



CHAPTER ccxxix.

AN Act to empower the lord mayor aldermen and citizens of the City of Belfast to construct and work tramways and to purchase by agreement the undertaking of the Belfast Street Tramways Company including the tramways constructed by the Sydenham District Belfast Tramways Company and the Belfast and Ligoniel Tramways Company and the tramways of the Belfast and County Down Railway Company and for other purposes. [15th August 1904.]

A.D. 1904.

WHEREAS the city of Belfast is a county borough subject to the Acts relating to municipal corporations in Ireland and the lord mayor aldermen and citizens (hereinafter called "the Corporation") of the city acting by the council are the urban sanitary authority for the district thereof:

And whereas the street tramways in the city have been constructed in part by the Belfast Street Tramways Company (hereinafter called "the Company") in part by the Sydenham District Belfast Tramways Company (hereinafter called "the Sydenham Company") in part by the Belfast and Ligoniel Tramways Company (hereinafter called "the Ligoniel Company") in part by the Belfast and County Down Railway Company and in part by the Corporation:

And whereas the tramways of the Company have been constructed and are worked by them under the powers and provisions of—

The Belfast Street Tramways Act 1872;

The Belfast Street Tramways Act 1873;

[Price 2s. 9d.]

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35 & 36 Vict.
c. cxliii.

36 & 37 Vict.
c. cxxxiii.

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38 & 39 Vict.
c. cxxxii.

41 & 42 Vict.
c. ccxxxv.

43 & 44 Vict.
c. lxxv.

47 & 48 Vict.
c. cxxv.

51 & 52 Vict.
c. lxxix.

56 & 57 Vict.
c. xovi.

59 & 60 Vict.
c. cxlvi.

The Belfast Street Tramways Act 1875 ;
The Belfast Street Tramways Act 1878 ;
The Belfast Street Tramways Act 1880 ;
The Belfast Street Tramways Act 1884 ;
The Belfast Street Tramways Act 1888 ;
The Belfast Street Tramways Order 1892 ;
The Belfast Street Tramways Act 1893 ;
The Belfast Street Tramways Act 1896 ;
The Belfast Street Tramways Order 1896 ;
The Belfast Street Tramways Order 1897 :

And whereas the tramways of the Sydenham Company have been constructed under the powers of the Sydenham District Belfast Tramways Order 1885 and the tramways of the Ligoniel Company have been constructed under the powers of the Belfast and Ligoniel Tramways Order 1892 :

And whereas the tramway of the Belfast and County Down Railway Company has been constructed under the powers of the Belfast and County Down Railway Tramways Order 1895 :

And whereas under the recited Acts relating to the Company the Corporation were empowered to purchase the undertaking of the Company so far as the same might at the time of the purchase thereof be situate within the city within six months after the expiration of twenty-one years from the passing of the said Act of 1872 and within six months after the expiration of each succeeding seven years :

And whereas by an agreement dated the third day of December one thousand eight hundred and ninety-two made between the Corporation and the Company and scheduled to and confirmed by the Belfast Street Tramways Act 1893 it was agreed that the Corporation should not exercise their powers of purchase for a period of fourteen years from the tenth day of August one thousand eight hundred and ninety-three and that the Company should be allowed upon the terms and conditions contained in the said agreement to continue in the occupation and user of their tramways :

And whereas by the Belfast Street Tramways Act 1893 the Company were authorised to enter into agreements with the Sydenham Company and the Ligoniel Company for the purchase of the undertakings of those companies respectively and the Company in exercise of such powers have acquired the tramways of the said companies :

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And whereas by the Belfast Corporation Act 1896 the boundaries of the city of Belfast were extended and the tramways of or worked by the Company are now for the most part situate within the city :

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59 & 60 Vict.
c. ccxvi.

And whereas the tramways constructed by the Corporation were constructed under the powers of the Belfast Corporation Act 1899 and powers are by that Act conferred upon the Corporation in respect to the equipment of such tramways for working by electrical traction in connection with the tramways of the Company and under an agreement dated the thirteenth day of April one thousand eight hundred and ninety-nine and made between the Corporation of the one part and the Company of the other part the said tramways are worked and used by the Company as part of their undertaking :

62 & 63 Vict.
c. ccxvi.

And whereas by the Belfast Street Tramways Act 1896 the Company were empowered with the consent of the Corporation to adapt and equip their tramways for working by mechanical power but such powers have not been exercised and the tramways of the Company and the tramways constructed by the Corporation under the said Act of 1899 are worked by animal power :

And whereas it would be to the public advantage that the system of tramways in the city should be extended and be equipped for working and be worked by mechanical power and it is expedient that the Corporation should be empowered to construct the additional tramways in this Act set forth and to equip the same for working by mechanical power and that the undertaking of the Company including the tramways laid down under the Sydenham District Belfast Tramways Order 1885 and the Belfast and Ligoniel Tramways Order 1892 and the tramway undertaking of the Belfast and County Down Railway Company should be transferred to the Corporation :

And whereas the Corporation have agreed to purchase the undertaking of the Company including the tramways of the Sydenham Company and the Ligoniel Company respectively and the Company have agreed to sell the same to the Corporation on the terms and conditions hereinafter in this Act set forth :

And whereas it is expedient that the Corporation should be empowered to place and run carriages on the tramways by this Act authorised and upon the tramways transferred to them under this Act and to work the same :

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And whereas it is expedient that borrowing powers for the purposes of this Act be conferred on the Corporation :

And whereas it is expedient that the other provisions in this Act contained should be made :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

And whereas an estimate has been prepared by the Corporation of the cost of the construction of the tramways and works by this Act authorised and such estimate amounts to three hundred and forty thousand pounds :

And whereas an estimate has been prepared by the Corporation of the cost of altering and equipping for working by mechanical power the tramways to be acquired by them under this Act and such estimate amounts to five hundred and twenty-one thousand pounds :

And whereas the works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas an absolute majority of the whole number of the council at a meeting held on the thirteenth day of October one thousand nine hundred and three after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the *Belfast News-Letter* a newspaper published and circulating in the city (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the general purposes fund or rate of the city :

And whereas such resolution was published twice in the said newspaper and has received the approval of the chief secretary :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the eighth day of February one thousand nine hundred and four being not less than fourteen days after the deposit in Parliament of the Bill for this Act :

And whereas the persons qualified to vote at an election of the members of the council of the city have by resolution in the manner provided in the *Borough Funds (Ireland) Act 1888* approved of the promotion of the Bill for this Act :

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And whereas plans and sections showing the lines and levels of the tramways by this Act authorised and a book of reference to the plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of and describing the lands and property which may be taken under the powers of this Act have been deposited with the clerk of the peace for the county of Antrim and the clerk of the peace for the county of Down and are in this Act respectively referred to as the deposited plans sections and book of reference: A.D. 1904.

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 Belfast Corporation (Tramways) Act 1904. Short title.

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

Act divided into Parts.

Part I.—Preliminary.

Part II.—New tramways.

Part III.—Transfer to Corporation of existing tramways.

Part IV.—Financial.

Part V.—General.

3. The Lands Clauses Acts (except the provisions of those Acts relating to the taking of lands otherwise than by agreement) so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act. Incorporation of general Acts.

4. In this Act unless the context otherwise requires—

Interpretation.

Terms to which meanings are assigned by any Act wholly or partially incorporated with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction;

“The city” means the city of Belfast;

“The Corporation” means the lord mayor aldermen and citizens of the city;

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“The new tramways” means the tramways authorised by this Act;

“The tramways” means and includes the new tramways and (when transferred) the tramways transferred to the Corporation under this Act;

“The Company” means the Belfast Street Tramways Company;

“Tramway revenue” includes all revenue of the Corporation arising from the tramways;

“Mechanical power” includes steam electrical and every other motive power not being animal power;

“Engine” includes motor.

PART II.

NEW TRAMWAYS.

Power to
make tram-
ways.

5. Subject to the provisions of this Act the Corporation may make form lay down work maintain repair and use together with all works erections appliances and conveniences connected with or required for working the same by mechanical power and in the lines and position and in accordance with the levels shown on the deposited plans and sections the tramways hereinafter described or any part or parts thereof all which tramways are wholly within the city :

Provided that nothing in this Act 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 :

Tramway No. 1. A tramway of the length of 2 furlongs 7·59 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Skegoneill commencing in York Road by a junction with the existing tramway in that road at a point about 27 yards measured in a southerly direction from the junction therewith of North Derby Street proceeding thence along York Road to and terminating by a junction with the existing tramway in that road at or about the junction of that road with Harrisburg Street :

Tramway No. 2. A tramway of the length of 2 furlongs 2·42 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of

Townparks commencing in High Street by a junction with the existing tramway in that street at a point about 20 yards measured in a north-easterly direction from the junction of that street with Bridge Street proceeding thence into and along Bridge Street and Waring Street into and terminating in Donegall Street by a junction with the existing tramway in that street at a point about 15 yards measured in a south-easterly direction from the junction of that street with Royal Avenue :

Tramway No. 3. A tramway of the length of 1 furlong 6·22 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Townparks commencing in Bridge Street by a junction with Tramway No. 2 hereinbefore described at a point about 15 yards measured in a southerly direction from the junction of that street with Rosemary Street proceeding thence into and along North Street and terminating by a junction with the existing tramway in that street at or about the junction of that street with Gresham Street :

Tramway No. 4. A tramway of the length of 3 furlongs 7·8 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands of Townparks and Edenderry commencing in Crumlin Road by a junction with the existing tramway in that road at a point about 23 yards measured in an easterly direction from the junction of that road and Flax Street proceeding thence along Crumlin Road to and terminating by a junction with the existing tramway in that road at a point about 74 yards measured in a north-westerly direction from the junction of Crumlin Road and Ardoyne Road :

Tramway No. 5. A tramway of the length of 1 mile double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands of Townparks and Edenderry commencing in Peter's Hill by a junction with the existing tramway therein at or about the junction of Peter's Hill with Old Lodge Road proceeding thence along Peter's Hill into and terminating in Shankill Road at or about the junction therewith of Esmond Street :

Tramway No. 6. A tramway of the length of 5 furlongs 4 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands

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of Townparks and Edenderry commencing by a junction with the proposed Tramway No. 5 at its termination in Shankill Road before described proceeding thence along Shankill Road and Woodvale Road into and terminating in Crumlin Road by a junction with the proposed Tramway No. 4 at a point about 15 yards measured in a north-westerly direction from the junction of that road with Woodvale Road :

Tramway No. 8. A tramway of the length of 7 furlongs 8 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands of Townparks and Edenderry commencing in Castle Place by a junction with the existing tramway therein at a point about 25 yards measured in an easterly direction from the junction of Castle Place with Royal Avenue proceeding thence along Castle Street Mill Street and Divis Street to and into and terminating in Falls Road by a junction with the existing tramway in that road at a point about 14 yards measured in a westerly direction from the junction of that road with Sevastopol Street :

Tramway No. 9. A tramway of the length of 2 furlongs 2 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands of Townparks and Malone Lower commencing in Bedford Street by a junction with the existing tramway in that street at a point about 27 yards measured in a northerly direction from the junction of that street with Linenhall Street West proceeding thence into and along Ormeau Avenue to and terminating in Ormeau Road by a junction with the proposed Tramway No. 11 hereinafter described at a point about 12 yards measured in a southerly direction from the junction of that road with Bankmore Street :

Tramway No. 9A. A tramway of the length of 4 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Townparks commencing in Bedford Street by a junction with the existing tramway in that street at a point about 40 yards measured in a south-westerly direction from the junction of that street with Ormeau Avenue proceeding thence into and terminating in Ormeau Avenue by a junction with

Tramway No. 9 at a point about 65 yards measured in a south-easterly direction from the junction of Bedford Street and Ormeau Avenue: A.D. 1904.

Tramway No. 10. A tramway of the length of 5 furlongs 2 chains double line throughout situate in the county of Down in the parish of Knockbreda and in the townland of Ballynafoy commencing in Ormeau Road by a junction with the existing tramway in that road at a point about 33 yards measured in a north-westerly direction from the junction of that road with Park Road proceeding thence along Ormeau Road and terminating in that road at a point about 47 yards measured in a northerly direction from the junction of that road with Rosetta Avenue:

Tramway No. 11. A tramway of the length of 3 furlongs 4 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands of Townparks and Malone Lower commencing in Victoria Street by a junction with the existing tramway in that street at a point about 22 yards measured in a northerly direction from the junction of that street with Chichester Street proceeding thence into and along Great Edward Street and Cromac Street into and terminating in Ormeau Road by a junction with the proposed Tramway No. 9 at a point about 45 yards measured in a southerly direction from the junction of Ormeau Road with Ormeau Avenue:

Tramway No. 11A. A tramway of the length of 2·06 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Townparks commencing in Ormeau Avenue by a junction with the proposed Tramway No. 9 at a point about 35 yards measured in a north-westerly direction from the junction of Ormeau Avenue with Cromac Street proceeding thence into and terminating in Cromac Street by a junction with the proposed Tramway No. 11 at a point about 25 yards measured in a north-easterly direction from the junction of Cromac Street and Ormeau Avenue:

Tramway No. 12. A tramway of the length of 2 furlongs 2·1 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Townparks commencing in Donegall Square North by a junction with the existing tramway therein at a point about

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23 yards measured in a westerly direction from the junction of Donegall Square North with Donegall Place proceeding thence along Donegall Square North and Chichester Street into and terminating in Victoria Street by a junction with the proposed Tramway No. 11 at the point hereinbefore described as the commencement of that tramway :

Tramway No. 12A. A tramway of the length of 1·6 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Townparks commencing in Donegall Place by a junction with the existing tramway therein at a point about 22 yards measured in a northerly direction from the junction of Donegall Place with Donegall Square North proceeding thence into and terminating in Donegall Square North by a junction with the proposed Tramway No. 12 at a point about 22 yards measured in an easterly direction from the junction of Donegall Place with Donegall Square North :

Tramway No. 13. A tramway of the length of 4 furlongs 5 chains double line throughout situate in the county of Down in the parish of Knockbreda and in the townland of Ballynafoy commencing in Ravenhill Road at the termination of the existing tramway in that road near South Parade proceeding thence along Ravenhill Road into and terminating in Ormeau Road by a junction with the existing tramway in that road at a point about 30 yards measured in a northerly direction from the junction of that road with Knockbreda Road :

Tramway No. 14. A tramway of the length of 7 furlongs 2·03 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Townparks commencing in Victoria Street by a junction with the existing tramway in that street at a point about 30 yards measured in a southerly direction from the junction of that street with High Street proceeding thence along Victoria Street Corporation Street and Garmoyle Street into and terminating in Whitla Street by a junction with the existing tramway in that street at a point about 55 yards measured in a westerly direction from the junction of that street with Little Ship Street :

Tramway No. 16. A tramway of the length of 6 furlongs 6·36 chains double line throughout situate in the county of Down in the parish of Knockbreda and in the townlands of Ballymacarret and Ballynafoy commencing in Albertbridge Road by a junction with the existing tramway therein at a point about 10 yards measured in a westerly direction from the junction of that road with Woodstock Road proceeding thence into and along Woodstock Road into and terminating in Cregagh Road by a junction with the existing tramway in that road at a point about 25 yards measured in a southerly direction from the junction of that road with Ravenhill Avenue: A.D. 1904.

Tramway No. 17. A tramway of the length of 1 mile 0·44 chain double line throughout situate in the county of Down in the parish of Holywood and in the townlands of Ballyhackamore and Strandtown commencing in Newtownards Road by a junction with the existing tramway in that road at or about the junction of that road with Holywood Road proceeding thence along Holywood Road into and terminating in Belmont Road by a junction with the existing tramway therein at or about the junction of that road with Belmont Church Road:

Tramway No. 17A. A tramway of the length of 7·4 chains double line throughout situate in the county of Down in the parish of Holywood and in the townland of Ballyhackamore commencing in Newtownards Road by a junction with the proposed Tramway No. 17 at or about the junction of that road with Holywood Road proceeding thence into and along Upper Newtownards Road and terminating in that road by a junction with the existing tramway therein at a point about 47 yards measured in a westerly direction from the junction of that road with Grampian Avenue:

Tramway No. 19. A tramway of the length of 5 furlongs 5 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands of Ballysillan Lower and Ligoniel commencing in Crumlin Road by a junction with the existing tramway in that road at a point about 12 yards measured in a southerly direction from the junction of that road with Ligoniel Road

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proceeding thence into and along the Ligoniel Road and terminating in that road at or about the junction therewith of Mill Avenue :

Tramway No. 20. A tramway of the length of 7 furlongs 9·2 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands of Townparks and Oldpark commencing in Crumlin Road by a junction with the existing tramway in that road at or about the junction of that road with Oldpark Road and terminating in that road by a junction with the proposed Tramway No. 25 hereinafter described at a point about 15 yards measured in a south-easterly direction from the entrance to the Old Beetling Mill :

Tramway No. 21. A tramway of the length of 1 mile 3 furlongs 6·74 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townlands of Skegoneill Lowwood and Greencastle commencing in Shore Road at or near the termination of the existing tramway in that road by a junction with that tramway proceeding thence along Shore Road to and terminating in that road at the boundary of the City :

Tramway No. 22. A tramway of the length of 5 furlongs 4·22 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Townparks commencing in the Antrim Road by a junction with the existing tramway in that road at a point about 10 yards measured in a northerly direction from the junction of that road with Duncairn Gardens proceeding thence into and along Duncairn Gardens and Brougham Street into and terminating in York Street by a junction with the proposed Tramway No. 22B hereinafter described at a point about 30 yards measured in a northerly direction from the junction of that street with Brougham Street :

Tramway No. 22A. A tramway of the length of 1·91 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Townparks commencing in Brougham Street by a junction with the proposed Tramway No. 22 at a point about 30 yards measured in a north-westerly direction from the junction of that street with York Street proceeding thence into and terminating in York Street by a junction with the proposed

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Tramway No. 22B hereinafter described at a point about 20 yards measured in a southerly direction from the junction therewith of Brougham Street: A.D. 1904.

Tramway No. 22B. A tramway of the length of 4·53 chains double line throughout situate in the county of Antrim in the parish of Shankill and townland of Townparks commencing in York Street by a junction with the existing tramway in that street at a point about 53 yards measured in a northerly direction from the junction therewith of Brougham Street proceeding thence along and terminating in York Street by a junction with the existing tramway at a point about 45 yards measured in a southerly direction from the junction therewith of Brougham Street:

Tramway No. 23. A tramway of the length of 1 mile 0 furlongs 9·27 chains double line throughout situate in the county of Down in the parish of Knockbreda and the extra-parochial parts of Queen's Island and in the townlands of Ballymacarret and Ballymacarret Intake commencing in Queen's Quay by a junction with the existing tramway at a point about 100 yards measured in a northerly direction from the junction of Station Street with Scrabo Street proceeding thence along Queen's Quay Sydenham Road into and terminating in Queen's Road at a point about 220 yards measured in a north-easterly direction from the junction of that road with Harland Road:

Tramway No. 24. A tramway of the length of 6 furlongs 5·94 chains double line throughout situate in the county of Down in the parish of Holywood and in the townland of Ballycloghan commencing in Upper Newtownards Road by a junction with the existing tramway at its termination in that road near the junction of Knock Road and Newtownards Road proceeding thence along Newtownards Road and terminating in that road at the city boundary:

Tramway No. 25. A tramway of the length of 2 furlongs 4·48 chains double line throughout situate in the county of Antrim in the parish of Shankill and in the townland of Oldpark commencing in Cliftonville Road by a junction with the existing tramway at its termination in that road at a point about 135 yards measured in a north-westerly direction from the junction therewith of Oldpark Avenue and proceeding thence along the proposed new road (a

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continuation of Cliftonville Road now being constructed) and terminating in Oldpark Road at a point about 35 yards measured in a north-westerly direction from the entrance to the Old Beetling Mill.

Gauge of tramways.

6. The tramways shall be laid on a gauge of 4 feet 8½ inches and carriages or trucks adapted for use upon railways shall not be run thereon.

Protection of pipes &c. in streets.

7. For the purpose of making forming laying down maintaining repairing or renewing the tramways the Corporation may from time to time where and as far as it is necessary or may appear expedient for the purpose of preventing frequent interruption of the traffic by repairs or works in connection with the same alter the position of any mains or pipes for the supply of gas or water or any tubes wires or apparatus for telegraphic or other purposes subject to the provisions of this Act and also subject to the following restrictions (that is to say):—

- (1) Before laying down a tramway in a road in which any mains or pipes tubes wires or apparatus may be laid the Corporation shall whether they contemplate altering the position of any such mains or pipes wires or apparatus or not give seven days' notice to the company persons or person to whom such mains or pipes tubes wires or apparatus may belong or by whom they are controlled of their intention to lay down or alter the tramway and shall at the same time deliver a plan and section of the proposed work. If it should appear to any such company or person that the construction of the tramway as proposed would endanger any such main or pipe tube wire or apparatus or interfere with or impede the supply of water or gas or the telegraphic or other communication such company or person (as the case may be) may give notice to the Corporation to lower or otherwise alter the position of the said mains or pipes tubes wires or apparatus in such manner as may be considered necessary and any difference as to the necessity of any such lowering or alteration shall be settled by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and all alterations made under this section shall be made with as little detriment and

inconvenience to the company or person to whom such mains or pipes tubes wires or apparatus may belong or by whom the same are controlled or to the inhabitants of the district as the circumstances will admit and under the superintendence of such company or person or of their surveyor or engineer if they or he think fit to attend after receiving not less than forty-eight hours' notice for that purpose which notice the Corporation are hereby required to give: A.D. 1904.

- (2) The Corporation shall not remove or displace any of the mains or pipes valves syphons plugs tubes wires or apparatus or other works belonging to or controlled by any such company or person or do anything to impede the passage of water or gas or the telegraphic or other communication into or through such mains or pipes without the consent of such company or person or in any other manner than such company or person shall approve until good and sufficient mains pipes valves syphons plugs and other works necessary or proper for continuing the supply of water or gas or telegraphic or other communication as sufficiently as the same was supplied by the mains or pipes tubes wires or apparatus proposed to be removed or displaced shall at the expense of the Corporation have been first made and laid down in lieu thereof and ready for use and to the satisfaction of the engineer of such water or gas or other company or of such person or in case of disagreement between such engineer and the Corporation as may be determined by an engineer to be appointed as aforesaid:
- (3) The Corporation shall not lay down any such pipes contrary to the regulations of any Act of Parliament relating to such water or gas or other company or relating to telegraphs:
- (4) The Corporation shall make good all damage done by them to property belonging to or controlled by any such company or person and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property or with the private service pipes of any person supplied by any such company or person with water or gas:

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(5) If by any such operations as aforesaid the Corporation without the consent of such company or person interrupt the supply of water or gas in or through any main or main pipe they shall be liable to a penalty not exceeding twenty pounds for every day upon which such supply shall be so interrupted.

Rights of
authorities
and com-
panies &c. to
open roads.

8. Nothing in this Act shall take away or abridge any power to open or break up any road along or across which any tramway is laid or any other power vested in any company body or person for the purpose of laying down repairing altering or removing any pipes tubes wires or apparatus for telegraphic or other purposes but in the exercise of such power every such company body or person shall be subject to the following restrictions (that is to say) :—

- (1) They shall cause as little detriment or inconvenience to the Corporation as circumstances admit :
- (2) Before they commence any work whereby the traffic on the tramways will be interrupted they shall (except in case of urgency in which case no notice shall be necessary) give to the Corporation notice of their intention to commence such work specifying the time at which they will begin to do so such notice to be given eighteen hours at least before the commencement of the work :
- (3) They shall not be liable to pay to the Corporation any compensation for injury done to the tramways by the execution of such work or for loss of traffic occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid :
- (4) Any company body or person shall not execute such work so far as it immediately affects the tramways except under the superintendence of the Corporation unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work or discontinue the same during the progress of the work and they shall execute such work at their own expense and to the reasonable satisfaction of the Corporation Provided that any additional expense imposed upon them by reason of the existence of the tramways in any road or place

where any such mains pipes tubes wires or apparatus shall have been laid before the construction of such tramways shall be borne by the Corporation. A.D. 1904.

9. If any difference arises between the Corporation on the one hand and any company or person to whom any tubes wires or apparatus for telegraphic or other purposes may belong or any other company on the other hand with respect to any interference or control exercised or claimed to be exercised by them or him or on their or his behalf or by the Corporation in relation to any tramway or work or in relation to any work or proceeding of such company or person or with respect to the propriety of or the mode of execution of any work relating to any tramway or with respect to the amount of any compensation to be made by or to the Corporation or on the question whether any work is such as ought reasonably to satisfy such company or person the matter in difference shall be settled by an engineer to be appointed by the President of the Institution of Civil Engineers on the application of either party. As to settle-
ment of
differences.

10. The Corporation shall not construct that portion of Tramway No. 20 which is situate in that part of Old Park Road which is shown upon the deposited plans as authorised to be widened until that part of the said road shall have been so widened that there shall not be a less space than nine feet and six inches between the outside of the footpath on either side of that road and the nearest rail of the said portion of tramway nor shall they construct so much of Tramway No. 25 as is shown upon the deposited plans as intended to be laid in a proposed new road in course of construction until such new road shall have been constructed. As to con-
struction of
Tramways
Nos. 20 and
25.

11. The Corporation shall construct Tramway No. 21 by this Act authorised within three years from the passing of this Act. As to construc-
tion of tram-
way to Green-
castle.

12. The Corporation shall not proceed to make Tramway No. 23 by this Act authorised until after the expiration of six months from the passing of this Act without the previous consent in writing of the Belfast Harbour Commissioners and if the said commissioners shall before the expiration of that period elect to make the said tramway and shall give notice thereof to the Corporation the powers by this Act conferred upon the Corporation shall by virtue of this Act be transferred to and For protec-
tion of Bel-
fast Harbour
Commis-
sioners.

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A.D. 1904. become exercisable by the said commissioners and the Corporation and the said commissioners may enter into and carry into effect agreements for the working by the Corporation of the said tramway.

For protection of Belfast City and District Water Commissioners.

13. The provisions for the protection of the Belfast City and District Water Commissioners contained in section 5 of the Belfast Street Tramways Act 1884 and in section 11 of the Belfast Corporation Act 1899 shall notwithstanding anything to the contrary contained in this Act extend and apply to the tramways and works referred to in this Act and in the application of section 5 of the Belfast Street Tramways Act 1884 to this Act the expression "the Company" in the said section shall be taken as meaning the Corporation and the expression "the Belfast Water Commissioners" shall be taken as meaning the Belfast City and District Water Commissioners.

Corporation not to interfere with tramways of Company.

14. The Corporation shall not commence the construction of the new tramways so far as the same are proposed to be laid along any portion of any street in which portion any existing tramway owned or worked by the Company is laid or to exercise any of the powers of this Part of this Act so as to interfere with any such tramways or any property of the Company before the thirty-first day of December one thousand nine hundred and four.

Period for completion of tramways.

15. If the new tramways be not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for constructing the same or otherwise in relation thereto shall cease except as to so much of the said tramways respectively as is then completed.

Inspection by Board of Trade.

16. No part of the new tramways shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade.

Tramways to be kept on level of surface of road.

17. If and whenever after the passing of this Act the level of any road along or across which any part of the tramways is laid or authorised to be laid is altered the Corporation may and shall from time to time alter or (as the case may be) lay the rails of the tramways so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Cross-overs to be constructed in certain cases.

18. Where in any road in which any part of the tramways has been laid as a double line there shall be less width between the outside of the footpath on either side of the road and the

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nearest rail of the tramway than nine feet and six inches the Corporation shall if and where required by the Board of Trade construct a cross-over or cross-overs connecting the one line of tramway with the other and by the means of such cross-over or cross-overs the traffic shall when necessary be diverted from one line of tramway to the other. A.D. 1904.

19.—(1) The Corporation may subject to the provisions of this Act with the consent of the Board of Trade make maintain alter and remove such cross-overs passing-places sidings junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the tramways. Power to make additional cross-overs and to double tramway lines.

(2) Notwithstanding anything shown on the deposited plans the Corporation may with the consent of the Board of Trade lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines in lieu of double or single lines on any of the tramways and if at any time the road in which any portion of the tramways is authorised to be laid or is laid has been or shall be altered or widened the Corporation may with the like consent construct such portion of tramway or (as the case may be) take up or reconstruct the same in such position as they may think fit.

(3) Provided that if in the construction of any works under this section any rail is intended to be so laid that for a distance of thirty feet or upwards 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 Corporation 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 Corporation within three weeks after receiving the notice from the Corporation express their objection thereto.

(4) The Corporation may form junctions between the tramways and any tramways without the city which can be worked in connection therewith but only with the consent of the owners and the lessees (if any) of such tramways.

20. The Corporation shall before commencing to construct the tramways lay before the Board of Trade a plan showing the proposed mode of constructing laying down and renewing such Plan of proposed mode of construction.

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tramways and a statement of the materials intended to be used therein and the Corporation shall not commence the construction laying down and renewal of any of the tramways or part of any of the tramways respectively until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement.

Penalty for not maintaining rails and roads.

21.—(1) The Corporation shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways and the sub-structure upon which the same rest and if the Corporation at any time fail to comply with this provision they shall be subject to a penalty not exceeding five pounds and to a daily penalty not exceeding five pounds. The tramways of the Corporation for the purposes of this section and during the continuance of any such lease shall include any tramways taken on lease by them.

(2) In case it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the city that the Corporation have made default in complying with the provisions in this section contained the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Corporation to such penalty or penalties in respect thereof as is or are by this section imposed.

Temporary tramways to be made where necessary.

22. Where by reason of the execution of any work affecting the surface or soil of any road along which any portion of the tramways is laid it is in the opinion of the Corporation necessary or expedient temporarily to remove or discontinue the use of such portion of tramway the Corporation may construct on the same or any adjacent road and subject to the like conditions and in accordance with the like regulations maintain so long as occasion may require a temporary tramway in lieu of the portion of tramway so removed or discontinued.

Corporation may reduce width of footway for

23. For the purpose of constructing or reconstructing or altering any of the tramways in any street or road the Corporation may increase the width of the roadway of such street or road

by reducing the width of the footway on each or either side of such street or road Provided that no footway be so reduced to less than six feet in width. A.D. 1904.

constructing tramways.

24. The Corporation for the purposes of constructing any of the new tramways in any street may take up remove or dispose of or if thought fit may appropriate and use in the construction of such new tramway any existing tramway then belonging to the Corporation in such street. Corporation may take up lines for purpose of constructing others.

25. The carriages used on the new tramways may be moved by animal power or by mechanical power subject to the following provisions (that is to say):— Provisions as to motive power.

(1) The mechanical power shall not be used except with the consent of and according to a system approved by the Board of Trade:

(2) The Board of Trade shall make regulations (in this Act referred to as "the Board of Trade regulations") for securing to the public all reasonable protection against danger arising from the use under this Act of mechanical power on the new tramways and for regulating the use of electrical power:

(3) The Corporation or any company or person using any mechanical power on the new tramways contrary to the provisions of this Act or of the Board of Trade regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence is continued after conviction thereof:

(4) The Board of Trade if they are of opinion—

(A) That the Corporation or such company or person have or has made default in complying with the provisions of this Act or of the Board of Trade regulations whether a penalty in respect of such non-compliance has or has not been recovered; or

(B) That the use of mechanical power as authorised under this Act is a danger to the passengers or the public;

may by order either direct the Corporation or such company or person to cease to use such mechanical

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power or permit the same to be continued only subject to such conditions as the Board of Trade may impose and the Corporation or such company or person shall comply with every such order. In every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Special provisions as to use of electrical power.

26. The following provisions shall apply to the use of electrical power under this Act on the new tramways unless such power is entirely contained in and carried along with the carriages:—

- (1) The Corporation shall employ either insulated returns or uninsulated metallic returns of low resistance:
- (2) The Corporation shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working the new tramways so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus:
- (3) The electrical power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return:
- (4) The Corporation shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Corporation either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and

the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking: A.D. 1904.

- (5) At the expiration of two years from the passing of this Act the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents:
- (6) If any difference arises between the Corporation and any other party with respect to anything hereinbefore in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be:
- (7) The expression "Corporation" in this section shall include lessees licencees and any person owning working or running carriages over any tramway of the Corporation.

27. The Corporation may with the consent of the owner of any building attach to that building such brackets rosettes wires and apparatus as may be required for the working of the tramways by mechanical power Provided that— Power to
attach
brackets &c.
to buildings.

- (1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid:

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- (2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after that owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed. Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1):
- (3) The owner may require the Corporation to temporarily remove the attachments where necessary during any reconstruction or repair of the building.

For the purpose of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

Waiting-rooms or sheds.

28. The Corporation may erect and maintain waiting-rooms or sheds for the accommodation of passengers at such places as they may determine.

Alteration of telegraph lines of Postmaster-General.

29. Notwithstanding anything in this Act contained if any of the works authorised to be executed by this Act involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply to any such alteration.

For protection of Post Office telegraph lines.

30. In the event of any of the tramways being worked by electricity the following provisions shall have effect:—

- (1) The Corporation shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by His Majesty's 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 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-

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General and the Corporation as to compliance with this subsection shall be determined by arbitration: A.D. 1904.

- (2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the undertaking of the Corporation the Corporation 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) (A) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General other than repairs the Corporation 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 Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work;
- (B) Any difference which arises between the Postmaster-General and the Corporation or their agents with respect to any requirements so made shall be determined by arbitration:
- (4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Corporation is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Corporation's 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 by the Corporation enter any of the Corporation's works for the purpose of inspecting the Corporation's plant and the working of the same and the Corporation shall in the presence of such engineer-in-chief or such appointed person as afore-

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said make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Corporation pursuant to the Board of Trade regulations :

- (5) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation 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 Corporation or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of any act or 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 Act :
- (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 determined by 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

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both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act: A.D. 1904.

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

(12) In this section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the tramways.

31. Notwithstanding any provision in any Act or Provisional Order relating to any of the existing tramways the Conveyance of Mails Act 1893 shall extend and apply to all the tramways of the Corporation as if the same had been authorised by an Act of Parliament passed after the first day of January one thousand eight hundred and ninety-three and to the Corporation as the body or person owning or working such tramways. Conveyance of mails.

32. The Corporation on the one hand and any local authority company or person having power to use electrical energy for traction purposes on the other hand may enter into and carry into effect agreements for and in relation to the supply of electrical energy to or by the Corporation by or to such local authority company or person for traction purposes on any tramways existing at the passing of this Act. Supply of electricity for traction purposes.

33. The Corporation may place and run carriages on and may work and may demand and take tolls and charges in respect of the tramways and in respect of the use of such carriages and may provide maintain and use buildings carriages trucks machinery electric and other plant appliances and conveniences for the convenient working or user of the tramways by mechanical power and stables horses and harness for working the tramways or any of them by animal power but nothing in this section shall empower the Corporation to construct any station for generating electrical power nor to create or permit a nuisance. Power to Corporation to work tramways.

34. The Corporation may appropriate and use the lands described in the First Schedule to this Act for the purpose of constructing maintaining extending and using thereon a station or stations for generating electrical energy together with buildings engines dynamos machinery works appliances and conveniences in Lands for generating station.

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A.D. 1904. connection therewith or convenient therefor and may on such lands generate electrical energy but nothing in this Act shall empower the Corporation to construct any station for generating electrical energy elsewhere than on the said lands.

Sub-stations. **35.** Subject to the provisions of this Act the Corporation may on any lands for the time being belonging to them construct maintain and use sub-stations with all necessary and convenient plant and appliances for transforming using and distributing electricity for traction on the tramways but nothing in this section shall empower the Corporation to create or permit a nuisance on any such lands.

Traffic upon tramways. **36.** The tramways may be used for the purpose of conveying passengers animals goods minerals and parcels.

Rates for passengers. **37.** The Corporation or their lessees may demand and take for every passenger travelling upon the tramways or any part or parts thereof including every expense incidental to such conveyance a fare not exceeding one penny per mile and in computing the said fare any fraction of a mile shall be deemed a mile but in no case shall the Corporation or their lessees be bound to charge a less sum than one penny.

Corporation may appoint stages on the tramways. **38.** The Corporation may appoint stages not less than one mile in length upon the tramways and notwithstanding anything in this Act may demand and take for every passenger travelling upon the tramways fares not exceeding one penny per stage and for this purpose a fraction of a stage shall be deemed a stage.

Corporation not bound to carry goods. **39.** The Corporation or their lessees shall not be bound to carry unless they think fit passengers' luggage exceeding twenty-eight pounds in weight nor any animals goods minerals or parcels.

Provision as to carriage of goods &c. in separate carriages. **40.** In case the Corporation or their lessees carry goods minerals or parcels (other than passengers' luggage not exceeding twenty-eight pounds in weight) they may carry the same in separate carriages or separate parts of carriages set apart for that purpose.

Goods. **41.** In case the Corporation or their lessees convey any goods materials articles or things on the tramways they may take such rates and charges in respect thereof as may be agreed between the Corporation and the person for whom the same are conveyed.

As to use of tramways for carriage of goods &c. **42.** The Corporation shall not carry goods minerals or merchandise except small packages or parcels capable of conveyance

in the passenger cars of the Corporation upon any tramways other than the tramways acquired by them under this Act or which they are by the Belfast Corporation Act 1899 or this Act authorised to construct and except as aforesaid the Corporation shall not carry goods minerals or merchandise upon any tramways outside the city boundary which may be run over worked or used by the Corporation under agreement with the owners thereof. .

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

Passengers'
luggage.

44. The Corporation or their lessees shall not take or demand on Sunday or any public holiday any higher fares or charges than those levied by them on ordinary week days.

As to fares
on Sundays
and holidays.

45.—(1) The Corporation or their lessees at all times after the opening of the tramways 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 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 Provided that for the purpose of this section a fraction of a mile shall be deemed to be a mile and that the Corporation shall not be bound to accept a less sum than one penny On Saturdays the Corporation 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.

Cheap fares
for labouring
classes.

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

46. Subject to the provisions of this Act the Board of Trade may make byelaws with regard to any of the new tramways upon

Byelaws.

A.D. 1904. — which mechanical power may be used for all or any of the following purposes (that is to say):—

For regulating the use of any bell whistle or other warning apparatus fixed to the engine or carriages;

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

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

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

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

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

Penalty for malicious damage.

47. If any person wilfully does or causes to be done with respect to any apparatus used for or in connection with the working of any of the tramways anything which is calculated to obstruct or interfere with the working of such tramways or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence shall be liable to a penalty not exceeding twenty pounds.

Orders &c. of Board of Trade.

48. All orders regulations and byelaws made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant-secretary of the Board.

Recovery of penalties.

49. Any penalty under this Act or under any byelaws or regulations made under this Act may be recovered in manner provided by the Summary Jurisdiction Acts.

Power to lease.

50. The Corporation may at any time after the tramways shall have been completed and certified under this Act to be fit for

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public traffic lease the same or any part thereof for any period or periods not exceeding twenty years in the whole upon such terms and conditions as may be agreed upon between the Corporation and any company or person taking a lease of the tramways : A.D. 1904.

Provided that before exercising the powers of this section the Corporation shall obtain the sanction of the Board of Trade and such sanction may be given by the Board under the hand of an assistant-secretary.

51. After the thirty-first day of December one thousand nine hundred and four the Corporation may within the city provide and run omnibuses moved by animal or mechanical power in connection with the tramways when the running of carriages thereon is impracticable or during the construction reconstruction alteration or repair thereof or in extension of all or any of the tramways or for the purpose of connecting together any of the tramways and also for testing the amount of traffic along any route or between any particular points and may demand and recover tolls and charges for the use of such omnibuses and may provide hire and maintain all necessary plant for the purposes aforesaid and may dispose of such plant as may become unnecessary Power to run omnibuses.
Provided that any omnibuses moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General.

52. The Corporation may enter into and carry into effect agreements with the owner and lessee of any tramways which can be worked with the tramways for or in relation to all or any of the following purposes with respect to any tramways existing at the passing of this Act owned or leased by them respectively (that is to say) :— Power to enter into working agreements.

The maintenance and management thereof ;

The use and working thereof ;

The exercise of running powers thereover ;

The interchange of traffic thereon ;

The fixing subject to the authorised rates and charges and the collecting and apportionment of the tolls rates charges receipts and revenues levied taken or arising in respect of traffic thereon ;

The supply and maintenance by the working body under and during the continuance of any such agreement for the

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working of any such tramways of rolling stock or motive power and plant necessary for the purposes of such agreement.

Application of certain provisions of Belfast Street Tramways Act 1872.

53. The sections of the Belfast Street Tramways Act 1872 of which the numbers and marginal notes are set out in the first part of the Second Schedule to this Act shall extend and apply to the new tramways as if the same had been re-enacted in this Act with respect thereto and the sections of the said Act the numbers and marginal notes whereof are set out in the second part of the Second Schedule to this Act shall extend and apply to the new tramways and the Corporation in respect thereof and shall be read and have effect as if the same had been re-enacted in this Act and the Corporation had been named therein instead of the Company.

Provision as to general Tramway Acts.

54. Nothing in this Act contained shall exempt the Corporation or the tramways from the provisions of any general Act relating to tramways now in force or which may pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates or charges authorised in respect of any of the tramways.

PART III.

TRANSFER TO CORPORATION OF EXISTING TRAMWAYS.

Interpretation in this Part of Act.

55. In this Part of this Act—

The expression “the Sydenham undertaking” means the undertaking authorised by the Sydenham District (Belfast) Tramways Order 1885 ;

The expression “the Ligoniel undertaking” means the undertaking authorised by the Belfast and Ligoniel Tramways Order 1892 ;

The expression “the Company’s undertaking” means the tramways of the Company (not forming part of the Sydenham undertaking or the Ligoniel undertaking) and all lands depôts buildings rolling stock cars horses equipment stores works materials and plant rights powers privileges and authorities of the Company other than rights powers privileges and authorities relating or incidental to their capital or to their character as a company ;

The expression "the transferred undertaking" includes the Company's undertaking the Sydenham undertaking and the Ligoniel undertaking and the rights and interests of the Company under an agreement dated the twenty-fourth day of July one thousand eight hundred and ninety-five and made between the Belfast and County Down Railway Company of the one part and the Company of the other part (which agreement was approved by the Commissioners of Public Works for Ireland in pursuance of and in conformity with the Belfast and County Down Railway Tramways Order 1895 on the second day of September one thousand eight hundred and ninety-five) and an agreement dated the thirteenth day of April one thousand eight hundred and ninety-nine and made between the Corporation of the one part and the Company of the other part and which was scheduled to and confirmed by the Belfast Corporation Act 1899 and all the obligations and liabilities of the Company;

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The expression "the Company's Acts and Orders" means the Belfast Street Tramways Acts 1872 1873 1875 1878 1880 1884 1888 1893 and 1896 the Belfast Street Tramways Orders 1892 1896 and 1897 the Sydenham District (Belfast) Tramways Order 1885 the Sydenham District (Belfast) Tramways (Extension of Time) Orders 1887 1889 and 1892 and the Belfast and Ligoniel Tramways Order 1892.

56.—(1) The Company shall sell and the Corporation shall purchase the transferred undertaking for the consideration and on or subject to the terms and conditions hereinafter contained.

Corporation
to purchase
undertaking.

(2) The purchase shall take effect at midnight on the thirty-first day of December one thousand nine hundred and four and from that hour the transferred undertaking shall by virtue of this Act without any conveyance or other instrument be transferred to and vested in the Corporation subject and according to the provisions of this Act and thenceforth the Corporation shall in their own name and for their own benefit be entitled to the possession of and shall have and hold the transferred undertaking and such transfer and vesting is hereinafter referred to as "the transfer."

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(3) The price or consideration to be paid by the Corporation to the Company in respect to the transfer shall be the aggregate of the following (that is to say):—

- (A) The value of the Company's undertaking ascertained under and in accordance with the provisions of section 82 of the Belfast Street Tramways Act 1872:
- (B) The amount paid by the Company to the Sydenham District (Belfast) Tramways Company for the purchase of the Sydenham undertaking:
- (C) The amount paid by the Company to the Belfast and Ligoniel Tramways Company for the purchase of the Ligoniel undertaking:
- (D) Ten per centum upon the amounts so paid by the Company:

Any question as to the value of the Company's undertaking ascertained as aforesaid or the amount paid as aforesaid for the purchase of the Sydenham undertaking or the Ligoniel undertaking if not otherwise agreed shall notwithstanding the provisions of section 82 of the Belfast Street Tramways Act 1872 with respect to the nomination of a referee be determined by an arbitrator to be appointed on the application of the Company or the Corporation by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply to the arbitration.

(4) The Corporation shall in addition pay to the Company—

- (A) The sum of three thousand pounds which shall be taken in satisfaction of the additional allowance to which the Company would have been entitled under section 39 of the Belfast Street Tramways Act 1888 if the Corporation had exercised the powers of purchasing the undertaking of the Company within the city conferred upon them by the Belfast Street Tramways Act 1872 at the expiration of the period of fourteen years computed from the tenth day of August one thousand eight hundred and ninety-three:
- (B) A sum equal to three years' net profits of the transferred undertaking calculated on the basis of the average annual net profits thereof for the five years ending on the thirty-first day of December one thousand nine hundred and three as appearing by the Company's audited and published accounts:

And for the purposes of this subsection the expression "net profits" shall mean the profits of each of such five years after deducting the working expenses the interest upon debentures and the sums payable to the Belfast and County Down Railway Company and the Corporation under the existing agreements between the Company and the Corporation and the Belfast and County Down Railway Company and rents taxes and other usual outgoings as appearing in the said audited and published accounts: A.D. 1904.

- (c) The proportion of rates and taxes and sums paid as premium for insurance in respect of periods expiring after the thirty-first day of December one thousand nine hundred and four which bears to the total of the respective rates taxes and sums so paid the same proportion which the portion of such periods unexpired on the said thirty-first day of December respectively bears to the whole of such respective periods.

(5) The Corporation shall also pay compensation to the several directors and to the manager and secretary of the Company on the basis of three years' purchase of the fees and salaries received by them respectively for the year ending the thirty-first day of December one thousand nine hundred and three.

(6) The Corporation shall also pay compensation to any official in the regular employment of the Company (but not including the directors or the secretary and manager or ordinary workmen) who shall not be retained by the Corporation in the same or similar office or employment and at the salary and income and on the terms and conditions in at and on which they respectively were employed by the Company on the first day of November one thousand nine hundred and three in respect of any loss of office or loss or diminution of salary or income by reason of the transfer of the transferred undertaking to the Corporation at a date prior to the tenth day of August one thousand nine hundred and seven.

(7) In the event of the amount of any of the sums payable by the Corporation to any director or official of the Company not being agreed upon between the Corporation and such director

A.D. 1904. or official the amount thereof shall be ascertained by the arbitrator appointed as hereinbefore provided.

(8) The sums so payable by the Corporation shall be due on the first day of January one thousand nine hundred and five and the Corporation shall pay to the Company or persons entitled to such sums respectively interest at the rate of four per centum per annum upon the said sums (or upon so much thereof as shall for the time being remain unpaid) from the said first day of January one thousand nine hundred and five until payment thereof.

Company to retain sinking fund &c.

57. The sinking fund of the Company and all investments thereof and all cash and money lying to the credit of the Company at their bankers or in hand upon the said thirty-first day of December one thousand nine hundred and four shall belong to the Company.

Maintenance of undertaking by Company till transfer.

58. Until the date of the transfer the undertaking of the Company shall be maintained and carried on by the Company as heretofore in the ordinary course of business but the Company shall not without the previous consent of the Corporation under the hand of the town clerk make or enter into any contract agreement or obligation except such as shall be in the ordinary course of the maintenance of the transferred undertaking and the proper conduct of the affairs of the Company.

Pending actions &c. against or in favour of Company.

59. If at the date of the transfer any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing against or in favour of the Company the same shall not abate or be discontinued or in anywise prejudicially affected by reason of the transfer or of anything in this Part of this Act and any such action arbitration or proceeding (not being an action or proceeding for the recovery of money due to the Company or in respect of any debt at the date of the transfer owing by the Company and not by this Act taken over by the Corporation) may be continued prosecuted and enforced against or in favour of the Corporation as and when it might have been continued prosecuted and enforced against or in favour of the Company if this Act had not been passed but not further or otherwise.

Company to pay outgoings and be entitled to receipts till transfer.

60. The Company shall bear and pay all outgoings and liabilities of every kind and liabilities in respect of causes of action existing at the date of the transfer and shall be entitled to receive and recover all rents profits and other moneys due or

accruing due to them up to the date of the transfer as if this Act had not been passed Provided that any outgoings or liabilities attributable to the period prior to the transfer but not due or payable at the date of the transfer shall be apportioned between the Company and the Corporation and shall be paid by the Corporation who may recover from the Company the proportion thereof due in respect of the period prior to the date of transfer. A.D. 1904.

61.—(1) All agreements contracts conveyances leases deeds and other instruments (including debentures) affecting the Company or the transferred undertaking and in force at the date of the transfer shall after the transfer be as binding and of as full force and effect against or in favour of the Corporation and may be enforced as fully and effectually and shall be read and construed as if instead of the Company the Corporation had been a party thereto and the Corporation shall indemnify the Company from all actions suits claims or demands whatsoever in respect of the same and of any obligations attaching to the Company by or under the Company's Acts and Orders and the Belfast and County Down Railway Tramways Order 1895. Contracts of Company to be binding on Corporation.

(2) The Corporation shall redeem or pay off when due the debentures of the Company and notwithstanding anything contained in the Company's Acts or any of them or in any such debentures the sums from time to time accruing due in accordance with the terms of such debentures (including interest) shall remain a charge upon the transferred undertaking and shall not be charged upon the purchase money or consideration to be paid to the Company by the Corporation as hereinbefore provided and the amount payable by the Corporation in respect of the principal moneys secured by such debentures shall be deducted from such purchase money or consideration.

62. All books and documents which if the transfer had not been made would have been evidence in respect of any matter for or against the Company shall be admitted in evidence in respect of the same and the like matter for or against the Corporation. Books &c. to remain evidence.

63. The receipt under seal of the Company for any money paid to the Company by the Corporation shall effectually discharge the Corporation from the sum which in such receipt shall be acknowledged to have been received and from being concerned to see to the application thereof and from being answerable Receipt for purchase money.

A.D. 1904. or accountable for the loss misappropriation or non-application thereof Provided that if the Corporation are unable to obtain such receipt they may pay the money into the Bank of Ireland to the account of the Accountant-General for and on behalf of the High Court to be placed in the books at the pay office to an account to be opened in the matter of this Act and a receipt for the money shall be given to the Corporation by the cashier of the said bank which shall have the same effect as the receipt under seal of the Company.

Transfer of tramways of Belfast and County Down Railway Company.

64.—(1) The Corporation and the Belfast and County Down Railway Company may enter into and carry into effect an agreement for the purchase by the Corporation and the sale by the said railway company of the tramways authorised by the Belfast and County Down Railway Tramways Order 1895.

(2) If the Corporation and the said railway company shall not previously to the first day of January one thousand nine hundred and five have entered into such agreement the said tramways shall be and the same are hereby transferred to and vested in the Corporation together with all the rights powers privileges and authorities vested in or exerciseable by the said railway company in relation to the said tramways freed and discharged as between the Corporation and the said railway company from all charges debts and liabilities upon the same or due from or payable by the said railway company in respect thereof Provided that such transfer shall not operate so as to transfer to or vest in the Corporation any portion of the said tramways constructed or laid down upon the private lands or property of the said railway company.

(3) The price to be paid by the Corporation to the said railway company for such transfer shall be—

(i) Such a sum as would be payable if the said tramways had been purchased by the Corporation under the provisions of the Belfast and County Down Railway Tramways Order 1895;

(ii) Such an additional sum as would represent the value at the date of transfer of the prospective net profits accruing to the said railway company from the said tramways for the period between the said first day of January one thousand nine hundred and five and the tenth day of August one thousand nine hundred and seven;

- (iii) Interest at the rate of four per centum per annum upon the said sums (or so much thereof as shall for the time being remain unpaid) from the said first day of January one thousand nine hundred and five until payment thereof; A.D. 1904.
- (iv) If any difference shall arise as to the sums payable by the Corporation to the said railway company under this section the same shall be referred to and determined by an arbitrator to be appointed in default of agreement by the Board of Trade and the costs of reference shall be borne and paid as the arbitrator may direct.

PART IV.

FINANCIAL.

65.—(1) The Corporation may from time to time in addition to any moneys which they are now authorised to borrow or raise by the creation and issue of Belfast Corporation stock raise by the creation and issue of Belfast Corporation stock in the manner provided by the Belfast Corporation Act 1889 for the following purposes respectively any sum or sums not exceeding the following sums respectively (that is to say):— Power to borrow.

For paying the costs of this Act as hereinafter defined the sums requisite for that purpose;

For and in respect of the construction and equipment for working by mechanical power of the new tramways any sum or sums not exceeding in the whole two hundred and fifty-five thousand pounds;

For and in respect of the purchase of tramways under this Act the sums requisite for that purpose;

For and in respect of the repayment of the debentures of the Company repayable by the Corporation under this Act the sums requisite for that purpose;

For and in connection with the alteration and equipment of such tramways when purchased any sum or sums not exceeding five hundred and twenty-one thousand pounds;

For and in connection with the generating station any sum or sums not exceeding eighty-five thousand pounds.

(2) Money raised under this section shall be applied only to the purposes for which it is authorised to be raised and to which capital is properly applicable and not otherwise.

A.D. 1904.

(3) The amount of the annual sums payable to the loans fund established under the said Act of 1889 towards the redemption and extinction of stock created and issued by the Corporation under this Act shall be such as with accumulations at the rate of three pounds per centum per annum will suffice to redeem at par such stock within the following periods from the date of the creation thereof (that is to say):—

For the purpose of paying the costs of this Act within a period not exceeding five years from the passing of this Act;

For the other purposes of this Act within a period not exceeding thirty years.

(4) The sums payable to the said loans fund in each year for the payment of dividends on and towards redemption and extinction of the stock created and issued under this Act for the several purposes hereinafter stated shall be payable out of the tramway revenue and so far as such revenue is not sufficient for that purpose out of the general purposes fund or rate.

Capital and revenue accounts to be kept separate.

66. All transactions of the Corporation under this Act in respect of the receipt and expenditure of capital whether received by way of loan or otherwise shall be shown in the books and accounts of the Corporation separately from those in respect of revenue.

Estimates for general purposes rate to include amount required for purposes of this Act.

67. In estimating every year under the provisions of the local Acts the amounts required for the several purposes to which the general purposes rate is applicable the Corporation or the committee of the Corporation as the case may be shall include as nearly as may be the amount which will be required for the purposes of this Act payable out of the general purposes fund or rate and the amount required for payment to the loans fund established under the Belfast Corporation Act 1889 in respect of the Belfast Corporation stock created and issued under this Act for those purposes which shall be placed in the estimate next after the amount required for interest and sinking fund in respect of money borrowed under the Belfast Corporation Act 1902 and the money arising from the general purposes rate shall be applied as far as requisite for the purposes of this Act.

Estimate of working expenses and adjustment of fares.

68.—(1) The Corporation shall once in each financial year after the first complete financial year's working by electrical traction cause the city accountant to lay before them a statement

A.D. 1904.

and balance sheet of the accounts of the tramways including the reserve or suspense accounts for the preceding year and an estimate of the revenue to be derived for the ensuing year from the working and use of the tramways and carriages and trucks thereon and also an estimate of the sums required to meet for such year the expenses of working management maintenance of lines works machinery and rolling stock repairs renewals materials wages taxes and other outgoings and charges (including a reasonable allowance for depreciation the interest on borrowed money the sums required to be annually paid into the sinking fund and the annual payment into the general purposes fund of such a sum as the Corporation would have received from the Company if the undertaking of the Company had not been transferred to or purchased by them) and the Corporation shall thereupon fix annually the tolls fares and charges to be levied by them for the use of the tramways and of carriages and trucks used or propelled thereon for the said year then ensuing not exceeding the tolls fares and charges specified by this Act so that the revenue shall meet the expenditure as before specified for each year Provided that if in any year the revenue exceed such expenditure the Corporation shall carry such excess to a reserve account to be used in providing for deficiencies and contingencies and that if there should be a deficiency in any year it shall be provided for in the estimate for the following year by drawing from the reserve account or varying the tolls fares and charges or reducing the working expenses or be carried to a suspense account and reduced gradually over a period of years not exceeding five Provided also that this section shall not apply to any period during which the tramways shall be leased to any company or person.

(2) If and so long as the amount to the credit of the reserve account required by this section to be provided by the Corporation is not less than the sum of twenty thousand pounds the Corporation may in lieu of carrying to that account the amount by which the revenue in any year may exceed the expenditure for that year pay such amount into the general purposes fund.

69. The Corporation may and if required by the Local Government Board for Ireland shall from time to time invest temporarily on statutory securities any sum raised by stock under this Act and not for the time being required for the purpose for which it is raised.

Temporary investment of moneys raised but not immediately required.

A.D. 1904.

PART V.

GENERAL.

Provisions as
to regulation
of street
traffic.

70. The Corporation may from time to time make regulations with respect to such streets (to be specified in the regulations) as are specially liable to be obstructed by reason of the amount and nature of the traffic—

(a) Prescribing the line to be kept at any street crossing by all persons riding or driving; and

(b) Requiring the drivers of heavy and slow-moving vehicles to keep their vehicles to a particular portion of the street.

Regulations under this section shall not take effect until they have been submitted to and approved by the Local Government Board for Ireland.

Any person who shall contravene any such regulation after warning given by word or signal by a police constable stationed in the street to direct the traffic shall be liable to a penalty not exceeding forty shillings.

Provided that the Corporation shall not under the powers of this section make regulations in respect of any street under the control of the Belfast Harbour Commissioners without the consent and approval of those Commissioners.

As to ap-
pointment of
clerks in
tramway
department.

71. When any clerkship in the tramway department of the Corporation shall be vacant the same shall be filled up after competitive examination of the applicants. Provided that this section shall not apply to clerks appointed temporarily but if any clerk so appointed shall continue in the service of the Corporation for a period of twelve months from his appointment his post shall become vacant and shall be filled up after competitive examination as aforesaid:

Provided also that this section shall not apply to any employees of the Company who may enter the service of the Corporation.

Crown
rights.

72. Nothing in this Act affects prejudicially any right power privilege or exemption of the Crown.

Costs of Act.

73. The costs charges and expenses of and incident to the preparing applying for obtaining and passing of this Act shall in the first instance be paid by the Corporation out of the general purposes fund or rate but shall be recouped to such fund or rate out of the moneys to be borrowed by the Corporation for the purpose of paying the costs of this Act.

The SCHEDULES referred to in the foregoing Act. A.D. 1904.

THE FIRST SCHEDULE.

LANDS FOR GENERATING STATION.

Certain lands belonging to and in the occupation of the Corporation comprising an area of two acres or thereabouts situate wholly in the parish of Shankill and townland of Townparks in the city of Belfast and known as the Corporation store yard situate in the angle formed by East Bridge Street and Lagan Bank Road and between Saint John's Church and School and the said East Bridge Street.

THE SECOND SCHEDULE.

No. of Section.	Marginal Note.
PART I.	
94	Penalty on passengers practising frauds on the Company.
98	Penalties in byelaws.
99	Proof of byelaws.
108	Recovery and application of penalties.
PART II.	
46	Power to break up streets &c.
47	Completion of work and reinstatement of roads.
54	Right of user only.
59	Protecting bridges over railways and canals.
63	Penalty for obstruction of Company in exercise of their powers.
71	Persons using tramways with carriages with flange wheels &c. to forfeit 20 <i>l.</i> on each occasion to the Company.
77	Reservation of right of public to use streets.
92	List of tolls &c. to be exhibited in carriages and at stations.
93	Tolls to be paid as directed by the Company.
95	Such offenders may be detained.
96	Penalty for bringing dangerous goods on the tramway.
97	Byelaws.

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