chain.

Tramway No. 18B, commencing in Farnworth Street, in the township of West Derby and parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 18, at a point two lineal yards south of the north side of Romilly Street, and terminating in Farnworth Street by a junction with Tramway No. 18, at a point one lineal yard north of the south side of Molyneux Road, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 18B is 2·2 chains.

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Tramway No. 18C, commencing in Farnworth Street, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 18, at a point fourteen lineal yards north of the north side of Penton Street, and terminating in Farnworth Street by a junction with Tramway No. 18, at a point twenty-one lineal yards south of the south side of Boaler Street, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 18C is 2·4 chains.

Tramway No. 18D, commencing in Farnworth Street, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool, by a junction with Tramway No. 18, at a point four lineal yards south of the south side of West Derby Road, curving into and terminating in West Derby Road by a junction with Tramway No. 2A, authorised by the Liverpool Corporation Tramways Order, 1879, at a point six lineal yards east of the east side of Farnworth Street, in the township of Everton, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 18D is 1·1 chain.

The total length of Tramway No. 18 is 2 furlongs 5·7 chains, the total length of the double portions (which are formed by Tramway No. 18 with 18A, 18B, 18C, and 18D respectively) being 6·7 chains, and the total length of single line being 1 furlong 9 chains.

Tramway No. 19, commencing in James Street, in the parish and city of Liverpool, by a junction with Tramway No. 4, authorised by the Liverpool Corporation Tramways Order, 1879, at a point opposite the west side of the north end of Seabrow, curving into and passing along Strand Street, Canning Place, South Castle Street, and Preeson's Row, and terminating in James Street by a junction with Tramway No. 4, authorised by the Liverpool Corporation Tramways Order, 1879, at a point four lineal yards west of the west side of Preeson's Row, in the parish and city of Liverpool.

Tramway No. 19A, commencing in Strand Street, in the parish and city of Liverpool, by a junction with Tramway No. 19, at a point seventeen lineal yards south of the south side of James Street, and terminating in Strand Street by a junction with Tramway No. 19, at a point four lineal yards south of the north side of Redcross Street, in the parish and city of Liverpool.

The total length of Tramway No. 19A is 2·8 chains.

Tramway No. 19B, commencing in Strand Street, in the parish and city of Liverpool, by a junction with Tramway No. 19, at a point fourteen lineal yards south of the north side of Canning Place, and terminating in Strand Street by a junction with Tramway No. 19, at a point forty-eight lineal yards north of the south side of Canning Place in the parish and city of Liverpool.

The total length of Tramway No. 19B is 3·1 chains.

The total length of Tramway No. 19 is 4 furlongs 9·3 chains, the total length of the double portions (which are formed by Tramway No. 19 with 19A and 19B respectively) being 5·9 chains, and the total length of single line being 4 furlongs 3·4 chains.

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Provided always, that the portion of Tramway No. 19 which passes along Strand Street, and Tramways No. 19A and No. 19B in that street, shall be constructed and maintained in accordance with a certain plan deposited at the Board of Trade, and signed by Clement Dunscombe on the part of the Promoters, by George Fosbery Lyster on the part of the Mersey Docks and Harbour Board, and by Henry G. Calcraft on the part of the Board of Trade.

Tramway No. 20, commencing in Canning Place, in the parish and city of Liverpool, by a junction with Tramway No. 19, at a point three lineal yards west of the west side of Park Lane, curving into and passing along Park Lane, Saint James' Street, and Great George's Place, and terminating in Great George's Place by a junction with Tramway No. 7, constructed under the Liverpool Tramways Act, 1868, at a point seventeen lineal yards north of the north side of Upper Parliament Street, in the parish and city of Liverpool.

Tramway No. 20A, commencing in Canning Place, in the parish and city of Liverpool, by a junction with Tramway No. 19, at a point six lineal yards east of the east side of Park Lane, curving into and passing along Park Lane, Saint James' Street, and Great George's Place, and terminating in Great George's Place by a junction with Tramway No. 7A, constructed under the Liverpool Tramways Act, 1868, at a point eleven lineal yards north of the north side of Parliament Street, in the parish and city of Liverpool.

The total length of Tramway No. 20A is 5 furlongs 6·1 chains.

The total length of Tramway No. 20 is 5 furlongs 6·4 chains, the total length of the double portion (which is formed by Tramway No. 20 with a portion of 20A) being 5 furlongs 5·4 chains, and the total length of single line being 1 chain.

The total length of the remaining portion of Tramway No. 20A is 0·7 chains and is a single line throughout.

Tramway No. 21, commencing in Saint James' Place, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 7, constructed under the Liverpool Tramways Act, 1868, at a point seven lineal yards north of the north side of Upper Stanhope Street, and passing along Mill Street and Parkhill Road, and terminating in Park Road by a junction with Tramway No. 7A, constructed under the Liverpool Tramways Act, 1868, at a point eight lineal yards north of the north side of Parkhill Road, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

Tramway No. 21A, commencing in Saint James' Place, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 7A, constructed under the Liverpool Tramways Act, 1868, at a point seven lineal yards north of the north side of Stanhope Street, passing along Mill Street, and terminating in Mill Street by a junction with Tramway No. 21, at a point twelve lineal yards north of the north side of Parkhill Road in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 21A is 7 furlongs 8·0 chains.

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The total length of Tramway No. 21 is 1 mile 1 furlong 3·3 chains, the total length of the double portion (which is formed by Tramway No. 21 with 21A) being 7 furlongs 8 chains, and the total length of single line being 1 furlong 5·3 chains.

Tramway No. 22, commencing in Mill Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 21, at a point five lineal yards north of the north side of Hill Street, curving into and passing along Hill Street, and terminating in Park Place, by a junction with Tramway No. 7, constructed under the Liverpool Tramways Act, 1868, at a point six lineal yards south of the south side of Upper Hill Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 22 is 7·4 chains, and is a single line throughout.

Tramway No. 22A, commencing in Mill Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 21A, at a point five lineal yards south of the south side of Hill Street, and terminating by a junction with Tramway No. 22 in Hill Street, at a point three lineal yards east of the east side of Mill Street, in the township or extra-parochial place of Toxteth Park in the city of Liverpool.

The total length of Tramway No. 22A is one chain, and is a single line throughout.

Tramway No. 24, commencing in Ranelagh Place, in the parish and city of Liverpool, by a junction with Tramway No. 7, constructed under the Liverpool Tramways Act, 1868, at a point sixteen lineal yards north of the north side of Brownlow Hill, curving into and passing along Mount Pleasant, and terminating in Mount Pleasant by a junction with Tramway No. 26, at a point one lineal yard east of the east side of Clarence Street, in the parish and city of Liverpool.

Tramway No. 24A, commencing in Ranelagh Place, in the parish and city of Liverpool, by a junction with Tramway No. 7A, constructed under the Liverpool Tramways Act, 1868, at a point sixteen lineal yards north of the north side of Brownlow Hill, curving into, and passing along Mount Pleasant, and terminating in Mount Pleasant by a junction with Tramway No. 24, at a point forty-six lineal yards west of the west side of Upper Newington, in the parish and city of Liverpool.

The total length of Tramway No. 24A is 3·8 chains.

Tramway No. 24B, commencing in Mount Pleasant, in the parish and city of Liverpool, by a junction with Tramway No. 24, at a point three lineal yards east of the east side of Upper Newington, and terminating in Mount Pleasant, at a point twenty-three lineal yards west of the west side of May Street, in the parish and city of Liverpool.

The total length of Tramway No. 24B is 6·4 chains.

Tramway No. 24C, commencing in Mount Pleasant, in the parish and city of Liverpool, by a junction with Tramway No. 24, at a point four lineal yards west of the west side of Roscoe Street, passing along Mount Pleasant, Rodney Street, Hardman Street, Myrtle Street, Catherine Street, and Upper Parliament Street, and terminating in Upper

Parliament Street, at a point thirty-nine lineal yards east of the east side of Catherine Street, in the parish and city of Liverpool.

The total length of Tramway No. 24C is 6 furlongs 3·5 chains.

The total length of Tramway No. 24 is 2 furlongs 0·5 chains, the total length of the double portions (which are formed by Tramway No. 24 with 24A, 24B, a portion of 24C, and a portion of 26A respectively), being 1 furlong 4·1 chains, and the total length of single line being 6·4 chains.

The total length of the remaining portion of Tramway No. 24C is 6 furlongs 0·9 chains, and is a single line.

Tramway No. 25, commencing in Upper Parliament Street, in the parish and city of Liverpool, at a point seven lineal yards east of the east side of Bedford Street South, passing along Upper Parliament Street, and terminating in Upper Parliament Street, at a point twenty-nine lineal yards east of the east side of Lorton Street, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool.

Tramway No. 25A, commencing in Upper Parliament Street, in the parish and city of Liverpool, by a junction with Tramway No. 24C, at a point thirty-nine lineal yards east of the east side of Catherine Street, passing along Upper Parliament Street, and terminating in Upper Parliament Street, by a junction with Tramway No. 25, at a point five lineal yards east of the west side of Lorton Street, in the township of West Derby, in the parish of Walton-on-the-Hill, in the city of Liverpool.

The total length of Tramway No. 25A is 5 furlongs 4·9 chains.

The total length of Tramway No. 25 is 5 furlongs 1·2 chains, the total length of the double portion (which is formed by Tramway No. 25 and a portion of 25A) being 4 furlongs 9·6 chains, and the total length of single line being 1·6 chains.

The total length of the remaining portion of 25A is 5·4 chains, and is a single line.

Tramway No. 26, commencing in London Road, in the parish and city of Liverpool, by a junction with Tramway No. 1, authorised by the Liverpool Corporation Tramways Order, 1879, at a point three lineal yards west of the west side of Norton Street, curving into and passing along Seymour Street, Russell Street, Clarence Street, Mount Pleasant, Oxford Street, Abercromby Square, and Bedford Street South, and terminating in Upper Parliament Street, by a junction with Tramway No. 25, at a point seven lineal yards east of the east side of Bedford Street South, in the parish and city of Liverpool.

Tramway No. 26A, commencing in Mount Pleasant, in the parish and city of Liverpool, by a junction with Tramway No. 24C, at a point five lineal yards west of the west side of Rodney Street, passing along Mount Pleasant, and terminating at the junction of Oxford Street and Mount Pleasant, opposite the north end of Arrad Street, in the parish and city of Liverpool.

The total length of Tramway No. 26A is 1 furlong 5·2 chains.

Tramway No. 26B, commencing in Oxford Street, in the parish and city of Liverpool, by a junction with Tramway No. 26, at a point one lineal

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yard west of the east side of Mulberry Street, passing along Oxford Street, and terminating in Oxford Street, by a junction with Tramway No. 26, at a point eleven lineal yards west of the west side of Bedford Street North, in the parish and city of Liverpool.

The total length of Tramway No. 26B is 2·4 chains.

The total length of Tramway No. 26 is 1 mile 1 furlong 3·3 chains, the total length of the double portions (which are formed by Tramway No. 26 with a portion of 26A and 26B) being 1 furlong 6·4 chains, and the total length of single line being 7 furlongs 6·9 chains.

Tramway No. 26C, commencing in Bedford Street South, in the parish and city of Liverpool, by a junction with Tramway No. 26, at a point five lineal yards north of the north side of Upper Parliament Street, and curving into and terminating in Upper Parliament Street, by a junction with Tramway No. 25A, at a point three lineal yards west of the west side of Bedford Street South, in the parish and city of Liverpool.

The total length of Tramway No. 26C is 1·1 chains, and is a single line throughout.

Tramway No. 26D, commencing in Oxford Street, in the parish and city of Liverpool, by a junction with Tramway No. 26, at a point four lineal yards west of the west side of Abercromby Square, passing along Oxford Street, Abercromby Square, and Oxford Street, to a point opposite to the north end of Melville Place, and passing by a curve past the end of Olive Street and Melville Place, and terminating in Oxford Street, opposite the south end of Florist Street, in the parish and city of Liverpool.

Tramway No. 26E, commencing in Oxford Street, in the parish and city of Liverpool, by a junction with Tramway No. 26D, at a point ten lineal yards east of the east side of Chatham Street, and terminating in Oxford Street, by a junction with Tramway No. 26D, at a point one lineal yard west of the west side of Vine Street, in the parish and city of Liverpool.

The total length of Tramway No. 26E is 2·3 chains.

The total length of Tramway No. 26D is 2 furlongs 0·6 chains, the total length of double portion (which is formed by Tramway No. 26D with 26E) being 2·3 chains, and the total length of single line being 1 furlong 8·3 chains.

Tramway No. 26F, commencing in Oxford Street, in the parish and city of Liverpool, by a junction with Tramway No. 26D, at a point six lineal yards west of the west side of Grove Street, curving into and terminating in Grove Street, by a junction with Tramway No. 27, at a point six lineal yards south of the south side of Oxford Street, in the parish and city of Liverpool.

The total length of Tramway No. 26F is one chain, and is a single line throughout.

Tramway No. 27, commencing in Crown Street, in the parish and city of Liverpool, by a junction with Tramway No. 3E, authorised by the Liverpool Corporation Tramways Order, 1879, at a point two lineal yards south of the north side of Paddington, passing along Crown Street, Grove Street, Mulgrave Street, and Eversley Street, and terminating in Eversley Street, at a point three lineal yards west of the west side of

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Kingsley Road, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 27 is 1 mile 0 furlongs 7·9 chains, the total length of the double portions (which are formed by Tramway No. 27 with 27B, 27C, 27D, 27E, and 27F, respectively) being 2 furlongs 8·5 chains, and the total length of single line being 5 furlongs 9·4 chains.

Tramway No. 27A, commencing in Pembroke Place, in the parish and city of Liverpool, by a junction with Tramway No. 3E, authorised by the Liverpool Corporation Tramways Order, 1879, at a point five lineal yards west of the west side of Brownlow Street, curving into and passing along Brownlow Street and Brownlow Hill, crossing Crown Street, and terminating at the west end of Paddington, at the parish boundary, by a junction with Tramway No. 3E, authorised by the Liverpool Corporation Tramways Order, 1879, in the parish and city of Liverpool.

The total length of Tramway No. 27A is 3 furlongs 6·8 chains, and is a single line throughout.

Tramway No. 27B, commencing in Brownlow Hill, in the parish and city of Liverpool, by a junction with Tramway No. 27A, at a point five lineal yards west of the west side of Crown Street, curving into and passing along Crown Street and Grove Street, and terminating in Grove Street by a junction with Tramway No. 27, at a point six lineal yards south of the south side of Walnut Street, in the parish and city of Liverpool.

The total length of Tramway No. 27B is 1 furlong 1 chain.

Tramway No. 27C, commencing in Grove Street, in the parish and city of Liverpool, by a junction with Tramway No. 27, at a point fifty-seven lineal yards north of the north side of Oxford Street, and terminating in Grove Street, by a junction with Tramway No. 27, at a point four lineal yards north of the north side of Oxford Street, in the parish and city of Liverpool.

The total length of Tramway No. 27C is 2·4 chains.

Tramway No. 27D, commencing in Grove Street, in he parish and city of Liverpool, by a junction with Tramway No. 27, at a point forty lineal yards south of the south side of Lully Street, and terminating in Grove Street, by a junction with Tramway No. 27, at a point forty-two lineal yards north of the north side of Myrtle Street, in the parish and city of Liverpool.

The total length of Tramway No. 27D is 2·5 chains.

Tramway No. 27E, commencing in Grove Street, in the parish and city of Liverpool, by a junction with Tramway No. 27, at a point one lineal yard south of the south side of Falkner Street, passing along Grove Street and curving into Upper Parliament Street, and terminating in Upper Parliament Street, by a junction with Tramway No. 25, at a point seven lineal yards east of the east side of Grove Street, in the parish and city of Liverpool.

The total length of Tramway No. 27E is 1 furlong 4 chains.

Tramway No. 27F, commencing in Grove Street, in the parish and city of Liverpool, by a junction with Tramway No. 27, at a point six lineal

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yards north of the north side of Upper Parliament Street, curving into and terminating in Upper Parliament Street, by a junction with Tramway No. 25, at a point seven lineal yards east of the east side of Grove Street, in the parish and city of Liverpool.

The total length of Tramway No. 27F is 1·2 chains, and is a single line throughout.

Tramway No. 28, commencing in Upper Parliament Street, in the parish and city of Liverpool, by a junction with Tramway No. 25A, at a point eight lineal yards west of the west side of Kingsley Road, curving into and passing along Kingsley Road, and terminating in Eversley Street, by a junction with Tramway No. 27, at a point three lineal yards west of the west side of Kingsley Road, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 28 is 1 furlong 8·9 chains, and is a single line throughout.

Tramway No. 28A, commencing in Upper Parliament Street, in the parish and city of Liverpool, by a junction with Tramway No. 25A, at a point five lineal yards east of the east side of Kingsley Road, curving into and terminating in Kingsley Road, by a junction with Tramway No. 28, at a point six lineal yards south of the south side of Upper Parliament Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 28A is 1·1 chain, and is a single line throughout.

Tramway No. 29, commencing in Kingsley Road, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 28, at a point four lineal yards south of the south side of Beaumont Street, curving into and passing along Beaumont Street, and terminating at the south side thereof, at the entrance to the Tramway's Company's stables in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 29 is 1 furlong 6 chains, the total length of the double portions (which are formed by Tramway No. 29 with 29B and 29C respectively) being 5·1 chains, and the total length of single line being 1 furlong 0·9 chains.

Tramway No. 29A, commencing in Kingsley Road, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 28, at a point five lineal yards north of the north side of Beaumont Street, curving into and terminating in Beaumont Street, by a junction with Tramway No. 29, at a point five lineal yards east of the east side of Kingsley Road, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 29A is 1 chain, and is a single line throughout.

Tramway No. 29B, commencing in Beaumont Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 29, at a point two lineal yards east of the east side of Alt Street, and terminating in Beaumont Street by a junction

with Tramway No. 29, at a point fifty-five lineal yards east of the east side of Alt Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 29B is 2·4 chains.

Tramway No. 29C, commencing in Beaumont Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 29, at a point four lineal yards west of the east side of Dove Street, and terminating in Beaumont Street by a junction with Tramway No. 29, at a point nine lineal yards west of the west side of Priest Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 29C is 2·7 chains.

Tramway No. 30, commencing in Upper Parliament Street, in the parish and city of Liverpool, by a junction with Tramway No. 25A, at a point twenty-seven lineal yards east of the east side of Prince's Road, and curving into and passing along Prince's Road to its south end, curving past the west ends of Kingsley Road and Croxteth Road, and terminating in front of the main entrance to the Prince's Park, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 30 is 5 furlongs 2·8 chains, the total length of the double portion (which is formed by Tramway No. 30 with a portion of 30A) being 4 furlongs 8 chains, and the total length of single line being 4·8 chains.

The remaining portion of Tramway No. 30A is 5·4 chains, and is a single line.

Tramway No. 30A, commencing in Catherine Street, in the parish and city of Liverpool, by a junction with Tramway No 24C, at a point six lineal yards north of the north side of Upper Parliament Street, crossing Upper Parliament Street, and passing along Prince's Road to its south end, curving past the end of Devonshire Road, and terminating by a junction with Tramway No. 30 in front of the main entrance to the Prince's Park, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 30A is 5 furlongs 3·6 chains.

Tramway No. 31, commencing in Park Place, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 7, constructed under the Liverpool Tramways Act, 1868, at a point four lineal yards north of the north side of Upper Warwick Street, curving into and passing along Upper Warwick Street, and terminating in Prince's Road, by a junction with Tramway No. 30, at a point five lineal yards south of the south side of Upper Warwick Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

Tramway No. 31A, commencing in Park Place, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool, by a junction with Tramway No. 7A, constructed under the Liverpool Tramways Act,

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1868, at a point four lineal yards north of the north side of Upper Warwick Street, and terminating in Prince's Road by a junction with Tramway No. 30, at a point five lineal yards south of the south side of Upper Warwick Street, in the township or extra-parochial place of Toxteth Park, in the city of Liverpool.

The total length of Tramway No. 31 is 3 furlongs 6·1 chains which, with Tramway No. 31A, forms a double line throughout.

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

7. The Promoters shall observe, perform, and comply with the following provisions for the protection of the London and North-western Railway Company (in this section referred to as "the Company"):

1. In constructing the Tramways Nos. 3, 3D, 20, 20A, 26, 27, 27A, and 27B respectively across the respective railways of the Company, and as to Nos. 27, 27A, and 27B, across so much of the railway of the Company as is now in tunnel, as also as the same may be converted into open cutting, or be widened by an additional tunnel being constructed alongside the existing tunnel, the Promoters shall not alter or interfere with the structure of the said tunnels or respective bridges over the said railways or approaches thereto, along the roadways of which said bridges and approaches the said respective tramways may be laid; and they shall so construct those respective tramways according to the deposited plans and sections, and subsequently maintain them so as not to injuriously affect the stability of the said tunnels, bridges, and approaches, and in the event of any injury being occasioned to the said tunnels, bridges, or approaches, or any part or parts thereof, by the construction of those respective tramways on or over the same (whether such injury shall occur either during or after the construction, or in effecting the maintenance of those respective tramways), or in or by the working or user thereof, the Company may, at the expense of the Promoters, restore the said tunnels, bridges, and approaches, or the part or parts thereof which may be injured, to as good a state and condition as they respectively were in before such injury was occasioned; and the Promoters shall recoup to and indemnify the Company against all sums, costs, and expenses which they may pay or be put to in maintaining and repairing, in case of default by the Promoters, so much of the road over the said tunnels, bridges, and approaches as the Promoters are liable to maintain and repair under the twenty-eighth section of the Tramways Act, 1870, and the Company may recover from the Promoters all such sums, costs, and expenses as in this sub-section mentioned, together with full costs and charges, by all and the same means as any simple contract debt is recoverable.

2. When and as the Company shall under the powers conferred upon them by the London and North-western Railway (new railways, &c.) Act, 1878, convert into open cutting the portions of the said tunnel across or over which the Tramways Nos. 27, 27A, and 27B respectively pass, or construct any additional tunnel as aforesaid, or shall have occasion to repair, strengthen, widen, reconstruct, or alter any of the said bridges, approaches, or tunnels, the Company shall have full liberty, on giving to

the Promoters seven clear days previous notice in writing, to take up and remove wholly or in part the said tramways along such respective crossings, and stop or delay the traffic thereon, but only for so long as shall be reasonably necessary, without being liable for any compensation, claims, demands, losses, damages, costs, or expenses, for or on account of such removal, stoppage, or delay, or in any way relating thereto, and the Promoters shall at their own expense restore so much of the tramways as may be requisite to be disturbed for the purpose of carrying out the works aforesaid.

For protection of the Lancashire and Yorkshire Railway Company.

8. The Promoters shall observe, perform, and comply with the following provisions for the protection of the Lancashire and Yorkshire Railway Company (in this section referred to as the Company):

1. In constructing the Tramways No. 2 and No. 2A respectively over the Company's main line and sidings at the Stanley Road Bridge, near Sandhills, and Tramways No. 3 and No. 3A, under the Company's main line and their North Docks branch at the bridge under the said main line and branch at Sandhills, the Promoters shall not alter or interfere with the structure of the said bridges over and under the said railways, or of the approaches thereto, and they shall so construct and maintain those tramways as not to injuriously affect the stability of the said bridges and the approaches thereto, and in the event of any injury being occasioned to the said bridges or approaches or any part or parts thereof by the construction of those respective tramways over or under the same (whether such injury shall occur either during or after the construction, or in effecting the maintenance of those respective tramways), or in or by the working or user thereof, the Company may, at the expense of the Promoters, restore the said bridges and approaches, or the part or parts thereof which may be injured, to as good a state and condition as they respectively were in before such injury was occasioned; and the Promoters shall recoup to and indemnify the Company against all sums, costs, and expenses which they may pay or be put to in maintaining and repairing, in case of default by the Promoters, so much of the road over or under the said bridges and approaches as the Promoters are liable to maintain and repair under the twenty-eighth section of the Tramways Act, 1870, and the Company may recover from the Promoters all such sums, costs, and expenses as in this sub-section mentioned, together with full costs and charges, by all and the same means as any simple contract debt is recoverable.

2. The sleepers and other materials forming the sub-structure of Tramways No. 2 and No. 2A, where those tramways cross the Company's works or property, shall be such as shall be reasonably approved of by them.

Provisions as to construction of tramways.

9. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters shall before they proceed 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 such

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tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade, and after such approval the works shall be executed in accordance in all respects with such plan and statement.

As to rails of tramways.

10. The rails of the tramways shall be such as the Board of Trade may approve.

Penalty for not maintaining rails and road in good condition.

11. The Promoters 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 which any of the tramways for the time being consist and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject on information laid or complaint made to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the City that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed in respect of offences.

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

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

Additional crossings, &c. may be made where necessary.

13. The Promoters may from time to time hereafter make all such crossings, passing places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways, or any of them, or for providing access to any stables or carriage-houses, sheds, or works of the Promoters or their lessees or licensees: Provided, that in the construction of any such works, no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on

the place where such rail is proposed to be laid, by writing under his hand addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

14. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is in the opinion of the Promoters necessary or expedient temporarily to remove or discontinue the use of such tramway, or any part thereof, the Promoters may from time to time construct in the same or any adjacent road, and may maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

Application of road materials excavated in construction of works.

15. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under their jurisdiction or control shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such a manner as they may think fit.

Tramways not to be opened until certified by the Board of Trade.

16. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have by an order signed by a Secretary or an Assistant Secretary of the said Board authorised the same to be opened for such traffic.

Motive Power.

Carriages may be moved by animal, steam, or mechanical power.

17. The carriages used on the tramways may, subject to the provisions of this Order, be moved by animal power, and during a period of seven years after the opening of the same for public traffic, and with the consent of the Board of Trade 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 steam power or any mechanical power:

Provided always, that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to the regulations set forth in the Schedule A. to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam or any mechanical power on the tramways:

Provided also, that the lessees under any lease made by the Promoters shall not use steam or any mechanical power on the tramways, or any part thereof, unless they are authorised to do so by special permission in such lease; and the Promoters may, with the consent of the Board of Trade and subject to the provisions of this Order, attach to such special permission such conditions and restrictions as they may think fit:

Provided always, that steam or other mechanical power shall not be used on Tramways No. 11 and No. 11B, in Scotland Road in the narrow parts thereof, between the north side of Hare Place and the south side of Ben Jonson Street

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on the east side, and from a point twelve yards south of the south side of Sawney Pope Street to the south side of Cavendish Street, and between the north side of Rose Place and Bevington Bush and the south side of Juvenal Street and Ellenborough Street respectively, unless the said tramways are constructed in accordance with a certain plan deposited at the Board of Trade on the 2nd day of March 1881, and signed by Clement Dunscombe, the city engineer, on the part of the Promoters, and by Henry G. Calcraft on the part of the Board of Trade, or unless the road between these points is so widened as to allow a clear distance of nine feet six inches to intervene between the outer rail of the tramway and the curb on either side of the road.

Penalty for using steam or mechanical power contrary to Order or regulations.

18. The lessees or any person using steam or any mechanical power on any of the tramways, contrary to the provisions of this Order, or to any of the regulations set forth in the Schedule A. to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall for every such offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues: Provided always, that whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the lessees, or any person using steam or any mechanical power on the tramways under the authority of this Order, have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the Schedule A. to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the lessees or such person to cease to exercise the powers aforesaid, and thereupon the lessees or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same, or any of the same, unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws.

19. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to, byelaws with regard to any of the tramways upon which steam or any mechanical power may be used under the authority of this Order, for all or any of the following purposes; that is to say,

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine:

For regulating the emission of smoke or steam from engines used on the tramways:

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets and at such places, and in such cases of horses being frightened or of impending danger, as the Board of Trade may deem proper for securing safety:

For regulating the entrance to, exit from, and accommodation in the carriages used on the tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages.

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

20. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of the Tramways Act, 1870, as to byelaws by local authority.

21. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the Corporation to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the tramways under the authority of this Order; but the Corporation may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

22. All orders and byelaws made by the Board of Trade under the authority of this Order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade, and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Order.

Traffic upon Tramways.

Traffic upon tramways.

23. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Lessees not bound to carry animals, goods, &c.

24. The lessees shall not be bound to carry, unless they think fit, any animals, goods, minerals, or parcels other than passengers luggage not exceeding twenty-eight pounds in weight.

Provisions as to carriage of animals, goods, &c.

25. In case the lessees carry animals, goods, minerals, or parcels, they may, and when required by the Corporation shall, carry the same in separate carriages or separate parts of carriages set apart for that purpose; provided that this provision shall not apply to the carriage of passengers luggage.

Heavy traffic between eight a.m. and eight p.m.

26. Only passengers and passengers luggage not exceeding fifty-six pounds in weight, and no animals, goods, minerals, or parcels, shall be conveyed on the tramways between the hours of eight in the morning and eight in the evening, without the previous consent of the Corporation.

Corporation may use tramways for sanitary purposes.

27. The Corporation may, at such times and in such manner as they think fit (but subject to the provisions of this Order and to any byelaws for the time being in force with respect to the tramways), use the tramways for sanitary purposes, and for the conveyance of scavenging stuff, road metal, and other materials required for the works of the Corporation, free of all tolls and charges in respect of such use: Provided always, that the Corporation shall not, during the continuance of any lease of the tramways granted by them, use the tramways for any of the purposes aforesaid, except in the hours between midnight and 5 o'clock in the morning, without the consent of the lessees.

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Tolls.

Tolls and charges.

28. The tolls and charges authorised by this Order to be demanded and taken are as follows; viz.,

For every passenger travelling upon any of the tramways, or any part thereof any tolls or charges not exceeding for any distance traversed in the same direction at one time, the sum of threepence inside and twopence outside for each single journey of such passenger, whether with or without change of carriage:

For all animals, goods, minerals, and parcels conveyed upon the tramways, any tolls or charges not exceeding for any distance in the same direction the tolls and charges specified in the Schedule B. to this Order annexed, subject to the regulations in that behalf therein contained.

Such tolls or charges shall include all tolls and charges which may be demanded and taken for the use of the tramways, carriages, waggons, or trucks, and for motive power, and for every other expense incidental to such conveyance.

Passengers luggage.

29. Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof; all such personal luggage to be carried by hand and at the responsibility of the passenger, and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

30. The lessees shall at all times during the continuance of the demise of the tramways run between the termini, to be fixed as herein-after mentioned, as many carriages each way every morning in the week and every evening in the week (Sundays, Christmas Day, and Good Friday always excepted) as the Promoters may from time to time direct, at such hours, not being earlier than six in the evening throughout the year, and not being later than half-past seven in the morning, between the twenty-fifth day of October and the twenty-fifth day of March, nor later than half-past six o'clock in the morning between the twenty-fourth day of March and the twenty-sixth day of October, as the Promoters think most convenient for artizans, mechanics, and daily labourers at tolls or charges not exceeding one halfpenny per mile (the lessees, nevertheless, not being required to take any toll or charge less than one penny); provided always, that in case of any complaint made to the Board of Trade by the lessees or any other person of the number of carriages required to be run, or of the hours appointed by the Promoters for the running of such carriages, or of the termini within which such carriages are required to be run, the said Board shall have power to fix and regulate the same from time to time: Provided also, that if for any continuous period of six months it shall be found that on the average less than twenty passengers shall have been conveyed by any one or more of such carriages the lessees, on proof thereof to the satisfaction of the Board of Trade, may discontinue the running of such carriage or carriages; but the Board of Trade may at any time order the resumption thereof by the lessees if it shall seem desirable to the Board of Trade so to do.

Every lease to be granted by the Promoters shall imply a condition of re-entry if the lessees, at any time after the expiration of twenty-one days' notice requiring them to run such carriages between such termini at such

times and at such tolls or charges as herein-before mentioned, make default in complying with such notice, unless such default be occasioned by unavoidable accident.

The termini between which carriages are to be run under the provisions of this section shall be such as may be specified in the lease and approved by the Board of Trade or (if not so specified) as may from time to time be agreed upon between the Promoters and the lessees, and approved by the Board of Trade, or in case of difference settled by the Board of Trade, and nothing in this section shall be construed to prevent the fixing of different hours in the case of different routes or parts thereof, or in the case of opposite directions on the same route.

Payment of tolls.

31. The tolls and charges by this Order authorised shall be paid to such persons, and at such places upon or near to the tramways, and in such manner and under such regulations as the persons entitled to demand and take such tolls and charges may, by notice to be annexed to the list of tolls and charges, appoint.

Periodical revision of tolls.

32. 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 twenty inhabitant ratepayers of the city, or by the lessees, 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 on such 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 the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways, or on such portion of the tramways, in such manner as they think fit, and thenceforth such 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 Order authorised.

Opening of Tramways to the Public.

As to user of tramways and tolls thereon when open to be used by the public.

33. Subject to any lease or agreement for a lease, the Promoters may from time to time by resolution declare the tramways, or any part thereof, to be open to be used by the public, and for such periods and subject to such conditions and restrictions as to motive power and otherwise as the Promoters may, subject to the provisions of this Order and the approval of the Board of Trade, think fit, and such user may be either concurrently with the lessees or otherwise; and so soon as the Promoters have passed such resolution, and the same has been approved by the Board of Trade by writing signed by a Secretary or an Assistant Secretary of the Board of Trade, any person may use the tramways, or any part thereof, in accordance with the terms of such resolution, and subject

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to the provisions of this Order, with carriages having flange wheels or other wheels suitable only to run on the rail of the tramways, and may demand and take for the like purposes for which tolls or charges are authorised to be demanded and taken by this Order any tolls or charges not exceeding the tolls or charges by this Order authorised to be demanded and taken for such purposes.

Tolls if tramways open to be used by the public.

34. If the tramways, or any part thereof, be declared to be open to be used by the public, the Promoters may demand and take from any person so using the tramways, or any part thereof, the following tolls and charges in respect of such user; namely,

For every passenger travelling in or upon any of the carriages of such person any tolls or charges not exceeding one half of the tolls and charges by this Order authorised to be demanded and taken by such person for such passenger:

For any animals, goods, minerals, and parcels conveyed in or upon the carriages of such person, any tolls or charges not exceeding one half of the tolls and charges specified in the Schedule B. to this Order annexed, in respect of such animals, goods, minerals, and parcels so conveyed, subject to the regulations in that behalf therein contained:

and the Promoters may, if they think fit, commute such tolls or charges so that the commuted sum may be as near as possible an equivalent of such tolls or charges.

Servants of the Promoters to ride in carriages, &c. free of charge.

35. Any person so using the tramways or any part thereof declared to be open to be used by the public, and the officers and servants of such person, shall permit any person duly authorised for that purpose by the Promoters to ride free of charge, for the whole or any part of the journey, in or upon each carriage, waggon, truck, or vehicle in or upon which any passengers, animals, goods, minerals, or parcels are conveyed upon the tramways or such part thereof.

Certain provisions of the Tramways Act, 1870, as to licensees extended to persons using the tramways when open to the public.

36. The provisions contained in the following sections of the Tramways Act, 1870; namely,

Section 36. (In default of payment of tolls, licensees carriages may be detained and sold);

Section 37. (Licensees to give account of passengers carried by them);

Section 38. (Licensees not giving account of passengers carried liable to penalty);

Section 39. (Disputes as to amount of tolls to be settled by justices); and

Section 40. (Owners of carriages liable for damages done by their servants);

shall, so far as the same are applicable in this behalf, extend and apply, mutatis mutandis, to the person or persons so using the tramways, or any part thereof, declared to be open to be used by the public; and in construing those sections for the purposes aforesaid—

The expression "licensee" or "licensees" shall mean the person or persons so using the tramways or any part thereof:

The expression "passengers" shall include animals, goods, minerals, and parcels;

The expression "number of passengers" shall include the number or quantity (as the case may require) of the animals, goods, minerals, or parcels conveyed; and

The expression "carriage" shall include any waggon, truck, or vehicle in or upon which such animals, goods, minerals, or parcels are conveyed. A.D. 1881.

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Miscellaneous.

Carriages or horses unfit for use may be removed.

37. The Corporation may cause to be removed from the tramways any carriage or horse which is certified by any officer appointed by the Corporation to be unfit for use upon the tramways: Provided that every certificate made by the said officer to the Corporation shall be in writing, and shall state fully the particulars in which, in the opinion of the said officer, the carriage or horse (as the case may be) is unfit for use; and notice of every such certificate, setting forth the particulars contained in the said certificate, shall be served upon the lessee or other person owning or using such carriage or horse prior to any action being taken thereon by the Corporation: Provided further, that if any dispute arise between the Corporation and such person as to the fitness or unfitness of any such carriage or horse, the same shall be settled by two justices.

Power to enter into agreements with respect to traffic, &c.

38. Any lessees or licensees on the one hand, and any person on the other hand, may, with the consent of the Board of Trade, from time to time, but subject to the provisions of this Order, enter into agreements with respect to the receiving from or forwarding to any such person any passengers, animals, goods, minerals, or parcels, and the fixing, collecting, and apportionment of tolls, charges, rents, or other receipts arising from the tramways, upon such terms and conditions as may be agreed upon between such lessee or licensee and such person, subject, nevertheless, to the control and supervision of the Promoters.

Provisions as to arbitration.

39. Where under the provisions of the Tramways Act, 1870, and this Order, any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

40. With respect to notices, and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that is to say,)

(1.) Every notice shall be in writing or print, or partly in writing and partly in print, and if given by the Promoters or by any local authority or any road authority shall be signed by their clerk or secretary:

(2.) Any notice to be delivered by or to the Promoters to or by any local authority, or any road authority, or other body, or any company, may be delivered by being left at the principal office of that authority, body, or company, or at the Town Hall in the city, 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, or to the town clerk at the Town Hall.

The Corporation may borrow 200,000*l.* to be repaid in 30 years.

41. The Corporation may, under and according to the provisions contained in section twenty of the Tramways Act, 1870, borrow for the purpose of this Order, in addition to any sum or sums of money they are already authorised to borrow, any sum or sums of money not exceeding two hundred thousand

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pounds, and the time for which such sum of two hundred thousand pounds may be borrowed shall be thirty years; and for the purpose of such borrowing the Corporation may include in any mortgage of the local rate the moneys coming to them out of the rents reserved under any lease made under the authority of this Order, and the tolls, charges, and sums authorised to be taken or received by them under the provisions of this Order.

Provisions of tenth and eleventh sections of Liverpool Tramways Act, 1880, to apply to tramways.

42. The provisions of the tenth section and the first part of the eleventh section of the Liverpool Tramways Act, 1880, shall apply to the tramways bythis Order authorised to be constructed, although the same may not be constructed and completed before the thirty-first day of December one thousand eight hundred and eighty-one, provided that the same be completed before the thirty-first day of December one thousand eight hundred and eighty-two; and in case the tramways authorised by this Order, or any of them, are not constructed and completed before the thirty-first day of December one thousand eight hundred and eighty-two, the provisions of the second part of the eleventh section of the Liverpool Tramways Act, 1880, shall apply to such of the tramways authorised by this Order as are not constructed and completed before the thirty-first day of December one thousand eight hundred and eighty-two.

Saving for general Acts.

43. Notwithstanding anything in this Order contained, the Promoters, lessees, and any person using the tramways, shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways, or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways or upon the use on tramways of animal power, steam power, or any mechanical power by any such general Act as aforesaid.

SCHEDULE A.

Break power of engines.

Every engine used on the tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

As to fittings of engines, &c.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof, and shall be fitted—

With an indicator by means of which the speed shall be shown;

With a suitable fender to push aside obstructions;

With a special bell, whistle, or other apparatus to be sounded as a warning when necessary; and

With a seat for the driver of such engine, so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above

four inches from the level of the rails, and all fire used on such engine shall be concealed from view. A.D. 1881.

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Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage. As to carriages.

The Board of Trade shall on the application of the Corporation, and may on complaint made by any person, from time to time inspect any engine or carriage used on the tramways and the machinery therein, and may whenever they think fit prohibit the use on the tramways of any such engine or carriage which in their opinion may not be safe for use on the tramways. Inspection of engines and carriages.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour. As to speed.

The speed at which engines and carriages may pass through moveable facing-points shall not exceed the rate of four miles an hour.

SCHEDULE B.

TOLLS AND CHARGES FOR THE CONVEYANCE OF ANIMALS, GOODS, &c.

Animals.

	s.	d.
For every horse, mule, or other beast of draught or burden - -	0	6
For every ox, cow, bull, or head of cattle - - - -	0	6
For every calf, pig, sheep, or other small animal - - -	0	3

Goods and Minerals.

For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fire-clay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways	per ton	0	3
For all iron, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fire-clay), and for wrought iron not otherwise specially classed herein, and for heavy iron castings, including railway chairs -	per ton	0	3
For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings - - - - -	per ton	0	4
For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things -	per ton	0	4
For every carriage, of whatever description, not weighing more than one ton, tenpence, and the additional sum of twopence for every additional quarter of a ton above one ton.			

Single Articles of Great Weight.

For the carriage of any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article the

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	s.	d.
weight of which including the carriage shall not exceed four tons, per ton	0	8

For the carriage of any single piece of timber, stone, machinery, or other single article the weight of which with the carriage shall exceed four tons, such sum as the person or persons conveying the same may think fit.

Parcels.

For any parcel not exceeding seven pounds in weight	0	3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight	0	5
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight	0	7
For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight	0	9

For any parcel exceeding fifty-six pounds in weight, such sum as the lessees, persons, or person conveying the same, may think fit:

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

Regulations as to Tolls.

For a fraction of a ton tolls or charges may be demanded and taken according to the numbers of the quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

Manchester Corporation.

MANCHESTER CORPORATION TRAMWAYS.

Order authorising the Mayor, Aldermen, and Citizens of the city of Manchester, in the county of Lancaster, to construct certain Tramways in the said city.

Short title.

1. This Order may be cited as "The Manchester Corporation Tramways Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the

Tramways Act, 1870, are hereby incorporated with this Order except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order:

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expression "the Corporation" shall mean the mayor, aldermen, and citizens of the city of Manchester, in the county of Lancaster;

The expression "the City" shall mean the said city of Manchester;

The expression "the Order of 1878" shall mean the Manchester Corporation Tramways Order, 1878; and

The term "person" shall include a corporation.

Promoters.

The Promoters.

4. The Corporation acting by the Council shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes; provided that they shall not at any time hold for such purposes more than five acres of land under the authority of this Order.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order (in this Order referred to as "the deposited plans" and "the deposited sections") the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith or for the purposes thereof.

The tramways authorised by this Order are —

Tramway No. 1 (2 furlongs 0·20 chains in length), commencing in St. Mary's Gate near its easterly end by a junction with the lines authorised by the Order of 1878, and passing thence in an easterly direction into and along Market Street, and terminating in Market Street opposite the end of High Street by a junction with the line authorised by the Order of 1878.

Tramway No. 1a (2 furlongs 0·62 chains in length), commencing in Market Street by a junction with the lines authorised by the Order of 1878 opposite the end of Corporation Street, and passing thence in an easterly direction along Market Street, and terminating in Piccadilly opposite the end of Mosley Street by a junction with the existing lines authorised by the Order of 1878.

The above-mentioned Tramways Nos. 1 and 1a, comprising together a length of 1 furlong 4·73 chains of double line and 1 furlong 1·36 chains of single line, will in conjunction with lines authorised by the Order of 1878 form a double line throughout the entire length of Market Street.

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Tramway No. 2 (2 furlongs 2·44 chains in length), commencing in Corporation Street by a junction with the lines authorised by the Order of 1878 on the northerly side of Market Street, and passing thence in a southerly direction across Market Street into and along Cross Street, and terminating in Albert Square by a junction with Tramway No. 3 on the southerly side of the Albert Memorial.

Tramway No. 2a (1 furlong 0·87 chains in length), commencing in Cross Street by a junction with Tramway No. 2 at the southerly side of Market Street, passing thence in a southerly direction along and terminating in Cross Street by a junction with Tramway No. 2 at the northerly side of King Street.

Tramway No. 2b (2·97 chains in length), commencing in Albert Square by a junction with Tramway No. 2 opposite the end of John Dalton Street, and terminating in Albert Square by a junction with Tramway No. 2 on the westerly side of the Albert Memorial.

The above-mentioned Tramways Nos. 2, 2a, and 2b, comprising together a length of 1 furlong 3·86 chains of double line and 8·58 chains of single line, will together form a double line throughout, except in crossing Market Street and in Cross Street between King Street and the southerly side of John Dalton Street and in Albert Square between the Albert Memorial and the termination of Tramway No. 2.

Tramway No. 3 (2 furlongs 4·50 chains in length), a single line, commencing in Deansgate by a junction with the existing line at the end of John Dalton Street, passing thence in an easterly direction along John Dalton Street, thence in a southerly direction through Albert Square and Mount Street, and terminating in Peter Street by a junction with the line authorised by the Order of 1878.

Tramway No. 3a (1·33 chains in length), a short curve of single line, commencing in Peter Street by a junction with the line authorised by the Order of 1878, and terminating in Mount Street by a junction with Tramway No. 3.

Tramway No. 4 (1 furlong 7·10 chains in length), a single line, commencing in Albert Square by a junction with Tramway No. 3 at the end of Mount Street, passing thence in a northerly direction along the east side of Albert Square, thence in a south-easterly direction along Princess Street, and terminating in Mosley Street by a junction with the existing line.

Tramways Nos. 5 and 5a (respectively 2·75 chains and 2·53 chains in length), a double line, commencing in Deansgate by junctions with the existing lines nearly opposite the Victoria Bridge, and terminating at the northerly end of Victoria Street by junctions with the lines authorised by the Order of 1878.

Provisions as to construction of tramways.

7. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters shall before they proceed 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 such

tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade, and after such approval the works shall be executed in accordance in all respects with such plan and statement.

As to rails of tramways.

8. The rails of the tramways shall be such as the Board of Trade may approve.

Penalty for not maintaining rails and road in good condition.

9. The Promoters 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 which any of the tramways for the time being consist and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject on information laid or complaint made to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the City that the Promoters have made any such default as aforesaid the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed in respect of offences.

Additional crossings, &c. may be made where necessary.

10. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways, or any of them, or for providing access to any stables or carriage-houses, sheds, or works of the Promoters or their lessees or licensees: Provided, that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

11. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid it is in the opinion of the Promoters necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Promoters may from time

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to time construct in the same or any adjacent road, and may maintain so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

Application of road materials excavated in construction of Promoters works.

12. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under their jurisdiction or control shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such a manner as they may think fit.

Tramways not to be opened until certified by the Board of Trade.

13. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have by an order signed by a Secretary or an Assistant Secretary of the said Board authorised the same to be opened for such traffic.

Traffic and Tolls.

Tramways to form part of undertaking authorised by Order of 1878.

14. The tramways authorised by this Order shall be deemed to form part of the tramways authorised by the Order of 1878, and sections fourteen to twenty-five, both inclusive, of the Order of 1878, shall, as far as applicable, apply to the tramways by this Order authorised in like manner in every respect as if the tramways authorised by this Order formed part of the tramways authorised by the Order of 1878.

Periodical revision of tolls.

15. If at any time after three years from the opening for public traffic of the tramways authorised by this Order, or any portion of such tramways, or after three years from the date of any order made in pursuance of this section in respect of any of such tramways or any portion of such tramways, it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the city, or by the lessees, that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on such tramways or on such portion of such tramways should be revised, the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on such tramways or on such portion of such tramways in such manner as they think fit, and thenceforth such 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 authorised by the Order of 1878.

Miscellaneous.

Power to Board of Trade to grant certificate authorising release of deposit

16. It shall be lawful for the Board of Trade to grant their certificate authorising the repayment to the persons or the majority of the persons named in the warrant issued by the Board of Trade, and dated the 3rd day of April 1877, or the survivors or survivor of them, of so much of the money

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as is now in the Chancery Division of the High Court of Justice in respect of such of the tramways authorised by the Manchester Suburban Tramways Order, 1877, as were not opened for the public conveyance of passengers within the time limited by that Order, as extended by the special direction of the Board of Trade under the powers of the Tramways Act, 1870, as if the said tramways had been opened for the public conveyance of passengers within the time limited by the said Order extended as aforesaid, and the said Chancery Division shall, on the production of such certificate, order such money to be paid to such persons, or to such majority of such persons, or to the survivors or survivor of them, or to any persons or person whom they may appoint in that behalf, and upon such order being made such money shall be paid to such persons or person as aforesaid.

money in respect of portion of tramways authorised by Manchester Suburban Tramways Order, 1877.

17. Where under the provisions of the Tramways Act, 1870, and this Order, any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Provisions as to arbitration.

18. The Corporation may under and according to the provisions contained in section twenty of the Tramways Act, 1870, borrow for the purpose of this Order any sum or sums of money, not exceeding in the whole the sum of five thousand pounds, in addition to any sum or sums of money they are already authorised to borrow, and the time for which the said sum of five thousand pounds may be borrowed shall be thirty years; and for the purpose of such borrowing the Corporation may include in any mortgage of the City fund and City rate the rents reserved under any lease made under the authority of the Order of 1878 or of this Order, and the tolls, charges, and sums authorised to be taken or received by them under the provisions of the Order of 1878 or this Order, subject to all charges affecting the same at the time of the making of such mortgage.

The Corporation may borrow five thousand pounds to be repaid in thirty years.

19. Notwithstanding anything in this Order contained, the Promoters, lessees, and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power, by any such general Act as aforesaid.

Saving for general Acts.

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MIDDLESBROUGH TRAMWAYS (EXTENSIONS.)

Order authorising the construction of Tramways in the borough of Middlesbrough and parish of Ormesby, in the North Riding of the county of York.

Short title.

1. This Order may be cited as "The Middlesbrough Tramways (Extensions) Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised:

The expressions "the Order of 1873" and "the Act of 1875" shall mean respectively the Middlesbrough and Stockton Tramways Order, 1873, and the Middlesbrough and Stockton Tramways Act, 1875:

The expression "the Corporation" shall mean the mayor, aldermen, and burgesses of the borough of Middlesbrough, acting by the Council:

The term "person" shall include a corporation.

The Promoters.

4. The Imperial Tramways Company, Limited, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes; provided that they shall not at any time hold for such purposes more than five acres of land.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order, as the same have been amended previous to the passing of the Act confirming this Order, the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith, or for the purposes thereof, and may work and use the same.

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The tramways authorised by this Order are—

Tramway No. 1, wholly situate in the parish of Middlesbrough, commencing by a junction with the existing tramways in Albert Road, at the northern end thereof, passing thence into and along Exchange Place and Marton Road, and terminating in such last-mentioned road opposite the western side of Corporation Road. *Middlesbrough.*

The tramway shall be a single line, except between the following points where it shall be a double line:

From a point 50 feet or thereabouts east of the urinal in Exchange Place for a distance of 180 feet in an easterly direction.

From a point in Marton Road commencing 40 feet from the east side of Fry Street for a distance of 180 feet eastward therefrom:

Provided always, that the double line shall not extend northwards beyond the double line of the existing tramway.

The total length of Tramway No. 1 will be two furlongs 7·43 chains, of which 2 furlongs 1·97 chains will be single and 5·46 chains double line.

Tramway No. 1A, wholly situate in the parish of Ormesby, commencing in the Ormesby Road at a point 100 feet or thereabouts east of the centre of the North-eastern Railway at its point of crossing the Ormesby Road, passing thence eastwards along Ormesby Road, Smeaton Street, and High Street, and terminating at the junction of High Street and Market Place, North Ormesby.

The tramway shall be a single line, except between the following points, where it shall be a double line:

From a point 1 chain eastward from its commencement for a length of 4 chains.

At its termination for a length of 1·50 chains.

The total length of Tramway No. 1A will be 2 furlongs 0·50 chains, of which 1 furlong 5 chains will be single and 5·50 chains double line.

Tramway No. 2, wholly situate in the parish of Middlesbrough, commencing by a junction with Tramway No. 1 at points in Exchange Place, 50 feet or thereabouts south and east of the urinal in that street, passing thence northwards along Exchange Place, Queen's Square, Cleveland Street, and Durham Street, and terminating in such last-mentioned street opposite the southern side of Lower Commercial Street.

The tramway shall be a single line, except between the following points where it shall be a double line:

From a point 50 feet from the northern side of Bridge Street for a distance of 180 feet in Queen's Square.

From a point opposite the northern side of Hudson Street for a distance of 180 feet northward therefrom.

The total length of Tramway No. 2 will be 2 furlongs 5·72 chains, of which 2 furlongs 0·26 chains will be single and 5·46 chains double line.

Tramway No. 3, wholly situate in the parish of Middlesbrough, commencing by a junction with Tramway No. 2, at a point in Exchange Place at the northern face of Albert Bridge, passing thence into and along Bridge Street East and Dock Street, the south rail to be laid at a distance of not less than 6 feet nor more than 8 feet from the wall of the North-eastern Railway Company, and terminating in such last-mentioned

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street at a point 80 feet or thereabouts eastward of the eastern side of Lower Commercial Street.

The tramway shall be a single line, except between the following points, where it shall be a double line:

From a point opposite the east side of Grey Street for a distance of 180 feet eastward therefrom.

The total length of Tramway No. 3 will be 2 furlongs 9·90 chains, of which 2 furlongs and 7·17 chains will be single line and 2·73 chains double line:

Provided that the Tramway No. 2 as far as Ferry Road shall be constructed previously to or simultaneously with Tramway No. .

The tramways herein-before described will be made and pass from, in, through, or into the following parishes; that is to say, the parishes of Middlesbrough and Ormesby, both in the North Riding of the county of York.

As to crossing railways or tramways on level.

7. In the construction of any of the tramways across the rails of any railway or tramway not belonging to the Promoters now laid upon the level of any road the same shall be so constructed and maintained in accordance with a plan to be agreed upon between the engineer for the time being of the proprietors of such railway or tramway and of the Promoters, and under the superintendence and to the reasonable satisfaction of the engineer for the time being of the said proprietors at the cost of the Promoters, unless, after seven days notice given by the Promoters of their intention to commence such works, such superintendence is refused or withheld; and such of the tramways as are laid at such level crossing shall be maintained and kept in constant and efficient repair to the reasonable satisfaction of the engineer for the time being of the said proprietors. The Promoters shall not stop any tram cars on or otherwise interfere with or obstruct the traffic upon the railway or tramway of the said proprietors at such level crossing, and the Promoters shall, in respect of the traffic upon the tramways at such level crossing, be subject to such rules, bye-laws, and regulations relating thereto as may be agreed upon between them and the said proprietors. If by reason of the execution of any of the works or any proceedings of the Promoters, or the failure of any such works, or any act or omission of the Promoters, or of their servants, the railway or tramway or works of the said proprietors be injured or damaged, such injury or damage shall be forthwith made good by the Promoters at their own expense. In the event of any difference between the said proprietors or their engineer and the Promoters the same shall be settled by a referee to be appointed by the Board of Trade, in the manner provided by section thirty-three of the Tramways Act, 1870.

Further provisions as to construction of tramways.

8. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters 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 such tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such 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 twenty-six of the said Act.

As to repairs of roads in narrow streets.

9. Where double lines of tramway are laid in streets of a less width than forty-five feet from house to house the Promoters shall at all times pave, maintain, and keep in good condition and repair the whole breadth of the road between the kerb stones so far as the said double lines shall extend, and shall keep the same in good repair to the reasonable satisfaction of the road authority.

As to rails of tramways.

10. 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 road authority of any district in which the tramways or any part of the tramways are or is situate, require the Promoters to adopt and apply such improvements in the tramways within such district, 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 Promoters shall, with all reasonable despatch, comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

11. The Promoters 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 which any of the tramways for the time being consist, and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues; and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which 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 such district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate and if they fail to do

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so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed with respect to offences.

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

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

Tramways to be kept on a level with surface of road.

13. Whenever it shall be deemed necessary hereafter to take up, lay down, or otherwise alter any sewers, gas, or water pipes, or if any road authority shall alter the level of any road along or across which any of the tramways are laid or authorised to be laid the Promoters shall bear any additional expense caused by such tramway of breaking up, opening out, and putting in repair the road over which such tramway passes, 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.

Additional crossings, &c. may be made where necessary.

14. The Promoters may, subject to the provisions of this Order, from time to time hereafter make all such crossings, passing-places, sidings, junctions and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways, or any of them, or for providing access to any stables, carriage-houses, sheds, or works of the Promoters, subject to the consent and approval of the road authority: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand, addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

15. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is, in the opinion of the road authority, necessary or expedient temporarily to remove or discontinue the use of such tramway, or any part thereof, the Promoters may, subject to such conditions, and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

If any difference arises between the Promoters and any road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or temporary tramways under the authority of this section, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Application of road materials excavated in construction of Promoters works.

16. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority may be applied by the Promoters, so far as may be necessary, in or towards the reinstating of such road, and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway of such road on either side of such tramways as the Promoters are by this Order required to maintain; and the Promoters shall if so required deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person or persons as he may appoint to receive the same: Provided that if within seven days after notice in writing to the road authority that the surplus of such paving, metalling, or material is ready for removal, such surplus is not removed by the said surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority 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 all differences between the Promoters and any road authority.

Tramways not to be opened until certified by Board of Trade.

17. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or an Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

Traffic and Tolls.

Traffic on tramways.

18. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Tolls.

19. The tramways authorised by this Order shall for the purposes of tolls and charges be deemed to form part of the tramways authorised by the Order of 1873 and the Act of 1875, and it shall be lawful for the Promoters to demand and take such tolls and charges in respect of each and every description of traffic as they would have been entitled to demand and take if the same had originally formed part of the said tramways authorised as aforesaid, and the provisions of sections seventeen to twenty-one, both inclusive, and Schedule A. of the Order of 1873 shall apply to the tramways by this Order authorised, and to the traffic upon the same, and the tolls and charges to be demanded and taken in respect thereof in like manner in every respect as if the tramways by this Order authorised formed part of the tramways in the said sections and Schedule referred to.

Periodical revision of tolls.

20. 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 hereinafter mentioned, or any portion of such tramways, it is represented in writing to

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the Board of Trade by the local authority of any district in which the tramways constructed under the authority of the Order of 1873, or of the Act of 1875, or of this Order, or any portion of such tramways are or is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Promoters, that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on such tramways or on such portion of such tramways should be revised, the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing, altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on such tramways or on such portion of such tramways in such manner as they think fit, and thenceforth such 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 the Order of 1873 authorised.

Miscellaneous.

As to purchase of tramways by Corporation.

21. For the purposes of section forty-three of the Tramways Act, 1870, the periods after the expiration of which the Corporation may purchase the undertaking (not including horses) of the Promoters authorised by this Order and so much of the undertakings of the Promoters authorised by the Order of 1873, and the Act of 1875, as is within the borough of Middlesbrough, under the authority of the said section, shall be within six months after the expiration of a period of seven years and within six months after the expiration of every subsequent period of seven years from the time of the passing of the Act confirming this Order, or within three months after any Order made by the Board of Trade under section forty-one or forty-two of the Tramways Act, 1870, and for the purposes of this section, the said section shall be construed accordingly.

Provided always, that in case the Corporation shall exercise such power of purchase they shall grant to the Promoters, and the Promoters shall accept a lease of the tramways and works so purchased by them at a rental and upon the terms and conditions specified in the agreement set forth in the Schedule to this Order: Provided always, that such lease shall not take effect until the same has been approved by the Board of Trade.

Provisions as to arbitration.

22. Where under the provisions of the Tramways Act, 1870, and this Order any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

23. With respect to notices and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that it to say,)

(1.) Every notice shall be in writing or print, or partly in writing and partly in print, and if given by the Promoters or any local authority, or any road authority, shall be signed by their secretary or clerk:

(2.) Any notice to be delivered by or to the Promoters to or by any local authority, or any road authority, or other body, or any company, may be delivered by being left at the principal office of such authority, body, or company, or of the Promoters, as the case may be, or by being sent by post in a registered letter addressed to their respective clerk or secretary at such principal office.

Agreement between Promoters and road authorities.

24. The Promoters and any road authority may, subject to the provisions of this Order, from time to time enter into any contracts and agreements with respect to the construction, 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 passage of the traffic over and along the same.

Power to enter into agreements with respect to traffic, &c.

25. The Promoters or any person using the tramways under the authority of this Order on the one hand, and any person on the other hand, may, with the consent of the Board of Trade, from time to time, but subject to the provisions of this Order, enter into agreements with respect to the receiving from or forwarding to any such person any passengers, animals, goods, minerals, or parcels, and the fixing, collecting, and apportionment of tolls, charges, rents, or other receipts arising in respect of such traffic.

Approval of Board of Trade to sale, &c. in writing.

26. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing signed by a Secretary or an Assistant Secretary of the said Board.

Saving as to powers of borrowing on mortgage.

27. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or the approval of the Board of Trade necessary to the validity or effect of any such mortgage: Provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking, or any part thereof, to the local authority under section forty-three of the Tramways Act, 1870, or under this Order, and that every mortgage deed granted by the Promoters shall be endorsed with notice that such mortgage will not be a charge upon the undertaking, or any part thereof, in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act, 1870, or under this Order.

Confirmation of agreement between the Corporation and the Promoters.

28. The agreement made between the Corporation and the Promoters, and bearing date the 29th day of April one thousand eight hundred and eighty-one, which agreement is set out in the Schedule to this Order annexed, shall be and the same is hereby confirmed and made binding on the parties thereto.

Saving for general Acts.

29. Notwithstanding anything in this Order contained, the Promoters and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the

A.D. 1881. passengers or traffic conveyed thereon, and to any future revision and alteration, under the authority of Parliament, of the maximum rates of tolls and charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power by any such general Act as aforesaid.

Middlesbrough.

SCHEDULE.

An Agreement made the 29th day of April 1881, between the Mayor, Aldermen, and Burgesses of the borough of Middlesbrough, in the north riding of the county of York (herein-after called the "Corporation"), of the one part, and the Imperial Tramways Company, Limited (herein-after called the "Company"), of the other part.

Whereas an application is now pending before the Board of Trade for a Provisional Order to authorise the construction by the Company of certain tramways in the said borough of Middlesbrough:

And whereas the Company are the owners of the existing Middlesbrough tramways.

Now it is hereby agreed between the Corporation and the Company as follows; that is to say,

1. In case the said Provisional Order shall be made and confirmed by Parliament, and in case the Corporation shall exercise the power of purchase in such Order contained, then, upon the completion of such purchase, the said Corporation shall grant to the Company and the Company shall accept a lease of the right of user of the said tramways and works so constructed, and the exclusive rights of demanding and taking in respect of the said tramways the tolls and charges to be authorised by the Order for a term of twenty-one years, to be computed from the date of the confirmation of the said Order, but this power of purchase shall not extend to the horses belonging to the said Company.

The yearly rent for the said premises so to be demised to the Company to be reserved upon such lease shall be a sum equal to five pounds per cent. per annum upon the moneys which shall have been paid by the Corporation to the said Company in respect of the said tramways and works.

The said rent shall be paid by equal quarterly payments, and the first payment shall be made at the expiration of three calendar months next after the commencement of the said term, and the succeeding quarterly payments at the expiration of each succeeding period of three calendar months.

The lease to be granted shall contain clauses or provisions—

For the maintenance, repair, and renewal by the Company at their expense during such lease of the demised tramways and works, and the whole of the roadways as mentioned in the said Order, to the satisfaction of the said Corporation as the sole judges thereof,

For the delivery up of the same at the expiration or other sooner determination of the lease so maintained, repaired, and renewed, and in as good state, order, and condition as the said tramways and works were at the time of purchase by the Corporation.

For indemnifying the Corporation from and against all accidents, damages, and injuries through the act or default of the Company, their officers or servants.

For giving to the Corporation full powers of distress over all the property of the Company for any arrears of rent due to them from the Company under such lease, but subject to a proviso that it shall not be lawful for the Corporation so to exercise the power of distress as to occasion any stoppage or interruption in the working of the tramways, and also full powers of re-entry on nonpayment of rent for twenty-one days, or non-performance or non-observance by the Company of the covenants and provisions of such lease.

For the reference of disputes to arbitration.

All covenants, clauses, and provisions on the parts of the lessors and lessees usual or proper in leases of tramways by a local authority to an incorporated company, or as may be necessary in order to give effect to the provisions of this agreement.

The lease shall be prepared by the solicitor of the Company, and be approved by the Corporation, and in case any dispute shall arise as to the form thereof, or as to the proper provisions to be inserted therein, the same shall be settled on behalf of both parties by a barrister-at-law, to be agreed upon, or, failing agreement, to be nominated by the Board of Trade.

The Company shall execute a counterpart of the lease, and shall upon the execution of such lease pay all the costs, charges, and expenses of and incidental to the preparation, perusal, and execution thereof, and of the counterpart thereof, and of this agreement.

Upon the determination of this lease by effluxion of time the Company shall (with the consent of the Board of Trade) have the option of taking a further lease for such term and upon such conditions as may be mutually agreed upon by the Corporation and the Company.

Upon the determination of the tenancy by effluxion of time, or otherwise, the Company shall sell, and the Corporation shall purchase, such of the lands, buildings, stabling, works, fixed plant, rolling stock, horses, and materials then belonging to the Company, and suitable to and used or acquired for the purposes of their undertaking, as may be necessary for the proper working of the tramways so leased, provided that the same are not required by the Company for the purposes of the other parts of their undertaking, at a price to be ascertained in the manner provided by the forty-third section of the Tramways Act, 1870, with respect to the value to be put upon purchases made under that section: Provided also, that the Corporation shall not be compelled to purchase any lands, buildings, stabling, works, plant, rolling stock, horses, and materials beyond what is absolutely necessary for the satisfactory working of the said tramways. And further, that if the Company shall purchase land, or erect any buildings which shall form part of the undertaking to be purchased under this agreement during the said tenancy, the consent in writing of the said Corporation shall be obtained.

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The carriages to be used by the Company on the tramways shall be constructed and maintained to the satisfaction of the Corporation, or any person to be appointed by them for the purpose, and the carriages shall be run at such times and at such speed as the Corporation, or any officer appointed by them may from time to time direct, and generally the Corporation shall, subject to the provisions of the lease, have powers to make such regulations or pass bye-laws with reference to the working or use of the said tramways, and other powers and authorities as are conferred upon local authorities by the Tramways Act, 1870.

The Company shall proceed with the Provisional Order promoted by them and now pending before the Board of Trade as amended, and the Corporation shall consent thereto: Provided that the Company shall not be bound to proceed with Tramway No. 1 should the consent of the Middlesbrough owners be withheld, nor with the part of Tramway No. 2 situate in Lower Commercial Street.

In witness whereof the said mayor, aldermen, and burgesses have hereunto caused their corporate seal to be affixed, and the Imperial Tramways Company, Limited, have hereunto caused their common seal to be affixed the day and year first before written.

North Staffordshire.

NORTH STAFFORDSHIRE TRAMWAYS (EXTENSIONS).

Order authorising the construction of Tramways in the district of the rural sanitary authority of Stone, the borough of Hanley, the borough of Burslem, the borough of Stoke-upon-Trent, the borough of Newcastle-under-Lyme, the district of the rural sanitary authority of Wolstanton, and the district of the rural sanitary authority of Cheadle, in the parish of Trentham, the township of Blurton, in the parish of Trentham, the township of Normacot, in the parish of Stone, the parish of Stoke-upon-Trent, the parish of Newcastle-under-Lyme, the parish of Wolstanton, the parish of Burslem, in the township of Knutton, in the parish of Wolstanton, and the township of Weston Coyney, in the parish of Caverswall, all in the county of Stafford.

Short title.

1. This Order may be cited as "The North Staffordshire Tramways Extensions Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order— Interpretation.

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised:

The term "person" shall include a corporation.

Promoters.

4. The North Staffordshire Tramways Company, Limited, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters." The Promoters.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes; provided that they shall not at any time hold for such purposes more than ten acres of land. Lands by agreement.

Construction of Tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, in accordance with the plans and sections deposited for the purposes of this Order (in this Order referred to as "the deposited plans" and "the deposited sections"), the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, engine houses, carriage-houses, warehouses, works, and conveniences connected therewith or for the purposes thereof, and may work and use the same. Construction of tramways.

The tramways authorised by this Order are—

Tramway No. 1, in the parish of Trentham, commencing in Trentham Road at the boundary of the borough of Longton, proceeding thence along Trentham Road, and terminating in that road at a point opposite its junction with Belgrave Road.

Tramway No. 1 shall be a single line, except—

(A.) In Trentham Road, from a point opposite the end of Belgrave Road, for a distance of 2·5 chains northward.

The total length of Tramway No. 1 is one furlong 9·79 chains, of which one furlong 7·29 chains is single line, and 2·58 chains is double line.

Tramway No. 2, commencing in the parish of Stone in Meir Road at the boundary of the borough of Longton, proceeding thence along Meir Road, Blythe Bridge Road, thence along Blythe Bridge Road, in the parish of Caverswall, and terminating therein at a point opposite the Saracen's Head Inn.

Tramway No. 2 shall be a single line, except—

(A.) In Meir Road, from a point two furlongs ·6 chain from the commencement of the line for a distance of 2·58 chains eastward, and from a point opposite the end of the road from Normacot for a distance of 2·5 chains eastwards, and from a point ·5 chains west of its termination for a distance of 2·5 chains westward.

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The total length of Tramway No. 2 is six furlongs 6·85 chains, of which five furlongs 9·35 chains is single line, and 7·58 chains double line.

Tramway No. 4, commencing in the parish of Stoke-upon-Trent, in Shelton Old Road, at its junction with Liverpool Road, proceeding thence along Shelton Old Road, North Street, and Shelton Road, in the borough and parish of Stoke-upon-Trent, George Street, Brunswick Street, Nelson Place, Ironmarket, New Street, High Street, Penkhull Street, and London Road, in the borough and parish of Newcastle-under-Lyme, and terminating therein at the boundary of the borough of Newcastle-under-Lyme.

Tramway No. 4 shall be a single line, except—

(A.) In Shelton Old Road, from a point 1·8 chains from its commencement for a distance of two chains westward.

(B.) In North Street, from a point two furlongs from the commencement of the line for a distance of 2·5 chains northward, and from a point five furlongs 7·5 chains from its commencement for a distance of 2·5 chains northward.

(C.) In Shelton Road, from a point seven furlongs 6·9 chains from its commencement for a distance of 2·5 chains westward, and from a point one mile three furlongs 7·5 chains from its commencement for a distance of 2·5 chains westward.

(D.) In Ironmarket, from a point 0·25 chain from the commencement thereof for a distance of 2·5 chains southward.

(E.) In High Street, Newcastle-under-Lyme, from a point 1·8 chains south of Guildhall for a distance of two chains southward.

(F.) In London Road, from a point opposite the end of Victoria Street for a distance of 2·25 chains southward.

The total length of Tramway No. 4 is two miles four furlongs 0·2 chains, of which two miles two furlongs 2·45 chains is single line, and one furlong 8·75 chains double line.

Tramway No. 5, commencing in the parish of Newcastle-under-Lyme by a junction with Tramway No. 4 in Nelson Place at its junction with Ironmarket, proceeding thence along Queen Street and the Brampton in the borough and parish of Newcastle-under-Lyme, May Bank, Wolstanton, Port Hill, and Longport, in the parish of Wolstanton, Station Street and Davenport Street, in the parish of Burslem, and terminating therein at its junction with Newcastle Street.

Tramway No. 5 shall be a single line, except—

(A.) In the Brampton, from a point two furlongs from its commencement for a distance of 2·5 chains northward, and from a point four furlongs from its commencement for a distance of 2·5 chains northward, and from a point six furlongs 0·25 chains from its commencement for a distance of 2·5 chains northward.

(B.) In Wolstanton, from a point 1·3 chains north of May Bank for a distance of 2·5 chains northward, and from a point 0·3 chains north of Knutton Road for a distance of 2·5 chains northward, and from

a point opposite the end of Silverdale Road for a distance of 2·5 chains northward.

(C.) In Port Hill, from a point one mile five furlongs 7·5 chains from its commencement for a distance of 2·5 chains northward, and from a point two miles 0·7 chain from its commencement for a distance of 2·5 chains northwards, and for a distance of 2·5 chains southwards from the bridge crossing the North Staffordshire Railway.

(D.) In Devonport Street, from a point 0·5 chains south of its termination for a distance of two chains southward.

The total length of Tramway No. 5 is two miles four furlongs 9·39 chains, of which two miles two furlongs 4·89 chains is single line, and two furlongs 4·5 chains is double line.

Tramway No. 6, in the parish of Burslem, commencing in Station Street by a junction with Tramway No. 5 at its termination, and proceeding thence along Station Street, and terminating at the junction of Station Street with Newcastle Street.

Tramway No. 6 shall be a single line for its entire length.

The total length of Tramway No. 6 is 3·22 chains.

Tramway No. 7, commencing in the parish of Newcastle-under-Lyme in Silverdale Road, at its junction with Pool Dam, proceeding thence along Silverdale Road, Newcastle Street, and Church Street, Silverdale, in the parish of Wolstanton, and terminating in the last-named street at a point opposite its junction with Chapel Street, Silverdale.

Tramway No. 7 shall be a single line, except—

(B.) In Silverdale Road, Wolstanton, from a point 2·7 chains east of where it is crossed by the mineral railway for a distance of two chains eastward, and from a point one chain east of the end of Knutton Road for a distance of 2·5 chains eastward.

(C.) In Newcastle Street, Silverdale, from a point 2·7 chains west of Bridge Street for a distance of two chains westward.

(D.) In Church Street, Silverdale, from a point opposite the end of Chapel Street, Silverdale, for a distance of 2·5 chains eastward.

The total length of Tramway No. 7 is one mile five furlongs 8·42 chains, of which one mile four furlongs 9·42 chains is single line, and 9·5 chains double line.

Tramway No. 8, in the parish of Stoke-upon-Trent, commencing in Howard Place, in the borough of Hanley, proceeding thence along Howard Place, Newcastle Road, and Shelton Road, and terminating therein by a junction with Tramway No. 4 at a point 0·44 chains from the junction of Shelton Road with North Street.

Tramway No. 8 shall be a single line, except—

(A.) In Newcastle Road, from a point two furlongs 7·4 chains from its commencement for a distance of two chains westward.

The total length of Tramway No. 8 is five furlongs 4·19 chains, of which five furlongs 2·19 chains is single line, and two chains is double line.

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The said tramways will be made and pass from, in, through, and into the following townlands, parishes, townships, and extra-parochial places, or some or one of them; (that is to say,) the parish of Trentham, the township of Blurton in the parish of Trentham, the township of Normacot in the parish of Stone, the parish of Stoke-upon-Trent, the parish of Newcastle-under-Lyme, the parish of Wolstanton, the parish of Burslem, the township of Knutton in the parish of Wolstanton, and the township of Weston Coyney in the parish of Caverswall, all in the county of Stafford.

Provision as to part of North Street.

7. The tramway shall not be laid or worked in that part of North Street, Stoke-upon-Trent, which has not been opened for public traffic until such street is opened for public traffic without the consent of the local and road authorities of the borough of Stoke-upon-Trent, nor along New Street, Stoke-upon-Trent, until the widening of that street which is now being carried out by the local authority is completed.

Gauge of tramways.

8. The tramways shall be constructed on a gauge of four feet: Provided always, that so much of section thirty-four of the Tramways Act, 1870, as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of the carriage shall not apply to carriages used on the tramways, but no carriage or engine used on the tramways shall exceed six feet six inches in width.

Provisions as to construction of tramways.

9. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters 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 such tramways, and a statement of the materials intended to be used therein, and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such 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 twenty-six of the said Act.

As to rails of tramways.

10. 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 road authority of any district in which the tramways or any portion thereof are or is situate, require the Promoters to adopt and apply such improvements in the tramways within such district, 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 Promoters shall, with all reasonable despatch, comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

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Penalty for not maintaining rails and road in good condition.

11. The Promoters 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 which any of the tramways for the time being consist, and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject on information laid or complaint made to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which 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 such district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed with respect to offences.

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

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

Tramways to be kept on a level with surface of road.

13. If any road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Promoters 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.

Additional crossings, &c. may be made where necessary.

14. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works in addition to those particularly specified in and authorised by this Order as may from time to time be necessary or convenient to the efficient working of the tramways, or any of them, or for providing access to any stables, carriage-houses, sheds, or works of the Promoters, subject to the approval of the road authority: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road if any owner or occupier of premises abutting on the place where such rail is proposed to be laid by writing under his hand addressed to the Promoters express his objection thereto.

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Temporary tramways may be made when necessary.

15. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways is laid, it is, in the opinion of the road authority, necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Promoters may, subject to such conditions and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and, with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of the tramway so removed or discontinued.

If any difference arise between the Promoters and any road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or temporary tramways under the authority of this section, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Application of road materials excavated in construction of works.

16. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority may be applied by the Promoters, so far as may be necessary, in or towards the reinstating of such road, and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway of such road on either side of such tramways as the Promoters are by this Order required to maintain; and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person or persons as he may appoint to receive the same: Provided that if within seven days after notice in writing to the road authority that the surplus of such paving, metalling, or material is ready for removal, such surplus is not removed by the said surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority 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 all differences between the Promoters and any road authority.

Tramways not to be opened until certified by Board of Trade.

17. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

Motive Power.

Carriages on tramways may be moved by animal, steam, or mechanical power.

18. The carriages used on the tramways may, subject to the provisions of this Order, be moved by animal power, and during a period of seven years after the opening of the same for public traffic, and with the consent of the Board of

Trade during such further periods of seven years as the Board of Trade may from time to time specify in any order to be signed by a Secretary or an Assistant Secretary of the Board of Trade, by steam power or any mechanical power: Provided always that steam or mechanical power shall not be used without the license of the Board of Trade being first obtained on Tramway No. 1, or on the first one and a half chains of Tramway No. 4: Provided also, that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to the regulations set forth in the Schedule A. to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam or any mechanical power on such tramways.

Penalty for using steam or mechanical power contrary to Order or regulations.

19. The Promoters or any person using steam or any mechanical power on any of the tramways contrary to the provisions of this Order, or to any of the regulations set forth in the Schedule A. to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall for every such offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues: Provided always, that whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the Promoters or any person using steam or any mechanical power on the tramways under the authority of this Order have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the Schedule A. to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may, by order, direct the Promoters or such person to cease to exercise the powers aforesaid, and thereupon the Promoters or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same or any of the same unless with the authority of the Board of Trade; and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws.

20. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to, byelaws with regard to all or any of the tramways upon which steam or any mechanical power may be used under the authority of this Order, for all or any of the following purposes; that is to say,

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine;

For regulating the emission of smoke or steam from engines used on such tramways;

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened or of impending danger, as the Board of Trade may beem proper for securing safety;

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For regulating the entrance to, exit from, and accommodation in the carriages used on such tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages;

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to such tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

21. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties shall apply to any penalty under this Order, and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of the Tramways Act, 1870, as to byelaws by local authority.

22. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the tramways under the authority of this Order; but the local authority may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

23. All orders and byelaws made by the Board of Trade under the authority of this Order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade, and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Order.

As to contracts with road authorities where steam or mechanical power is to be used.

24. Where the Promoters or any person intend or intends to use steam or any mechanical power upon any of the tramways or any part thereof under the authority of this Order, they or he shall give two months previous notice in writing of such intention to every road authority within whose district such tramways or such part thereof upon which they or he intend or intends to use such power are or is situated.

Where at the time of giving any such notice any contract, agreement, or arrangement is in force with respect to the user by the Promoters or such person or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paying, and keeping in repair of such road, then and in every such case, with the consent of the Board of Trade, it shall be lawful for the Promoters or such person by such notice, or for such road authority by notice to be served upon the Promoters or such person not later than forty days after the receipt by such road authority of such first-mentioned notice, to determine such contract, agreement, or arrangement; and thereupon such contract, agreement, or arrangement shall, from and after the commencement of the use of steam or any mechanical power upon such tramways or such part thereof, be determined and of no effect.

Before using steam or any mechanical power upon the tramways or any part thereof under the authority of this Order, and thereafter from time to time, the Promoters or such person and every such road authority may enter into or renew, with or without modification, any contract, agreement, or arrangement with respect to the user by the Promoters or such person or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, which they may think fit and the Board of Trade may approve.

In case any difference arises between any such road authority and the Promoters or such person as to the determination of any such contract, agreement, or arrangement, or in case any such road authority, after request in writing by the Promoters or such person, or the Promoters or such person, after request in writing by any such road authority, during a period of one month after such request, refuse or fail to enter into any such contract, agreement, or arrangement, or to renew the same with or without modification, or to make a new contract instead thereof, or in case of any difference as to the terms of any such contract, agreement, or arrangement, or any renewal thereof with or without modification, or any new contract instead thereof, then and in every such case the difference with respect to such determination or the reasonableness of such refusal or failure, or the terms of such contract, agreement, or arrangement, or any renewal thereof with or without modification, or any new contract instead thereof, shall from time to time, on the appeal of either of the parties to the Board of Trade, be determined in manner provided by the Tramways Act, 1870, with respect to all differences between the Promoters and any road authority, and thereupon the parties shall in all respects conform to such determination, and make and observe any contract, agreement, or arrangement thereby prescribed: Provided always, that while any such appeal is pending the Board of Trade may order that no steam or mechanical power shall be used on the tramways to which such appeal relates.

No steam or mechanical power shall be used on the tramways or any portion of the tramways unless there is in force in relation to the tramways or such portion of such tramways a contract, agreement, or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by such road authority under any contract, agreement, or arrangement in accordance with the provisions of this section shall be applied by them towards the expenses of repairing, improving, and maintaining the highways within their district, having regard, in the first instance, to the requirements of the roads upon which the tramways are laid.

Where steam or mechanical power is used contract with road authority not to be for longer than two years at a time.

25. Where steam or any mechanical power is used by the Promoters or any person on the tramways or any part thereof, no contract, agreement, or arrangement made before or after the commencement of the use of steam or mechanical power as aforesaid with respect to the user by the Promoters or such person or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of any road authority upon which

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such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, shall continue in force for any period exceeding two years at any one time after the commencement of the use of steam or any mechanical power as aforesaid, or the making of such contract, agreement, or arrangement: Provided always, that any such contract, agreement, or arrangement may from time to time be renewed with or without modification, or a new contract, agreement, or arrangement may be made instead thereof.

Traffic upon Tramways.

Traffic upon tramways.

26. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Tolls.

Tolls for passengers.

27. The Promoters may demand and take for every passenger travelling upon any of the tramways or any part thereof, including tolls or charges for the use of the tramways and of carriages and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile (and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile), but the Promoters may charge for any less distance than two miles any tolls or charges not exceeding twopence.

Passengers luggage.

28. Every passenger travelling upon the tramway may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof, all such personal luggage to be carried by hand, and at the responsibility of the passenger, and not to occupy any part of a seat, nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

29. The Promoters, 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 at least two carriages each way every morning in the week and every evening in the week (Sundays, Christmas Day, and Good Friday always excepted), at such hours, not being later than seven in the morning or earlier than half-past five in the evening respectively, as the Promoters think most convenient for artizans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (the Promoters nevertheless not being required to take any toll or charge less than one penny), and the Promoters shall be liable to a penalty not exceeding one pound for every day, except as aforesaid, on which they do not run such number of carriages as aforesaid, in accordance with the provisions of this section: Provided always, that the Promoters shall not be liable to any such penalty if the failure to run such number of carriages arises from circumstances over which the Promoters have no control: Provided also that, in case of any complaint made to the Board of Trade as to the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time.

Tolls for animals, goods, &c.

30. The Promoters may demand and take in respect of any animals, goods, minerals, or parcels conveyed by them on the tramways, except as is by this Order specially provided, including the tolls and charges for the use of the tramways, and of waggons or trucks, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding the tolls and charges specified in Schedule B. to this Order annexed, subject to the regulations in that behalf therein contained.

Payment of tolls.

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

Periodical revision of tolls.

32. 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 such portion of the tramways are or is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Promoters, 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 on such 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 the said Board in accordance with the provisions of the Tramways Act, 1870, and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways, in such manner as they think fit, and thenceforth such 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 Order authorised.

Miscellaneous.

Provisions as to arbitration.

33. Where, under the provisions of the Tramways Act, 1870, and this Order, any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Agreements between Promoters and road authorities.

34. The Promoters and any road authority may, subject to the provisions of this Order, from time to time enter into any agreements with respect to the construction, 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 of the traffic over the same.

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Costs of local and road authorities.

35. The Promoters shall pay all costs, charges, and expenses incurred previous to the passing of the Act confirming this Order by any local or road authority in relation to this Order.

Form and delivery of notices.

36. With respect to notices and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that is to say,)

(1.) Every notice shall be in writing or print, or partly in writing and partly in print, and if given by the Promoters or any local authority or any road authority shall be signed by their secretary or clerk:

(2.) Any notice to be delivered by or to the Promoters to or by any local authority or any road authority or other body or any company may be delivered by being left at the principal office of such authority, body, or company or of the Promoters, as the case may be, or by being sent by post in a registered letter addressed to their respective clerk or secretary at such principal office.

Approval of Board of Trade to sale, &c. in writing.

37. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing signed by a Secretary or an Assistant Secretary of the said Board.

Saving as to powers of borrowing on mortgage.

38. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage, provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section forty-three of the Tramways Act, 1870, and that every mortgage deed granted by the Promoters shall be endorsed with notice that such mortgage will not be a charge upon the undertaking or any part thereof in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act, 1870.

Saving for general Acts.

39. Notwithstanding anything in this Order contained, the Promoters, and any person using the tramways, shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls and charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power, by any such general Act as aforesaid.

SCHEDULE A.

Every engine used on the tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient. Break-power of engines.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof, and shall be fitted— As to fittings of engines, &c.

With an indicator by means of which the speed shall be shown;

With a suitable fender to push aside obstructions;

With a special bell, whistle, or other apparatus to be sounded as a warning when necessary; and

With a seat for the driver of such engine so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engine shall be concealed from view.

Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage. As to carriages.

The Board of Trade shall, on the application of the local authority, and may, on complaint made by any person, from time to time inspect any engine or carriage used on the tramways and the machinery therein, and may whenever they think fit prohibit the use on the tramways of any such engine or carriage which in their opinion may not be safe for use on the tramways. Inspection of engines and carriages.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour. As to speed.

The speed at which engines and carriages may pass through movable facing-points shall not exceed the rate of four miles an hour.

SCHEDULE B.

Tolls and Charges for Animals, Goods, &c.

Animals.

	Per mile. s.	d.
For every horse mule, or other beast of draught or burden, per head	0	6
For every ox, cow, bull, or head of cattle - - „	0	6
For every calf, pig, sheep, or other small animal - - „	0	3

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Goods and Minerals.

	Per mile. s.	d.
For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fire-clay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways - - - - per ton	0	3
For all iron, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fire-clay), and for wrought iron not otherwise specially classed herein, and for heavy iron castings, including railway chairs - - - - - - per ton	0	4
For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings - - - per ton	0	6
For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton	0	6
For every carriage of whatever description - - - each	1	0

Small Parcels.

	Any distance. s.	d.
For every parcel not exceeding seven pounds in weight - each	0	3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight - - - - - each	0	5
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight - - - - each	0	7
For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight - - - - each	0	9

For any parcel exceeding fifty-six pounds in weight, such sums as the Promoters may think fit:

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the Carriage of Single Articles of Great Weight.

	Per mile. s.	d.
For the carriage of any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weights of which, including the carriage, exceed four tons, but do not exceed eight tons, such sum as the Promoters may think fit, not exceeding - - - per ton	2	0

For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, exceeds eight tons such sum as the Promoters may think fit.

Regulations as to Tolls.

A fraction of a mile beyond an integral number of miles shall be deemed a mile.

For a fraction of a ton the Promoters may demand and take tolls and charges according to the number of the quarters of a ton in such fraction; and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton. A.D. 1881. *North Staffordshire.*

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

RUSHOLME LOCAL BOARD TRAMWAYS. *Rusholme.*

Order authorising the Local Board of Health for the district of Rusholme, in the county of Lancaster, to construct certain Tramways in the district of the said Local Board.

1. This Order may be cited as "The Rusholme Local Board of Health Tramways Order, 1881." Short title.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order. Incorporation of Acts.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order— Interpretation.

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expression "the Local Board" shall mean the Local Board of Health for the district of Rusholme, in the county of Lancaster;

The expression "the district" shall mean the district of the Local Board;

The expression "the Order of 1877" shall mean the Rusholme Local Board of Health Tramways Order, 1877; and

The term "person" shall include a corporation.

Promoters.

4. The Local Board shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters." The Promoters.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not Land by agreement.

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be necessary for such purposes; provided that they shall not at any time hold for such purposes more than two acres of land under the authority of this Order.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order, as the same have been amended previous to the passing of the Act confirming this Order (which amended plans and sections are in this Order referred to as "the deposited plans" and "the deposited sections"), the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith, or for the purposes thereof.

The tramways authorised by this Order are—

(1.) A tramway 62·8 chains in length, consisting of a single line of rails, in the Manchester and Wilmslow Road, commencing at a point opposite the northerly side of Dickenson Road, where such last-mentioned road joins the said Manchester and Wilmslow Road at a junction with an existing tramway terminating there of the Promoters, and which intended tramway will terminate in that road by a junction with the existing tramway in the said road at a point opposite Wynnstay Grove; and

(2.) A tramway 2·7 chains in length, consisting of a single line of rails, also in the Manchester and Wilmslow Road, commencing at a point 2·7 chains north of the southerly boundary in Withington of the district of the Local Board by a junction with the existing tramway in that road, and will terminate at a point opposite the southerly corner of Brook Road, where such last-mentioned road joins the said Manchester and Wilmslow Road.

The centre line of the tramways shall be laid on the westerly side of the road, at a distance of four feet from an imaginary line drawn along the centre of the road. The length of the two tramways is 65·5 chains.

The tramways and works will be situate in the several townships of Rusholme and Withington, in the parish of Manchester, in the county of Lancaster.

The Promoters may make junctions or connexions of the said tramways and the tramways sidings or passing-places already laid down by them, at such points as they may from time to time think necessary.

Provisions as to construction of tramways.

7. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters shall, before they proceed 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 such tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, maintenance, and renewal of any of the tramways or part of any of the tramways respectively, except for the purposes of necessary repairs, until such plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such plan and statement.

8. The rails of the tramways shall be such as the Board of Trade may approve.

Rails to be such as Board of Trade may approve.

9. The Promoters 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 which any of the tramways for the time being consist and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

Penalty for not maintaining rails and road in good condition.

In any case in which it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the district that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a secretary or an assistant secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed in respect of offences.

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

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

Additional crossings, &c. may be made where necessary.

11. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways or any of them, or for providing access to any stables or carriage-houses, sheds, or works of the Promoters or their lessees or licensees: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand, addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

12. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is, in the opinion of the Promoters, necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Promoters may construct in

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the same or any adjacent road, and maintain so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

Application of road materials excavated in construction of works.

13. Any paving, metalling, or material excavated by the Promoters in the construction of any works under the authority of this Order from any road under their jurisdiction or control shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit.

Tramways not to be opened until certified by Board of Trade.

14. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

Traffic, Tolls, &c.

Tramways to form part of tramways authorised by Order of 1877.

15. The tramways by this Order authorised shall be deemed to form part of the undertaking of the Promoters authorised by the Order of 1877, and sections twelve to twenty-four, both inclusive, of the Order of 1877 shall, as far as the same are applicable, apply to the tramways by this Order authorised in like manner in every respect as if the tramways authorised by this Order formed part of the tramways authorised by the Order of 1877.

Periodical revision of tolls.

16. If at any time after three years from the opening for public traffic of the tramways authorised by the Order of 1877 or by this Order, or any portion of such tramways, or after three years from the date of any order made in pursuance of this section in respect of such tramways or any portion of such tramways, it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the district, or by the lessees, that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on such tramways, or on such portion of such tramways, should be revised, the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls or charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on such tramways, or on such portion of such tramways, in such manner as they think fit; and thenceforth such 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 authorised by the Order of 1877 and this Order.

Limitation of tolls in case demise.

17. If the Promoters, under the authority of the Tramways Act, 1870, demise the right of user of the tramways and of demanding and taking in respect of the same the tolls and charges authorised by this Order, such tolls and charges shall include all charges which may be made for the use of the tramways and of carriages and for motive power and every other incidental expense.

Miscellaneous.

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Provisions as to arbitration.

18. Where, under the provisions of the Tramways Act, 1870, and this Order, any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive, and binding on all parties.

The Local Board may borrow 8,000*l.*, to be repaid in 30 years.

19. The Local Board may, under and according to the provisions contained in section twenty of the Tramways Act, 1870, borrow for the purpose of this Order, in addition to any sum or sums of money they are already authorised to borrow, any sum or sums of money not exceeding eight thousand pounds, and the time for which such sum of eight thousand pounds may be borrowed shall be thirty years; and for the purpose of such borrowing the Local Board may include in any mortgage of their general district rates the moneys coming to them out of the rents reserved under any lease made under the authority of the Order of 1877 or of this Order, and the tolls, charges, and sums authorised to be taken or received by them under the provisions of the Order of 1877 or of this Order, subject to all charges affecting the same at the time of the granting of such mortgage.

Saving for general Acts.

20. Notwithstanding anything in this Order contained, the Promoters, lessees, and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways, or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by the Order of 1877 or this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power, by any such general Act as aforesaid.

SHIPLEY TRAMWAYS.

Shipley.

Order authorising the construction of Tramways in the Local Government district or township of Shipley, in the parish of Bradford, in the West Riding of the county of York.

Short title.

1. This Order may be cited as "The Shipley Tramways Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

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The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expressions "the local board" or "the road authority" shall mean the Local Board for the district of Shipley, in the parish of Bradford, in the county of York;

The expression "the district" shall mean the said district; and

The term "person" shall include a corporation.

Promoters.

The Promoters.

4. Joseph Speight, of Eccleston Park, near Prescot, in the county of Lancaster, tramway contractor, his executors, administrators, or assigns, shall be the Promoters for the purposes of this Order, and are in this Order referred to as the Promoters.

Lands by agreement.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided that they shall not at any time hold for such purposes more than five acres of land.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order, the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith, or for the purposes thereof, and may work and use the same.

The tramways authorised by this Order will all be situate within the district or township of Shipley, in the parish of Bradford, in the West Riding of the county of York, and are as follows:

Tramway No. 1.—Commencing in Commercial Street at a point opposite the east end of the Fox and Hounds Hotel, and passing thence along Commercial Street, Saltaire Road, and terminating in the Bradford and Keighley Road at a point forty-five yards or thereabouts west of the west side of Albert Road.

The total length of Tramway No. 1 is six furlongs four chains.

Tramway No. 1A.—Commencing in Commercial Street at a point opposite the east end of the Fox and Hounds Hotel, and terminating in Commercial Street by a junction with Tramway No. 1 at a point thirty-two lineal yards west of the west side of Otley Road.

The total length of Tramway No. 1A is two chains.

Tramway No. 1B.—Commencing in Saltaire Road by a junction with Tramway No. 1 at a point sixty-eight lineal yards or thereabouts west of the west side of Atkinson Court, and terminating in Saltaire Road by a junction with Tramway No. 1 at a point forty lineal yards or thereabouts east of the east side of the street or place called New York.

The total length of Tramway No. 1B is three chains.

Tramway No. 1C.—Commencing in Saltaire Road by a junction with Tramway No. 1 at a point twenty-one lineal yards or thereabouts west of the west side of Apsley Place, and terminating in Saltaire Road by a junction with Tramway No. 1 at a point eighty-seven lineal yards or thereabouts east of the east side of Victoria Road.

The total length of Tramway No. 1C is three chains.

Tramway No. 1D.—Commencing in the Bradford and Keighley Road by a junction with Tramway No. 1 at a point opposite the west side of Albert Road, and terminating in the Bradford and Keighley Road at a point forty-five lineal yards or thereabouts west of the west side of Albert Road.

The total length of Tramway No. 1D is two chains.

The total length of the several tramways herein-before mentioned is six furlongs four chains, of which the total length of double line formed by Tramway No. 1 with Tramways No. 1A, No. 1B, No. 1C, and No. 1D is one furlong, and the total length of single line is five furlongs four chains.

Gauge of tramways and width of carriages.

7. The tramways shall be constructed on a gauge of three feet six inches: Provided always, that so much of section thirty-four of the Tramways Act, 1870, as limits the extent of carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramways, but no carriage used on the tramways shall exceed five feet six inches in width.

For protection of the Midland Railway Company.

8. In constructing and maintaining the tramways across the bridges carrying Commercial Street over the Midland Railway, the Promoters shall be subject to the following conditions:

The said tramway shall be constructed and maintained along the centre of the roadway over the said bridge:

The Promoters shall not in any way alter or interfere with the structure of the said bridge or of the approaches thereto:

The Promoters shall give fourteen days notice in writing to the engineer of the Midland Company of their intention to commence the works affecting the said bridge, and at the same time send sufficient specifications or other information showing the nature of the proposed works, and such works shall be constructed to the reasonable satisfaction of the said engineer, and so as not in any way to impede or interfere with the traffic upon the railway:

In the event of any injury being caused to the said bridge and approaches by the construction, maintenance, repairing, user, or removal of the said tramway, the Midland Railway Company may, at the expense of the Promoters, restore the said bridge and approaches, or the part or parts thereof which may be injured, to as good a state and condition as they were in before such injury was occasioned, and the Promoters shall indemnify the Midland Railway Company against all sums, costs, and expenses which they may pay or be put to in repairing and maintaining so much of the road over the said bridge and approaches as the Promoters are liable to maintain and repair under the twenty-eighth section of the Tramways

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Act, 1870; and the Midland Railway Company may recover from the Promoters all such sums, costs, and expenses, with full costs and charges, by all and the same means as any simple contract debt may be recovered.

Provisions as to construction of tramways.

10. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters 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 such tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such 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 twenty-six of the said Act.

Provision as to paving roads.

9. Subject to the preceding provisions of this Order, so much of every road whereon any of the tramways is laid as lies between the rails or any sets of rails and extends eighteen inches beyond the rails of and on each side of such tramway shall be paved by the Promoters with Yorkshire setts, to the reasonable satisfaction of the road authority.

As to rails of tramways.

11. 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 road authority of any district in which the tramways or any portion thereof are or is situate, require the Promoters to adopt and apply such improvements in the tramways within such district, including the rails thereof, as experience may from time to time suggest, having regard to the greatest security of the public and advantage to the ordinary traffic; and the Promoters shall, with all reasonable despatch, comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

12. The Promoters 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 which any of the tramways for the time being consist and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which 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 such district,

that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade shall certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed in respect of offences.

Tramways to be kept on a level with surface of road.

13. If the road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Promoters 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.

Additional crossings, &c. may be made where necessary.

14. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways or any of them, or for providing access to any stables, carriage-houses, sheds, or works of the Promoters, subject to the approval of the road authority: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand, addressed to the Promoters, express his objection thereto:

Provided also, that the number and situation of such crossings, passing-places, sidings, junctions, and other works shall be determined by the road authority; and if any difference arise between the Promoters and the road authority with respect to the number and situation of any such crossings, passing-places, sidings, junctions, or works, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the difference in the said section mentioned.

If any crossing, passing-place, siding, junction, or other work so made with the approval of the road authority, or any part thereof, is subsequently objected to by the road authority, the road authority may, by written notice to the Promoters, require them to remove the same, and, if the road authority so think fit, to remake or relay the same in some other position to be specified in the notice, and the Promoters shall comply with such requirement: Provided that the expense of such removal, remaking, or relaying shall be borne by the road authority.

Temporary tramways may be made when necessary.

15. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is, in the opinion of the road authority, necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Promoters may, subject to such conditions and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any

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adjacent road, and, with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

If any difference arise between the Promoters and the road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or temporary tramways under the authority of this section, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Application of road materials excavated in construction of works.

16. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority may be applied by the Promoters, so far as may be necessary, in or towards the reinstating of such road, and the maintenance, for six months after completion of any of the tramways within the district of such road authority, of so much of the roadway of such road on either side of such tramways as the Promoters are by this Order required to maintain; and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person or persons as he may appoint to receive the same: Provided that if, within seven days after notice in writing to the road authority that the surplus of such paving, metalling, or material is ready for removal, such surplus is not removed by the said surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority 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 all differences between the Promoters and any road authority.

Tramways not to be opened until certified by Board of Trade.

17. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or an Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

Traffic upon Tramways.

Traffic upon tramways.

18. The tramways may be used for the purposes of conveying passengers and parcels.

Promoters not bound to carry parcels.

19. The Promoters shall not be bound to carry, unless they think fit, parcels other than passengers luggage not exceeding twenty-eight pounds in weight.

Tolls.

Tolls for passengers.

20. The Promoters may demand and take for every passenger travelling upon any of the tramways or any part thereof, including tolls or charges for the use of the tramways and carriages, and for motive power and every other

expense incidental to such conveyance, any tolls or charges not exceeding for any distance traversed in the same direction at one time the sum of threepence inside and twopence outside for each single journey of such passenger, whether with or without change of carriage.

Passengers luggage.

21. Every passenger travelling upon the tramway may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof; all such personal luggage to be carried by hand and at the responsibility of the passenger, and not to occupy any part of a seat, nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

22. The Promoters, 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 at least one carriage each way every morning in the week, and every evening in the week, (Sundays, Christmas Day, and Good Friday always excepted,) at such hours, not being later than seven in the morning or earlier than five in the evening, as the Promoters think most convenient for artisans, mechanics, and daily labourers, at tolls or charges not exceeding one penny: Provided always, that the Board of Trade may from time to time, for good cause shown, either authorise the Promoters to discontinue the running of such carriages or may order the Promoters to run an extra carriage or extra carriages at such hours as aforesaid, and may from time to time revoke, alter, or modify such order, and the Promoters shall comply with every such order; and in case of any complaint made to the Board of Trade of the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time.

Tolls for parcels.

23. The Promoters may demand and take in respect of any parcels conveyed by them on the tramways, except as is by this Order specially provided, including the tolls and charges for the use of the tramways, and for motive power and every other expense incidental to such conveyance, any tolls or charges not exceeding the tolls and charges specified in the schedule to this Order annexed.

Payment of tolls.

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

Periodical revision of tolls.

25. 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 board, or by twenty inhabitant ratepayers of the district, or by the Promoters, 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 on such 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 the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any

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of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit, and thenceforth such 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 Order authorised.

Miscellaneous.

Provisions as to arbitration.

26. Where under the provisions of the Tramways Act, 1870, and this Order, any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

27. With respect to notices and to the delivery thereof by or to the Promoters the following provisions shall have effect; (that is to say,)

(1.) Every notice shall be in writing or print, or partly in writing and partly in print, and if given by the Promoters or by any local authority or any road authority shall be signed by their secretary or clerk.

(2.) Any notice to be delivered by or to the Promoters to or by any local authority or any road authority or other body, or any company, may be delivered by being left at the principal office of the Promoters or of that authority, body, or company, as the case may be, or by being sent by post in a registered letter addressed to their respective secretary or clerk at their principal office.

Agreements between Promoters and the road authority.

28. The Promoters and the road authority may, subject to the provisions of this Order, from time to time enter into any agreements with respect to the construction, maintaining, removing, renewing, repairing, and using of the tramways situated within the district of the road authority, and the rails, plates, sleepers, and works connected therewith, and the facilitating of the traffic over the same.

Approval of Board of Trade to sale, &c. in writing.

29. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing signed by a Secretary or an Assistant Secretary of the said Board.

Saving as to powers of borrowing on mortgage.

30. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage, provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking, or any part thereof, to the local authority under section forty-three of the Tramways Act, 1870, and that every mortgage deed granted by the Promoters shall be endorsed with notice that such mortgage will not be a

charge upon the undertaking, or any part thereof, in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act, 1870.

Payment to road authority.

31. The Promoters shall pay to the road authority the sum of one hundred pounds for the exclusive right to lay down, construct, maintain, and use tramways in the district.

The Promoters shall also pay to the road authority the costs of inserting any necessary clauses in this Order, and any further charges incurred by the road authority in relation to such clauses: Provided that the amount of such costs and charges shall in case of difference be settled by the Board of Trade.

Promoters to deposit 500*l.* with local board as guarantee.

32. Before commencing to construct or lay down the tramways the Promoters shall either deposit the sum of five hundred pounds with the bankers of the local board in the names of the Promoters and of the clerk of the local board, or shall otherwise give security for that amount to the satisfaction of the local board as a guarantee fund for affording security for any claims for compensation arising from accidents caused by the tramways, or the carriages, or other apparatus employed in connection therewith being out of repair.

Local board may purchase the tramways at end of fifteen years.

33. The local board may exercise the powers of purchasing the tramways conferred upon them by section forty-three of the Tramways Act, 1870, within six months after the expiration of fifteen years from the date of the passing of the Act confirming this Order, and within six months after the expiration of every subsequent period of seven years, and the said section shall, with respect to the tramways, be read and construed as if "fifteen years" were named therein instead of "twenty-one years."

Local board may require Promoters to extend tramways.

34. If the local board at any time give six months notice to the Promoters requiring them to extend the tramways to other places within the district, the Promoters shall and they are hereby required to take all steps necessary for an application to the Board of Trade for a provisional order or to Parliament for an Act of Parliament to enable them to comply with such notice, and for the purposes of such application the consent of the local board shall be deemed to have been given:

Provided always, that before giving any such notice to the Promoters, the local board shall send a copy of the same to the Board of Trade, and unless the Board of Trade certify that such extension is, in the opinion of the Board of Trade, necessary for the convenience of the inhabitants of the district, and is likely to prove profitable to the Promoters, the Promoters shall not be required to take such steps as aforesaid under the provisions of this section.

Saving for general Acts.

35. Notwithstanding anything in this Order contained, the Promoters and any persons using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges

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authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power, by any such general Act as aforesaid.

SCHEDULE.

Tolls and Charges for Parcels.

	Any distance. s.	d.
For any parcel not exceeding seven pounds in weight - - -	0	3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight - - - - - -	0	5
For any parcel exceeding fourteen pounds and not exceeding twenty eight pounds in weight - - - - - -	0	7
For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight - - - - - - - -	0	9

For any parcel exceeding fifty-six pounds in weight, such sum as the person entitled to demand and take the same may think fit.

South Gosforth.

SOUTH GOSFORTH TRAMWAYS.

Order authorising the construction of Tramways in the district of South Gosforth, in the township of Coxlodge, in the parish of Gosforth, in the county of Northumberland.

Short title.

1. This Order may be cited as "The South Gosforth Tramways Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expressions "the Local Board," "the local authority," and "the road authority" shall respectively mean the Local Board for the district of South Gosforth, in the county of Northumberland;

The expression "the district" shall mean the district of the said Local Board; and

The term "person" shall include a corporation.

Promoters.

The Promoters.

4. William Turton, of Crown Point, Leeds, in the county of York, merchant, and Daniel Busby, of 63, Edge Lane, West Derby, in the county of Lancaster, carriage proprietor, and the survivor of them, and the executors or administrators of such survivor, their or his assigns, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may, by agreement, from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided that they shall not at any time hold for such purposes more than five acres of land.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order, the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith or for the purposes thereof, and may work and use the same.

The tramways authorised by this Order are all within the Local Board district of South Gosforth, in the county of Northumberland, and are—

Tramway No. 1 (four furlongs 4·13 chains or thereabouts in length, of which three furlongs 5·13 chains or thereabouts are single line and nine chains or thereabouts are double line) will be situate wholly in Morpeth Road, in the district of South Gosforth, in the township of Coxlodge, in the parish of Gosforth, in the county of Northumberland, and will be partly in double and partly in single line, commencing in Morpeth Road at the boundary of the borough and county of Newcastle-upon-Tyne and the district of South Gosforth, and of the parishes of Saint Nicholas and Gosforth, and passing thence in a northerly direction along Morpeth Road to its termination at a point 0·58 chains or thereabouts south of the north side of Salter's Lane; the double and single portions of which tramway are as follows:—

1A.—A single line one furlong 0·53 chains in length, commencing at the said boundary by a junction with the existing line of the Newcastle-upon-Tyne Corporation Tramways, and thence passing along Morpeth Road,

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South Gosforth.

and terminating at a point in Morpeth Road three chains or thereabouts south-west of the centre of the street called the Grove.

1B.—A double line or passing-place three chains in length, commencing at the termination of the last-mentioned portion, and terminating in Morpeth Road at a point opposite the centre of the said street called the Grove.

1C.—A single line one furlong 0·91 chain in length, commencing at the termination of the last-mentioned portion, and terminating in Morpeth Road at a point opposite the centre of Hawthorn Street.

1D.—A double line or passing-place three chains in length, commencing at the termination of the last-mentioned portion, and terminating in Morpeth Road, at a point three chains or thereabouts north of the centre of Hawthorn Street.

1E.—A single line one furlong 3·27 chains in length, commencing at the termination of the last-mentioned portion, and terminating in Morpeth Road at a point 1·30 chains or thereabouts south of the centre of Church Lane.

1F.—A double line or passing-place three chains in length, commencing at the termination of the last-mentioned portion, and terminating in Morpeth Road at a point one chain south of the north side of Salter's Lane.

1G.—A single line 0·42 chain in length, commencing at the termination of the last-mentioned portion, and terminating at the termination of Tramway No. 1.

Notwithstanding anything in this Order contained, the Promoters shall, if so required by the local authority by notice in writing prior to the construction of the tramways, construct Tramway portions 1A, 1B, and 1C of the following lengths respectively, instead of the lengths herein-before stated; (that is to say,)

Tramway portion 1A, 8·53 chains in length, commencing at the said boundary by a junction with the existing line of the Newcastle-upon-Tyne Corporation tramways.

Tramway portion 1B, 7·50 chains in length, commencing at the termination of the last-mentioned portion.

Tramway portion 1C, 8·41 chains in length, commencing at the termination of the last-mentioned portion.

Further provisions as to construction of tramways.

7. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters 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 such tramways, and a statement of the materials intended to be used therein, and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such 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 twenty-six of the said Act.

As to rails of tramways.

8. 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 road authority, require the Promoters 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 Promoters shall with all reasonable despatch comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

9. The Promoters 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 which any of the tramways for the time being consist and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which it is represented in writing to the Board of Trade by the road authority, or by twenty inhabitant ratepayers of the district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed with respect to offences.

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

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

Tramways to be kept on a level with surface of road.

11. If the road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Promoters 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.

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Additional crossings, &c. may be made where necessary.

12. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways or any of them, or for providing access to any stables, carriage-houses, sheds, or works of the Promoters, subject to the approval of the road authority: Provided, that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand, addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

13. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is in the opinion of the road authority necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Promoters may, subject to such conditions and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and, with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

If any difference arise between the Promoters and the road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or temporary tramways under the authority of this section, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Application of road materials excavated in construction of works.

14. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of the road authority may be applied by the Promoters, so far as may be necessary, in or towards the reinstating of such road and the maintenance for six months after completion of any of the tramways within the district of so much of the roadway of such road on either side of such tramways as the Promoters are by this Order required to maintain; and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of the road authority, or to such person or persons as he may appoint to receive the same: Provided, that if within seven days after notice in writing to the road authority that the surplus of such paving, metalling, or material is ready for removal such surplus is not removed by the said surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and the road authority 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 all differences between the Promoters and any road authority. A.D. 1881. *South Gosforth.*

15. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or an Assistant Secretary of the said Board, authorised the same to be opened for such traffic. Tramways not to be opened until certified by Board of Trade.

Motive Power.

16. The carriages used on the tramways may, subject to the provisions of this Order, be moved by animal power, and during a period of seven years after the opening of the same for public traffic, and with the consent of the Board of Trade 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 steam power or any mechanical power. Carriages on tramways may be moved by animal, steam or mechanical power.

Provided always, that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to the regulations set forth in the Schedule A. to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam or any mechanical power on the tramways.

17. The Promoters or any person using steam or any mechanical power on any of the tramways contrary to the provisions of this Order or to any of the regulations set forth in the Schedule A. to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall for every such offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues: Provided always, that, whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the Promoters or any person using steam or any mechanical power on the tramways under the authority of this Order have or has made default in complying with the provisions of this Order or with any of the regulations set forth in the Schedule A. to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the Promoters or such person to cease to exercise the powers aforesaid, and thereupon the Promoters or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same, or any of the same, unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order. Penalty for using steam or mechanical power contrary to Order or regulations.

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Byelaws.

18. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to, byelaws with regard to any of the tramways upon which steam or any mechanical power may be used under the authority of this Order, for all or any of the following purposes; that is to say,

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine:

For regulating the emission of smoke or steam from engines used on the tramways:

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened or of impending danger, as the Board of Trade may deem proper for securing safety:

For regulating the entrance to, exit from, and accommodation in the carriages used on the tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages:

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

19. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of the Tramways Act, 1870, as to byelaws by local authority.

20. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramways, shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the tramways under the authority of this Order; but the local authority may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

21. All orders and byelaws made by the Board of Trade under the authority of this Order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade, and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Order.

As to contracts with road authorities where steam or mechanical power is to be used.

22. Where the Promoters or any person intend or intends to use steam or any mechanical power under the authority of this Order on the tramways or any part thereof, they or he shall give two months previous notice in writing of such intention to the road authority.

Where at the time of the giving of any such notice any contract, agreement, or arrangement is in force with respect to the user by the Promoters or such

person, or the paving and keeping in repair of the whole or any part of the roadway of any road upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to the road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, then and in every such case, with the consent of the Board of Trade, it shall be lawful for the Promoters or such person by such notice, or for the road authority by notice to be served upon the Promoters or such person not later than forty days after the receipt by the road authority of such first-mentioned notice, to determine such contract, agreement, or arrangement; and thereupon such contract, agreement, or arrangement shall, from and after the commencement of the use of steam or any mechanical power upon such tramways, or such part thereof, be determined and of no effect.

Before using steam or any mechanical power on the tramways or any part thereof, and thereafter from time to time, the Promoters or such person, and the road authority, may enter into, or renew with or without modification, any contract, agreement, or arrangement with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to the road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, which they may think fit and the Board of Trade may approve.

In case any difference arise between the road authority and the Promoters or such person as to the determination of any such contract, agreement, or arrangement, or in case the road authority after request in writing by the Promoters or such person, or the Promoters or such person after request in writing by the road authority, during a period of one month after such request, refuse or fail to enter into any such contract, agreement, or arrangement, or to renew the same with or without modification, or to make a new contract instead thereof, or in case of any difference as to the terms of any such contract, agreement, or arrangement, or any renewal thereof with or without modification, or any new contract instead thereof, then and in every such case the difference with respect to such determination, or the reasonableness of such refusal or failure, or the terms of such contract, agreement, or arrangement, or any renewal thereof with or without modification, or any new contract instead thereof, shall from time to time, on the appeal of either of the parties to the Board of Trade, be determined in manner provided by the Tramways Act, 1870, with respect to all differences between the Promoters and any road authority, and thereupon the parties shall in all respects conform to such determination, and make and observe any contract, agreement, or arrangement thereby prescribed: Provided always, that while any such appeal is pending the Board of Trade may order that no steam or mechanical power shall be used on the tramways to which such appeal relates.

No steam or mechanical power shall be used on the tramways or any portion of such tramways unless there is in force, in relation to the tramways or such

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portion of such tramways, a contract, agreement, or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by the road authority under any contract, agreement, or arrangement, in accordance with the provision of this section shall be applied by them towards the expenses of repairing, improving, and maintaining the highways within the district, having regard in the first instance to the requirements of the roads upon which the tramways are laid.

Where steam or mechanical power is used, contract with road authority not to be for longer than two years at a time.

23. Where steam or any mechanical power is used by the Promoters or any person on the tramways or any part thereof, no contract, agreement, or arrangement made before or after the commencement of the use of steam or mechanical power as aforesaid with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to the road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, shall continue in force for any period exceeding two years at any one time after the commencement of the use of steam or mechanical power as aforesaid, or the making of such contract, agreement, or arrangement: Provided always, that any such contract, agreement, or arrangement may from time to time be renewed with or without modification, or a new contract, agreement, or arrangement may be made instead thereof.

Traffic upon Tramways.

Traffic upon tramways.

24. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Promoters not bound to carry animals, goods, &c.

25. The Promoters shall not be bound to carry, unless they think fit, any animals, goods, minerals, or parcels other than passengers luggage not exceeding twenty-eight pounds in weight.

Tolls.

Tolls for passengers.

26. The Promoters may demand and take for every passenger travelling upon any of the tramways or any part thereof, including tolls and charges for the use of the tramways and of carriages, and for motive power and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile (and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile); but the Promoters may charge for any distance less than two miles any sum not exceeding twopence:

Provided always, that for any single journey between the central station at Newcastle-upon-Tyne and Salters Road, Gosforth, the Promoters shall not charge more than threepence for each passenger: Provided, however, that this limitation of fare shall not apply during times of race meetings, or of public fêtes, or of holidays in the borough of Newcastle-upon-Tyne or in the district of South Gosforth; but such exceptional days shall not exceed five in any one year.

Passengers luggage.

27. Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof, all such personal luggage to be carried by hand and at the responsibility of the passenger, and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

28. The Promoters, 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 at least two carriages each way every morning in the week and every evening except Saturday evening in the week (Sundays, Christmas Day, and Good Friday always excepted), at such hours, not being later than seven in the morning or earlier than six in the evening respectively, and on Saturday afternoon between the hours of one and three in the afternoon, as the Promoters think most convenient for artisans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (the Promoters, nevertheless, not being required to take any fare less than one penny): Provided that, in case of any complaint made to the Board of Trade of the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time.

Tolls for animals, goods, &c.

29. The Promoters may demand and take in respect of any animals, goods, minerals, or parcels conveyed by them on the tramways, except as is by this Order specially provided, including the tolls and charges for the use of the tramways, and for waggons or trucks, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding the tolls and charges specified in the Schedule B. to this Order annexed, subject to the regulations therein contained.

Payment of tolls.

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

Periodical revision of tolls.

31. 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, or by twenty inhabitant ratepayers of the district, or by the Promoters, 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 on such 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 the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the

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traffic on the tramways, or on such portion of the tramways, in such manner as they think fit, and thenceforth such 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 Order authorised.

Miscellaneous.

For the protection of the Corporation of Newcastle-upon-Tyne.

32. Whereas the tramways are proposed to form a junction with the tramways constructed in the borough of Newcastle-upon-Tyne by the Mayor, Aldermen, and Burgesses of the said borough, (in this section called "the Corporation,") under the authority of the Newcastle-upon-Tyne Tramways and Improvement Act, 1877, (in this section called "the Corporation tramways,") and will, in the event of such junction, form a continuous line of tramway with the last-mentioned tramways, therefore, for the protection of the Corporation, the following provisions shall have effect; (that is to say,)

1. The Promoters for the purposes of the traffic on the tramways may effect a junction with and pass over and use with their engines, carriages, and servants the Corporation tramways on the following terms; that is to say:—

(*a.*) During the subsistence of the lease of the Corporation tramways to the Promoters, dated the 16th day of October 1878, in consideration of the payment by the Promoters to the Corporation of the sum of twenty shillings on the first day of January in every year:

(*b.*) After the determination of the said lease on terms to be agreed on between the Promoters and the Corporation, or in default of agreement to be settled by arbitration in manner herein-after provided:

(*c.*) The Promoters in the exercise of the running powers by this section conferred shall comply with the provisions of the Newcastle-upon-Tyne Tramways and Improvement Act, 1877, and they shall not use, on the Corporation tramways, steam engines or other mechanical power, except with the consent of the Corporation and the approval of the Board of Trade:

(*d.*) After the determination of the said lease the Corporation may, at any time by twelve calendar months previous notice in writing under the hand of their town clerk addressed to the Promoters, and left at or sent through the general post addressed to any office of the Promoters in Newcastle-upon-Tyne, or the usual or last known place of abode of the Promoters, or either of them, determine the running powers over the Corporation tramways by this section conferred, and thereupon; at the expiration of such twelve calendar months, the said running powers shall cease.

2. The lessees for the time being of the Corporation tramways may, after the determination of the said lease, pass over and use, with their engines carriages and servants, the tramways, and any future extensions thereof

which may be made by the Promoters on terms to be agreed on between the Corporation and the Promoters, or in default of agreement to be settled by arbitration in manner herein-after provided. After the determination of the said lease the Promoters may at any time, by giving to the Corporation twelve calendar months previous notice in writing, determine the running powers of the lessees of the Corporation tramways by this section conferred over the tramways, and any future extensions thereof, and thereupon, at the expiration of such twelve calendar months, such running powers shall cease.

3. The junction of the tramways with the Corporation tramways shall be made by the Promoters under the superintendence and to the reasonable satisfaction in all respects of the borough engineer of the Corporation, and with the approval of the Board of Trade.

4. If at any time hereafter the borough of Newcastle-upon-Tyne shall be extended so as to include the said parish of Gosforth, or any part or parts thereof in which the tramways, or any future extensions thereof which may be made by the Promoters, shall be laid, the Corporation may at any time after such extension of the borough, by notice in writing under the hand of their town clerk, addressed to the Promoters, and left at or sent through the general post addressed to any office of the Promoters in Newcastle-upon-Tyne, or the usual or last known place of abode of the Promoters, or either of them, require the Promoters to sell and transfer to the Corporation the tramways, and (with the consent of the Board of Trade) any future extensions thereof made by the Promoters, which shall then be included in the said borough, and the Promoters shall, at the expiration of twelve calendar months from the giving of such notice, sell and transfer the tramways, and, subject to the consent of the Board of Trade, any such extensions thereof as aforesaid to the Corporation, who shall thereupon pay the purchase moneys thereof to the Promoters.

5. The purchase moneys to be paid by the Corporation to the Promoters for the tramways authorised by this Order and for the said extensions (if any) shall be :—

(*a*) For the tramways authorised by this Order the amount which the Promoters shall have expended in obtaining this Order and its confirmation by Parliament (including the moneys to be paid by them to the Local Board, as provided for by the next following section of this Order), also the cost of constructing and laying down the tramways, and all other moneys expended on and properly debitable to capital account in respect of or incidental to the tramways, and the then liabilities of the Promoters incurred on capital account in respect thereof, after deducting from such amount such sum (if any) as may be properly deducted for depreciation of the tramways, or for or on account of any removal or discontinuance of any part of the tramways, but adding thereto ten per cent. on the total amount of such purchase money as compensation for compulsory sale.

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(*b.*) For such future extensions (if any) the amount which the Promoters shall have expended in obtaining the parliamentary powers for the construction of such extensions, also any moneys which may be paid by them to any local authority with respect to such parliamentary powers and such extensions, the cost of constructing and laying down such extensions, and all other moneys expended on, and properly debitable to capital account, in respect of or incidental to such extensions, and the then liabilities of the Promoters, incurred on capital account in respect thereof, after deducting from such amount such sum as may be properly deducted for depreciation of the extensions, or for or on account of any removal or discontinuance of any part of such extensions, but adding thereto ten per cent. on the total amount of such purchase money as compensation for compulsory sale.

The amount of such purchase moneys shall, in case of difference, be settled by arbitration in manner herein-after prescribed.

6. If the purchase shall not be completed at the expiration of twelve calendar months from the giving of the notice by the Corporation to the Promoters as aforesaid, through no action or default of the Corporation, the Corporation shall be entitled to possession of the tramways, and any such extensions thereof as aforesaid, upon and from the expiration of such twelve calendar months from the giving of such notice as aforesaid, and shall pay to the Promoters interest at the rate of six pounds per centum per annum on the amount of the purchase moneys from the day of taking possession to the day of actual completion.
7. After the receipt by the Promoters of the said notice from the Corporation of their intention to purchase as aforesaid, the Promoters shall not (except in case of actual necessity, and then to the extent of two hundred pounds only) expend any moneys or incur any liabilities on capital account in respect of the tramways, or any such extensions thereof as aforesaid, except with the previous consent of the Corporation.
8. The reasonable costs, charges, and expenses of the Promoters of and incidental to such purchase, and the lease to be granted as herein-after provided, shall be borne and paid by the Corporation.
9. The Corporation may pay the purchase moneys and all expenses incurred by them in relation to such purchase out of the local rate, and shall have the like powers to borrow on the same security as if such purchase moneys and expenses were expenses incurred by them in applying for and obtaining a provisional order under the Tramways Act, 1870, and in carrying into effect the purposes of such provisional order.
10. The powers of purchase herein-before conferred shall be in addition to the powers of purchase conferred by the Tramways Act, 1870, but the same shall not be exercised, and no such purchase shall be made, unless the Corporation decide so to do by resolution passed by a majority of the Council present, and voting at a special meeting of which and of the purposes whereof one month's previous notice shall have been given,

and at which not less than two thirds of the whole number of the Council shall be present.

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11. In the event of the Corporation purchasing under this section during the continuance of the said lease of the 16th day of October 1878, or of any future lease to the Promoters of the Corporation tramways, the Corporation shall grant to the Promoters a lease of the tramways, and such future extensions (if any) as aforesaid, so purchased, conterminous with such present or future lease, at a rental equal to six pounds ten shillings per centum per annum upon the amount of the purchase moneys for the tramways, and such future extensions thereof as aforesaid, and all the costs, charges, and expenses of and incidental to such purchase which shall be paid by the Corporation, and containing exceptions, reservations, restrictions, covenants, conditions, provisoes, and agreements similar in all respects (so far as may be reasonable) to those contained in the said first-mentioned lease, except the covenant therein contained on the part of the Corporation to lay down tramways to the stables of the lessees: Provided always, that such lease shall not take effect until the same has been approved by the Board of Trade.

12. All questions by this section referred to arbitration, and all differences which may arise under the provisions of this section between the Corporation and the Promoters, shall be settled and determined by an arbitrator to be appointed by agreement between the Corporation and the Promoters, or failing such agreement to be nominated by the Board of Trade on the application of either party, and the costs of the arbitration and incidental thereto shall be borne and paid as the arbitrator shall direct.

13. Nothing in this Order shall annul, alter, or prejudicially affect the said lease dated the 16th day of October 1878 of the Corporation tramways to the Promoters.

Promoters to pay Local Board 600*l.* towards cost of construction of road.

33. Before the Promoters open or break up any road within the district they shall pay to the Local Board the sum of three hundred pounds towards the cost of constructing the road through the district upon which the tramways are hereby authorised to be laid, and they shall pay to the Local Board the further sum of three hundred pounds upon completion of such tramways, and before the same are opened for public traffic, and if any default be made in payment of such sums respectively the Local Board may recover the same from the Promoters, together with all costs accruing thereon, as a simple contract debt.

Provisions as to arbitration.

34. Where, under the provisions of the Tramways Act, 1870, and this Order, any matter in difference is referred to the arbitration of any person agreed on between the parties or nominated by the Board of Trade, the provisions of the Common Law Procedure Act, 1854, shall apply to every such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

35. With respect to notices, and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that is to say,)

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(1.) Every notice shall be in writing or print or partly in writing and partly in print, and if given by the local authority shall be signed by their clerk:

(2.) Any notice to be delivered by or to the Promoters to or by the local authority, or other body, or any company, may be delivered by being left at the principal office of such authority, body, or company, or of the Promoters, 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.

Agreements between Promoters and road authority.

36. The Promoters and the road authority may, subject to the provisions of this Order, from time to time enter into any agreements with respect to the construction, maintaining, removing, renewing, repairing, and using of the tramways, and the rails, plates, sleepers, and works connected therewith, and the facilitating of the traffic over the same.

Approval of Board of Trade to sale, &c. in writing.

37. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing signed by a Secretary or an Assistant Secretary of the said Board.

Saving as to powers of borrowing on mortgage.

38. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or the approval of the Board of Trade necessary to the validity or effect of any such mortgage: Provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking, or any part thereof, to the local authority under section forty-three of the Tramways Act, 1870, and that every mortgage deed granted by the Promoters shall be indorsed with notice that such mortgage will not be a charge upon the undertaking, or any part thereof, in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act, 1870.

Saving for general Acts.

39. Notwithstanding anything in this Order contained, the Promoters and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls and charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways or upon the use on tramways of animal power, steam power, or any mechanical power by any such general Act as aforesaid.

SCHEDULE A.

South Gosforth.

Break power of engines.

Every engine used on the tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

As to fittings of engines, &c.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof, and shall be fitted—

With an indicator by means of which the speed shall be shown;

With a suitable fender to push aside obstructions;

With a special bell, whistle, or other apparatus to be sounded as a warning when necessary; and

With a seat for the driver of such engine so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engine shall be concealed from view.

As to carriages.

Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

Inspection of engines and carriages.

The Board of Trade shall, on the application of the local authority, and may on complaint made by any person, from time to time inspect any engine or carriage used on the tramways and the machinery therein, and may whenever they think fit prohibit the use on the tramways of any such engine or carriage which in their opinion may not be safe for use on the tramways.

As to speed.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through moveable facing-points shall not exceed the rate of four miles an hour.

SCHEDULE B.

TOLLS AND CHARGES FOR ANIMALS, GOODS, &c.

	Per mile. s.	d.
Animals.		
For every horse, mule, or other beast of draught or burden - -	0	3
For every ox, cow, bull, or head of cattle - - - - -	0	3
For calves, pigs, sheep, and small animals - - - -	0	2
For Goods and Minerals.		
For all coals, culm, cannel, limestone, chalk, lime, slates, clay, ironstone, undressed or scabbled stones for building, pitching, and paving,		

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	Per mile. s.	d.
slag, stone, salt, sand, cinders, and all undressed materials for the repair of public roads - - - - - - per ton	0	3
For all iron, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, wrought iron not otherwise specifically classed herein, and for heavy iron castings (including railway chairs), tiles, bricks, coke, charcoal, dung, manure, and compost - - - - - - - per ton	0	4
For all timber or wood - - - - - - per ton	0	3
For all sugar, grain, corn, flour, hides, dyewoods, earthenware, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings - - - - - - per ton	0	5
For all cotton and other wools, drugs, manufactured goods, and all other wares, merchandise, fish, articles, matters, or things - per ton	0	6
	Any distance.	
For every carriage, of whatsoever description - - - -	1	0

Small Parcels.

	Per mile.	
For any parcel not exceeding in weight 7 lbs. - - -	0	3
For any parcel exceeding 7 lbs. but not exceeding 14 lbs. in weight -	0	5
For any parcel exceeding 14 lbs. but not exceeding 28 lbs. in weight -	0	7
For any parcel exceeding 28 lbs. but not exceeding 56 lbs. in weight -	0	9

For any parcel exceeding 56 lbs. but not exceeding 500 lbs. in weight the Promoters may demand and take any sum they think proper:

Provided always, that articles sent in large aggregate quantities, although made up of separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but such term shall apply only to single parcels in separate packages.

Regulations as to Tolls.

In respect of tolls and charges for animals, goods, and minerals, the Promoters may demand and take for any less distance than three miles tolls and charges as for three miles.

For a fraction of a mile beyond three miles, or beyond any greater number of miles, the Promoters may demand and take tolls and charges on animals, goods, and minerals for such fraction in proportion to the numbers of quarters of a mile contained therein, and if there be a fraction of a quarter of a mile such fraction shall be deemed a quarter of a mile.

For a fraction of a ton the Promoters may demand and take tolls and charges according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, 14 cubic feet of stone, 40 cubic feet of oak, mahogany, teak, beech, or ash, and 50 cubic feet of any other timber shall be deemed one ton weight, and so in proportion for any smaller quantity.

SOUTH SHIELDS CORPORATION TRAMWAYS.

A.D. 1881.

South Shields.

Order authorising the Mayor, Aldermen, and Burgesses of the borough of South Shields to construct Tramways in the said borough.

Short title.

1. This Order may be cited as "The South Shields Corporation Tramways Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expression "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expression "the Corporation" shall mean the mayor, aldermen, and burgesses of the borough of South Shields in the county of Durham acting by the council;

The expression "the borough" shall mean the said borough of South Shields; and

The term "person" shall include a corporation.

Promoters.

The Promoters.

4. The Corporation shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may by agreement from time to time purchase and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes: Provided that they shall not at any time hold more than five acres of land under the authority of this Order.

Construction of Tramways.

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order (herein-after referred to as "the deposited plans" and "the deposited sections"), the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith or for the purposes thereof.

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The tramways authorised by this Order are—

Tramway No. 1, commencing at a point ten yards west of the River Tyne Commissioners' railway, at the east end of Pier Parade, and proceeding in a westerly direction along Pier Parade, Ocean Road, King Street, into and across the market place in a south-westerly direction; also in a southerly and then westerly direction to and along Church Row, turning southward along Station Road, Cuthbert Street, and Green Street, turning westward along Laygate Lane, Commercial Road, Corstorphine Town, Temple Town, Turncoat Row, Slake Row, Slake Terrace, under the North-eastern Railway Company's bridges, thence turning in a north-westerly direction along the road known as the South Shields Road to East Jarrow, Swinburne Street, thence in a northerly direction along the Causeway to and terminating at a point 100 yards southwards from the springing of the south side of the southernmost arch of the Jarrow Bridge.

Tramway No. 1 shall be laid as a single line, except at the following places, where it shall be laid as a double line of tramway:

In Ocean Road, for a distance of two chains eleven yards to the westward from the commencement:

In Ocean Road, from a point opposite the south-east corner of the boundary wall of the old workhouse site extending a distance of two chains eleven yards:

In Ocean Road, from a point opposite to the south-east corner of the boundary of the South Shields board school site, for a distance of two chains eleven yards westward:

In King Street, from a point eight yards westward of an imaginary centre line intersecting Mile End Road and Fowler Street, for a distance of two chains eleven yards:

In King Street and the market place, from a point thirty-three yards eastward of an imaginary line across the west end of King Street, extending along King Street, and in a south-westerly direction to the east end of Church Row:

In Station Road, from a point twenty yards southward from St. Hilda's Buildings extending four chains five yards along Station Road:

In Station Road, from a point immediately opposite the centre of gateway of the old railway station southward three chains:

In Station Road, from a point ten yards south of the centre of roadway where St. Hilda's colliery waggon-way crosses on the level two chains eleven yards:

In Cuthbert Street and Green Street, from a point forty yards north-east of an imaginary centre line at the intersection of Victoria Road, Green Street, and Cuthbert Street extending three chains eleven yards south-westerly:

In Green Street and Laygate Lane, from a point sixty-three yards east of an imaginary centre line at the intersection of Laygate Lane and Green Street to an imaginary centre line at the south-west end of Green Street:

In Laygate Lane, from an imaginary centre line at the intersection of Green Street and Laygate Lane to a point two chains westward:

In Laygate Lane and Commercial Road, from a point thirteen yards south of the level crossing of the St. Hilda's Colliery Company's Railway (centre of lines) to a point twenty-three yards west of the south-west corner of the Wagon public-house:

In Commercial Road and Corstorphine Town, from opposite the centre line of Portberry Street to opposite the south-west corner of the Methodist chapel:

In Corstorphine Town, from a point opposite the north-east corner of the London Hotel southward a distance of 2·5 chains:

In Temple Town, from a point thirty yards to the north of the north-east corner of the Wesleyan Methodist chapel extending three chains in a south-westerly direction:

In Temple Town, from a point thirteen yards north of the south end of Turncoat Row extending in a south-westerly direction three chains eleven yards:

In Temple Town, from a point sixty yards south of the south end of Slake Row extending in a south-westerly direction four chains:

In Slake Terrace, from a point fifty-three yards east of the north-east corner of the Tyne Dock Railway Company's offices to a point fifteen yards to the west of the said corner:

In the South Shields Road, from a point ten chains fifteen yards west of the south-west corner of the North-eastern Railway Company's Tyne Dock warehouses extending three chains in a westerly direction:

In the South Shields Road, from a point one hundred and five yards to the south-east of the south-west corner of the boundary of the Tyne docks, and extending 2·5 chains in a north-westerly direction:

In the South Shields Road, ten chains eleven yards east of the Alkali Works waggon-way over Swinburne Street, and extending four chains westward:

In Swinburne Street and the Causeway, from a point four chains west of the centre of the bridge over the Little Don three chains in a north-westerly direction:

The total length of Tramway No. 1 will be 3 miles 6 furlongs 2·7 chains, of which 1 mile 0·66 chains is double line, including passing places, and 2 miles 6 furlongs and 2·04 chains is single line:

In Church Row and in Ballast Hill, until the Road shall be widened so as to give 24 feet between the curbs. Tramway No. 1 shall be laid on a double line, and so constructed that only one line of rails can be used at one and the same time.

Tramway No. 1A. A double line 5·6 chains in length, commencing at a junction with Tramway No. 1 at a point five yards west of an imaginary centre line drawn across the west end of King Street, extending along the east and south sides of the market place, and terminating at a junction with Tramway No. 1 at the east end of Church Row.

Tramway No. 1B, commencing in Temple Town, from the south-west corner of Haddock Street, and terminating in Tramway No. 1 at a point

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sixty-five chains to the south of the north end of the stone depôt in Slake Terrace on private land proposed to become a diverted highway.

Tramway No. 1B shall be laid as a single line, except at the following places, where it shall be laid as a double line of tramway:

In Temple Town, from a point eight chains south of the north-east corner of the Grey Horse public-house, extending two chains eleven yards southward:

In Temple Town, from a point twenty-one chains south of the north-east corner of the Grey Horse public-house, extending two chains eleven yards southward:

The total length of Tramway No. 1B is 3 furlongs 6·75 chains, of which 5 chains is double line, and 3 furlongs 1·75 chains is single line.

Tramway No. 1C. A single line 1 furlong 7·1 chains in length, commencing at the junction of the Causeway with the south-west end of Swinburne Street, and extending in a north-westerly direction to the River Don at a point six chains west of the Jarrow Bridge on private land proposed to become a diverted highway.

Tramway No. 2, commencing at the intersection of King Street, Ocean Road, Mile End Road, and Fowler Street in Tramway No. 1, and proceeding along Fowler Street, Westoe Lane, thence in a westerly direction along Dean Lane, thence in a north-westerly direction along Laygate Lane to a junction with Tramway No. 1 at the south-west end of Green Street.

Tramway No. 2 shall be laid as a single line, except at the following places, where it shall be laid as a double line of tramway:

In Fowler Street, from a point opposite the south-west corner of Denmark Street, extending 2·5 chains southward:

In Fowler Street, from a point opposite the south-west corner of Winchester Street, extending 2·5 chains southward:

In Westoe Lane, from an imaginary centre line at the intersection of Bent House Lane and Fowler Street, extending three chains southward:

In Westoe Lane, from a point six chains south of the centre of the bridge over the Tyne Plate Glass Company's ballast railway, extending two chains eleven yards southward:

In Westoe Lane, from a point nine chains north of the north-western corner of the Ingham Infirmary boundary wall, extending 2·5 chains southward:

In Westoe Lane and Dean Lane, from a point three chains fifteen yards south of the north-west corner of the Ingham Infirmary boundary wall, extending three chains in a south-westerly direction:

In Dean Lane, from a point fifteen yards west of the south-east corner of Westoe Terrace, extending three chains in a north-westerly direction:

In Dean Lane, from a point opposite the south-west corner of John Clay Street, extending 2·5 chains in a westerly direction:

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In Dean Lane and Laygate Lane, from a point forty-three yards east of an imaginary centre line at the intersection of Dean Lane and Laygate Lane, extending three chains in a northerly direction:

In Laygate Lane, from a point thirty-seven yards north of the centre of the level crossing of the North-eastern Railway (Pontop Branch) extending 2·5 chains northward:

In Laygate Lane, from a point coinciding with an imaginary centre line at the intersection of Adelaide Street and Laygate Lane to its intersection with Tramway No. 1 at the south end of Green Street and Laygate Lane.

Tramway No. 2A, commencing at a point at a junction with Tramway No. 1, ·3 chains to the east from the south-west corner of Fowler Street and Ocean Road, and terminating at a point on Tramway No. 2 opposite the south-east corner of Fowler Street.

Tramway No. 2B, commencing at a point at a junction with Tramway No. 1 at the centre of an imaginary line across King Street drawn from the south-west corner of Fowler Street to the south-west corner of Mile End Road, and terminating at a junction with Tramway No. 2 on the centre of an imaginary line drawn across Fowler Street from the south-west corner of Ocean Road to the south-east corner of King Street.

Tramway No. 2C, commencing at a point at a junction with Tramway No. 2 ·1 chains to the east from the south-east corner of Green Street and Laygate Lane, and terminating at a point on Tramway No. 1 on the centre of an imaginary line drawn across Green Street from the west corner of Green Street to the east corner of same.

The total length of Tramway No. 2, including Tramways No. 2A, No. 2B, and No. 2C, is 1 mile 4 furlongs 7·3 chains, of which 3 furlongs 0·24 chains is double line, including passing-places and 1 mile 1 furlong 7·0 chains is single line.

Tramway No. 3, commencing at the intersection of King Street, Ocean Road, Fowler Street, and Mile End Road, in Tramways Nos. 1 and 2, and proceeding northward along Mile End Road, and terminating opposite the north-west corner of St. Stephen's Churchyard boundary wall.

Tramway No. 3 shall be laid as a single line, except at the following places, where it shall be laid as a double line of tramway:

In Mile End Road, from a point thirty-three yards north of an imaginary centre line, intersecting Ingham Street and Mile End Road, extending 2·5 chains northward:

In Mile End Road, from a point four chains eleven yards north of the south-west corner of Morton Street, extending three chains northward:

In Mile End Road, from a point three chains eleven yards north of the south-west corner of St. Stephen's churchyard boundary wall to the termination of the said tramway:

In Mile End Road, from the commencement of Tramway No. 3 to the intersection of Alderson Street, until the road shall be widened so as to give 24 feet between the curbs, Tramway No. 3 shall be laid on a

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double line, and so constructed that only one line of rails can be used at one and the same time.

Tramway No. 3A, commencing at a point on Tramway No. 1, ·1 chains from an imaginary line drawn from the south-west corner of Mile End Road to the north-east corner of Fowler Street and terminating at a point on Tramway No. 3, ·45 chains to the north of an imaginary line drawn from the south-west corner of Mile End Road to the south-east corner of same road.

The total length of Tramway No. 3, including Tramway No. 3A, is 3 furlongs 4·3 chains, of which 8·2 chains is double line, and 2 furlongs 6·1 chains is single line.

All of which tramways will be made or pass from, in, through, or into the parishes, townships, or extra-parochial places of Jarrow Westoe and South Shields, in the county of Durham.

For protection of the North-eastern Railway Company.

7. For the protection of the railway and works of the North-eastern Railway Company (in this section called "the railway company") in the construction, maintenance, and user of the Tramway No. 2, the following provisions shall have effect:

(1.) In the construction of Tramway No. 2, by this Order authorised across the rails of the Pontop and South Shields Branch of the North-eastern Railway, now laid upon the level of the road called Laygate Lane, in the borough of South Shields, the same shall be constructed and maintained in accordance with a plan to be agreed upon by the engineers for the time being of the railway company and of the Promoters, and under the superintendence (at the cost of the Promoters) and to the reasonable satisfaction of the engineer for the time being of the railway company, unless after seven days notice given by the Promoters of their intention to commence such works such superintendence is refused or withheld, and the said tramway at the said level crossing shall be maintained and kept in constant and efficient repair to the reasonable satisfaction of the railway company's engineer for the time being.

(2.) The Promoters shall not stop on or otherwise interfere with or obstruct the traffic of the railway company on the said level crossing, and the traffic of the railway company shall at all times have precedence of the traffic of the Promoters, and the Promoters shall be subject to such rules, byelaws, and regulations relating thereto as shall be agreed upon between the railway company and the Promoters.

(3.) If by reason of the execution of any of the works or any proceedings of the Promoters, or the failure of any such works, or any act or omission of the Promoters, or of their servants, the said railway or any of the works of the railway company shall be injured or damaged, such injury or damage shall forthwith be made good by the Promoters at their own expense, or in the event of their failure so to do, the railway company may make good the same and recover the expense thereof with full costs against the Promoters in any court of competent jurisdiction.

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(4.) In the event of any difference arising between the railway company or their engineer, and the Promoters, the same shall be settled by a referee, to be appointed by the Board of Trade in the manner provided by section thirty-three of the Tramways Act, 1870.

(5.) Every carriage used upon the tramways at the said level crossing shall be constructed with sufficient brake power.

(6.) Except as is by this Order otherwise expressly provided, nothing in this Order contained shall take away, lessen, prejudice, or alter any of the rights, interests, powers, or authorities of the railway company.

For the protection of the justices of the county of Durham.

8. For the protection of the justices of the peace for the county of Durham the following provisions shall have effect; (that is to say,)

(1.) Notwithstanding anything shown on the deposited plans, the Promoters shall not lay down, construct, or maintain any tramway or work on the bridge over the River Don, and in the deposited plans called Jarrow Bridge, or the approaches thereto.

(2.) All additional expense incurred in the repairing and maintaining of any part of any main road consequent on the laying down, constructing, maintaining, and using of any of the tramways in, along, or across such road shall be defrayed wholly by the Promoters.

(3.) If any damage be occasioned to any bridge, roadway, or footway repairable by the said justices, or to any of the fences, walls, buttresses, retaining walls, supports, culverts, or drains thereof respectively by any car, carriage, or other vehicle of the Promoters or their lessees, or any person or company lawfully using the tramways or any of them, or by reason of the construction or user of the tramways, or the repairing or relaying of the substructure or rails thereof, the Promoters shall at their own expense repair or make good any such damage under the superintendence and to the reasonable satisfaction of the surveyor of county bridges for the county of Durham, and the reasonable cost of such superintendence shall be paid by the Promoters.

(4.) If within forty-eight hours after notice in writing in that behalf to the Promoters under the hand of the said surveyor the Promoters shall not have commenced to repair and make good such damage, or if having so commenced they do not diligently proceed with such repairing and making good so as to complete the same with all reasonable despatch, the said surveyor may, at the cost of the Promoters, execute and do all such works and things as may be reasonably necessary to repair and make good such damage

For the protection of the Harton Coal Company.

9. Wherever any tramway authorised by this Order is intended to intersect or cross any railway or waggon-way of or belonging to or occupied by Collingwood Lindsay Wood, Lindsay Wood, John Wood, Nicholas Wood, Christopher Edward Blackett, Charles William Anderson, and Hilton Philipson, or other the person or persons for the time being trading together under the style or firm of the Harton Coal Company, the Promoters shall so lay down construct and maintain the same as to cause no damage or injury to such railway or

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waggon-way, and shall from time to time and at all times keep the crossing or place of intersection in good order and condition, and shall so use such tramway as to cause no interruption or impediment to the traffic of the said Harton Coal Company or other the person or persons for the time being owners, lessees, or occupiers of such railway or waggon-way, or their use of the same, and particularly, but without prejudice to the generality of this provision, the Promoters or other persons using the tramway shall not cross or attempt to cross such railway or waggon-way while any waggons are passing or about to pass over the same at or near to the place or places of intersection.

Should the Promoters at any time make default in keeping the place or places of intersection in good order and condition, the said Harton Coal Company or such owners, lessees, or occupiers, as the case may be, shall be at liberty to make good the same and recover the expense of so doing from the Promoters, with full costs of suit in any court of competent jurisdiction.

Provisions as to construction of tramways.

10. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters shall before they proceed 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 such tramways, and a statement of the materials intended to be used therein, and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such plan and statement.

As to rails of tramways.

11. The rails of the tramways shall be such as the Board of Trade may approve.

Penalty for not maintaining rails and road in good condition.

12. The Promoters 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 which any of the tramways for the time being consist, and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject on information laid or complaint made to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the borough that the Promoters have made such default as aforesaid the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good

such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed in respect of offences.

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

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

Additional crossings, &c. may be made where necessary.

14. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways or any of them, or for providing access to any stables, carriage-houses, sheds, or works of the Promoters or their lessees or licensees: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand, addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

15. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid, it is, in the opinion of the Promoters, necessary or expedient temporarily to remove or discontinue the use of such tramway, or any part thereof, the Promoters may from time to time construct in the same or any adjacent road, and maintain so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

Application of road materials excavated in construction of works.

16. Any paving, metalling, or material excavated by the Promoters in the construction of any works under the authority of this Order, from any road under their jurisdiction or control, shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit.

Tramways not to be opened until certified by Board of Trade.

17. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or an Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

Motive Power.

Carriages may be moved by animal, steam, or mechanical power.

18. The carriages used on the tramways may, subject to the provisions of this Order, be moved by animal power. And when it has been proved to the satisfaction of the Board of Trade that the Corporation have widened such of the streets or roads in which certain of the tramways are by this Order authorised to be laid as are now narrow to such width as may be necessary, so that there shall not be less width between the outside of the footpath on either side

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of any street or road in which any of the tramways is laid and the nearest rail of such tramway than nine feet six inches, the Board of Trade may, by an Order to be signed by a Secretary or an Assistant Secretary of the said Board authorise the use on the tramways of steam power or any mechanical power, and from and after the date of such Order the carriages used on the tramways may, subject to the provisions of this Order, during a period of seven years from such date, and with the consent of the Board of Trade during such further periods of seven years as the said Board may from time to time specify in any Order to be signed as aforesaid, be moved by steam power or any mechanical power:

Provided always, that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to the regulations set forth in the Schedule A. to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may, and which they are hereby empowered to, make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam or any mechanical power on the tramways:

Provided also, that the lessees under any lease made by the Promoters shall not use steam or any mechanical power on the tramways, or any part thereof, unless they are authorised to do so by special permission in such lease; and the Promoters may, with the consent of the Board of Trade and subject to the provisions of this Order, attach to such special permission such conditions and restrictions as they may think fit.

Penalty for using steam or mechanical power contrary to Order or regulations.

19. The lessees or any person using steam or any mechanical power on any of the tramways, contrary to the provisions of this Order, or to any of the regulations set forth in the Schedule A. to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall for every such offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues: Provided always, that, whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the lessees or any person using steam or any mechanical power on the tramways, under the authority of this Order, have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the Schedule A. to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the lessees or such person to cease to exercise the powers aforesaid, and thereupon the lessees or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same, or any of the same, unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws.

20. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to, byelaws with

regard to any of the tramways upon which steam or any mechanical power may be used under the authority of this Order, for all or any of the following purposes; that is to say,

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine:

For regulating the emission of smoke or steam from engines used on the tramways:

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened, or of impending danger, as the Board of Trade may deem proper for securing safety:

For regulating the entrance to, exit from, and accommodation in the carriages used on the tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages:

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramways by exhibition of the same in conspicuous places on the carriages and elsewhere:

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

21. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of the Tramways Act, 1870, as to byelaws by local authority.

22. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the Corporation to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the tramways under the authority of this Order; but the Corporation may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

23. All orders and byelaws made by the Board of Trade under the authority of this Order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade, and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Order; and the production of a written or printed copy of any such order or byelaw, purporting to be signed as aforesaid, shall be primâ facie evidence of such order or byelaw in all courts of justice and in all legal proceedings.

Traffic upon Tramways.

Traffic upon tramways.

24. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Lessees not bound to carry animals, goods, &c.

25. The lessees shall not be bound to carry, unless they think fit, any animals, goods, minerals, or parcels, other than passengers luggage, not exceeding twenty-eight pounds in weight.

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26. In case the lessees carry animals, goods, minerals, or parcels, they may, and when required by the Corporation shall, carry the same in separate carriages or separate parts of carriages set apart for that purpose, provided that this provision shall not apply to the carriage of passengers luggage.

Heavy traffic between eight a.m. and eight p.m.

27. Only passengers and passengers luggage not exceeding fifty-six pounds in weight, and no animals, goods, minerals, or parcels, shall be conveyed on the tramways between the hours of eight in the morning and eight in the evening, without the previous consent of the Corporation.

Corporation may use tramways for sanitary purposes.

28. The Corporation may, at such times and in such manner as they think fit (but subject to the provisions of this Order and to any byelaws for the time being in force with respect to the tramways), use the tramways for sanitary purposes, and for the conveyance of scavenging stuff, road-metal, and other materials required for the works of the Corporation, free of all tolls and charges in respect of such use.

Tolls.

Tolls and charges.

29. The tolls and charges authorised by this Order to be demanded and taken are as follows; viz.,

For every passenger travelling upon any of the tramways, or any part thereof, any tolls or charges not exceeding for any distance traversed in the same direction at one time the sum of threepence inside and twopence outside for each single journey of such passenger, whether with or without change of carriage:

For all animals, goods, minerals, and parcels conveyed upon the tramways, any tolls or charges not exceeding for any distance in the same direction the tolls and charges specified in the Schedule B. to this Order annexed, subject to the regulations in that behalf therein contained.

Such tolls or charges shall include all tolls and charges which may be made for the use of the tramways or carriages, and for motive power, and for every other expense incidental to such conveyance.

Passengers luggage.

30. Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof; but such luggage shall be carried at his own responsibility, and so as not to interfere with the space allowed for passengers.

Cheap fares for labouring classes.

31. The lessees shall at all times during the continuance of the demise of the tramways run at least two carriages each way every morning in the week and every evening in the week (Sundays, Christmas Day, and Good Friday always excepted), at such hours, not being later than seven in the morning or earlier than six in the evening, as the Promoters think most convenient for artisans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (and for this purpose a fraction of a mile shall be deemed a mile), but the lessees shall not be required to take any toll or charge less than one penny: Provided always, that in case of any complaint made to the Board of Trade, of the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time. Every lease to be granted by the Promoters shall imply a condition

of re-entry if the lessees, at any time after the expiration of twenty-one days notice requiring them to run such carriages at such times and at such tolls or charges as herein-before mentioned, make default in complying with such notice, unless such default be occasioned by unavoidable accident.

Payment of tolls.

32. The tolls and charges by this Order authorised shall be paid to such persons, and at such places upon or near to the tramways, and in such manner and under such regulations, as the persons entitled to demand and take such tolls and charges may by notice to be annexed to the list of tolls and charges appoint.

Periodical revision of tolls.

33. 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 twenty inhabitant ratepayers of the borough, or by the lessees, 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 on such 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 the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit, and thenceforth such 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 Order authorised.

Opening of Tramways to the Public.

As to user of tramways and tolls thereon when open to be used by the public.

34. Subject to any lease or agreement for a lease, the Promoters may from time to time by resolution declare the tramways, or any part thereof, to be open to be used by the public, and for such periods and subject to such conditions and restrictions as to motive power and otherwise as the Promoters may, subject to the provisions of this Order and the approval of the Board of Trade, think fit, and such user may be either concurrently with the lessees or otherwise; and so soon as the Promoters have passed such resolution, and the same has been approved by the Board of Trade by writing signed by a Secretary or an Assistant Secretary of the Board of Trade, any person may use the tramways, or any part thereof, in accordance with the terms of such resolution, and subject to the provisions of this Order, with carriages having flange wheels or other wheels suitable only to run on the rail of the tramways, and may demand and take for the like purposes for which tolls or charges are authorised to be demanded and taken by this Order any tolls or charges not exceeding the tolls or charges by this Order authorised to be demanded and taken for such purposes.

Tolls if tramways open to be used by the public.

35. If the tramways, or any part thereof, be declared to be open to be used by the public, the Promoters may demand and take from any person so using the

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tramways, or any part thereof, the following tolls and charges in respect of such user; namely,

For every passenger travelling in or upon any of the carriages of such person, any tolls or charges not exceeding one half of the tolls and charges by this Order authorised to be demanded and taken by such person for such passenger;

For any animals, goods, minerals, and parcels conveyed in or upon the carriages of such person, any tolls or charges not exceeding one half of the tolls and charges specified in the Schedule B. to this Order annexed, in respect of such animals, goods, minerals, and parcels so conveyed, subject to the regulations in that behalf therein contained:

and the Promoters may, if they think fit, commute such tolls or charges so that the commuted sum may be as near as possible an equivalent of such tolls or charges.

Servants of the Promoters to ride in carriages, &c. free of charge.

36. Any person so using the tramways or any part thereof declared to be open to be used by the public, and the officers and servants of such person, shall permit any person duly authorised for that purpose by the Promoters to ride free of charge, for the whole or any part of the journey, in or upon each carriage, or vehicle in or upon which any passengers, animals, goods, minerals, or parcels are conveyed upon the tramways or such part thereof.

Certain provisions of the Tramways Act, 1870, as to licensees extended to persons using the tramways when open to the public.

37. The provisions contained in the following sections of the Tramways Act, 1870; namely,

Section 36. (In default of payment of tolls, licensees carriages may be detained and sold);

Section 37. (Licensees to give account of passengers carried by them):

Section 38. (Licensees not giving account of passengers carried liable to penalty);

Section 39. (Disputes as to amount of tolls to be settled by justices); and

Section 40. (Owners of carriages liable for damages done by their servants);

shall, so far as the same are applicable in this behalf, extend and apply, mutatis mutandis, to the person or persons so using the tramways, or any part thereof, declared to be open to be used by the public; and in construing those sections for the purposes aforesaid—

The expression "licensee" or "licensees" shall mean the person or persons so using the tramways or any part thereof;

The expression "passengers" shall include animals, goods, minerals, and parcels;

The expression "number of passengers" shall include the number or quantity (as the case may require) of the animals, goods, minerals, or parcels conveyed; and

The expression "carriage" shall include any waggon, truck, or vehicle in or upon which such animals, goods, minerals, or parcels are conveyed.

Miscellaneous.

Carriages or horses unfit for use may be removed.

38. The Corporation may cause to be removed from the tramways any carriage or horse which is certified by any officer appointed by the Corporation

to be unfit for use upon the tramways: Provided that every certificate made by the said officer to the Corporation shall be in writing, and shall state fully the particulars in which, in the opinion of the said officer, the carriage or horse (as the case may be) is unfit for use; and notice of every such certificate, setting forth the particulars contained in the said certificate, shall be served upon the lessee or other person owning or using such carriage or horse prior to any action being taken thereon by the Corporation: Provided further, that if any dispute arise between the Corporation and such person as to the fitness or unfitness of any such carriage or horse, the same shall be settled by two justices.

Power to enter into agreements with respect to traffic, &c.

39. Any lessees or licensees on the one hand, and any person on the other hand, may, with the consent of the Board of Trade, from time to time, but subject to the provisions of this Order, enter into agreements with respect to the receiving from or forwarding to any such person any passengers, animals, goods, minerals, or parcels, and the fixing, collecting, and apportionment of tolls, charges, rents, or other receipts arising from the tramways, upon such terms and conditions as may be agreed upon between such lessee or licensee and such person, subject, nevertheless, to the control and supervision of the Promoters.

Provisions as to arbitration.

40. Where under the provisions of the Tramways Act, 1870, and this Order, any matter in 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 such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

41. With respect to notices, and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that is to say,)

(1.) Every notice shall be in writing or print or partly in writing and partly in print, and if given by the Promoters or by any local authority or any road authority shall be signed by their secretary or clerk;

(2.) Any notice to be delivered by or to the Promoters to or by any local authority, or any road authority, or other body, or any company may be delivered by being left at the principal office of that authority, body, or company, or at the Town Hall in the borough, as the case may be, or by being sent by post in a registered letter addressed to their respective secretary or clerk at their principal office, or to the town clerk at the Town Hall.

The Corporation may borrow 50,000*l.* to be repaid in 30 years.

42. The Corporation may, under and according to the provisions contained in section twenty of the Tramways Act, 1870, borrow for the purpose of this Order, in addition to any sum or sums of money they are already authorised to borrow, any sum or sums of money not exceeding fifty thousand pounds, and the time for which such sum of fifty thousand pounds may be borrowed shall be thirty years; and for the purpose of such borrowing the Corporation may include in any mortgage of the local rate the moneys coming to them out of the rents reserved under any lease made under the authority of this Order, and the tolls, charges, and sums authorised to be taken or received by them under the provisions of this Order.

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Saving for general Acts.

43. Notwithstanding anything in this Order contained, the Promoters, lessees, and any person using the tramways shall be subject and liable to the provisions of any general Act, now in force or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power by any such general Act as aforesaid.

SCHEDULE A.

Break power of engines.

Every engine used on the tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

As to fittings of engines, &c.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof, and shall be fitted—

With an indicator by means of which the speed shall be shown;

With a suitable fender to push aside obstructions;

With a special bell, whistle, or other apparatus to be sounded as a warning when necessary; and

With a seat for the driver of such engine so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engine shall be concealed from view.

As to carriages.

Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

Inspection of engines and carriages.

The Board of Trade shall on the application of the Corporation, and may on complaint made by any person, from time to time inspect any engine or carriage used on the tramways and the machinery therein, and may, whenever they think fit, prohibit the use on the tramways of any such engine or carriage which in their opinion may not be safe for use on the tramways.

As to speed.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through moveable facing-points shall not exceed the rate of four miles an hour.

SCHEDULE B.

TOLLS AND CHARGES FOR THE CONVEYANCE OF ANIMALS, GOODS, &c.

	Any distance. s.	d.
Animals.		
For every horse, mule, or other beast of draught or burden	0	6
For every ox, cow, bull, or head of cattle	0	6
For every calf, pig, sheep, or other small animal	0	3
Goods.		
For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fire-clay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton	0	3
For all iron, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fire-clay), and for wrought iron not otherwise specially classed herein, and for heavy iron castings, including railway chairs, per ton	0	3
For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton	0	4
For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton	0	4
For every carriage of whatever description, not weighing more than one ton, tenpence, and the additional sum of twopence for every additional quarter of a ton above one ton.		
Single Articles of great Weight.		
For the carriage of any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, shall not exceed four tons, per ton	0	8
For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, shall exceed four tons, such sum as the lessees, persons or person conveying the same may think fit.		
Parcels.		
For any parcel not exceeding seven pounds in weight	0	3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight	0	5
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight	0	7
For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight	0	9
For any parcel exceeding fifty-six pounds in weight, such sum as the lessees, persons or person conveying the same may think fit.		

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Regulations as to Tolls.

For a fraction of a ton tolls or charges may be demanded and taken according to the numbers of the quarters of a ton in such fraction; and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

Woolwich and S. E. London.

WOOLWICH AND SOUTH-EAST LONDON TRAMWAYS.

Order authorising the Woolwich and South-east London Tramways Company, Limited, to construct Street Tramways from Woolwich to Greenwich, in the county of Kent; and amending the Woolwich and Plumstead Tramways Order, 1880.

Short title. 1. This Order may be cited as "The Woolwich and South-east London Tramways Order, 1881."

Incorporation of Acts. 2. The provisions of the Land Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation. 3. The several words, terms, and expressions to which by the Acts in the whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised:

The expression "the Order of 1880" shall mean the Woolwich and Plumstead Tramways Order, 1880:

The term "person" shall include a corporation.

Promoters.

The Promoters. 4. The Woolwich and South-east London Tramways Company (Limited) shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Construction of Tramways.

Construction of tramways. 5. The Promoters may construct and maintain, subject to the provisions of this Order, in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order, as the same have been amended previous to the passing of the Act confirming this Order, the tramways herein-after described, with all proper rails, plates, chairs, offices, weigh-bridges,

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weighing-machines, stables, sheds, carriage-houses, warehouses, works, and conveniences connected therewith, or for the purposes thereof, and may work and use the same.

The tramways authorised by this Order are—

A tramway two miles six furlongs five chains and twenty links in length, consisting of one mile seven furlongs two chains and twenty-eight links of double line and seven furlongs two chains and ninety-two links of single line, commencing at the northern end of Beresford Street, in the parish of Woolwich, by a junction with and at the termination in that street of the tramways authorised by the Order of 1880; thence turning into High Street, Woolwich, and passing along that street in a westerly direction into and along Church Street, George Street, Albion Road, the Greenwich and Woolwich Lower Road, and Trafalgar Road, Greenwich, and terminating in the last-mentioned road at a point one chain or thereabouts south-west of the junction of Trafalgar Road with Old Woolwich Road, in the parish of Greenwich.

Provided that the tramway shall be laid between the commencement of the tramway and the intersection of Anchor and Hope Lane with the Greenwich and Woolwich Lower Road, as a double line only in such parts of the streets and roads as have a width between the kerbs of 30 feet or more, and of 22 feet or less; in other parts of this portion of the route it shall be laid as a single line with necessary passing-places; and that in High Street, from the commencement of the tramway to the intersection of Edward Street, the tramway shall not be laid at all until the width between the kerbs shall be in no place less than 16 feet; and that where a double line is laid, and the width between the kerbs is less than 22 feet, only one car at a time shall be upon the tramways.

Between the intersection of Anchor and Hope Court and the terminus of the tramways, the tramways shall be laid as a double line at the parts hereinafter specified, and in other parts as a single line; that is to say,

In the Greenwich and Woolwich Lower Road, between a point three chains east of the centre of Victoria Road and the centre of that road, and between points respectively two chains east and two chains west of the centre of the bridge carrying Angerstein's branch railway over the said road and between points respectively two chains east and two chains west of the private road leading to the Powder Magazine near West Combe Cottage, and between the eastern corner of the Greenwich Union Workhouse and the corner of Marsh Lane and Tyler's Street North.

In Trafalgar Road, Greenwich, beetween Woodland Street and the termination of the tramways.

The tramways will be situate in the several parishes of Greenwich, Charlton, and Woolwich, in the county of Kent.

Sewer authority to have access to sewers.

6. 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 Promoters, 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.

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Saving rights of Metropolitan Board of Works to stop up streets.

7. Nothing in this Order 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 Local 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.

Gauge of tramways.

8. The tramways shall be constructed on a gauge of three feet and six inches: Provided always, that so much of section thirty-four of the Tramways Act, 1870, as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramways, but no carriage used on the tramways shall exceed six feet and four inches in width.

Provisions as to construction of tramways.

9. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters 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 such tramways, and a statement of the materials intended to be used therein, and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such 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 twenty-six of the said Act.

Mode of formation of tramways.

10. 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 Authority or of the road authority of any district in which the tramways or any portion thereof are or is situate, require the Promoters to adopt and apply such improvements in the tramways within such district, 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 Promoters shall with all reasonable despatch comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

11. The Promoters shall at all times maintain and keep in good condition and repair, to the satisfaction of the road authority, and so as not to be a danger or annoyance to the ordinary traffic, the rails of which any of the tramways for the time being consist and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds, for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which 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 such district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed with respect to offences.

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

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

Tramways to be kept on level with surface of road.

13. If any road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Promoters 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.

Additional crossings, &c. may be made where necessary.

14. The Promoters may from time to time hereafter make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways or any of them, or for providing access to any stables, carriage-houses, sheds, or works of the Promoters, subject to the previous approval of the road authority expressed in writing under their seal: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand, addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

15. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways is laid, it is in the opinion of the road authority necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Promoters may, subject to such conditions and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and, with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

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Woolwich and S.E. London.

If any difference arise between the Promoters and any road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or temporary tramways under the authority of this section, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Application of road materials excavated in construction of Promoters works.

16. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority may be applied by the Promoters, so far as may be necessary, in or towards the reinstating of such road and the maintenance for six months after completion of any of the tramways within the district of such Road Authority of so much of the roadway of such road on either side of such tramways as the Promoters are by this Order required to maintain; and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person or persons as he may appoint to receive the same: Provided that if within seven days after notice in writing to the road authority that the surplus of such paving, metalling, or material is ready for removal, such surplus is not removed by the said surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority 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 all differences between the Promoters and any road authority.

Tramways not to be opened until certified by Board of Trade.

17. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or an Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

Sale of the Tramways to authorised by Order of 1880.

18. The sale of the tramways and undertaking authorised by the Order of 1880 by the Promoters as defined by the Order of 1880 to the Promoters as defined by this Order is hereby authorised and approved, and from and after the passing of the Act confirming this Order, all the rights, powers, authorities, obligations, and liabilities of the Promoters as defined by the Order of 1880, in respect of the tramways and undertaking authorised by the Order of 1880 shall be transferred to, vested in, and may be exercised by, and shall attach to the Promoters as defined by this Order, in like manner as if such tramways had been authorised to be contructed by the Promoters as defined by this Order, and in reference to the same they shall be deemed to be the Promoters.

Tramways to form part of tramway authorised by Order of 1880.

19. The Tramways by this Order authorised shall be deemed to form part of the Undertaking authorised by the Order of 1880, and sections sixteen to twenty seven (both inclusive) of the Order of 1880, shall as far as applicable apply to the tramways by this Order authorised in like manner in every respect as if the tramways authorised by this Order formed part of the tramways

authorised by the Order of 1880: Provided that in the construction of the said sections for the purposes of this Order the term the Promoters shall be deemed to mean the Promoters as defined by this Order.

Saving for general Acts.

20. Notwithstanding anything in this Order contained, the Promoters and any person using the tramways shall be subject and liable to the provisions of any general Act now in force or which may hereafter be passed during this or any future session of Parliament relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power, by any such general Act as aforesaid.

YORK TRAMWAYS (EXTENSIONS).

York.

Order authorising the York Tramways Company, Limited, to construct additional Tramways in the city and county of the city of York, and in the East Riding of the county of York, and amending the York Tramways Order, 1879.

Short title.

1. This Order may be cited as "The York Tramways (Extensions) Order, 1881."

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except 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), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean the tramways and works and the undertaking by this Order authorised;

The expression "the Order of 1879" shall mean the York Tramways Order, 1879; and

The term "person" shall include a corporation.

Promoters.

The Promoters.

4. The York Tramways Company, Limited, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may, by agreement, from time to time purchase and acquire, for the purposes of the undertaking such lands as they may require, and may from time to time sell or dispose of any such lands which may not be necessary for such purposes, provided that they shall not at any time hold more than five acres of land.

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York.

Construction of tramways.

Construction of Tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order at the office of the Board of Trade as the same have been amended previous to the passing of the Act confirming this Order (in this Order referred to as "the deposited plans" and "the deposited sections"), except as herein-after provided, the tramways herein-after described, with all proper rails, plates, offices, weigh-bridges, stables, carriage-houses, warehouses, works, and conveniences connected therewith or for the purposes thereof, and may work and use the same.

The tramways authorised by this Order are—

Tramway No. 1, commencing in the parish of St. George, in Fishergate, by a junction with the existing tramways at a point one hundred and thirty feet or thereabouts south of Fishergate postern, passing thence across Castle Mills Bridge, along Tower Street, the new street about to be made between Tower Street and Nessgate, Nessgate, Low-Ousegate, Ouse Bridge, Bridge Street, Mickle Gate, Blossom Street, the Mount, and Mount Vale, and terminating therein opposite the entrance gates to Knavesmire.

Tramway No. 1 shall be laid as a single line, except in the following places, where it shall be laid as a double line of tramway:

Between Tower Street and the northern end of Nessgate;

On Ouse Bridge, for a length of four chains;

Between two points respectively four and a half chains and seven and a half chains south of Park Street;

Between two points respectively 2·8 chains and 0·3 chain north of the termination of the tramway.

The total length of Tramway No. 1 will be one mile two furlongs five chains, of which one mile five chains will be single line, and two furlongs will be double line.

Tramway No. 1, in Blossom Street and through Micklegate Bar, shall be laid in accordance with a certain plan deposited at the office of the Board of Trade, and signed by Joseph Kincaid on the part of the Promoters and by Henry G. Calcraft on the part of the Board of Trade.

Tramway No. 3 and certain portions of Tramway No. 2 commencing in Micklegate by a junction with Tramway No. 1 at a point half a chain east of Railway Street, passing thence into and along Railway Street, Tanner Row, Rougier Street, and the roadway leading from Rougier Street in a northerly and westerly direction to the North-eastern Railway passenger station, and terminating opposite the centre of the portico over the main entrance into the said station.

The said portions of Tramway No. 2 and Tramway No. 3 shall be laid as a single line, and their total length will be two furlongs 8·8 chains.

The aforesaid tramways will be laid in the parishes of St. George, St. Mary, (Castlegate,) St. Michael's, (Spurriergate,) St. John, (Micklegate,) All Saints, (North Street,) St. Martin-cum-Gregory, Holy Trinity, (Micklegate,) St. Mary Bishop Hill Junior, or some or one of them, all in the city and county of the city of York.

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As to tramway in Nessgate.

7. Notwithstanding anything in this Order contained, the Promoters shall not construct any part of Tramway No. 1 in Nessgate except with the consent in writing of such of the owners and occupiers of the houses, shops, or warehouses in the said street abutting upon any part thereof where a less space than nine feet six inches shall intervene between the outside of the footpath on either side of that street and the nearest rail of the tramway as have before the making of this Order lodged objections at the Board of Trade to a tramway being constructed in Nessgate.

As to tramway near the North-eastern Railway Station.

8. Notwithstanding anything contained in this Order, or shown on the deposited plans, so much of Tramway No. 2 and Tramway No 3 by this Order authorised as will be outside the city of walls and carried along the roadway leading to the said North-eastern Railway passenger station shall be laid, constructed, and maintained in such position, and the said tramways shall terminate at such point, and the Promoters shall be subject to such reasonable stipulations, conditions, and regulations with respect to the laying down, construction, and use of the said portion of the tramways as shall be approved, fixed, determined, or made by the North-eastern Railway Company, subject, in case of difference, to the decision of the Board of Trade in manner provided by section thirty-three of the Tramways Act, 1870.

Gauge of tramways.

9. The tramways shall be constructed on a gauge of four feet: Provided always, that so much of section thirty-four of the Tramways Act, 1870, as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramways, but no carriage used on the tramways shall exceed six feet six inches in width.

Provisions as to construction of tramways.

10. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Promoters 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 such tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, 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 plan and statement have been approved by the Board of Trade: and after such approval the works shall be executed in accordance in all respects with such 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 twenty-six of the said Act.

As to rails of tramways.

11. 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 road authority of any district in which the tramways or any portion thereof are or is situate, require the Promoters to adopt and apply such improvements in the tramways within such district, 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 Promoters, shall, with

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all reasonable despatch, comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

12. The Promoters 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 which any of the tramways for the time being consist and the substructure upon which the same rest; and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which 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 such district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade certify under the hand of a Secretary or an Assistant Secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed with respect to offences.

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

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

Tramways to be kept on a level with surface of road.

14. If any road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Promoters 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.

Additional crossings, &c. may be made where necessary.

15. The Promoters may from time to time hereafter, subject to the provisions of this Order, make all such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient to the efficient working of the tramways, or any of them, or for providing access to any stables, carriage-houses, sheds, or works of the Promoters, subject to the approval of the road authority: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the

said rail and the outside of the footpath on either side of the road if any owner or occupier of premises abutting on the place where such rail is proposed to be laid, by writing under his hand addressed to the Promoters, express his objection thereto: Provided also, that the provisions of this section shall not apply to the portion of Tramway No. 2 and Tramway No. 3 opposite to the property of the North-eastern Railway Company.

Temporary tramways may be made when necessary.

16. Where, by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways is laid, it is in the opinion of the road authority necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Promoters may, subject to such conditions, and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and, with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, so long as occasion may require, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

If any difference arise between the Promoters and any road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or temporary tramways under the authority of this section, the same shall be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Application of road materials excavated in construction of Promoters works.

17. Any paving, metalling, or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority may be applied by the Promoters, so far as may be necessary, in or towards the reinstating of such road, and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway of such road on either side of such tramways as the Promoters are by this Order required to maintain, and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person or persons as he may appoint to receive the same: Provided that if within seven days after notice in writing to the road authority that the surplus of such paving, metalling, or material is ready for removal, such surplus is not removed by the said surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority 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 all differences between the Promoters and any road authority.

Tramways not to be opened until certified by Board of Trade.

18. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act, 1870, and the Board of Trade have, by an order signed by a Secretary or an Assistant Secretary of the said Board, authorised the same to be opened for such traffic.

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Motive Power.

Carriages may be moved by animal, steam, or mechanical power.

19. The carriages used on the tramways may be moved by animal power; and the carriages used on the following tramways, which are in this Order referred to as the tramways of the Promoters, that is to say, the Tramways and Tramways Nos. 2, 2A, 2B, 2C, 2D, 2E, 2F, and 2G, commencing at a point in Church Lane about twenty yards south of the junction of Church Lane and Walmgate, and extending to the Plough Inn on the Selby Road, and authorised by the Order of 1879, may, subject to the provisions of this Order, during a period of seven years after the opening of the same for public traffic, and with the consent of the Board of Trade during such further period 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, be moved by steam power or any mechanical power:

Provided that nothing in this Order shall authorise the use of steam or mechanical power on Tramway No. 1 by this Order authorised until the roadways of Nessgate and Micklegate are widened so that a space of not less than nine feet six inches shall intervene between the footpath on either side of such roadways respectively and the nearest rail of the tramway laid thereon, or on Tramway No. 2 and Tramway No. 3 by this Order authorised, until the roadways at the corner of Railway Street and Tanner Row and the corner of Tanner Row and Rougier Street are widened so that a space of not less than nine feet six inches shall intervene between the footpath on either side of such roadways respectively, and the nearest rail of the tramways laid thereon, except with the special approval of the Board of Trade specified by order in manner aforesaid:

Provided always, that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to the regulations set forth in the Schedule to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam or any mechanical power on the tramways.

Penalty for using steam or mechanical power contrary to Order or regulations.

20. The Promoters, or any person using steam or any mechanical power on any of the tramways of the Promoters contrary to the provisions of this Order, or to any of the regulations set forth in the Schedule to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall for every such offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues: Provided always, that, whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the Promoters or any person using steam or any mechanical power on the tramways of the Promoters under the authority of this Order have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the Schedule to this Order annexed, or with any

regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the Promoters or such person to cease to exercise the powers aforesaid, and thereupon the Promoters or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same, or any of the same, unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws.

21. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to, byelaws with regard to any of the tramways of the Promoters upon which steam or any mechanical power may be used under the authority of this Order for all or any of the following purposes; that is to say,

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine;

For regulating the emission of smoke or steam from engines used on such tramways:

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened or of impending danger, as the Board of Trade may deem proper for securing safety:

For regulating the entrance to, exit from, and accommodation in the carriages used on such tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages:

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to such tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

22. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order, and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of the Tramways Act, 1870, as to byelaws by local authority.

23. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the tramways of the Promoters under the authority of this Order; but the local authority may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

24. All orders and byelaws made by the Board of Trade under the authority of this Order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade, and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Order.

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As to contracts with road authorities where steam or mechanical power is to be used.

25. Where the Promoters or any person intend or intends to use steam or any mechanical power under the authority of this Order on the tramways of the Promoters, or any part thereof, they or he shall give two months previous notice of such intention to every road authority within whose district the tramways of the Promoters, or any part thereof, upon which they or he intend or intends to use such power are or is situated.

Where at the time of the giving of any such notice any contract, agreement, or arrangement is in force with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, then and in every such case, with the consent of the Board of Trade, it shall be lawful for the Promoters, or such person by such notice, or for such road authority by notice to be served upon the Promoters or such person not later than forty days after the receipt by such road authority of such first-mentioned notice, to determine such contract, agreement, or arrangement, and thereupon such contract, agreement, or arrangement shall, from and after the commencement of the use of steam or any mechanical power upon such tramways or such part thereof, be determined and of no effect.

Before using steam or any mechanical power on such tramways or any part thereof, and thereafter from time to time, the Promoters or such person, and every such road authority, may enter into or renew, with or without modification, any contract, agreement, or arrangement with respect to the user by the Promoters or such person, or the paving and keeping in repair, of the whole or any part of the roadway of any road within the district of such road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, which they may think fit and the Board of Trade may approve.

In case any difference arise between any such road authority and the Promoters or such person as to the determination of any such contract, agreement, or arrangement, or in case any such road authority, after request in writing by the Promoters or such person, or the Promoters or such person after request in writing by any such road authority, during a period of one month after such request, refuse or fail to enter into any such contract, agreement, or arrangement, or to renew the same with or without modification, or to make a new contract instead thereof, or in case of any difference as to the terms of any such contract, agreement, or arrangement, or any renewal thereof with or without modification, or any new contract instead thereof, then and in every such case the difference with respect to such determination, or the reasonableness of such refusal or failure, or the terms of such contract, agreement, or arrangement, or any renewal thereof with or without modification, or any new contract instead thereof, shall from time to time, on the appeal of either of the parties to the Board of Trade, be determined in manner provided by the Tramways Act, 1870, with respect to all differences between the

Promoters and any road authority, and thereupon the parties shall in all respects conform to such determination, and make and observe any contract, agreement, or arrangement thereby prescribed: Provided always, that while any such appeal is pending the Board of Trade may order that no steam or mechanical power shall be used on the tramways to which such appeal relates.

No steam or mechanical power shall be used on such tramways or any portion of such tramways unless there is in force, in relation to such tramways or such portion of such tramways, a contract, agreement, or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by such road authority under any contract, agreement, or arrangement in accordance with the provisions of this section shall be applied by them towards the expenses of repairing, improving, and maintaining the highways within their district, having regard in the first instance to the requirements of the roads upon which the tramways are laid.

Where steam or mechanical power is used contract with road authority not to be for longer than two years at a time.

26. Where steam or any mechanical power is used by the Promoters or any person on the tramways of the Promoters or any part thereof, no contract, agreement, or arrangement made before or after the commencement of the use of steam or mechanical power as aforesaid with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of any road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, shall continue in force for any period exceeding two years at any one time after the commencement of the use of steam or mechanical power as aforesaid, or the making of such contract, agreement, or arrangement: Provided always, that any such contract, agreement, or arrangement may from time to time be renewed with or without modification, or a new contract, agreement, or arrangement may be made instead thereof.

Traffic and Tolls.

Tramways to form part of tramways authorised by Order of 1879.

27. The tramways authorised by this Order shall for the purposes of traffic upon the same and of tolls and charges be deemed to form part of the tramways authorised by the Order of 1879, and sections seventeen to twenty-five (both inclusive) of the Order of 1879 shall, as far as the same are applicable, apply to the tramways authorised by this Order, in like manner in every respect as if the tramways by this Order authorised formed part of the tramways authorised by the Order of 1879: Provided that if any dispute arise between the Promoters and the mayor, aldermen, and citizens of the city of York acting by the Council with reference to Sunday traffic on the tramways the same shall be settled in manner provided by section thirty-three of the Tramways Act, 1870.

Miscellaneous.

Provisions as to arbitration.

28. Where under the provisions of the Tramways Act, 1870, and this Order any matter in difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Common Law Procedure Act,

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1854, shall apply to every such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties.

Form and delivery of notices.

29. With respect to notices, and to the delivery thereof by or to the Promoters, the following provisions shall have effect; (that is to say,)

(1.) Every notice shall be in writing or print, or partly in writing and partly in print, and if given by any local authority or any road authority or the Promoters shall be signed by their clerk or secretary:

(2.) Any notice to be delivered by or to the Promoters to or by any local authority or any road 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 Promoters, 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.

Agreements between Promoters and road authorities.

30. The Promoters and any road authority may, subject to the provisions of this Order, from time to time enter into any contracts and agreements with respect to the construction, 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 of the traffic over the same.

Abandonment of certain tramways authorised by the Order of 1879.

31. The Promoters may and shall abandon and relinquish the construction of the Tramways Nos. 1, 1A, 1B, 1C, and 1D authorised by the Order of 1879, and so much of Tramway No. 2A authorised by the Order of 1879 as extends from its commencement to the southern end of Piccadilly, and also the tramways or passing-places connected therewith.

Provision for application of deposit.

32. Whereas, pursuant to the Tramways Act, 1870, and to the rules made by the Board of Trade, and to a warrant or order of the Board of Trade, six hundred and thirty new three pounds per centum annuities were transferred and paid to the account of the Paymaster General, to the credit of "*ex parte* the York Tramways," with respect to the undertaking authorised by the Order of 1879, and whereas the said undertaking has, with the exception of the tramways by this Order required to be abandoned, been from time to time completed and opened for public traffic, and so much of the said deposit fund as was applicable to such undertaking so completed has been repaid to the Promoters, and there now remains in the Chancery Division of the High Court of Justice three hundred and one pounds seventeen shillings and sixpence of the said new three pounds per centum annuities, and whereas the estimate of expense for the construction of the tramways by this Order authorised amounts to six thousand pounds, five pounds per centum upon which is three hundred pounds, and it is expedient that the sum of three hundred and one pounds seventeen shillings and sixpence new three pounds per centum annuities should be made applicable to the undertaking by this Order authorised, therefore the last-mentioned sum shall be deemed to have been transferred and deposited in pursuance of the provisions of section twelve of the Tramways Act, 1870, with respect to the undertaking by this Order authorised, and the same shall be subject to the prescribed conditions as to interest, repayment, or forfeiture in the same manner in every respect as if the same had been actually transferred

and paid by way of deposit with respect to the undertaking by this Order authorised.

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33. The Promoters may, subject to the provisions of this Order, (but only for the purposes of the undertaking, and not so as to acquire any exclusive right therein,) acquire, hold, and use any patent or other rights, and any licenses to use patent rights, in relation to any apparatus, material, or motive power used on or in connexion with tramways.

Power to hold patents.

34. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing signed by a Secretary or an Assistant Secretary of the said Board.

Approval of Board of Trade to sale, &c. to be in writing

25. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage, provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section forty-three of the Tramways Act, 1870, and that every mortgage deed granted by the Promoters shall be endorsed with notice that such mortgage will not be a charge upon the undertaking, or any part thereof, in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act, 1870.

Saving as to powers of borrowing on mortgage.

36. Notwithstanding anything in this Order contained, the Promoters and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament, relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls and charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, steam power, or any mechanical power, by any such general Act as aforesaid.

Saving for general Acts.

SCHEDULE.

Every engine used on the tramways of the Promoters shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

Break power of engines.

Every engine used on the tramways of the Promoters shall have its number shown on some conspicuous part thereof, and shall be fitted—

As to fittings of engines, &c.

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With an indicator by means of which the speed shall be shown;
With a suitable fender to push aside obstructions;
With a special bell, whistle, or other apparatus to be sounded as a warning when necessary; and
With a seat for the driver of such engine, so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engine shall be concealed from view.

As to carriages. Every carriage used on the tramways of the Promoters shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

Inspection of engines and carriages. The Board of Trade shall on the application of the local authority, and may on complaint made by any person, from time to time inspect any engine or carriage used on the tramways of the Promoters and the machinery therein, and may, whenever they think fit, prohibit the use on the tramways of the Promoters of any such engine or carriage which, in their opinion, may not be safe for use on the tramways.

As to speed. The speed at which engines and carriages may be driven or propelled along the tramways of the Promoters shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through moveable facing-points shall not exceed the rate of four miles an hour.

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