CHAPTER cxlv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Burton-upon-Trent Corporation Tramways Bury Corporation Tramways Cardiff Corporation Tramways (Extension) Huddersfield Corporation Tramways Leeds Corporation Tramways Newcastle-upon-Tyne Corporation Tramways and Portobello and Musselburgh Tramways. [11th August 1903.]

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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 said Act 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 King'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 1903. Short title.

2. The several Orders as amended and set out in the schedule to this Act annexed shall be and the same are hereby confirmed Confirmation of Orders in schedule.

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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.

Protection of houses of labouring class.

3. The Promoters mentioned in the said Orders shall not in the exercise of the powers of this Act or of the said Orders purchase or acquire in any city borough or other urban district or in any rural parish in England or in any district in Scotland within the meaning of the Public Health (Scotland) Act 1897 as the case may be ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board or of the Secretary for Scotland as the case may be ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied If any Promoters acquire or appropriate any house or houses under the powers of this Act or of the said Orders in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court or by the Secretary for Scotland by action in the Court of Session as the case may be and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

For the purposes of this section—

The expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them;

The expression "house" means any house or part of a house occupied as a separate dwelling.

SCHEDULE.

LIST OF ORDERS.

Burton-upon-Trent Corporation Tramways.—Order authorising the Mayor Aldermen and Burgesses of the borough of Burton-upon-Trent to construct additional tramways in the said borough.

Bury Corporation Tramways.—Order authorising the Mayor Aldermen and Burgesses of the county borough of Bury to construct additional tramways in the said borough and for other purposes.

Cardiff Corporation Tramways (Extension).—Order authorising the Mayor Aldermen and Burgesses of the borough of Cardiff to construct additional tramways in the said borough and for other purposes.

Huddersfield Corporation Tramways.—Order authorising the Mayor Aldermen and Burgesses of the county borough of Huddersfield to construct additional tramways in the said borough and for other purposes.

Leeds Corporation Tramways.—Order authorising the Lord Mayor Aldermen and Citizens of the city of Leeds to construct additional tramways in their city.

Newcastle-upon-Tyne Corporation Tramways.—Order authorising the Mayor Aldermen and Citizens of the city of Newcastle-upon-Tyne to construct additional tramways in the said city.

Portobello and Musselburgh Tramways.—Order authorising the Drake and Gorham Electric Power and Traction (Pioneer) Syndicate Limited to construct a new tramway in the city parish of Edinburgh and city and royal burgh of Edinburgh and county of the city of Edinburgh to amend the Portobello and Musselburgh Tramways Order 1900 and for other purposes.

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BURTON-UPON-TRENT CORPORATION.

Burton-upon-Trent Corporation.

Order authorising the Mayor Aldermen and Burgesses of the Borough of Burton-upon-Trent to construct additional Tramways in the said Borough.

Short title.

1. This Order may be cited as the Burton-upon-Trent Corporation Tramways Order 1903.

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 inconsistent with or 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 Act of 1901" means the Burton-upon-Trent Corporation Act 1901;

The expression "the tramways" means the tramways and works by this Order authorised;

The expressions "the tramway undertaking" and "the Corporation tramways" have the meanings respectively assigned thereto by the Act of 1901;

The expression "the borough" means the county borough of Burton-upon-Trent;

The expression "the Corporation" means the mayor aldermen and burgesses of the borough acting by the council;

The expression "mechanical power" includes steam electrical and every other motive power not being animal power and the word "engine" includes motor.

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.

5. The Promoters may—

(*a*) subject to the sanction of the Local Government Board and under such conditions as they may prescribe from time to time appropriate and use for the purposes of the Corporation tramways but subject to the provisions (if any) under which such lands were respectively acquired any lands not dedicated to public use from time to time vested in the Promoters being part of their corporate estates;

(*b*) by agreement from time to time purchase and acquire for the purposes of the Corporation tramways such lands as they may require and may from time to time sell let or dispose of any such lands which may not be necessary for such purposes Provided

that all sums received by the Promoters from the sale of such lands or from fines or premiums on leases of the same shall be applied solely in repayment of outstanding loans and that such moneys shall not be applied to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board :

Provided that they shall not at any time hold for such purposes more than one acre of land in addition to the lands they are already authorised to hold for those purposes Provided always that nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon lands appropriated or taken under the powers of this section.

Construction of tramways.

6. The Promoters may subject to the provisions of this Order —

(*a*) construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as " the deposited plans " and " the deposited sections ") the tramways herein-after described with all proper rails plates sleepers channels (including in that expression channels passages and tubes for ropes cables and electric lines) junctions turntables turnouts cross-overs and passing-places carriages works mechanical appliances plant and conveniences connected therewith as may be necessary or proper therefor and for connecting and using the same with the Corporation tramways ;

(*b*) erect or construct on any lands taken or appropriated under the powers of this Order any offices sheds workshops stores waiting-rooms or other buildings yards works and conveniences for the purposes of the Corporation tramways :

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

The tramways will be wholly situated in the parish of Winshill and the borough and are as follows :—

Tramway No. 1 (6 furlongs 3·50 chains in length whereof 1 furlong 7 chains will be double line and 4 furlongs 6·50 chains will be single line) wholly in Ashby Road commencing at the eastern end of Trent Bridge by a junction with the authorised tramways of the Promoters at a point 0·90 chain or thereabouts measured in a westerly direction from the intersection of Trent Bridge and Stapenhill Road and terminating at a point 1 chain or thereabouts measured in an easterly direction from the intersection of Ashby Road and the carriage drive leading to High Bank House :

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Tramway No. 1 will be a single line except at the following places where it will be a double line :—

From its commencement for a length of 2·50 chains ;

Between points respectively 7·20 chains and 4·20 chains west of the intersection of Rosemount Road and Ashby Road ;

Between points respectively 5·90 chains and 2·90 chains west of the intersection of Hamilton Road and Ashby Road ;

Between points respectively 1 furlong 0·10 chain and 1 furlong 3·10 chains east of the intersection of Hamilton Road and Ashby Road ;

Between points respectively 1 furlong 2·50 chains and 9·50 chains west of the termination of the tramway ;

From 2·50 chains west of the termination of the tramway to its termination.

Tramway No. 2 (4 furlongs 7 chains in length whereof 1 furlong 1 chain will be double line and 3 furlongs 6 chains will be single line) wholly in Ashby Road commencing by a junction with Tramway No. 1 at its termination and terminating at the borough boundary :

Tramway No. 2 will be a single line except at the following places where it will be a double line :—

From its commencement for a length of 1·50 chains ;

Between points respectively 1 furlong 6·90 chains and 1 furlong 3·90 chains west of the intersection of Bretby Lane and Ashby Road ;

Between points respectively 0·90 chain west and 2·60 chains east of the intersection of Bretby Lane and Ashby Road ;

Between points respectively 4 chains and 1 chain west of the termination of the tramway.

Tramway No. 3 double line (4 chains in length) in substitution for authorised single line tramway commencing in Bearwood Hill Road at a point 1·80 chains measured in a westerly direction from the intersection of High Bank Road and Bearwood Hill Road and terminating in Church Hill Street at a point 2·20 chains measured in an easterly direction from the intersection of High Bank Road and Bearwood Hill Road.

Tramway No. 4 (2 furlongs 8·50 chains in length whereof 2 furlongs 0·20 chain will be double line and 8·30 chains will be single line) commencing in Bearwood Hill Road by a junction with Tramway No. 3 at a point 0·50 chain measured in a westerly direction from the intersection of High Bank Road and Bearwood Hill Road passing into and along High Bank Road and Ashby Road and terminating in the last-named road by a junction with Tramway No. 2 at its commencement :

Tramway No. 4 will be a double line except at the following place where it will be a single line :—

In High Bank Road between points respectively 3·85 chains north and 4·45 chains south of the intersection of Siddall's Street and High Bank Road.

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As to construction of part of Tramway No. 4.

7. The Promoters shall not construct the portion of Tramway No. 4 between Alexandra Road and the termination of the said tramway unless and until the roadway in which the said portion of tramway is to be laid has been widened as follows :—

(*a*) Between Alexandra Road and a point 5·60 chains west from the termination of the said tramway to a width of not less than thirty feet seven inches; and

(*b*) Between the last described point and the termination of the tramway to a width of not less than twenty-three feet.

Tramways to form part of tramway undertaking.

8. Subject to the provisions of this Order the tramways shall for all purposes form part of the tramway undertaking and the Promoters and their lessees and licencees may in respect of the tramways exercise and enjoy all and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are subject and liable to with respect to the tramway undertaking or any part thereof and may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds and for the use of carriages placed and run thereon by them as they are authorised to demand and take in respect of the tramways authorised by the Act of 1901 Provided that nothing in this Order shall be deemed to extend the provisions of section 30 of the Act of 1901 to the tramways by this Order authorised or to authorise the taking of any lands except by agreement.

Alteration of tramways.

9. So far as regards any tramways of the Corporation within the borough the provisions of section 27 (Power to lay down double or interlacing lines in place of single lines and vice versâ) of the Act of 1901 shall extend to the substitution of double lines for interlacing lines or interlacing lines for double lines and the notices of the Promoters' intention referred to in the said section and in section 24 (Power to make additional crossings &c.) of the said Act shall be sent to the owners and occupiers therein mentioned one month before the Promoters commence the alterations or works in those sections provided for.

Attachment of brackets to buildings.

10. For the purpose of working the tramways by mechanical power the Promoters and their lessees subject to the provisions of this Order (and as to the lessees subject to the terms of their lease) may with the consent of the owners and occupiers of any houses or buildings affix to such houses or buildings and maintain posts brackets electric conductors wires and apparatus.

For protection of Postmaster-General.

11.—(A) Notwithstanding anything in this Order or in the Act of 1901 contained if any of the works by this Order or by the Act of 1901 authorised involves or is likely to involve any alteration of any telegraphic line belonging to or used by His Majesty's Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

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(B) In the event of any of the Corporation tramways (or any part thereof) being worked by electricity the following provisions shall have effect:—

(1) The Promoters shall construct their electric lines and other works of all descriptions and shall work the tramway undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by the Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of the tramway undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Promoters as to compliance with this subsection shall be referred to arbitration:

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the tramway undertaking or any part thereof the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection:

(3) Before any electric line is laid down or any act or work for working the Corporation tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be referred to arbitration:

(4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the Corporation tramways or the works in connexion therewith is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of any such tramways or works or to the working of the tramway undertaking or any part thereof the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated for tramway purposes at any works of the Promoters enter thereon for the purpose of inspecting the plant and the working of the same and the Promoters shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Promoters pursuant to the Board of Trade regulations:

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

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

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

(8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order:

(9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882:

(10) Any question or difference arising under this section which is directed to be referred to arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act:

(11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid:

(12) In this section the expression "the Promoters" includes any person owning working or running carriages over any of the Corporation tramways (or any part thereof):

(13) Section 43 of the Act of 1901 is hereby repealed.

Saving for general Acts.

12. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of

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this Order or from any future revision or alteration under the authority of Parliament of the maximum rates of rates and charges authorised by this Order.

BURY CORPORATION.

Bury Corporation.

Order authorising the Mayor Aldermen and Burgesses of the County Borough of Bury to construct additional Tramways in the said Borough and for other purposes.

Short title.

1. This Order may be cited as the Bury Corporation Tramways Order 1903.

Incorporation of Acts.

2. The provisions of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words terms and expressions to which by the Tramways Act 1870 meanings are assigned have in this Order the same respective meanings Provided that in this Order—

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

The expression "the tramway undertaking" means the tramway undertaking of the Corporation for the time being authorised;

The expression "the Act of 1899" means the Bury Corporation Act 1899;

The expression "the Act of 1901" means the Bury Corporation Tramways Act 1901; and

The expression "the Corporation" means the mayor aldermen and burgesses of the county borough of Bury acting by the Council.

Promoters.

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

Construction of tramways.

5. 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 (which plans and sections are in this Order respectively referred to as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails plates offices weighbridges stables carriage-houses warehouses works and conveniences connected therewith or for the purposes thereof:

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

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Bury Corporation.

The tramways authorised by this Order will be wholly situate in the parish and borough of Bury and are—

Tramway No. 7A a single line 6 furlongs 6·48 chains in length commencing by a junction with Tramway No. 7 authorised by the Act of 1901 in Market Street at a point opposite the northerly side of Moss Street and passing in a southerly direction along Market Street and continuing along Cecil Street Spring Street and Heywood Street and terminating by a junction with Tramway No. 8 authorised by the Act of 1901:

Tramway No. 7B a single line 2 furlongs 0·43 chain in length commencing by a junction with Tramway No. 7A at a point in Market Street opposite the northerly side of Frederick Street passing thence along Frederick Street and Spring Street and terminating by a junction with Tramway No. 7A in Spring Street at a point opposite the southerly side of Cecil Street.

Tramways to form part of tramway undertaking.

6. Subject to the provisions of this Order the tramways shall for all purposes form part of the tramway undertaking and the Promoters and their lessees and licensees may in respect of the tramways exercise and enjoy all and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are subject and liable to with respect to the tramway undertaking or any part thereof and may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds and for the use of carriages placed and run thereon by them as they are authorised to demand and take in respect of the tramways authorised by the Act of 1901 Provided that nothing in this Order shall be deemed to extend the provisions of section 40 of the Act of 1901 to the tramways by this Order authorised or to authorise the taking of any lands except by agreement.

Alteration of tramways.

7. So far as regards any tramways of the Corporation within the borough the provisions of section 30 (Power to lay down double or interlacing lines in place of single lines and vice versâ) of the Act of 1901 shall extend to the substitution of double lines for interlacing lines or interlacing lines for double lines and the notices of the Promoters' intention referred to in the said section and in section 31 (Power to make additional crossings) of the said Act shall be sent to the owners and occupiers therein mentioned one month before the Promoters commence the alterations or works in those sections provided for.

Attachment of brackets to buildings.

8. For the purpose of working any of the tramways by mechanical power the Promoters and their lessees may subject to the provisions of this Order (and as to the lessees subject to the terms of their lease) with the consent of the owners and occupiers of any houses or buildings affix to such houses or buildings and maintain posts brackets electric conductors wires and apparatus.

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Bury Corporation.

For protection of Postmaster-General.

9.—(A) Notwithstanding anything in this Order or in the Act of 1899 or the Act of 1901 contained if any of the works by this Order or by the Act of 1899 or the Act of 1901 authorised involves or is likely to involve any alteration of any telegraphic line belonging to or used by His Majesty's Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

(B) In the event of any of the Corporation tramways (or any part thereof) being worked by electricity the following provisions shall have effect:—

(1) The Promoters shall construct their electric lines and other works of all descriptions and shall work the tramway undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by the Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of the tramway undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Promoters as to compliance with this subsection shall be referred to arbitration:

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the tramway undertaking or any part thereof the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster General as may be necessary to remedy such injurious affection:

(3) Before any electric line is laid down or any act or work for working the Corporation tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Promoters as to any requirements so made shall be referred to arbitration:

(4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the Corporation tramways or the works in connexion therewith is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of any such tramways or works or to the working of the tramway undertaking the engineer-in-chief of the Post Office or any person

appointed in writing by him may at all times when electrical energy is being generated for tramway purposes at any works of the Promoters enter thereon for the purpose of inspecting the plant and the working of the same and the Promoters shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Promoters pursuant to the Board of Trade regulations:

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

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

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

(8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order:

(9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882:

(10) Any question or difference arising under this section which is directed to be referred to arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act:

(11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid:

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Bury Corporation.

(12) In this section the expression "the Promoters" includes any person owning working or running carriages over the Corporation tramways (or any part thereof):

(13) Section 12 of the Act of 1899 and so much of section 54 of the Act of 1901 as applies the provisions of the said section 12 are hereby repealed.

Saving for general Acts.

10. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by this Order.

CARDIFF CORPORATION (EXTENSION).

Cardiff Corporation (Extension).

Order authorising the Mayor Aldermen and Burgesses of the Borough of Cardiff to construct additional Tramways in the said Borough and for other purposes.

Short title.

1. This Order may be cited as the Cardiff Corporation Tramways (Extension) Order 1903.

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 except where expressly varied by this Order incorporated with and form part of this Order as far as they are applicable for the purposes thereof and are not inconsistent with the provisions of 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 borough" means the borough of Cardiff;

The expression "the Corporation" means the mayor aldermen and burgesses of the borough acting by the council;

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

The expression "the Act of 1898" means the Cardiff Corporation Act 1898;

The expression "the Corporation tramways" has the meaning assigned thereto by the Act of 1898 but also includes the tramways as defined by this Order;

The expression "mechanical power" includes steam electrical and every other motive power not being animal power;

The expression "channels" means and includes channels passages and tubes for cables wires poles and electric lines.

Promoters.

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

Construction of tramways.

5. The Promoters may subject to the provisions of this Order—

(A) Construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order respectively referred to as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails plates sleepers channels junctions turntables turnouts cross-overs and passing-places works and conveniences connected therewith or for the purposes thereof:

(B) Erect or construct on any lands taken or appropriated under the powers of this Order any offices stables sheds workshops stores waiting-rooms or other buildings yards works and conveniences for the purposes of the undertaking:

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the Act of 1882 apply except in accordance with and subject to the provisions of that section.

The tramways will be wholly situated within the borough and are as follows:—

Tramway No. 2 (a double line about 2 furlongs 0·8 chain in length) in the parish of Saint John the Baptist and in the parish of Roath in the borough of Cardiff commencing in the said parishes of Saint John the Baptist and Roath by a junction with the existing tramway of the Promoters in Castle Road at a point 0·65 chain south-eastward of Albany Road and proceeding thence along Crwys Road and terminating in the said Crwys Road in the said parishes of Saint John the Baptist and Roath by a junction with the existing tramway of the Promoters in that road at a point 0·55 chain or thereabouts north-westward of Woodville Road:

Tramway No. 3 (a double line 4 furlongs 8·50 chains in length) in the said parish of Saint John the Baptist and in the said parish of Roath commencing in the said parishes of Saint John the Baptist and Roath by a junction with the existing tramway of the Promoters in Crwys Road at a point 1·55 chains or thereabouts south-eastward of Lucas Street and proceeding thence along Crwys Road and Whitchurch Road to a point in the said Whitchurch Road in the said parish of Saint John the Baptist opposite Talygarn Street:

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Tramway No. 4 (about 1 furlong 3·97 chains in length whereof 1 furlong 0·97 chain will be single and 3 chains will be double) in the said parishes of Roath and Saint John the Baptist and in the parish of Saint Mary the Virgin in the said borough of Cardiff commencing in the said parish of Roath at a point in Constellation Street 0·75 chain or therebouts north-eastward of the line drawn in continuation of the north-eastern side of Meteor Street by a junction with the existing tramway of the Cardiff District and Penarth Harbour Tramway Company and proceeding thence along Meteor Street and terminating on or about the boundary of the parishes of Saint John the Baptist and Roath in Meteor Street by a junction with Tramway No. 7 authorised by the Act of 1898 at a point 1·10 chains north-westward of Planet Street;

This tramway will be single throughout except between the following points where it will be double:—

In Meteor Street from a point 4·70 chains or thereabouts to a point 1·70 chains or thereabouts south-eastward of Eclipse Street:

Tramway No. 5 (a double line 1 furlong 2·50 chains in length) in the said parishes of Saint John the Baptist Saint Mary the Virgin and Roath commencing in Moira Terrace in the parish of Saint John the Baptist by a junction with the existing tramway of the Cardiff District and Penarth Harbour Tramway Company at a point 1·20 chains or thereabouts south-westward of Moira Place and proceeding thence along Moira Terrace and terminating in Meteor Street on or about the boundary of the parishes of Saint John the Baptist and Roath at the point of termination of the said Tramway No. 4 by a junction with Tramway No. 7 authorised by the Act of 1898:

Tramway No. 6 (a double line about 1 furlong 8·87 chains in length) in the said parishes of Saint John the Baptist and Saint Mary the Virgin commencing in the said parish of Saint John the Baptist in Newport Road by a junction with the existing tramway of the Promoters at a point immediately under the north-eastern side of the bridge carrying the Rhymney Railway over Newport Road and proceeding thence along Fitzalan Road across Moira Terrace and along Moira Place and terminating in the said parish of Saint Mary the Virgin in Moira Place by a junction with the existing tramway of the Cardiff District and Penarth Harbour Tramway Company in that street at a point 1·10 chains or thereabouts eastward of Moira Terrace:

Tramway No. 7 (a double line about 9·70 chains or thereabouts in length) in the said parish of Saint John the Baptist commencing in the said parish of Saint John the Baptist by a junction with the

existing tramways of the Promoters in Cathedral Road at the north-western termination thereof and proceeding thence along Cathedral Road to the borough boundary:

Tramway No. 8 (about 5 furlongs 9·45 chains in length whereof 1 furlong 3·95 chains will be single and 4 furlongs 5·50 chains will be double) wholly in the parish of Canton in the said borough of Cardiff commencing by a junction with the existing tramway of the Promoters in Cowbridge Road at a point on the said tramway 1·30 chains eastward of Nottingham Street and proceeding thence along the said Cowbridge Road and Aldsworth Road to a point on the said Aldsworth Road 4·60 chains or thereabouts north-westward of Cowbridge Road;

This tramway will be double throughout except between the following points where it will be single:—

In Cowbridge Road from opposite the approach road leading to the Ely Paper Mills to a point 0·40 chain south-eastward of Aldsworth Road:

Tramway No. 9 (about 6 furlongs 0·30 chain in length whereof 2 furlongs 9·30 chains will be single and 3 furlongs 1 chain will be double) in the said parish of Saint John the Baptist the said parish of Saint Mary the Virgin and the said parish of Roath commencing in Adam Street on or about the boundary of the said parishes of Saint John the Baptist and Saint Mary the Virgin by a junction with the existing tramway of the Cardiff District and Penarth Harbour Tramways Company in that street at a point 0·65 chain or thereabouts south-westward of Windsor Road and continuing thence along Windsor Road and along and over the bridge and approaches authorised by the Great Western Railway Act 1900 carrying the said Windsor Road over the Great Western Railway and thence along the diversion of Sanquhar Street authorised by the said Great Western Railway Act of 1900 thence along Sanquhar Street and Ordell Street and across Walker Road and terminating in the parish of Roath in Portmanmoor Road by a junction with the existing Promoters' tramway in that road at a point 0·60 chain or thereabouts south-eastward of the centre of the said Walker Road;

The said tramway will be single throughout with the exception of between the following points where the lines will be double:—

In Adam Street and Windsor Road from a point 0·60 chain or thereabouts from the commencement of the said tramway to a point 1 furlong 0·80 chain eastward of the said point of commencement and on the said authorised bridge over the Great Western Railway and the north-western approach road thereto from a point 4·20 chains or thereabouts north-westward of the centre of the said bridge to a point 1·30 chains or thereabouts south-eastward of the said centre of the said bridge;

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In Sanquhar Street from a point 2·50 chains or thereabouts south-westward of Adamsdown Place to a point 0·50 chain or thereabouts north-eastward of Adamsdown Place;

In Sanquhar Street from a point 0·35 chain or thereabouts south-westward of Kilcattan Street to a point 0·90 chain or thereabouts north-eastward of Kerrycroy Street;

In Sanquhar Street from a point 3·70 chains or thereabouts to a point 6·70 chains or thereabouts north-eastward of Gwendoline Street;

In Ordell Street from a point 0·50 chain or thereabouts to a point 3·50 chains or thereabouts south-eastward of Carlisle Street;

In Ordell Street across Walker Road and in Portmanmoor Road from a point in Ordell Street opposite the north-western side of Habershon Street to the termination of the said tramway.

The tramways herein-before referred to will be of the gauge of four feet eight and a half inches The Promoters shall not run thereon carriages or trucks adapted for use upon railways.

For protection of Secretary of State for War.

6.—(1) Where any tramway constructed under this Order shall pass any land or building vested in or under the control of His Majesty's Principal Secretary of State for the War Department no cross-over passing-place siding junction or other work opposite to such land or building shall be constructed until it shall have been approved by the said Secretary of State or by an officer acting on his behalf and if at any time it shall in the opinion of the said Secretary of State be desirable that such cross-over passing-place siding junction or other work shall be altered or removed the Corporation or their lessees shall alter or remove it to the satisfaction of the said Secretary of State within twenty-eight days from the time at which they are called upon to do so.

(2) The Corporation or their lessees shall not permit any of their engines or carriages to stop or stand upon the tramways opposite or near to the entrance to any lands or buildings vested in or under the control of the said Secretary of State in such manner as to interfere with access to or from such lands or buildings.

For protection of Great Western Railway Company.

7. For the protection of the Great Western Railway Company (in this section called "the Great Western Company") the following provisions shall unless otherwise agreed in writing apply and have effect:—

(1) So much of the Tramway No. 9 by this Order authorised as will be made upon across or over the bridge now in course of construction belonging to the Great Western Company and carrying Windsor Road over that company's railways and works or will otherwise interfere with the same shall be executed so as not to interfere with the structure of such bridge and according to plans sections and specifications to be previously submitted to and approved by the Great Western Company or in case of difference between them and the Promoters by an arbitrator to be appointed as herein-after

provided All such works shall be executed and thereafter maintained according to the plans sections and specifications so approved and under the superintendence and to the satisfaction of the Great Western Company The Promoters shall so construct maintain and use the said tramway as not to injuriously affect any such bridge and in the event of any injury being occasioned to such bridge by the construction maintenance or user of the tramway upon across or over the same the Great Western Company may make good the injury and may recover from the Promoters the reasonable expenses of so doing:

(2) If by reason of the additional traffic carried on the said tramway or of the character of the motive power used by the Promoters or of the weight of the carriages engines or other rolling stock of the Promoters such bridge upon which the tramway is laid though otherwise of sufficient strength and having been kept in proper repair is or is in danger of becoming too weak for the traffic upon it and it is therefore reasonably necessary to strengthen the same the Great Western Company shall give notice accompanied by sufficient plans and specifications to the Promoters of such works as may be reasonably necessary and may after fourteen days from the date of the notice proceed with all due despatch to execute the same but in all things at the expense of the Promoters and the Great Western Company may recover from the Promoters all moneys reasonably expended by them in the execution of such works as aforesaid:

(3) The Promoters shall on demand pay to the Great Western Company the reasonable expense of the employment by the Great Western Company during the execution or repair by the Promoters under this Order of any work affecting any such bridge railway or other work belonging to the Great Western Company of a sufficient number of inspectors watchmen and signalmen to be appointed by the Great Western Company for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Promoters or their contractors or any person in the employ of either of them or otherwise:

(4) The Promoters shall not in any manner in the execution maintenance user or repair of any of their works obstruct or interfere with the free uninterrupted and safe user of any railway or other work belonging to the Great Western Company or any traffic thereon:

(5) The Promoters shall be responsible for and make good to the Great Western Company all losses damages and expenses which may be occasioned to the Great Western Company or any of their works or property or to the traffic on their railways or to any company or person using the same or otherwise by or by reason of the execution or failure of any of the intended works or by or by reason of any act or default or omission of the Promoters or of any person

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in their employ or of any contractors for the intended works or any part thereof or otherwise and the Promoters shall effectually indemnify and hold harmless the Great Western Company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission:

(6) If the Great Western Company shall hereafter require to widen lengthen strengthen reconstruct alter or repair such bridge or the approaches thereto or to widen or alter their railway or to lift or support such bridge owing to the subsidence thereof caused by the minerals thereunder having been or being worked the Promoters shall afford to the Great Western Company all reasonable and proper facilities for those purposes or any of them and if the Great Western Company shall find it necessary for any such purposes that the working or user of any portion of the tramway over such bridge or approaches shall be wholly or in part stopped or delayed or that such portion of the tramway shall be wholly or in part taken up or removed and the Great Western Company shall give to the Promoters seven days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay taking up or removal then the working or user of such portion of the tramway shall be stopped or delayed or such portion of the tramway shall be taken up or removed as stated in such notice at the reasonable expense of the Promoters and under their superintendence if they shall give such superintendence but the working or user of such portion shall not be stopped or delayed for a longer period than may be absolutely necessary for effecting such purposes as aforesaid and such portion of the tramway shall be restored with all possible despatch and the Great Western Company shall not be liable for any compensation claims damages or expenses in respect of such delay stoppage or taking up or removal as aforesaid and during such stoppage or delay the Great Western Company shall give every reasonable facility to the Promoters for continuing the traffic of their tramway undertaking either by means of temporary roads or otherwise as may be agreed between the engineer for the Great Western Company and the borough engineer for the time being of the Promoters such temporary works to be carried out at the expense of the Promoters:

(7) Any additional expense in the maintenance of any such bridge or other work occasioned to the Great Western Company by the construction or user of the tramway shall be borne by the Promoters:

(8) If having regard to the proposed position of any works of the Promoters by this Order authorised when considered in relation to the position of the works of the Great Western Company where the tramway will be constructed over or across such bridge it becomes advisable that the electric telegraphic telephone or signal wires or apparatus of the Great Western Company shall be altered the Great

Western Company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be borne by the Promoters:

(9) Any matter in difference under this section between the Promoters and the Great Western Company shall unless otherwise agreed be referred to the arbitration of a person nominated by the Board of Trade.

For protection of Rhymney Railway Company.

8. For the protection of the Rhymney Railway Company (in this section called "the Rhymney Company") the following provisions shall unless otherwise agreed in writing apply and have effect:—

(1) Where any tramway or works by this Order authorised (including any posts conductors wires tubes mains cables and other appliances or apparatus used for working the same) will pass or be placed over or under any railway bridge belonging to the Rhymney Company the same shall be constructed and placed under the superintendence and to the reasonable satisfaction of the Rhymney Company (unless after notice to be given to them by the Promoters fourteen days at least before the commencement of the work such superintendence is refused or withheld) and in accordance with plans sections and specifications to be previously submitted to and approved by the Rhymney Company and in the event of any difference arising between the Rhymney Company and the Promoters in relation thereto in accordance with plans sections and specifications to be previously approved by the Board of Trade and if the Rhymney Company shall not give notice to the Promoters of their disapproval of the plans sections and specifications within twenty-eight days after the same shall have been submitted to them they shall be deemed to have approved the same:

(2) Notwithstanding anything in the Rhymney Railway (Cardiff and Caerphilly) Act 1864 or in the Rhymney Railway Act 1885 or in the Tramways Act 1870 contained the Promoters shall from and after the completion of Tramway No. 2 by this Order authorised at their own expense at all times maintain and keep in good condition and repair the whole of the roadway and footways upon the bridge and approaches thereto carrying the Crwys Road over the Rhymney Railway:

(3) In the event of any injury being caused to any such bridge or the approaches thereto in or by the construction alteration maintenance repairing user or removal of any of the tramways or works of the Promoters the Rhymney Company may at the expense in all things of the Promoters forthwith in case of emergency and in other cases after giving seven clear days' notice in writing of their intention so to do restore such bridge and approaches or the part or parts thereof which may be so injured to as good a state and condition as they

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were in before such injury was occasioned and the Promoters shall on demand pay to the Rhymney Company the expense of such restoration:

(4) If in the opinion of the Rhymney Company or their engineer the construction or user of the tramways will necessitate the strengthening of any bridge over which the same will be laid the Rhymney Company may either before or during or at any time after the construction of the tramways after giving to the Promoters seven clear days' notice thereof execute such works as their engineer may deem necessary for the purpose of strengthening the fabric of the bridge but in all things at the expense of the Promoters and during the execution of the works for the strengthening of the said bridge it shall not be lawful for the Promoters to proceed with and if commenced they shall if required by the Rhymney Company or their engineer suspend the construction of the works across the said bridge until the works for the strengthening of the said bridge are completed but all such strengthening works shall be carried out with as little delay as possible and the Promoters shall on demand pay to the Rhymney Company the expenses of executing the said works:

(5) If after the opening of the tramways or any part thereof it shall become necessary for effecting the strengthening of any such bridge that the working and user of the tramways over such bridge shall be wholly or in part stopped or delayed and the Rhymney Company shall give the Promoters seven clear days' notice in writing (except in cases of emergency when they shall give the longest notice practicable) requiring such stoppage or delay the working or user of the portion of the tramways over the said bridge shall be stopped or delayed accordingly but only for so long as may be absolutely necessary for effecting such strengthening and the Rhymney Company shall not be liable for any compensation claim demand damage costs or expenses for or in respect of such stoppage or delay:

(6) Whenever and so often as the Rhymney Company shall require to lengthen strengthen uphold reconstruct alter or repair any such bridge or the approaches thereto and they shall find it necessary for effecting any of such purposes that the working and user of any tramways over the said bridge or approaches shall be wholly or partly stopped or delayed or that such tramway or any works connected therewith shall be wholly or in part temporarily diverted taken up or removed and shall give to the Promoters seven clear days' notice in writing (except in cases of emergency when they shall give the longest notice practicable) requiring such stoppage delay or diversion taking up or removal the working or user of the tramways shall be stopped or delayed or the tramway and works shall be diverted or taken up or removed accordingly by and at the expense in all things of the Promoters and under the superintendence of the

engineer of the Rhymney Company unless such superintendence shall be refused or withheld but only for so long as the Rhymney Company may find it to be absolutely necessary for effecting such purpose and the Rhymney Company shall not be liable for any compensation claims demands damages costs and expenses for or in respect of such stoppage delay diversion taking up or removal or in any way relating thereto but every facility shall be given by the Rhymney Company at the expense in all things of the Promoters for continuing the traffic over such bridge and approaches during the time such lengthening strengthening altering and repairing is being carried out In case the Promoters after such notice make default in diverting taking up or removing the said tramway and works the Rhymney Company may at the expense of the Promoters effect such diversion taking up or removal and the Promoters shall on demand pay to them the expense of such diversion taking up and removal:

(7) Nothing in this Order shall be deemed to authorise the Promoters to make any attachments to any part of the property and works of the Rhymney Company except with the previous consent in writing of the Rhymney Company:

(8) The Promoters shall from time to time be responsible for and make good to the Rhymney Company all losses damages and expenses which may be occasioned to them or any of their works and property or to the traffic on their railways or to any company or person using the same or otherwise in or during the execution maintenance or repair of or by reason of the failure of any of the intended works or of any act default or omission of the Promoters or of any person in their employ or of their contractors or otherwise and the Promoters shall effectually indemnify and hold harmless the Rhymney Company from all claims and demands upon or against them by reason of or consequent upon such execution or failure and of any such act or default:

(9) The Promoters shall pay to the Rhymney Company the expenses of such additions to or alterations in the earth or metallic circuits and electric apparatus of the Rhymney Company so far as the same are affected at any bridge over or under which the Promoters may construct tramways under the powers of this Order as the Rhymney Company may reasonably consider necessary to prevent the telegraph telephone signalling and other electric apparatus of the Rhymney Company being injuriously affected by reason of or consequent upon the exercise by the Promoters of the powers conferred upon them by this Order:

(10) If any difference shall arise between the Promoters and the Rhymney Company touching the manner of carrying out any works by the Promoters under this section or the reasonableness of any requirements of the Rhymney Company or their engineer or the amount of any expenses losses or damages payable to the Rhymney

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Company under this section such difference shall unless otherwise agreed be referred to the arbitration of a person nominated by the Board of Trade.

For protection of Marquess of Bute.

9. For the protection of the Marquess of Bute the following provisions shall apply and have effect:—

(1) Notwithstanding anything in this Order contained the Promoters shall not in carrying out any work hereby authorised or in the exercise of the powers hereby conferred either temporarily or permanently wholly stop up Windsor Road nor interfere with the same further than may be reasonably necessary and shall carry out their operations so as at all times to leave open for all classes of traffic reasonably sufficient portions thereof throughout and shall not take up remove or interfere with any mains or pipes in Windsor Road used for or in connexion with the supply of gas or water:

(2) Any matter in difference under this section between the Promoters and the Marquess of Bute shall unless otherwise agreed be referred to the arbitration of a person nominated by the Board of Trade.

Extending to this Order certain provisions of Act of 1898.

10. The herein-after mentioned provisions of the Act of 1898 shall so far as applicable extend and apply to this Order and to the tramways hereby authorised (that is to say):—

Section 17 (Inspection by Board of Trade);
Section 18 (Tramways to be kept on level of surface of road);
Section 19 (Further provisions as to construction of tramways);
Section 20 (As to rails of tramways);
Section 21 (Penalty for not maintaining rails and roads);
Section 24 (Application of road materials excavated in construction of works);
Section 26 (Temporary tramways to be made where necessary);
Section 29 (Rates for passengers);
Section 30 (Passengers' luggage);
Section 31 (Animals goods small parcels &c.);
Section 32 (Corporation not bound to carry goods);
Section 33 (As to fares on Sundays or holidays);
Section 35 (Periodical revision of rates and charges);
Section 36 (Provisions as to motive power);
Section 37 (Special provisions as to use of electric power);
Section 39 (Byelaws);
Section 40 (Amendment of Tramways Act 1870 as to byelaws by Corporation);
Section 41 (Orders &c. of Board of Trade);
Section 42 (Recovery of penalties):

And the expressions "the tramways" and "tramway undertaking" in the said provisions shall accordingly extend to and include the tramways and undertaking by this Order authorised.

11. Where in any road in which any of the Corporation tramways are laid as a double line there shall be less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches the Promoters shall if and where required by the Board of Trade construct a cross-over or cross-overs connecting the one tramway with the other and by means of such cross-over or cross-overs the traffic shall when necessary be diverted from one tramway to the other Section 22 of the Act of 1898 is hereby repealed.

Cross-overs to be constructed in certain cases.

12.—(1) The Promoters may subject to the provisions of this Order with the consent of the Board of Trade make maintain alter and remove all such cross-over roads passing-places sidings junctions and other works in addition to those particularly specified in and authorised by this Order as they find necessary or convenient for the efficient working of the Corporation tramways or of any of them or for facilitating the traffic of the roads in which the same are laid or for providing access to any stables carriage-houses sheds or works of the Promoters or for effecting junctions with any tramways or light railways.

Power to make additional cross-overs and to double &c. tramway lines.

(2) Notwithstanding anything shown on the deposited plans the Promoters may with the consent of the Board of Trade lay down double lines in lieu of single or interlacing ones or single lines in lieu of double or interlacing ones or interlacing lines in lieu of double or single lines on any of the Corporation tramways and may with the like consent alter the position in the road of any of the Corporation tramways or any part thereof respectively Provided that the uppermost surface thereof shall be on a level with the surface of the road.

(3) Provided that if in the construction of any works under this section any rail is intended to be so laid that a less space than nine feet six inches would intervene between it and the outside of the footpath on either side of the road the Promoters shall not less than one month before commencing the works give notice in writing to every owner and occupier of premises abutting on the place where such less space would intervene and such rail shall not be so laid if the owners or occupiers of one-third of such premises by writing under their hands addressed and delivered to the Promoters within three weeks after receiving the notice from the Promoters express their objection thereto.

(4) Section 23 of the Act of 1898 is hereby repealed.

Sites for generating station.

13. Notwithstanding anything contained in the Act of 1898 the Promoters may construct and erect or maintain and continue on any lands acquired by them by agreement under the powers of that Act a station or stations with all necessary machinery equipment dynamo houses and other conveniences as may be necessary for generating electricity for the purposes of the Corporation tramways:

Provided always that the Promotors shall not cause or permit any nuisance to arise or be created at any generating station or works for the generation or production of electricity erected or constructed by them.

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Mechanical power works.

14. For the purpose of working any of the Corporation tramways by mechanical power the Promoters and their lessees subject to the provisions of this Order (and as to the lessees subject to the terms of their lease) may—

(A) place construct erect lay down make and maintain on above or below the surface of any street or road posts brackets electric conductors wires apparatus subways tunnels cables tubes and openings;

(B) with the consent of the owners and occupiers of any houses or buildings affix to such houses or buildings and maintain posts brackets electric conductors wires and apparatus.

Mechanical power works to be subject to Tramways Act 1870.

15. All works to be executed by the Promoters in any road for working the Corporation tramways by mechanical power in pursuance of the powers of this Order or of the Act of 1898 shall be deemed to be works of a tramway subject in all respects (save as by their Order otherwise expressly provided) to the provisions of the Tramways Act 1870 as if they had been therein expressly mentioned.

For protection of Postmaster-General.

16.—(A) Notwithstanding anything in this Order or in the Act of 1898 or in any Order relating to any of the Corporation tramways contained if any of the works by this Order or by the Act of 1898 or by any of the said Orders authorised involves or is likely to involve any alteration of any telegraphic line belonging to or used by His Majesty's Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

(B) In the event of any of the Corporation tramways or any part thereof being worked by electricity the following provisions shall have effect:—

(1) The Promoters shall construct their electric lines and other works of all descriptions and shall work their tramway undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by the Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their tramway undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Promoters as to compliance with this subsection shall be referred to arbitration:

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the tramway undertaking or any part thereof the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection:

(3) Before any electric line is laid down or any act or work for working the Corporation tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other

than repairs) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Promoters as to any requirements so made shall be referred to arbitration:

(4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the Corporation tramways or the works in connexion therewith is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of any such tramways or works or to the working of the tramway undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated for tramway purposes at any works of the Promoters enter thereon for the purpose of inspecting the plant and the working of the same and the Promoters shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Promoters pursuant to the Board of Trade regulations:

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

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

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

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(8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order:

(9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882:

(10) Any question or difference arising under this section which is directed to be referred to arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act:

(11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid:

(12) In this section the expression "the Promoters" includes any person owning working or running carriages over the Corporation tramways (or any part thereof):

(13) The proviso to section 3 and section 43 of the Act of 1898 are hereby repealed.

Cheap fares for labouring classes.

17.—(1) The Promoters or their lessees at all times after the opening of the tramways or any part thereof for public traffic shall and they are hereby required to run a proper and sufficient service of carriages for artisans mechanics and daily labourers each way over the whole of the Corporation tramways every morning and every evening (Sundays Christmas Day Good Friday and public holidays always excepted) at such hours not being later than seven in the morning or earlier than five in the evening respectively as may be most convenient for such workmen going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance On Saturdays the Promoters or their lessees in lieu of running such carriages after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is made to the Board of Trade that such proper and sufficient service is not provided the Board after considering the circumstances of the locality may by order direct the Promoters or their lessees to provide such service as may appear to the Board to be reasonable.

(3) The Promoters' lessees shall be liable to a penalty not exceeding five pounds for every day during which they fail to comply with any order under this section.

(4) From and after the opening for public traffic of any part of the tramways section 34 of the Act of 1898 shall be repealed.

Power to Corporation to work tramways.

18. Notwithstanding anything in the Tramways Act 1870 to the contrary the Corporation may place and run carriages and trucks on and may work and may demand and take tolls and charges in respect of any of the Corporation tramways and in respect of the use of such carriages and trucks and may provide such depôts stables buildings carriages trucks motors motor cars accumulators dynamos harness engines machinery apparatus horses steam cable electric and other plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the said tramways by animal or mechanical power and in such case the several provisions in this Order contained relating to the working of the Corporation tramways and the taking of rates and charges therefor shall extend and apply mutatis mutandis to and in relation to the Corporation and the Corporation may work such Corporation tramways and demand and recover such rates and charges accordingly but nothing in this section shall empower the Corporation to construct any station for generating electrical power nor to create or permit a nuisance.

Regulations.

19. The regulations authorised by the Tramways Act 1870 to be made by the Promoters of any tramways and their lessees may with respect to any tramways or portions of tramways for the time being belonging to and worked by the Corporation be made by the Corporation alone.

Working agreements.

20. The Promoters may with the consent of the Board of Trade from time to time but subject to the provisions of this Order—

(1) enter into and fulfil contracts and agreements with any local authority or person who are authorised to enter into such contracts or agreements and are the owners or lessees of any tramways or light railways in any adjacent district which can be worked with any of the Corporation tramways with respect to—

(*a*) the working running over use maintenance and management by the contracting parties or any or either of them of the whole or any part of their respective tramway or light railway undertakings or any part or parts thereof;

(*b*) the interchange accommodation and forwarding of carriages passengers and traffic coming from or destined for the respective undertakings of the contracting parties.

Protection of local authority.

21. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 is hereby incorporated with this Order and in construing that section for the purposes of this Order the expression "this Act" where used in that section shall mean this Order.

Provisions as to arbitration.

22. Where under the provisions of the Tramways Acts 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 Arbitration Act 1889 shall apply to the determination of any such difference as if the arbitration were pursuant to a submission.

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Cardiff Corporation (Extension).

Saving for general Acts.

23. Nothing in this Order contained shall exempt the Promoters or any person using the Corporation tramways or the Corporation tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates of rates and charges authorised by this Order.

HUDDERSFIELD CORPORATION.

Huddersfield Corporation.

Order authorising the Mayor Aldermen and Burgesses of the County Borough of Huddersfield to construct additional Tramways in the said Borough and for other purposes.

Short title.

1. This Order may be cited as the Huddersfield Corporation Tramways Order 1903.

Incorporation of Acts.

2. The provisions of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words terms and expressions to which by the Tramways Act 1870 meanings are assigned have in this Order the same respective meanings Provided that in this Order—

The expression "the tramways" means the tramways and works by this Order authorised;

The expression "the tramway undertaking" includes the tramway undertakings respectively authorised by the Huddersfield Improvement Act 1880 the Huddersfield Corporation Act 1882 the Huddersfield Tramways and Improvement Act 1890 the Huddersfield Corporation Act 1897 the Huddersfield Corporation Tramways Order 1897 the Huddersfield Corporation Tramways Order 1898 the Huddersfield Corporation Tramways Order 1900 and the Huddersfield Corporation Tramways Act 1900 each of which Acts or Orders is hereinafter referred to as the Act or Order of the year in which it was passed and the whole of which Acts and Orders are herein-after referred to as "the Corporation Tramway Acts"; and

The expression "the Corporation" means the mayor aldermen and burgesses of the county borough of Huddersfield acting by the Council.

Promoters.

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

Construction of tramways.

5. 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 the tramways

herein-after described with all proper rails plates offices weighbridges stables carriage-houses warehouses works and conveniences connected therewith or for the purposes thereof:

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

The tramways authorised by this Order will be wholly situate in the borough of Huddersfield and are—

Tramway No. 2 a single line (about 1·26 chains in length) wholly in the parish of Lindley-cum-Quarmby commencing in New Hey Road by a junction with the existing tramway of the Corporation at a point about 22 yards west of Crosland Road passing thence along or over the said New Hey Road and Crosland Road and there terminating at the entrance gate from Crosland Road to Messrs. Martin's land at a point about 12 yards north of the said New Hey Road:

Tramway No. 3 a single line (about 1 furlong 3·25 chains in length) wholly in the parish of Huddersfield commencing in Bradford Road North by a junction with the existing tramway of the Corporation at a point about 27 yards south of Hillhouse Road passing thence along or over the said Bradford Road North Hillhouse Road and Whitestone Road and terminating at the south-eastern end of that road at a point 15 yards north-west of the entrance to the Hillhouse Sidings:

Tramway No. 4 (about 2 furlongs 6·36 chains in length whereof 2 furlongs 2·86 chains will be a single and 3·5 chains double) wholly in the parish of Huddersfield commencing in Upperhead Row by a junction with an authorised tramway of the Corporation at a point opposite Prospect Street passing thence along or over the said Upperhead Row Half Moon Street and Westgate and there terminating by a junction with the existing tramways of the Corporation about 16 yards north-west of Railway Street;

Tramway No. 4 will be laid as a single line except between the following points where it will be laid as a double line (that is to say):—

In Upperhead Row between two points respectively 14 yards north of Prospect Street and 47 yards north of Grove Street.

All the proposed tramways shall be constructed on the same gauge as the existing tramways of the Promoters (that is to say) on a gauge of four feet seven and three-quarter inches and there shall not be run thereon carriages or trucks adapted for use on railways.

Tramways to form part of tramway undertaking.

6. Subject to the provisions of this Order the tramways shall for all purposes form part of the tramway undertaking and the Promoters and their lessees and licencees may in respect of the tramways exercise and enjoy all

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and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are subject and liable to with respect to the tramway undertaking or any part thereof and may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds and for the use of carriages placed and run thereon by them as they are authorised to demand and take in respect of the tramways authorised by the Order of 1897 Provided that nothing in this Order shall be deemed to extend the provisions of section 23 of the Act of 1900 to the tramways by this Order authorised or to authorise the taking of lands otherwise than by agreement.

Alteration of tramways.

7. So far as regards any tramways of the Corporation within the borough the provisions of section 16 (Power to lay down double or interlacing lines in place of single lines and vice versâ) of the Act of 1900 shall extend to the substitution of double lines for interlacing lines or interlacing lines for double lines and the notices of the Promoters' intention referred to in the said section and in section 14 (Power to make additional crossings &c.) of the said Act shall be sent to the owners and occupiers therein mentioned one month before the Promoters commence the alterations or works in those sections provided for.

Attachment of brackets to buildings.

8. For the purpose of working any of the tramways by mechanical power the Promoters and their lessees may subject to the provisions of this Order (and as to the lessees subject to the terms of their lease) with the consent of the owners and occupiers of any houses or buildings affix to such houses or buildings and maintain posts brackets electric conductors wires and apparatus.

For protection of Postmaster-General.

9.—(A) Notwithstanding anything in this Order or in any of the Corporation Tramway Acts contained if any of the works by this Order or by the said Acts authorised involves or is likely to involve any alteration of any telegraphic line belonging to or used by His Majesty's Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

(B) In the event of any of the Corporation tramways (or any part thereof) being worked by electricity the following provisions shall have effect:—

(1) The Promoters shall construct their electric lines and other works of all descriptions and shall work the tramway undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by the Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of the tramway undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Promoters as to compliance with this subsection shall be referred to arbitration:

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the tramway undertaking or any part thereof the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection:

(3) Before any electric line is laid down or any act or work for working the Corporation tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Promoters as to any requirements so made shall be referred to arbitration:

(4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works by this Order or by the Corporation Tramway Acts authorised is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of any such works or to the working of the tramway undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated for tramway purposes at any works of the Promoters enter thereon for the purpose of inspecting the plant and the working of the same and the Promoters shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Promoters pursuant to the Board of Trade regulations:

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

(6) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency

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and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice:

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

(8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order:

(9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882:

(10) Any question or difference arising under this section which is directed to be referred to arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act:

(11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid:

(12) In this section the expression "the Promoters" includes any person owning working or running carriages over the Corporation tramways (or any part thereof):

(13) Section 22 of the Order of 1897 section 9 of the Act of 1897 the proviso to subsection (1) of section 2 of the Order of 1900 and subsection (2) of that section and section 35 of the Act of 1900 are hereby repealed.

Saving for general Acts.

10. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by this Order.

LEEDS CORPORATION.

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Leeds Corporation.

Order authorising the Lord Mayor Aldermen and Citizens of the City of Leeds to construct additional Tramways in their City.

Short title.

1. This Order may be cited as the Leeds Corporation Tramways Order 1903.

Incorporation of Acts.

2. The following Acts and parts of Acts so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Order are hereby incorporated with this Order :—

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):

Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 Provided that section 19 shall be read and have effect as if the words " but nothing in this Act contained shall authorise any local authority " to place and run carriages upon such tramways and to demand and " take tolls and charges in respect of the use of such carriages " were omitted from that section.

Interpretation.

3. In this Order—

The expressions " the Order of 1888 " " the Act of 1901 " and " the Order of 1902 " mean respectively the Leeds Corporation Tramways Order 1888 (confirmed by the Tramways Orders Confirmation (No. 1) Act 1888) the Leeds Corporation (General Powers) Act 1901 and the Leeds Corporation Tramways Order 1902 (confirmed by the Tramways Orders Confirmation (No. 2) Act 1902).

Promoters.

4. The lord mayor aldermen and citizens of the city of Leeds acting by the council shall be the Promoters for the purposes of this Order and are in this Order referred to as " the Promoters."

Construction of tramways.

5. The Promoters may subject to the provisions of this Order construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as " the deposited plans " and " the deposited sections ") the tramways herein-after described with all proper rails plates sleepers channels junctions turntables turnouts crossings passing-places posts poles brackets wires stables carriage-houses engine-houses sheds buildings works and conveniences connected therewith :

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

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The tramways authorised by this Order will be wholly situate within the city and are as follows (that is to say):—

Tramway No. 1 (a double line 2·24 chains in length) commencing in Beckett Street by a junction with the existing tramway in that street at a point 27 yards or thereabouts south-west of the northerly corner of the wall enclosing the Leeds Corporation Cemetery proceeding thence in a north-easterly direction along Beckett Street and Stanley Road to and terminating in Stanley Road by a junction with the existing tramway in that road at a point 13 yards or thereabouts north-east of the northerly corner of the said wall enclosing the Leeds Corporation Cemetery.

Tramway No. 2 (2 furlongs 8·62 chains in length whereof 1 furlong 7·25 chains are double line and 1 furlong 1·37 chains are single line) commencing in Stanley Road by a junction with the existing tramway in that road at a point 28 yards or thereabouts south-west of the southerly corner of the Leeds Corporation Tramway Depôt and proceeding thence in a south-easterly direction along Stanley Road into and along Compton Road to and terminating at a point in that road 7 yards or thereabouts north-west of the northerly corner of the garden wall of the premises No. 90 Compton Road:

Tramway No. 2 will be laid as a single line except at the following places where it will be double:—

(A) In Stanley Road from a point 22 yards or thereabouts south-east of the commencement of the proposed tramway for a distance of 314 yards or thereabouts measured in a south-easterly direction;

(B) In Compton Road from a point 51 yards or thereabouts north-east of the westerly corner of the garden wall of No. 52 Compton Road for a distance of 66 yards or thereabouts measured in a north-easterly direction.

Tramway No. 3 (1 mile 0 furlongs 8·72 chains in length whereof 1 mile 0 furlongs 7·82 chains are double line and ·90 chain is single line) situate wholly in York Road commencing by a junction with the existing tramway in the said road at a point 28 yards or thereabouts north-east of the intersection of the centre lines of York Road and Victoria Avenue and terminating at the city boundary at the intersection of the centre lines of York Road and the Killing Beck:

Tramway No. 3 will be laid as a double line except at the following place where it will be single:—

From a point 20 yards or thereabouts south-west of the intersection of the centre lines of York Road and the Killing Beck to the termination of the tramway.

Tramway No. 4 (3 furlongs 9·45 chains in length whereof 1 furlong 4·73 chains are double line and 2 furlongs 4·72 chains are single

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line) commencing in Elland Road by a junction with the existing tramway in that road at a point 7 yards or thereabouts north-east of the intersection of the centre lines of Lane End Place and Elland Road and proceeding thence in a westerly direction along Holbeck Moor Road and Domestic Street and terminating in Domestic Street at a point opposite to the kerb on the northerly side of Willoughby Crescent:

Tramway No. 4 will be laid as a single line except at the following places where it will be double:—

(A) From a point in Elland Road 7 yards or thereabouts north-east of the intersection of the centre lines of Lane End Place and Elland Road to a point in Holbeck Moor Road 23 yards or thereabouts north-west of the above-named point of intersection;

(B) In Holbeck Moor Road from a point 142 yards or thereabouts north-west of the intersection of the centre lines of Lane End Place and Elland Road for a distance of 66 yards or thereabouts measured in a north-westerly direction;

(C) In Holbeck Moor Road from a point 28 yards or thereabouts south-west of the south-easterly corner of Tempest Yard for a distance of 67 yards or thereabouts measured in a north-westerly direction;

(D) From a point in Holbeck Moor Road 11 yards or thereabouts north of the north-westerly corner of the boundary wall of St. Matthew's School to a point in Domestic Street 10 yards or thereabouts north-east of the south-easterly corner of the premises No. 130 Domestic Street;

(E) In Domestic Street from a point 7 yards or thereabouts north-east of the south-easterly corner of the premises No. 114 Domestic Street for a distance of 66 yards or thereabouts measured in a north-westerly direction.

Tramway No. 5 (1 mile 2 furlongs 3·71 chains in length whereof 2 furlongs 5·50 chains are double line and 7 furlongs 8·21 chains are single line) commencing in Woodhouse Street by a junction with the existing tramway in such street at a point 6 yards or thereabouts south-east of the south-easterly corner of the Hyde Park Hotel and proceeding thence in a south-westerly direction across Woodhouse Lane into and along Hyde Park Road thence passing along Moorland Road and Belle Vue Road to and terminating in Park Lane by a junction with the existing tramway at the point of intersection of the centre lines of Marlborough Street and Park Lane:

Tramway No. 5 will be laid as a single line except at the following places where it will be double:—

(A) In Hyde Park Road from a point 22 yards or thereabouts south-east of the north-easterly corner of the garden wall of the

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premises No. 231 Hyde Park Road for a distance of 66 yards or thereabouts measured in a south-westerly direction;

(B) In Hyde Park Road from a point 37 yards or thereabouts north-east of the south-easterly corner of the garden wall of the premises No. 161 Hyde Park Road to a point in Moorland Road 10 yards or thereabouts north-east of the easterly corner of the garden wall of the premises No. 23 Moorland Road;

(C) In Moorland Road from a point 17 yards or thereabouts east of the north-westerly corner of the garden wall of the premises No. 2 Belle Vue Road to a point in Belle Vue Road 30 yards or thereabouts south-west of the north-easterly corner of the garden wall of the premises No. 2 Belle Vue Road;

(D) In Belle Vue Road from a point 9 yards or thereabouts south-east of the south-easterly corner of the boundary wall to the Belle Vue chapel for a distance of 66 yards or thereabouts measured in a south-westerly direction;

(E) In Belle Vue Road from a point 13 yards or thereabouts north-east of the south-easterly corner of the garden wall of the premises No. 155 Belle Vue Road for a distance of 88 yards or thereabouts measured in a south-easterly direction;

(F) In Belle Vue Road from a point 20 yards or thereabouts north-west of the south-westerly corner of the premises No. 2 Consort Terrace for a distance of 66 yards or thereabouts measured in a south-easterly direction;

(G) In Belle Vue Road from a point 14 yards or thereabouts north-west of the south-easterly corner of the premises No. 1 Belle Vue Road to a point in Park Lane 8 yards or thereabouts north-east of the north-westerly corner of the premises No. 213 Park Lane;

(H) In Park Lane from the termination of the tramway to a point in the said lane 33 yards or thereabouts north-west of such termination.

Tramway No. 6 (2 miles 1 furlong 5·91 chains in length whereof 6 furlongs 2·04 chains are double line and 1 mile 3 furlongs 3·87 chains are single line) commencing in Stanningley Road by a junction with the existing tramway in that road at a point 13 yards or thereabouts north-west of the junction of the wall on the north-easterly side of Henconner Lane with the wall on the south-westerly side of Stanningley Road proceeding thence into and along Lower Town Street Bramley Upper Town Street Bramley Broad Lane Whitecote Hill and Rodley Lane to and terminating in Town Street Rodley at the city boundary at a point 10 yards or thereabouts north of the north-easterly corner of The Owl public house:

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Tramway No. 6 will be laid as a single line except at the following places where it will be double:—

(A) From the commencement of the tramway in Stanningley Road to a point in Lower Town Street Bramley opposite the south-easterly side of Back Lane;

(B) In Lower Town Street Bramley from a point 78 yards or thereabouts south-east of the south-westerly corner of the premises No. 1 Highfield Street for a distance of 66 yards or thereabouts measured in a north-westerly direction;

(C) In Lower Town Street Bramley from a point 10 yards or thereabouts west of the north-westerly corner of the premises No. 52 Lower Town Street Bramley for a distance of 66 yards or thereabouts measured in a north-westerly direction;

(D) In Upper Town Street Bramley from a point 9 yards or thereabouts south-west of the south-westerly corner of the boundary wall of the Brunswick Wesleyan Chapel for a distance of 66 yards or thereabouts measured in a north-westerly direction;

(E) In Upper Town Street Bramley from a point 8 yards or thereabouts south-west of the south-westerly corner of the premises No. 262 Upper Town Street Bramley for a distance of 66 yards or thereabouts measured in a north-westerly direction;

(F) In Upper Town Street Bramley from a point 11 yards or thereabouts east of the north-easterly corner of the Bramley Police Station to a point in Rodley Lane 13 yards or thereabouts north-east of the north-easterly corner of the premises No. 13 Rodley Lane;

(G) In Rodley Lane from a point 8 yards or thereabouts south-east of the south-westerly corner of Airedale House for a distance of 66 yards or thereabouts measured in a north-westerly direction;

(H) In Rodley Lane from a point 90 yards or thereabouts south-east of the north-easterly corner of the premises known as The Rookery for a distance of 66 yards or thereabouts measured n a north-westerly direction;

(J) In Rodley Lane from a point 113 yards or thereabouts north-west of the north-westerly corner of the garden wall to the premises No. 61 Rodley Lane to a point in Town Street Rodley 57 yards or thereabouts north-west of the westerly corner of the Old Foundry;

(K) In Town Street Rodley from a point 44 yards or thereabouts north-west of the southerly corner of the garden wall of premises No. 72 Moss Bridge Road for a distance of 66 yards or thereabouts measured in a north-westerly direction;

(L) In Town Street Rodley from a point 8 yards or thereabouts north of the north-westerly corner of the boundary wall of the Leeds Board School for a distance of 66 yards or thereabouts measured in a north-westerly direction;

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(M) In Town Street Rodley from a point 26 yards or thereabouts north-east of the north-easterly corner of the premises No. 191 Town Street Rodley for a distance of 66 yards or thereabouts measured in a south-westerly direction.

Tramway No. 7 (a double line 2 furlongs 2·72 chains in length) commencing in Victoria Road by a junction with Tramway No. 2 authorised by the Act of 1901 at a point 15 yards or thereabouts north of the intersection of the centre lines of Victoria Road and Great Wilson Street thence proceeding into and along Great Wilson Street to and terminating in Hunslet Lane by a junction with the existing tramway in that lane at a point 23 yards or thereabouts east of the north-westerly corner of Junction Street.

Tramway No. 8 (1 mile 1 furlong 4·85 chains in length whereof 3 furlongs 0·37 chain are double line and 6 furlongs 4·48 chains are single line) commencing by a junction with the existing tramway in that road at a point 24 yards or thereabouts north-west of the northerly corner of the boundary wall of the Lodge to Kirkstall Abbey and terminating at the city boundary at the intersection of the centre lines of Abbey Road and the Cow Beck :

Tramway No. 8 will be laid as a single line except at the following places where it will be double :—

(A) From the commencement of the tramway for a distance of 168 yards or thereabouts measured in a north-westerly direction ;

(B) From a point 53 yards or thereabouts south-east of the north-easterly corner of the Corporation Tool House for a distance of 66 yards or thereabouts measured in a north-westerly direction ;

(C) From a point 39 yards or thereabouts south-east of the north-easterly corner of the monument situate at the entrance to the Kirkstall Forge Company's works for a distance of 66 yards or thereabouts measured in a north-westerly direction ;

(D) From a point 58 yards or thereabouts north-west of the south-westerly corner of the Smithy for a distance of 236 yards or thereabouts measured in a north-westerly direction ;

(E) From a point 48 yards or thereabouts south-east of the southerly corner of the Pop House for a distance of 132 yards or thereabouts measured in a north-westerly direction.

Tramway No. 9 (6 furlongs 0·92 chain in length whereof 3 furlongs 4·22 chains are double line and 2 furlongs 6·70 chains are single line) commencing in Hunslet Road by a junction with the existing tramway in that road at a point 8 yards or thereabouts south-west of the south-westerly corner of the premises No. 345 Hunslet Road and proceeding thence into and along Waterloo Road Church Street and Balm Road and terminating at a point in the centre of Balm Road in a line with the southerly side of Lower Carr Place :

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Tramway No. 9 will be laid as a double line except at the following places where it will be single :—

(A) In Waterloo Road from a point 28 yards or thereabouts south-east of the commencement of the tramway for a distance of 360 yards or thereabouts measured in a south-easterly direction ;

(B) In Balm Road from a point 23 yards or thereabouts south-west of the south-westerly corner of the premises No. 13 Balm Road for a distance of 207 yards or thereabouts measured in a south-westerly direction ;

(C) In Balm Road from a point 1 chain or thereabouts from the termination of the tramway to the said termination.

For protection of Midland Railway Company.

6. In constructing and maintaining so much of Tramway No. 9 as will pass over the bridge which crosses the railway of the Midland Railway Company (herein-after called "the company") the Promoters shall be subject to the following conditions:—

(1) The Promoters shall not in any way except as provided by sub-section 3 of this section alter or interfere with the structure of the said bridge and except as aforesaid they shall so construct and maintain such tramway as not injuriously to affect the structure of the said bridge :

(2) In the event of any injury being caused to the structure of the said bridge by the construction maintenance repairing user or removal of such tramway the company may at the expense of the Promoters restore the structure of such bridge to as good a state and condition as it was in before such injury was occasioned :

(3) Before the Promoters execute any work which will interfere with the structure of the said bridge or the railway traffic thereunder they shall give fourteen days' notice in writing to the engineer of the company of their intention to commence such work and shall at the same time send sufficient specifications or other information showing the nature of the proposed work and such work shall be constructed to the reasonable satisfaction and under the superintendence of the said engineer and so as not in any way to impede or interfere with the traffic of the railway and any question in dispute or matter in difference between the Promoters and the company shall be settled in manner provided by section 33 of the Tramways Act 1870 :

(4) Nothing in this Order contained shall interfere with or limit or affect the rights of the Promoters as to the use alteration maintenance or repairs of the road over such bridge or of the approaches thereto for the purposes of the said tramway or otherwise :

Provided such use alteration maintenance or repairs do not in any way alter or interfere with the structure of the said bridge.

Application of provisions from Leeds Orders and Acts to tramways

7. Section 19 of the Act of 1901 and the provisions of the Order and Acts by that section incorporated (except as herein-after provided) and sections 7 8 and 9 of the Order of 1902 shall extend and apply mutatis mutandis to

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and in relation to the tramways authorised by this Order as fully and effectually as though such tramways had been authorised by the Act of 1901 or by the Order of 1902 Provided that nothing in this Order shall be deemed to authorise the affixing of posts brackets wires or other apparatus to any house or building without the consent of the owners and occupiers thereof or the taking of any lands except by agreement.

authorised by this Order.

Additional crossings &c.

8.—(1) The Promoters may subject to the provisions of this Order with the consent of the Board of Trade make maintain alter and remove all such cross-overs passing-places sidings junctions and other works in addition to those particularly specified in and authorised by the Act of 1901 the Order of 1902 and this Order as they find necessary or convenient for the efficient working of the tramways or any of them or for facilitating the traffic of the roads in which the same are laid or for providing access to any stables or carriage houses sheds or works of the Promoters or for effecting junctions with any tramways Provided that if in the construction of any works under this section any rail is intended to be so laid that a less space than 9 feet 6 inches would intervene between it and the outside of the footpath on either side of the road the Promoters shall not less than one month before commencing the works give notice in writing to every owner and occupier of premises abutting on the place where such less space would intervene and such rail shall not be so laid if the owners or occupiers of one third of such premises by writing under their hands addressed and delivered to the Promoters within three weeks after receiving the notice from the Promoters express their objection thereto:

Provided also that the Promoters in exercising the powers of this section shall be subject to all conditions and restrictions for the protection of the railway companies in the Acts and Orders authorising the tramways in connexion with which such powers shall be exercised and all provisions for such protection in such Acts or Orders shall apply and have effect accordingly.

(2) This section shall apply to any tramways for the time being belonging to the Promoters and to lines whether already laid or only authorised to be laid and shall be deemed to be incorporated with section 19 of the Act of 1901 instead of section 12 of the Order of 1888.

Cheap fares for labouring classes.

9.—(1) The Promoters or their lessees at all times after the opening for public traffic of the tramways by this Order authorised shall and they are hereby required to run a proper and sufficient service of carriages for artisans mechanics and daily labourers each way over the whole of the tramways of the Promoters every morning and every evening (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than eight in the morning or earlier than five in the evening respectively as may be most convenient for such workmen going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance On Saturdays the Promoters or their

lessees in lieu of running such carriages after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is made to the Board of Trade that such proper and sufficient service is not provided the Board after considering the circumstances of the locality may by order direct the Promoters or their lessees to provide such service as may appear to the Board to be reasonable.

(3) The Promoters or their lessees shall be liable to a penalty not exceeding five pounds for every day during which they fail to comply with any order under this section.

(4) From and after the opening for public traffic of the tramways by this Order authorised section 32 (Cheap fares for labouring classes) of the Order of 1888 and section 19 of the Act of 1901 and section 6 of the Order of 1902 so far as they incorporate the said sections of the Order of 1888 are hereby repealed.

Repeal of sections of Leeds Orders and Act.

10. Section 12 (Additional crossings &c. may be made where necessary) and section 19 (Further powers to Corporation as to byelaws) of the Order of 1888 and section 19 of the Act of 1901 and section 6 of the Order of 1902 so far as they incorporate the said sections of the Order of 1888 are hereby repealed.

NEWCASTLE-UPON-TYNE CORPORATION.

Newcastle-upon-Tyne Corporation.

Order authorising the Mayor Aldermen and Citizens of the City of Newcastle-upon-Tyne to construct additional Tramways in the said City.

Short title.

1. This Order may be cited as the Newcastle-upon-Tyne Corporation Tramways Order 1903.

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 inconsistent with or 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 Act of 1899" and "the Act of 1902" mean respectively the Newcastle-upon-Tyne Tramways and Improvement Act 1899 and the Newcastle-upon-Tyne Corporation Tramways Extensions Act 1902;

The expression "the tramways" means the tramways and works by this Order authorised;

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The expression "the Corporation tramways" has the meaning assigned thereto by the Acts of 1899 and 1902;

The expression "the city" means the city of Newcastle-upon-Tyne;

The expression "mechanical power" includes steam electrical and every other motive power not being animal power and the word "engine" includes motor.

Promoters.

4. The mayor aldermen and citizens of the city acting by the Council shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Construction of tramways.

5. The Promoters may subject to the provisions of this Order construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails plates sleepers channels (including in that expression channels passages and tubes for ropes cables and electric lines) junctions turntables turnouts crossings and passing-places carriages works mechanical appliances plant and conveniences connected therewith as may be necessary or proper therefor and for connecting and using the same with the Corporation tramways:

Provided that nothing in this Order or in any Act wholly or in part incorporated herewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

The tramways will be wholly situated within the city and are as follows:—

Tramway No. 1 (a double line 1 furlong 4·20 chains in length) situate wholly in the parish of Saint John commencing in Scotswood Road by a junction with the existing tramway in that road at a point about 2 chains southward from the intersection of Scotswood Road and Derwent Place passing thence into and along Clayton Street West to and terminating in Clayton Street by a junction with the existing tramway in that street at a point about half a chain northward from the intersection of Clayton Street and Westgate Road:

Tramway No. 2 (a junction tramway double line 1·65 chains in length) situate wholly in the parish of Saint John commencing in Clayton Street West by a junction with the proposed Tramway No. 1 at a point about 1 chain north-eastward from the intersection of Clayton Street West and Derwent Place and terminating in Derwent Place by a junction with the existing tramway at a point about 1 chain westward from the intersection of Clayton Street West and Derwent Place:

Tramway No. 3 (a junction tramway double line 2·45 chains in length) situate wholly in the parish of Saint John commencing in Clayton

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Street West by a junction with the proposed Tramway No. 1 at a point about 2 chains north-eastward from the intersection of Clayton Street and Derwent Place and terminating in Neville Street by a junction with the existing tramway in that street at a point about one and a half chains north-eastward from the intersection of Neville Street and Derwent Place:

Tramway No. 4 (a junction tramway double line 1 chain in length) situate wholly in the parish of Saint John commencing in Clayton Street West by a junction with the proposed Tramway No. 1 at a point about half a chain south-westward from the intersection of Clayton Street West and Westgate Road and terminating in Westgate Road by a junction with the existing tramway in that road at a point about half a chain eastward from the intersection of Clayton Street West and Westgate Road:

Tramway No. 5 (a double line 2 furlongs 6·00 chains in length) situate wholly in the parish of St. Andrew commencing in Percy Street by a junction with the proposed Tramway No. 6 at its commencement in that street at a point about 1 chain northward from the intersection of Percy Street and Blackett Street passing thence along Percy Street to and terminating in Barras Bridge by a junction with the existing tramway in Barras Bridge at a point opposite or nearly opposite the northern side of College Road:

Tramway No 6 (a junction tramway double line 1·70 chains in length) situate wholly in the parish of St. Andrew commencing in Percy Street by a junction with the proposed Tramway No. 5 at a point about 1 chain northward from the intersection of Percy Street and Blackett Street and terminating in Blackett Street by a junction with the existing tramway in that street at a point about 1 chain eastward from the intersection of Percy Street and Blackett Street:

Provided that notwithstanding anything shown on the deposited plans the Corporation shall so construct Tramway No. 5 that between the centre of Prudhoe Street and a point one chain southward therefrom there shall be a not less space than 8 feet and 6 inches between the outside of the footpath and the nearest rail of the tramway.

Tramways to form part of Corporation tramways.

6. Subject to the provisions of this Order the tramways shall for all purposes form part of the Corporation tramways and the Promoters and their lessees and licensees may in respect of the tramways exercise and enjoy all and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are subject and liable to with respect to the Corporation tramways and may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds and for the use of carriages placed and run thereon by them as they are authorised to demand and take in respect of the tramways authorised by the Act of 1902 Provided that

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nothing in this Order shall authorise the attachment of brackets wires and apparatus to any house or building without the consent of the owner and occupier thereof or to authorise the taking of any lands except by agreement.

Alteration of tramways.

7. So far as regards any tramways of the Corporation within the city the provisions of section 16 (Power to lay down double or interlacing lines in place of single lines and vice versâ) of the Act of 1899 shall extend to the substitution of double lines for interlacing lines or interlacing lines for double lines and the notices of the Promoters' intention referred to in the said section and in section 12 (Power to make additional crossings &c.) of the said Act shall be sent to the owners and occupiers therein mentioned one month before the Promoters commence the alterations or works in those sections provided for.

For protection of Postmaster-General.

8. Section 23 (For protection of Postmaster-General) of the Act of 1899 as amended by section 11 of the Act of 1902 shall extend and apply to the tramways and to the Promoters in respect thereof.

Mortgage may include tramway rate and tramway revenue.

9. The Promoters may include in any mortgage of the local rate made under section 20 of the Tramways Act 1870 the tramway rate authorised by section 93 of the Act of 1899 and the revenue of their tramway undertaking.

Application of tramway revenue.

10. Before carrying any balance standing to the credit of the tramway revenue to the city fund as authorised by the Act of 1899 the Promoters shall pay the interest on moneys borrowed by them under and provide the requisite instalments and sinking fund payments prescribed by the Act of 1899 and required in relation to any moneys borrowed under the provisions of this Order and section 92 (Application of tramway revenue) of the Act of 1899 shall be construed accordingly.

Saving for general Acts.

11. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates tolls or charges authorised by this Order.

PORTOBELLO AND MUSSELBURGH.

Portobello and Musselburgh.

Order authorising the Pioneer Electric Company Limited (formerly known as the Drake and Gorham Electric Power and Traction (Pioneer) Syndicate Limited) to construct a new Tramway in the City Parish of Edinburgh and City and Royal Burgh of Edinburgh and County of the City of Edinburgh to amend the Portobello and Musselburgh Tramways Order 1900 *and for other purposes.*

Short title.

1. This Order may be cited as the Portobello and Musselburgh Tramways Order 1903.

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Portobello and Musselburgh. 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 inconsistent with or 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 tramway" and "the undertaking" mean respectively the tramway and works and the undertaking of the Promoters by this Order authorised;

The expression "the Corporation" means the Lord Provost Magistrates and Council of the City of Edinburgh;

The expression "the Corporation tramways" means the tramways for the time being belonging to the Corporation;

The expression "the Order of 1900" means the Portobello and Musselburgh Tramways Order 1900 confirmed by the Tramways Orders Confirmation (No. 3) Act 1900; and

The expression "the tramways of the Promoters" means the tramways authorised by the Order of 1900 and by this Order.

Promoters.

4. The Pioneer Electric Company Limited (formerly known as the Drake and Gorham Electric Power and Traction (Pioneer) Syndicate Limited) shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Promoters of this Order to be substituted for promoters of Order of 1900.

5. The Order of 1900 shall from and after the passing of the Act confirming this Order be read and construed as though in section 4 of that Order the Promoters of this Order were named instead of the promoters named in the said section and from and after the passing of the Act confirming this Order the undertaking authorised by the Order of 1900 together with all the rights powers and authorities conferred by that Order upon the promoters thereof shall subject to the duties obligations and liabilities of such promoters in relation thereto vest in and be exerciseable and enjoyable by the Promoters of this Order.

Lands by agreement.

6. 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 two acres of land in addition to any lands they have acquired or may acquire under or for the purposes of the Order of 1900 Provided always that nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land acquired by them under this section.

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Construction of tramway.

7. 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 the tramway herein after described with all proper rails points plates and sleepers connected therewith and may work and use the same:

Provided that nothing in this Order or in any Act wholly or in part incorporated with this Order shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 or the Electric Lighting (Scotland) Act 1890 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

The tramway authorised by this Order is—

A tramway wholly situate in the city parish of Edinburgh and city and royal burgh of Edinburgh and county of the city of Edinburgh commencing in the main road between Portobello and Musselburgh by a junction with the existing tramway belonging to the Corporation of Edinburgh at its point of termination passing thence in an easterly direction along the said main road and terminating by a junction with the tramway authorised by the Order of 1900 and therein described as Tramway No. 2 at a point on that tramway where it intersects the centre line of the Brunstane Burn at the boundary between the city and royal burgh of Edinburgh and the burgh of Musselburgh being also the boundary between the city parish of Edinburgh and the parish of Inveresk:

Provided that the Promoters shall not form or make any junction or connexion between the tramways of the Promoters and the Corporation tramways at their present terminus without the written consent of the Corporation's lessees which may be given or withheld but if given may be on such conditions as the lessees may think necessary.

The tramway is to be laid as a single line throughout excepting between the following points where such tramway is to be laid as a double line viz.:—

(*a*) Between two points in the before-mentioned main road measured respectively 308 feet or thereabouts and 548 feet or thereabouts in an easterly direction from the commencement of the tramway;

(*b*) Between two points in the before-mentioned main road measured respectively 35 feet or thereabouts and 275 feet or thereabouts in an easterly direction from the line of the eastern gable of the dwelling-house at the Joppa Salt Works:

(*c*) Between two points in the before-mentioned main road measured respectively 120 feet or thereabouts in a north-westerly direction from the line of the western gable of the house at Eastfield and 120 feet or thereabouts in a south-easterly direction from the line of such gable:

(*d*) Between two points in the before-mentioned main road measured respectively 70 feet or thereabouts and 310 feet or thereabouts in a south-easterly direction from the centre of the junction of the road leading to Easter Duddingston with the said main road.

The total length of the tramway is 5 furlongs 5·15 chains of which 4 furlongs 0·59 chain is single line and 1 furlong 4·56 chains is double line.

For protection of Corporation of Edinburgh.

8. Section 7 of the Order of 1900 is hereby repealed and the following provisions for the protection of the Lord Provost magistrates and council of the city of Edinburgh (herein-after in this section called "the Corporation") shall unless otherwise agreed upon between the Corporation and the Company have effect in lieu thereof (that is to say):—

(1) In this section and for the purposes thereof the following expressions shall have the meanings herein-after respectively assigned to them (that is to say):—

"The city" means the city and royal burgh of Edinburgh;

"The City Acts" means and includes the Edinburgh Municipal and Police Acts 1879 to 1901 and any general or local Acts of Parliament or Provisional Orders applicable to the city or to the Corporation tramways for the time being;

"The Promoters" and "the Company" each mean and comprehend the Promoters as defined in section 4 of this Order and the Promoters of the Order of 1900 as amended and explained by section 5 of this Order and any person body or company succeeding to or deriving right from or through the Promoters;

"The said tramways" means the tramways authorised by the Order of 1900 and this Order so far as situated within the city:

(2) In addition and without prejudice to the provisions of this section the Corporation as the local authority within the city shall have in regard to the said tramways the whole rights powers and privileges which the Tramways Act 1870 and any other general Act confer or may hereafter confer upon the local authority of any district in regard to tramways:

(3) The Company shall not without the written consent of the Corporation apply for any extension of time for the construction of the said tramways:

(4) The provisions of the Tramways Act 1870 in favour of the local authority with regard to sewers and drains or in favour of any persons or companies with regard to gas and water pipes or of the Postmaster-General or others with regard to wires shall be held as being and the same are hereby conferred upon and may be exercised by the Corporation with regard to all pipes culverts cables wires conduits rails and other plant or property of the Corporation for the time being upon or under the surface of the ground so far as under or

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near the said tramways and the Corporation shall have at all times full power and right of access thereto for any purpose whatever and to re-lay repair or alter the same or any part thereof or to open the ground and lay new or additional plant or property under the surface across underneath or alongside of the said tramways as fully and freely as they might have done if the Order of 1900 and this Order had not been passed No advertisements shall be displayed on the windows of cars used on the said tramways or upon the posts brackets and other attachments connected with the tramways The roadway within and between the rails of the said tramways and for a space of 18 inches outside of the outer rails shall be paved with granite or whinstone setts upon concrete foundation and maintained by the Company to the reasonable satisfaction of the Corporation :

(5) The said tramways shall be worked only by electrical energy or by other mechanical power approved by the Corporation (except in cases of emergency when animal power may be used) unless otherwise expressly sanctioned in writing by the Corporation under the hand of their clerk :

(6)—(A) In respect that the whole area of the city is included within the area of supply of electrical energy under the Edinburgh Corporation Electric Lighting Order 1891 confirmed by the Electric Lighting Orders Confirmation (No. 6) Act 1891 in which the Corporation are the undertakers the Order of 1900 and this Order shall not apply or be operative within the boundaries of the city to any effect or for any purpose whatever except for the construction and working by electrical energy or other mechanical power approved by the Corporation of the said tramways and any lighting of the streets which the Corporation may require along the route of the said tramways for the safe working thereof ;

(B) The Order of 1900 and this Order notwithstanding anything therein contained shall not authorise the Company to work or use any station premises or machinery for generating electrical energy or to generate such energy for any purpose whatever within the boundaries of the city and the Company are hereby prohibited from generating electrical energy within the city under or in virtue of the said Orders ;

(C) The Order of 1900 and this Order notwithstanding anything therein contained shall not authorise the Company tc sell supply or distribute or allow any part of their undertaking to be a medium for supplying or distributing electricity or electrical energy within or for use within the boundaries of the city to any person or for any purpose whatever and the Order of 1900 and this Order are hereby restricted accordingly and the Company are prohibited from selling supplying or distributing electrical energy within or for use within the city accordingly unless to the Corporation or with the written authority of the Corporation under the hand of their clerk Provided

always that the Company may use for the purpose only of working the said tramways and lighting the streets on the route thereof electrical energy purchased from the Corporation or generated outside the city:

(7) Without prejudice to the provisions of the Tramways Act 1870 applicable to the purchase of the said tramways by the local authority the following provisions shall be applicable to the said tramways viz.—

(A) The Corporation may at any time after the construction of the said tramways upon six months' notice after resolution as in the case of purchase under the Tramways Act 1870 require the Company to sell the said tramways to the Corporation on payment of the cost price of construction of the said tramways (but not exceeding in any case the maximum sum of eight thousand five hundred pounds) under deduction of a sum for depreciation (which depreciation failing agreement between the parties shall be calculated at the rate of two and a half per centum per annum upon said cost or maximum sum as the case may be from the time when the capital was expended by the Company) without any allowance for electric equipment except the cost price of overhead equipment and underground conductors along the tramways so purchased according to the length of tramway purchased in relation to the whole length of the tramways authorised by the Order of 1900 and this Order Provided that upon such purchase being made under this section the Corporation shall be bound to let the said tramways on lease to the Company and the Company shall be bound to take the same on lease for the period from the date of the purchasers' entry until thirtieth June one thousand nine hundred and nineteen (with a break in favour of the Company at thirtieth June one thousand nine hundred and ten on six months' notice if the purchase is made prior to that date) at a rent calculated as aftermentioned and in other respects upon the terms and conditions so far as applicable mutatis mutandis expressed in the existing lease of the Corporation tramways to the Edinburgh and District Tramways Company Limited as the terms of such lease shall be adjusted failing agreement by or at the sight of the Dean of Faculty of Advocates The Company shall under such lease supply their own cars and rolling stock and any equipment not forming part of the permanent way or works and fulfil all the obligations incumbent upon the parties working such tramways;

(B) In the event of the Corporation exercising the said option of purchase prior to the expiry of the period of twenty-one years mentioned in section 43 of the Tramways Act 1870 there shall be included in the price ascertained as aforesaid a bonus equal to one year's nett profits if prior to thirty-first December one thousand nine hundred and ten and two years' nett profits if subsequent to that date of the portion of the line so purchased on the annual average of such nett profits for five years (or the period of working which may have passed if less than five years) preceding the date of purchase Failing

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agreement the portion of such nett profits applicable to the said tramways shall be fixed by an accountant to be appointed by the sheriff of the Lothians and Peebles on the application of either party;

(C) In the event of the said tramways being purchased by the Corporation and leased to the Company under this section as aforesaid the purchasers shall forthwith obtain entry and the conveyance shall be executed and delivered to them but notwithstanding the price shall be payable as follows viz. one thousand pounds thereof at the date of the purchasers' entry two thousand five hundred pounds thereof (without interest) at the date of the expiry or termination of the lease and the remainder of the price in such instalments (without interest) between the date of the purchasers' entry and the date of expiry or termination of the lease as may be required by either party on six months' written notice and failing such notice or in so far as the same does not extend at the said date of expiry or termination of the lease and the rent payable by the lessees to the Corporation under such lease shall be at the rate of seven per centum per annum upon the portion of the said price which may at the time have been paid by the Corporation as aforesaid which rent shall be payable at the terms and in the manner provided in the existing lease of the Corporation tramways entered into in one thousand eight hundred and ninety-eight and in addition to such rent the lessees shall pay the landlord's taxes for the said tramways and a sum of twenty-one pounds per annum to the Corporation for supervision and book-keeping:

(D) Until the Corporation acquire the said tramways the Company shall be bound to pay the sum of five hundred pounds per annum to the Corporation by equal half-yearly instalments at Whitsunday and Martinmas from and after the date when the same are opened for public traffic Provided always that if and so long as the Corporation do not give notice to purchase the said tramways under the provisions of this section the said sum shall not be exigible nor shall the same be exigible after the date of such notice if the Company duly implement their part of the purchase and deliver the conveyance so that the Corporation obtain entry as purchasers within twelve months after the date of such notice:

(8) The Company shall not form or make any junction or connexion between the said tramways and the Corporation tramways without the written consent of the Corporation which may be given or withheld and if given may be on such conditions as the Corporation may think necessary and if so stipulated such consent may on reasonable notice be withdrawn or recalled:

(9) In the event of the Company at any time proposing or intending to sell or transfer the said tramways they shall first offer to sell the same to the Corporation at the price proposed or in the option of the Corporation at the price mentioned in subsection (7) of this section and if the Company propose to lease the said tramways they shall

first offer to lease the same to the Corporation or if desired by the Corporation to the Corporation's tramway lessees on the terms proposed and unless such offer to sell or lease to the Corporation or their lessees as aforesaid has been made and refused or not accepted within three months from the date of the offer the Company shall not have power to sell or lease and they are prohibited from selling or leasing the said tramways except as herein provided:

(10) In the event of the Corporation making application to Parliament or the Secretary for Scotland under the provisions of the Private Legislation Procedure (Scotland) Act 1899 for power to construct and work by themselves or their lessees electrical tramways within the said city and in connexion therewith to exercise running powers upon the said tramways the Company shall consent to such power being granted and upon the same being granted the Company shall consent and agree that subject to terms to be arranged between the Corporation and the Company or failing agreement to be fixed and determined by an arbiter to be appointed by the Board of Trade on the application of either party the Corporation may at any time construct and maintain all works necessary for effecting junctions of any Corporation tramways with the said tramways and for utilising the plant and machinery for working the same and the Corporation or any company or person for the time being working the Corporation tramways or any part thereof may run over the said tramways and use the same together with all sidings junctions plant machinery motive power apparatus works and conveniences of and connected with the same with their engines carriages wagons and officers or servants in charge of such engines carriages or wagons for the purposes of conveying passengers' parcels and passengers' luggage only and as regards traffic conveyed by the Corporation or any such company or person as aforesaid they may demand and take rates and charges upon and in respect of the said tramways not exceeding the rates and charges from time to time authorised under the Order of 1900 or this Order The terms conditions and regulations in respect of the use and the tolls and other consideration to be paid for the same shall failing agreement be from time to time determined in manner provided by the Tramways Act 1870 with respect to differences between the Promoters and the local authorities:

(11) Notwithstanding anything contained in the Order of 1900 and this Order no goods minerals or parcels (except parcels not exceeding fifty-six pounds in weight) and no animals shall be conveyed on the said tramways without the consent of the Corporation:

(12) Subject to the provisions of section 10 of this Order the said tramways shall be made and maintained as a double line:

(13) Nothing contained in the Order of 1900 or this Order shall prejudice or affect the rights powers and privileges of the Corporation under the City Acts.

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Extending to this Order certain provisions of Order of 1900.

9. Subject to the provisions of this Order the provisions herein-after mentioned of the Order of 1900 shall so far as they are applicable in that behalf extend and apply mutatis mutandis to the tramway and undertaking by this Order authorised in like manner in every respect as if the tramway and undertaking authorised by this Order formed part of the tramways and undertaking authorised by the Order of 1900 Provided that in the application of the said provisions the expressions "the tramways" "the undertaking" and "this Order" shall be construed to mean respectively the tramway and the undertaking by this Order authorised and this Order The provisions of the Order of 1900 herein-before referred to are—

Section 8 For the protection of the water mains and pipes of the Edinburgh and District Water Trustees;

Section 10 For the protection of the gas mains and pipes of the Edinburgh and Leith Corporations' Gas Commissioners;

Section 13 Gauge and width of carriage;

Section 14 Provisions as to construction of tramways;

Section 15 As to rails of tramways;

Section 16 Penalty for not maintaining rails and road in good condition;

Section 17 Right of access to sewers &c.;

Section 18 Tramways to be kept on level of surface of road;

Section 20 Cross-overs to be constructed in certain cases;

Section 22 Temporary tramways may be made when necessary;

Section 23 Application of road materials excavated in construction of works (except the proviso to that section);

Section 24 As to removal of snow &c.;

Section 25 Tramways not to be opened until certified by Board of Trade;

Section 26 Provisions as to motive power;

Section 27 Mechanical power works;

Section 28 As to posts standards and brackets;

Section 29 Mechanical power works to be subjected to section 30 of Tramways Act 1870;

Section 30 Byelaws;

Section 31 Amendment of the Tramways Act 1870 as to byelaws by local authority;

Section 32 Special provisions as to use of electrical power;

Section 33 For protection of the Postmaster-General;

Section 34 Traffic upon tramways;

Section 35 Promoters not bound to carry animals goods &c.;

Section 37 Service of cars;

Section 38 As to stopping places;

Section 39 Rates for passengers;

Section 40 As to fares on Sundays and holidays;

Section 41 Passengers luggage;

Section 42 Cheap fares for labouring classes;

Section 43 Rates and charges for animals goods &c.;
Section 44 Payment of rates;
Section 45 Periodical revision of rates and charges;
Section 48 Agreements with road authority;
Section 49 Working agreements;
Section 50 Saving as to powers of borrowing on mortgage;
Section 51 Orders &c. of the Board of Trade;
Section 52 Recovery of penalties;
Section 53 Form and delivery of notices;
Section 54 Provisions as to arbitration;
Section 55 Saving for general Acts;
Schedule.

Power to make additional crossings &c. and to alter tramway lines.

10.—(1) The Promoters may subject to the provisions of this Order with the consent of the Board of Trade and of the road authority make maintain alter and remove such crossings cross-overs passing places sidings junctions and other works in addition to those particularly specified in and authorised by the Order of 1900 and this Order as they find necessary or convenient for the efficient working of the tramways of the Promoters or for providing access to any generating stations stables carriage-houses warehouses depôts or works of the Promoters or for forming junctions with other tramways.

(2) Notwithstanding anything shown on the deposited plans and on the plans deposited as relative to the Order of 1900 the Promoters may with the consent of the Board of Trade and of the road authority lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines for double or single lines on any of the tramways of the Promoters and if at any time the road in which any of such tramways or any part thereof is authorised to be laid or is laid has been or shall be altered or widened the Promoters may with the like consents construct such tramway or part thereof or (as the case may be) take up or reconstruct the same in such position as they may think fit Provided that the uppermost surface thereof shall be on a level with the surface of the road as altered or widened.

(3) Provided that if in the construction of any works under this section any rail is intended to be so laid that a less space than 9 feet 6 inches would intervene between it and the outside of the footpath on either side of the road the Promoters shall not less than one month before commencing the works give notice in writing to every owner and occupier of premises abutting on the place where such less space would intervene and such rail shall not be so laid if the owners or occupiers of one-third of such premises by writing under their hands addressed and delivered to the Promoters within three weeks after receiving the notice from the Promoters express their objection thereto.

(4) Sections 19 and 21 of the Order of 1900 are hereby repealed.

A.D. 1903.

Portobello and Musselburgh.

For protection of Postmaster-General.

11. Section 33 (For the protection of the Postmaster-General) of the Order of 1900 shall be and is hereby amended as follows:—

(A) Subsection (3) thereof shall be read as if the words within brackets "or the laying of lines crossing the lines of the Postmaster-General at "right angles at the point of shortest distance and so continuing for "a distance of six feet on each side of such point" were omitted and such words shall be deemed to be omitted from the said subsection:

(B) The following provision shall have effect in addition to and shall be read with the provisions contained in the said section:—

If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Promoters is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of any such works or to the working of their undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated for the purposes of this Order at any works of the Promoters enter thereon for the purpose of inspecting the plant and the working of the same and the Promoters shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Promoters pursuant to the Board of Trade regulations.

Tramway to be deemed part of tramways authorised by Order of 1900 as regards traffic and rates and charges.

12. The tramway by this Order authorised shall for the purposes of the traffic and of the rates and charges to be demanded and taken thereon be deemed to form part of the undertaking of the Promoters authorised by the Order of 1900 and the Order of 1900 shall so far as applicable apply to the tramway by this Order authorised and to the traffic upon the same and to the rates and charges authorised to be demanded and taken in respect of such traffic in like manner and in every respect as if the tramway authorised by this Order formed part of the tramways authorised by the Order of 1900.

Application of deposit fund to tramway.

13. So much of the sum deposited with the High Court with respect to the Order of 1900 as would have been applicable to the Tramway No. 1 and to the portion of Tramway No. 2 authorised by that Order and mentioned in section 7 thereof the powers for the construction of which have lapsed such portion being so much of the said Tramway No. 2 as is situate within the present municipal boundary of the city and royal burgh of Edinburgh shall be deemed to have been deposited for the purposes of the tramway authorised by this Order.

Extension of time for completion of certain authorised tramways.

14. The time limited by the Order of 1900 as subsequently extended by special direction of the Board of Trade for the completion and opening of the tramways authorised by that Order except as to Tramway No. 1 and to the portion of Tramway No. 2 the powers for the construction of which have

lapsed as aforesaid is hereby extended to the sixth day of August one thousand nine hundred and four which period shall be deemed to be the time limited by that Order for the completion and opening of the tramways for public traffic. A.D. 1903. *Portobello and Musselburgh.*

Printed by EYRE and SPOTTISWOODE,
FOR
T. DIGBY PIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

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