



CHAPTER CCXXV.

An Act for transferring the powers of the West Manchester Light Railways Company and for providing for the regulation of certain roads in Trafford Park and for other purposes. [15th August 1904.]

A.D. 1904.

WHEREAS Trafford Park in the county of Lancaster is bounded on the south by the Bridgewater Canal and on the north mainly by the Manchester Ship Canal and other works or property of the Manchester Ship Canal Company (in this Act called "the canal company") and has been developed and is in course of further development by the Trafford Park Estates Limited (a company incorporated under the Companies Acts 1862 to 1890 and in this Act called "the estates company") as an industrial estate whereon all the works warehouses or manufactories have or are intended to have direct means of access and communication both by rail and by road and other industrial facilities:

And whereas by the West Manchester Light Railways Order 1899 and the West Manchester Light Railways (Extensions and Amendment) Order 1903 (which Orders are in this Act separately called respectively "the Order of 1899" and "the Order of 1903" and are together called "the Light Railway Orders") the West Manchester Light Railways Company (in this Act called "the light railways company") were incorporated and authorised to construct certain railways and to acquire and work a tramroad already constructed by the estates company:

And whereas an order has been made by the Light Railway Commissioners in favour of the light railways company but has not yet been confirmed by the Board of Trade which order is intended to be entitled the West Manchester Light Railways (New Lines &c.) Order 1904 and is in this Act described as "the pending order":

And whereas the capital of the light railways company as authorised by the Light Railway Orders and proposed to be increased by the pending order is or will be ninety-four thousand pounds with

A.D. 1904. — proportionate borrowing powers but no part of such borrowing powers have been exercised :

And whereas it is expedient that the railway undertaking and powers of the light railways company (including the powers proposed to be granted by the pending order) should be transferred to the Company incorporated by this Act (in this Act called "the Company") :

And whereas the railways and tramroad which the light railways company have been authorised to construct or acquire have been laid out so as to run along and cross on the level roads which have not been dedicated to the public and which are vested in the estates company and the estates company have granted easements or rights of breaking up such roads for the purpose of various public and private services :

And whereas it is expedient having regard to the exceptional circumstances of Trafford Park that the said roads or any like roads hereafter constructed should be transferred to the Company subject to the continuance of the easements and rights already granted and that the Company and others should have the right to grant additional easements and rights and that the local or road authorities if they adopt the said roads should adopt them subject to such easements and rights :

And whereas it is expedient that the other powers hereinafter contained should be conferred upon the Company :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 (that is to say) :—

PART I.

PRELIMINARY.

1. This Act may be cited as the Trafford Park Act 1904.

2. This Act is divided into Parts as follows :—

Part I.—Preliminary.

Part II.—Incorporation of Company—Capital &c.

Part III.—Railways.

Part IV.—Estate roads in Trafford Park.

Part V.—Warehouses.

Part VI.—Miscellaneous.

Short title.

Division of Act into Parts.

3. The following Acts are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act (that is to say):—

A.D. 1904
—
Incorporation of general Acts.

The Companies Clauses Consolidation Act 1845;

Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts;

The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement); and

Part V. (relating to amalgamation) of the Railways Clauses Act 1863.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there is something in the subject or the context repugnant to such construction And in this Act unless the context otherwise requires—

Interpre-
tation.

The expression "the estates company" means the Trafford Park Estates Limited and includes their successors or assigns as owners of Trafford Park or of such portion thereof as may not have been disposed of in parcels;

The expression "estate road" means any road or street already laid out or hereafter to be laid out in Trafford Park;

The expression "Trafford Park" means the property known as "the Trafford Park Estate" containing in all 1,183 acres or thereabouts situate partly within the parish and urban district of Stretford and partly within the parish of Davyhulme and rural district of Barton-upon-Irwell in the county of Lancaster and which (with the exception of a portion thereof containing 13 acres or thereabouts situate in the said parish of Davyhulme abutting upon the south side of the Bridgewater Canal) is bounded on or towards the north in part by Trafford Wharf Road and other property of the Manchester Ship Canal Company on or towards the east by Trafford Road and on or towards the south and west by the Bridgewater Canal and more particularly delineated on a map signed in duplicate by Joseph Russell Baron Glanusk the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred copies of which have been deposited in the Private Bill Office of the House of Commons and in the Parliament Office House of Lords.

A.D. 1904.

PART II.

INCORPORATION OF COMPANY—CAPITAL &c.

Company in-
corporated.

5. Colonel Paget Peploe Mosley the Right Honourable Lord Ashburton Mackworth Bulkley Praed Joseph Lyons Sir William Henry Bailey Marshall Stevens the Trafford Park Estates Limited and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors and administrators successors and assigns respectively shall be and are hereby united into a Company for the purposes of this Act and for those purposes shall be and are hereby incorporated by the name of "the Trafford Park Company." and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

Capital.

6. The capital of the Company (in addition to the capital issued or authorised to be issued or proposed to be authorised to be issued under the powers of the Light Railway Orders and of the pending order as transferred to the Company under this Act) shall be thirty thousand pounds in three thousand shares of ten pounds each making with the said capital issued or authorised to be issued or proposed to be authorised to be issued under the Light Railway Orders a total capital of one hundred and twenty-four thousand pounds in twelve thousand four hundred shares of ten pounds each if the pending order is confirmed by the Board of Trade and one hundred thousand pounds in ten thousand shares of ten pounds each if the pending order is not so confirmed.

Shares not to
be issued un-
til one fifth
paid.

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

Calls.

8. One fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls and three fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in
case of per-
sons not sui
juris.

9. If any money is payable to a shareholder or mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

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

A.D. 1904.
Power to
borrow.

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

Appointment
of a receiver.

12. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this Act or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Debenture
stock.

A.D. 1904.

Application
of moneys.

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

Qualification
of auditors.

14. It shall not be necessary for any auditor of the accounts of the Company to hold any share or shares in the Company.

Number of
directors.

15. The number of directors shall be six but the Company may vary the number provided that the number be not at any time more than eight or less than three.

Qualification
of directors.

16. The qualification of a director shall be the possession in his own right of not less than twenty-five shares.

Quorum.

17. The quorum for a meeting of directors shall be three.

First direc-
tors.

18. Colonel Paget Peplow Mosley the Right Honourable Lord Ashburton Mackworth Bulkley Praed Joseph Lyons Sir William Henry Bailey and Marshall Stevens shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act being (if they continue qualified) eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

First ordi-
nary meeting
of Company.

19. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

PART III.

RAILWAYS.

Transfer of
powers under
Light Rail-
way Orders.

20.—(1) On and as from the passing of this Act all the powers rights privileges and authorities conferred upon the light railways company by the Light Railway Orders and all the interests

agreements and benefits by or under agreements and all liabilities held acquired or incurred in connection with and for the purposes of the railways authorised to be constructed and the tramroad authorised to be taken over or relating to those railways or tramroad or to any lands acquired for the purposes thereof and of or to which the light railways company are seised or entitled or liable shall subject to the provisions of this Act and to the reservation to the owners of any land and premises in Trafford Park of and the right to exercise and enjoy all easements way-leaves rights liberties and privileges granted by the estates company be transferred to vested in and imposed upon the Company and all the rights powers privileges obligations and liabilities of the light railways company their directors officers and servants which by virtue of the Light Railway Orders might be exercised or enjoyed by them or are imposed upon them respectively for the purposes or in relation to the said railways and tramroad shall subject as aforesaid be exercised enjoyed fulfilled and discharged by the Company their directors officers and servants respectively under and with the same regulations restrictions conditions obligations penalties and immunities in accordance with the aforesaid Orders and Acts as by the light railways company and their directors officers and servants respectively and the provisions of the Light Railway Orders including the provisions of any Act or Acts wholly or partly incorporated therewith (except those relating to the constitution of the Company but including those relating to the raising of money by shares or stock and to borrowing and the creation and issue of debenture stock and the provisions as to power to pay interest out of capital during construction) shall subject as aforesaid be read and have effect as if the Light Railway Orders and the aforesaid provisions of this Act had been passed with respect to the Company instead of with respect to the light railways company.

(2) On and as from the date when the pending order is confirmed by the Board of Trade the powers rights privileges and authorities granted to the light railways company by the pending order when so confirmed shall in like manner and with the like consequences be transferred to and vested in and imposed upon the Company.

(3) On and as from the date of the passing of this Act or the confirmation of the pending order by the Board of Trade or the refusal of the Board of Trade to confirm the same whichever shall last happen the light railways company shall be by this Act dissolved.

A.D. 1904.

—
 Holders of
 shares in
 light rail-
 ways com-
 pany to re-
 ceive in ex-
 change shares
 in Company.

21. As from the date of the passing of this Act every holder of shares of the light railways company shall in lieu of and in exchange for the shares of that company held by him become and be holder of an equal number of shares in the Company and shall upon the delivery of the certificates of the same to the Company be entitled to receive instead thereof certificates of shares in the Company and all certificates of shares in the light railways company shall upon such exchange be cancelled. Provided that if the certificate for shares in the light railways company be lost or destroyed then upon proof thereof to the satisfaction of the directors of the Company they shall deliver to the person entitled to such certificate a certificate for shares in the Company as if the certificate for shares in the light railways company had not been lost or destroyed.

PART IV.

ESTATE ROADS IN TRAFFORD PARK.

Power to
 Company and
 estates com-
 pany to agree
 as to convey-
 ance of estate
 roads.

22. The Company may enter into and carry into effect agreements and arrangements with the estates company or other the owner or owners for the time being of any estate road with respect to the following matters or any of them (that is to say):—

- (A) The conveyance to and vesting in the Company of any part or parts of any estate road which is now or may at any time hereafter become vested in the estates company or such owner or owners as aforesaid;
- (B) The construction by the Company of any estate road or part of any estate road in such manner and with such materials as may be thought fit; and
- (C) The payment to the Company by the estates company or such owner or owners as aforesaid of the whole or part of the cost of making maintaining lighting sewerage levelling paving metalling flagging and channelling any such estate road.

Nothing in this section contained shall prejudice or affect the rights or powers of the district councils of Stretford and Barton-upon-Irwell.

Conditions of
 vesting.

23. Every estate road so conveyed or constructed shall vest in the Company subject to the following conditions:—

- (A) That nothing shall be done which will in any way interfere with or affect any easement wayleave right liberty or privilege which may at the date of the conveyance have been granted or conferred by the estates company:

(B) That the Company shall perform all contractual and other obligations theretofore imposed upon the estates company or other the owner or owners of any estate road in relation to such roads and that the Company shall be entitled to the benefit of and to enforce any agreements made by the estates company or such owner or owners in relation to the same. A.D. 1904.

24. All estate roads so far as they are situate in the urban district of Stretford shall be subject to the provisions of the section of the Stretford Urban District Council Act 1904 of which the marginal note is "For protection of owners &c. in 'Trafford Park'" and for the purposes of that section the expression therein "the Trafford Park Estates Limited" shall be deemed to include the Company. As to estate roads in Stretford.

25. Notwithstanding anything contained in this Act or in the Public Health Acts or in any Act relating to improvements in the district of the Barton-upon-Irwell Rural District Council (in this section called "the district council") or in any byelaws made by the district council the following provisions for the protection and benefit of the Company and of the owners lessees and occupiers of any land and premises in Trafford Park (including any persons having the powers of tenant for life under the Settled Land Acts 1882 to 1890) all or any of whom are in this section referred to as "the owners" shall except so far as may be otherwise agreed in writing between the district council and the owners apply and have effect in respect of estate roads in the district of the district council (that is to say):— As to estate roads in Barton-upon-Irwell.

(1) The owners shall have power at all times hereafter to grant any easement wayleave right liberty and privilege and the owners and grantees shall have power at all times hereafter to exercise and enjoy any easement wayleave right liberty and privilege now or hereafter to be granted to or vested in them to construct use maintain and renew in over under along or across any such estate road—

(A) Any bridge cables wires pipes tubes channels conduits electrical or other conductors and apparatus or other means of industrial communication or service hereinafter collectively referred to as "works"; and

(B) Any line or lines of rails for the conveyance of waggons or carriages drawn by any description of

A.D. 1904.
—

motive power for the purpose of communicating between the premises of the owners and the Manchester Ship Canal docks and any wharves and railways connected therewith or with any railway or canal within or communicating with Trafford Park ;

and for all or any of the purposes aforesaid to open and break up any such estate road :

Provided that no owners other than the Company shall make any such grant except in respect of so much of any such estate road as is alongside of or upon the lands of any such owner or co-extensive with that portion of any line or lines of rails upon which such lands abut and that nothing shall be done which will in any way interfere with or affect any easement way-leave right liberty or privilege which has been granted to or conferred upon the owners before the passing of this Act :

(2) No such works or lines of rails shall be laid or constructed in under over along or across any such estate road which at the time of such laying or construction is repairable by the inhabitants at large otherwise than subject to the following conditions and to such further reasonable conditions (if any) as the district council may think necessary for securing the safety of the public and the use and maintenance of such estate road for vehicular and other traffic (namely) :—

(A) All rails shall be so laid and maintained that where they cross the carriageway or footway or are laid along the carriageway of any such estate road the upper surface thereof shall be upon a level with the surface of such carriageway or footway ;

(B) Before any works or rails are laid or constructed in any such estate road the owner of such works or rails shall submit to the district council and to the owner of any premises abutting on that portion of any estate road in which any such works or rails are proposed to be constructed or laid a plan showing the proposed position and method of construction of such works or rails ;

(c) The district council shall within twenty-one days after the receipt of such plan by them notify

in writing to the owner of such works or rails their consent or their objection to the laying or construction of the works or rails in the manner shown on such plan or the conditions on which they will consent to the laying or construction of the same but such consent shall not be unreasonably withheld;

A.D. 1904.
—

(D) If within the said period of twenty-one days the district council shall not have given such notice in writing they shall be deemed to have consented to the laying or construction of the works or rails in the manner shown on such plan;

(E) No works or rails shall be laid or constructed before the expiration of the said period of twenty-one days unless the district council shall have notified their consent as aforesaid nor shall any works or rails be laid or constructed after the expiration of the said period of twenty-one days in respect of which the district council shall have notified as aforesaid any objections or conditions until any difference between the owner of such works or rails and the district council as to such objections or conditions shall have been determined by arbitration as hereinafter provided;

(F) No railway waggons or railway carriages shall be allowed to remain at rest for more than five minutes at one time on any line of rails laid along the carriageway or crossing the carriageway or footway of any such estate road;

(G) The owner of any rails shall at all times pave the spaces between any rails laid along the carriageway or across the carriageway or footway of any such estate road and for a distance of not less than eighteen inches on each side of every line of rails and maintain and keep such paving in good repair and condition to the reasonable satisfaction of the district council;

(H) Where any line of rails shall be constructed across the carriageway or footway of any such estate road which shall not at the time of such construction be paved the owner of such rails shall pave the space between the rails and for a distance of not less than three yards on each side of such line of rails and

A.D. 1904.
—

shall so long as the remaining part of such estate road shall continue to be unpaved maintain and keep such paving in good repair and condition to the reasonable satisfaction of the district council;

(i) The owner of any rails shall provide such means of access across any such rails between any such estate road and the premises of the owners abutting upon such road as the district council may reasonably require;

(j) The provisions of the Gasworks Clauses Act 1847 with respect to the breaking up repair and reinstatement of roads or streets shall so far as the same are applicable and are not inconsistent with the provisions of this section apply to all works and rails:

- (3) If the district council put in force in respect of any estate road the provisions of sections 150 151 or 152 of the Public Health Act 1875 or of the Private Street Works Act 1892 or of any Act amending the same they shall not make any requirement which is not reasonably necessary for a road used for industrial purposes and the byelaws of the district council shall not be deemed to prevent the laying out and construction of estate roads in the manner heretofore customary in Trafford Park :
- (4) The byelaws of the district council prescribing the width of any new street shall not be deemed to prevent the laying out of any such estate road in two carriageways separated by a railway or tramroad although any such proposed carriageway with the adjoining footway may be of less width than the width prescribed for a new street by any such byelaws Provided that each of the two carriageways including the footways shall not except with the consent of the district council be of less width than twenty-seven feet Provided that the spaces between the rails and between the rails and the carriageway in any such estate road shall be paved and maintained by the owner of such railway or tramroad wherever it shall appear to the district council to be necessary :
- (5) Subject to the exercise and enjoyment of any easement wayleave right liberty and privilege granted or conferred by the estates company before the passing of this Act

nothing in this section contained shall prejudice or affect any powers rights privileges or authorities conferred upon the light railways company by the Light Railway Orders nor authorise the owners to connect any line of rails with or otherwise interfere with the railways or tramroad transferred to the Company by this Act except with the consent in writing of the Company but such consent shall not be unreasonably withheld in the case of the laying or construction across or under such railways or tramroad of any works or rails under the provisions of this section :

- (6) In the event of any dispute or difference arising under this section as to whether any consent or approval is unreasonably withheld or as to the reasonableness of any objection condition or requirement or otherwise in respect of any of the provisions of this section the same shall be determined by an arbitrator to be appointed failing agreement by the Board of Trade on the application of either party.

26. The Postmaster-General shall have for the purposes of the Telegraph Acts 1863 to 1904 all such rights powers and authorities in under upon along over and across the estate roads as are conferred upon him by section 6 of the Telegraph Act 1878 in respect of the undertakings mentioned in that section.

For protection of Postmaster-General.

27.—(1) Before any works under the section of this Act of which the marginal note is "As to estate roads in Barton-upon-Irwell" or under the section of the Stretford Urban District Council Act 1904 of which the marginal note is "For protection of owners &c. in Trafford Park" over along across or affecting the main outfall sewers or the storm overflow sewers or any sewers or works of the lord mayor aldermen and citizens of the city of Manchester (hereinafter referred to as "the corporation") in Trafford Park are commenced a plan and section showing in detail the intended works in relation to such outfall sewers storm overflow sewers or works of the corporation shall be furnished by the person intending to execute the same to the surveyor of the city of Manchester for the sanction and approval of the corporation who shall thereupon specify and describe the works which the corporation may reasonably require to be executed for the protection of the said outfall sewers storm overflow sewers and works or any of them and for enabling the same to be maintained and the intended

For protection of Manchester Corporation main sewers &c.

A.D. 1904. works shall be executed in accordance with such requirements and not otherwise.

(2) If within a period of twenty-eight days after the receipt of such plan and section the corporation shall not have made any such requirement they shall be deemed to have approved of the construction of the works in the manner shown on such plan and section.

(3) Any additional cost (other than costs incurred by reason of defective construction of the works of the corporation) reasonably incurred by the corporation in the maintenance repair or renewal of the said outfall sewers and storm overflow sewers or works in consequence of the exercise of the powers conferred by the before mentioned sections shall be paid to the corporation by the person executing the same and all works which such person is hereby required to construct shall be maintained by him at his own cost.

Saving for
Manchester
Corporation
main sewers
&c.

28. Nothing in this Act contained shall prejudice the existing easements rights powers and privileges of the corporation under the arrangements made with the owners of the De Trafford Estate or otherwise in relation to the aforesaid outfall sewers storm overflow sewers and works.

For protec-
tion of Man-
chester Cor-
poration
waterworks.

29.—(1) Any additional cost reasonably incurred by the Corporation in relation to the opening or breaking up of any estate road for the purpose of laying or maintaining any mains or pipes in consequence of the exercise by the Company of the powers conferred by this Act as regards estate roads or in consequence of the exercise by the owners lessees or occupiers of any lands or premises in Trafford Park of any powers conferred upon or reserved to or vested in such owners lessees or occupiers by the section of this Act of which the marginal note is "As to estate roads in Barton-upon-Irwell" or by the section of the Stretford Urban District Council Act 1904 of which the marginal note is "For protection of owners &c. in Trafford Park" shall be paid by the Company to the corporation from time to time on demand. In case of works constructed by owners or lessees under easements they shall be responsible under this section in lieu of the Company.

(2) Provided that the provisions of this section shall not apply to any cost incurred by the corporation by reason or in consequence of any requirement made by the local or other authority in respect of any estate road repairable by the inhabitants at large.

30. If any difference arises between the corporation and any person under this Act including any question as to the reasonableness of any requirements made by the corporation such difference shall be referred to an arbitrator to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party.

A.D. 1904.

—
As to settlement of disputes with Manchester Corporation.

31. Nothing in this Act contained shall prejudice alter or affect any statutory or other existing rights of the Stretford Gas Company.

For protection of Stretford Gas Company.

32. The following provisions for the protection and benefit of the urban district council of Stretford and the rural district council of Barton-upon-Irwell in the county palatine of Lancaster (in this section respectively referred to as "the council") shall unless otherwise agreed in writing between the Company and the council apply and have effect:—

For protection of Stretford Urban District Council and Barton-upon-Irwell Rural District Council.

(1) Before opening or breaking up any estate road in which any sewers mains or pipes belonging to the council exist or are authorised at the passing of this Act for the purpose of laying down altering or maintaining or renewing any additional or existing or authorised tramway tramroad or light railway the Company shall submit for the reasonable approval of the council a plan and section at least ten days before commencing to execute any such work showing the manner in which it is proposed to lay down or alter or renew any such tramway tramroad or light railway and if within such period the council fail to approve or disapprove of such plan and section the Company may proceed with such work:

(2) The cost of reinstating any estate road rendered necessary in consequence of the provisions of this section and any additional cost reasonably incurred by the council in relation to the opening or breaking up of any estate road for the purpose of laying altering or maintaining any sewers mains or pipes belonging to the council existing at the passing of this Act in consequence of the exercise by the Company of the powers conferred upon them by this Act as regards estate roads shall be paid by the Company to the said council from time to time on demand:

A.D. 1904.

(3) In the event of any difference arising between the Company and the council respecting any of the matters in this section the same shall be referred to an arbitrator to be appointed failing agreement by the Board of Trade on the application of either party.

PART V.

WAREHOUSES.

Company may give certificates of deposited goods and warrants for delivery of goods.

33. The Company at the request of any person warehousing or depositing any goods in or upon any warehouse or premises of the Company or entitled to any goods so warehoused or deposited may if the Company think fit issue and deliver to him a certificate in a form approved by the Company of the goods having been so warehoused or deposited or a warrant in a form approved by the Company for the delivery of the goods so warehoused or deposited or any part thereof to be respectively specified in the certificate or warrant and may make a reasonable charge for each such certificate or warrant.

Effect of certificate or warrant.

34.—(1) Every such certificate or warrant shall be deemed to be a document of title to the goods specified therein and shall be transferable by indorsement and any holder of such certificate or warrant whether the person named therein or the indorsee thereof shall (subject to the payment of the rent and charges payable to the Company in respect of the goods specified in such certificate or warrant) have the same right to the possession and property of such goods as if they were deposited in his warehouse.

(2) Every such certificate or warrant shall state on the face thereof the effect of this section and that it is issued under the powers of this Act.

Warrant not to be given until freight rates &c. paid.

35. No such certificate or warrant shall be given unless and until all liens and claims whatsoever to which the goods were liable before the warehousing or depositing of the same and of which the Company have had notice in writing and all rates rents charges and expenses payable to the Company with respect to the warehousing or depositing of the goods or for services performed by the Company in respect thereof are paid or discharged.

Warrant not to be given till certificate given up.

36. Before a warrant for the delivery of all or any of the goods specified in any certificate is issued by the Company the certificate shall be delivered to them to be cancelled Provided

that if the warrant be for the delivery of part only of the goods the Company shall issue to the person so delivering up the certificate a new certificate with respect to the goods not specified in the warrant or shall re-issue the same certificate with an endorsement thereon specifying the goods for which the warrant shall have been given. A.D. 1904.

37. All certificates delivery warrants transfer certificates and other documents relating to goods in the custody of the Company or to the management of their business being signed and issued by an officer duly authorised in that behalf shall be effectual in law and binding on the Company and all other parties interested without any other signature and without any seal. Warrants &c. signed by duly authorised officers sufficient.

38. The Company may lease or grant the use or occupation of any warehouses or premises belonging to them for such period or periods not exceeding in any case seven years at such rents and on such terms and conditions as shall be agreed between the Company and the corporations companies or persons taking the same. Power to lease warehouses &c.

39.—(1) The Company may at their discretion use as a bonding warehouse any of their warehouses or any part thereof which may be duly licensed to be used as such. Power to use warehouses for bonding.

(2) The gates and doors of all warehouses belonging to the Company in which goods prohibited to be used for home consumption or liable to the duties of customs or excise may be deposited shall if required by the Commissioner of Customs or Inland Revenue be secured in such manner as shall be approved by such Commissioners.

(3) The Company may give such bonds or securities under their common seal as may be required by the laws for the time being in force relating to bonding warehouses and bonding yards.

(4) The Company may give to the Commissioner of Customs or Inland Revenue general security by bond under their common seal for payment of duties on or for the due exportation of goods deposited in their warehouses and yards.

PART VI.

MISCELLANEOUS.

40. The Company may (in addition to any lands which they are or may be authorised to purchase under the Light Railway Orders and the pending order) from time to time by agreement Power to acquire additional lands by agreement.

A.D. 1904. — purchase take on lease and hold any lands not exceeding in the whole twenty-five acres or any easement right or privilege (not being an easement right or privilege of water in which other than the parties to the agreement have an interest) therein thereunder thereover or thereupon which shall be deemed necessary by the Company but nothing in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any land so acquired.

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

41. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to execute any other work or undertaking.

Costs of Act.

42. All the costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
OLIVER AND BOYD, EDINBURGH; or
E. PONSONBY, 116, GRAFTON STREET, DUBLIN.