



CHAPTER CCXXXVII.

An Act for conferring further powers on the Bristol  
Tramways and Carriage Company Limited for con-  
structing tramways and widening and altering roads  
and acquiring lands in and near Bristol and for  
other purposes. [15th August 1904.]

A.D. 1904.

**W**HEREAS the Bristol Tramways and Carriage Company  
Limited (in this Act called "the Company") are under  
or by virtue of the Acts and Orders mentioned in the First  
Schedule to this Act the owners of tramways and light railways in  
and near Bristol :

And whereas it is expedient that the Company should be  
empowered to construct the tramways in this Act described and  
in connection therewith to widen and alter the roads and acquire  
the lands in this Act mentioned or referred to in that behalf and  
that the other powers in this Act mentioned or referred to should  
be conferred upon the Company :

And whereas plans and sections showing the lines and levels  
of the works by this Act authorised such plans showing the lands  
to be taken compulsorily under the powers of this Act and a book  
of reference to those plans containing the names of the owners and  
lessees or reputed owners and lessees and of the occupiers of those  
lands have been deposited with the clerks of the peace for the city  
and county of Bristol and the counties of Gloucester and Somerset  
respectively and are in this Act referred to respectively as the  
deposited plans sections and book of reference :

And whereas it is expedient that provision should be made for  
preventing injury to and obstruction of the light railways of the

A.D. 1904. Company and for preventing frauds by passengers thereon and that further powers should be conferred upon the Company for regulating the number of passengers to be carried upon their cars :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

**1.** This Act may be cited for all purposes as the Bristol Tramways (Extensions) Act 1904 and the Acts and Orders mentioned in the First Schedule to this Act and this Act may be and are hereinafter referred to as the Bristol Tramways Acts 1872 to 1904.

Incorporation of general Acts.

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

The Lands Clauses Acts :

Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870 :

Provided that the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any alteration of or interference with any telegraphic line belonging to or used by the Postmaster-General The expression "telegraphic line" in this Act has the same meaning as in the Telegraph Act 1878.

Interpretation.

**3.** In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with this Act have the same respective meanings And—

The expression "the tramways" means the tramways by this Act authorised ;

The expression "the undertaking" means the undertaking of the Company authorised by the Bristol Tramways Acts 1872 to 1904 ;

The expression "the city" means the city and county of Bristol as the same existed on the first day of January one thousand nine hundred and four ;

The expression "the corporation" means the lord mayor aldermen and burgesses of the city.

4. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown upon the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county in which such lands are situate for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the said county and a duplicate thereof shall also be deposited with the town clerk of the city or the clerk to the district council of the urban district or the clerk to the parish council of the parish (as the case may be) in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

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Correction of errors &c. in deposited plans and book of reference.

5. Subject to the provisions of this Act the Company may make form lay down work use and maintain in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections the tramways hereinafter described with all proper rails plates sleepers works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose.

Power to make tramways.

The tramways hereinbefore referred to and authorised by this Act will be situate in the city and county of Bristol and in the counties of Gloucester and Somerset and are—

Tramway No. 1 2 miles 5 furlongs and 6·20 chains in length of which 2 miles 4 furlongs and 4·80 chains will be double

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line and 1 furlong and 1·40 chains will be single line commencing in Black Boy Hill in the city and county of Bristol by a junction with the Company's existing tramway at a point opposite the north-western side of the Company's carriage depôt passing thence into and along Westbury Road Westbury Hill Henbury Road and Henbury Hill and terminating in Henbury Hill at a point opposite or nearly opposite the south-eastern corner of the Salutation Inn :

Tramway No. 1A (a double line) 2·38 chains in length commencing in the roadway bounding Durdham Down on its southern side at a point 0·18 chain north-eastward from the north-eastern corner of St. John's Schools and terminating in Westbury Road by a junction with Tramway No. 1 at a point 1·15 chains northward from the intersection of Redland Hill and Westbury Road :

Tramway No. 1B (a double line) 1·56 chains in length commencing by a junction with the Company's existing tramway in Redland Hill at a point 1·20 chains eastward from the intersection of Redland Hill and Westbury Road and terminating in Westbury Road at a point 0·85 chain northward from the intersection of Redland Hill and Westbury Road :

Tramway No. 2 1 mile 2 furlongs and 2·38 chains in length of which 5 furlongs and 7·85 chains will be double line and 4 furlongs and 4·53 chains will be single line commencing in Gloucester Road by a junction with the Company's existing tramway at its termination passing thence along Gloucester Road and terminating therein in the parish of Filton in the same county at a point 0·70 chain north-eastward from the intersection of Homestead Road and Gloucester Road :

Tramway No. 3 1 mile 1 furlong and 4·60 chains in length of which 5 furlongs and 5·10 chains will be double line and 3 furlongs and 9·50 chains will be single line commencing in the Straits at Fishponds by a junction with the Company's existing tramway at a point two chains westward from the intersection of Lawn Road and the Straits passing thence into and along Downend Road and Badminton Road and terminating in that road at a point 6·20 chains northward from the intersection of Cleeve Road and Badminton Road :

Tramway No. 4 1 mile and 1·05 chains in length of which 6 furlongs and 4·13 chains will be double line and 1 furlong and 6·92 chains will be single line commencing in Warmley Hill by a junction with the Company's existing tramway at a point 2·60 chains westward from a point in the roadway opposite the centre of the entrance gateway to the Company's Kingswood depôt passing thence along Warmley Hill Hill Street Deanery Road and Warmley Street and terminating in that street at a point 1·60 chains westward from the centre of the Midland Railway Company's level crossing ;

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Provided always that notwithstanding anything on the deposited plans Tramway No. 4 shall where it passes in front of the property of the Midland Railway Company be constructed in the position shown on the plan signed in duplicate by the Right Honourable Lord Balfour of Burleigh the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords and one copy thereof in the Private Bill Office of the House of Commons :

Tramway No. 5 1 mile 1 furlong and 7·00 chains in length of which 3 furlongs and 6·35 chains will be double line and 6 furlongs and 0·65 chain will be single line commencing in Bath Road Kingswood by a junction with the Company's existing tramway at its termination and terminating in Bath Road or one of them at a point 7·50 chains south-eastward from the intersection of Shellard Road and Bath Road :

Tramway No. 6 2 miles 5 furlongs and 6·75 chains in length of which 2 miles 3 furlongs and 9·67 chains will be double line and 1 furlong and 7·08 chains will be single line commencing in Bath Road Brislington by a junction with the Company's existing tramway at a point 0·72 chain eastward from a point in the roadway opposite the south-eastern corner of the King's Arms public-house passing thence along Bath Road and into and along Bath Street and High Street Keynsham and terminating at a point in the last-named street opposite Bath Hill 0·50 chain from the corner of Bath Hill and Temple Street :

Tramway No. 8 (a single line) 1 furlong and 1·00 chain in length commencing in Bath Road by a junction with the

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Company's existing tramway at a point 1·48 chains eastward from the intersection of Knowle Lane and Bath Road and terminating in Bath Road by a junction with the Company's existing tramway at a point 0·90 chain westward from a point in the roadway opposite the south-eastern corner of the King's Arms public-house.

Street  
widening  
&c. on route  
of tram-  
ways.

**6.** Subject to the provisions of this Act the Company may in the lines and according to the levels shown on the deposited plans and sections widen the streets and roads upon which the tramways are intended to be laid and the carriageways thereof at the places and to the extent and in the manner delineated or shown on the deposited plans relating thereto and may enter upon take and use for those purposes and for the purposes of the tramways and works by this Act authorised and for the general purposes of the Company and may hold sell let or exchange all or any of the lands delineated on the said plans and described in the deposited book of reference relating thereto including the lands and premises in the parish of Westbury-upon-Trym known as Trym House.

Widenings  
to form part  
of highway.

**7.** Any lands acquired under the powers of this Act which shall be added to any street or road for the purpose of widening the same shall be deemed to form part of the highway of the street or road to which the same have been added and shall vest in the authority in whom the adjacent portions of the street or road are vested and shall be paved and made up by and at the cost of the Company to the reasonable satisfaction of the said authority and shall be maintained repaired cleansed and lighted by the said authority.

Certain parts  
of tramways  
not to be  
made until  
streets or  
carriage-  
ways  
widened.

**8.** Where any part of any street or road along which the tramways are intended to be laid or the carriageway thereof is by this Act authorised to be widened the Company shall not lay down or construct any tramway under the powers of this Act in the part of the street or road or carriageway to be so widened unless and until the street or road or carriageway shall have been widened to such extent as may be necessary to leave a space of nine feet six inches between the outside of the footpath and the nearest rail of the tramway on the side of the street or road or carriageway on which such widening is to be made or unless the tramways are in such part of the street or road or carriageway shown on the deposited plans as intended to be so

constructed that a less space than nine feet six inches will intervene between the outside of the footpath and the nearest rail of the tramway.

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9. Notwithstanding anything in this Act the provisions of this section shall apply for the protection of the Gloucestershire County Council (hereinafter referred to as "the county council") in respect of main roads in the county of Gloucester unless otherwise agreed in writing between the county council and the Company (that is to say):—

For protection of Gloucestershire County Council.

- (1) The Company shall at their own expense metal the widened portion of any carriageway and footpath (if any) which is widened under this Act with the same class of metalling as exists in the main road before it is widened:
- (2) The Company shall at their own expense properly metal or pave so much of any main road whereon any of the tramways are laid as lies between the rails and as extends eighteen inches beyond the rails of and on each side of any such tramway with such metalling or paving as the county council may reasonably approve and the Company shall so long as they shall work the said tramways keep and maintain the same respectively in good repair and condition and all works and materials used in the construction maintenance or alterations of the said roads lying adjacent to the said tramways shall be reasonably approved by the county council and in the event of any subsequent deviation or alteration of the said tramways the consent of the county council shall be obtained before such deviation or alteration is made:
- (3) The Company shall not during the alteration of the level of any main road or footpath unnecessarily interrupt the drainage thereof and they shall make provision for the effectual drainage of all such roads and footpaths as are altered by the Company and the county council shall afford every reasonable facility for effecting such drainage:
- (4) For the purposes of the section of this Act the marginal note whereof is "Future purchase of undertaking by local authorities" and notwithstanding anything in the



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Tramways Act 1870 contained the county council shall (unless as regards the tramways within the district of the rural district council of Warmley that council exercise the powers conferred upon them by the section of this Act the marginal note whereof is "For protection of rural district council of Warmley" within four months after the expiration of the period of forty-two years mentioned in the first-named section) in respect of the tramways constructed on main roads in the county of Gloucester be deemed to be the local authority within the meaning of such section and shall also be deemed to be the local authority within the meaning and for the purposes of section 46 (Byelaws by local authority) of the Tramways Act 1870 and that part of the said county in which such main roads are situate shall be deemed to be the district of the county council in relation to the tramways authorised to be laid on such main roads and the county council may in respect of such tramways exercise the powers vested in local authorities by section 19 (Local authority may lease or take tolls) and section 44 (Power of sale) of the Tramways Act 1870 in connection with such tramways. Provided always that the powers of purchase or of making byelaws as the case may be conferred upon the county council by this section shall only be exercised with the consent in writing of the local authority of the district in which the tramways proposed to be purchased are situate or in which any byelaw proposed to be made would take effect and if such consent is not given the local authority of the district shall remain the local authority for the purposes of the said section of this Act the marginal note whereof is "Future purchase of undertaking by local authorities":

- (5) The Company shall forthwith to the satisfaction of the county council where they are the road authority repair and reinstate so much of the road along which the tramways shall be constructed as may be injured or damaged by reason of the traffic being concentrated thereon during the construction alteration or repair of the tramways or any part thereof. Provided that if the Company fail to comply with the provisions of this



subsection the county council if they think fit may themselves at any time after seven days' notice to the Company do the works necessary for the repair and maintenance or restoration of the road to the extent in this subsection above mentioned and the reasonable expense incurred by the county council in so doing shall be repaid to them by the Company :

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- (6) Any injury which may be done to any road or bridge vested in the county council on which any of the tramways shall be laid in consequence of heavy weights being carried by the Company on such tramway or otherwise in consequence of such tramway being laid on such road or bridge shall be made good by the Company or if the county council so desire by that authority at the reasonable cost of the Company :
- (7) The county council shall not be responsible to the Company for any damage sustained by the Company in consequence of any road along which any of the tramways shall be laid subsiding after the construction or relaying of any work which the county council may be authorised to carry out has been completed provided such work shall have been executed with all reasonable care and in a proper and workmanlike manner :
- (8) If the Company at any time find it necessary or desirable to remove snow or other matter impeding the traffic on the tramways the Company shall at their own cost remove the snow or other matter to the side of the road but so as not to impede or obstruct the ordinary traffic on the road and the Company shall not use salt or other unsuitable material for thawing the snow on any road :
- (9) If in consequence of the construction or user of the tramways by the Company it shall be necessary to strengthen or otherwise alter any bridge or culvert over which they pass the reasonable expense incurred by the county council in effecting such strengthening or alteration shall be repaid to them by the Company :
- (10) If and whenever the county council shall have altered or widened any road or part of a road in which any of the tramways or part of the tramways is laid the county council may if and when reasonable so to do

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(having given at least one month's previous notice in writing to the Company) require the Company to alter any such tramways or part of the tramways or to remove the same to such position as the county council may direct and the Company shall with all reasonable despatch proceed to alter or remove such tramway or part of a tramway accordingly at their own expense and without any claim for compensation against the county council in respect of such removal or alteration for any loss of traffic or otherwise consequent thereon Provided always that no alteration or removal under this section shall be required involving any rail being so laid that a less space than nine feet six inches will intervene between such rail and the outside of the footpath on either side of the road :

(11) If the county council shall alter the material with which the whole or any part of any road in which any of the tramways or part of the tramways is laid is paved or constructed they may if and when reasonable so to do by notice in writing to the Company require the Company at their own expense to forthwith pave (to the extent of such tramways or part of the tramways) in such manner and with such material as the county council shall have paved the other portion of such road the part of such road in which such tramways or such part is laid both between and on either side of the rails so far as such road is repairable by the Company and to make any alterations in the tramways which are consequently necessary and thereupon the Company shall proceed with all reasonable despatch to pave the said portion of such road accordingly to the satisfaction of the county council without any claims against the county council for compensation in respect of such alteration or any loss of traffic or otherwise consequent thereon and any obligation of the Company with regard to the maintenance and repair or otherwise in relation to such tramways or such part of the tramways or any part of the road shall remain and continue unaffected by such alteration :

(12) The Company shall pay to the county council any reasonable costs incurred by them in and about the supervision of any work the supervision or execution of

which by them is provided for by this Act in so far as such supervision is not performed by the salaried officials of the county council in the ordinary course of their duties but such costs shall not be deemed to include costs beyond ordinary supervision : A.D. 1904.

- (13) Any question which may arise between the county council or their surveyor and the Company with reference to this section or anything to be done or not to be done under this section shall be determined by arbitration and be referred to an arbitrator to be agreed on between the parties or failing agreement to be appointed by the Board of Trade on the application of either party and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

**10.** Notwithstanding anything in this Act contained the provisions of this section shall apply for the protection of the county council of Somerset (in this section referred to as "the county council") unless otherwise agreed between the county council and the Company :-- For protection of county council of Somerset.

- (1) Tramway No. 6 shall be laid as a single line only between its commencement and West Town Lane and between the Lodge of Oakleigh House and the culvert at Hicks Gate unless and until the Company shall have widened the carriageway of the road between those points to such a width as will leave a space of not less than nine feet six inches between the outer rails of the said tramway and the kerb of the footways (if any) or the boundaries of such road. Such single line or if at any time the same shall be converted into a double line such double line shall be laid between the said points in such position in the carriageway as the county surveyor shall reasonably direct :
- (2) Before constructing any portion of the remainder of the said Tramway No. 6 as a double line the Company shall where there is sufficient waste land at the sides of the road widen such carriageway to such a width as will leave a space of not less than nine feet six inches between the rails of the said tramway and the kerbs of the footways (if any) or the boundaries of such road :

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- (3) The Company shall form and metal the widened portion of the carriageway and footpath (if any) with the same class of material and in a similar manner as the existing carriageway and footpath are now formed and metalled :
- (4) If in laying any part of Tramway No. 6 or Tramway No. 8 it should be found necessary to raise or sink such tramway below the existing surface of the road the Company shall (A) contemporaneously with the laying of such tramway alter the level of the entire width of the carriageway of that portion of the road and shall re-form and re-metal the same to the reasonable satisfaction of the county surveyor and (B) lay the rails of such tramway at such a level as to give a fall of not less than a quarter of an inch and not more than half an inch for every foot of the width of the carriageway between the outer rails of such tramway and the boundary of the carriageway :
- (5) When constructing Tramway No. 6 the Company shall between the commencement of such tramway and a point fifty yards measured in an easterly direction from the eastern boundary fence of Brislington Hall and also between Hamlease Corner and the Lamb and Lark public-house Keynsham pave with hard wood block paving so much of the road whereon such tramway is laid as lies between the rails and with stone pitching so much of such road as extends eighteen inches beyond the rails of and on each side of such tramway and as regards the remainder of the said tramway the Company shall pave so much of the roadway whereon such tramway is laid as lies between the rails either with (A) tar macadam with a course of stone setts next the rails and as extends eighteen inches beyond the rails of and on each side of such tramway with stone pitching or (B) with some other form of paving to be approved by the county council but after the expiration of a period of fifteen years from the opening of the said tramway for public traffic the Company shall pave the portion of the said roadway between the rails with hard wood block paving or with such other paving as the county council may approve If

at any time after the construction of the said Tramway No. 6 the road authority shall wood pave the portion of the roadway for the maintenance whereof the road authority is liable the Company shall replace the stone pitching outside the rails of such tramway with similar wood paving : A.D. 1904.

(6) If in consequence of the operations of the Company on constructing the said Tramway No. 6 or Tramway No. 8—

(A) Any surface drainage shall remain on the roadway affected the Company shall at any such point execute such work as may be reasonably necessary in order to drain the surface of the road ;

(B) Any road or surface water drain shall be damaged or otherwise interfered with the Company shall make a new drain at their own expense in such manner and of such sectional area and of such materials as the county surveyor shall reasonably direct :

(7) No part of the main roads or wastes adjoining thereto within the district of the county council shall be used by the Company for the purpose of depositing excavated metalling rails blocks or other materials except with the permission of the county surveyor and in no case (except with such permission) for a longer period than one month. If such materials have not been removed by the Company after twenty-four hours' written notice by the county surveyor to do so the county surveyor may cause such materials to be carted to such place within a distance of one mile as he may reasonably select and the Company shall pay all reasonable expenses in connection with such removal and deposit :

(8) The Company shall so construct maintain and use Tramway No. 6 over any bridge or culvert belonging to the county council as not injuriously to affect the same and in the event of any injury or damage being caused to any such bridge or culvert by the construction maintenance or user of such tramway the Company shall make good at their own expense and restore the same to the reasonable satisfaction of the county council and if in consequence of any such injury or damage it becomes

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necessary that any such bridge should be strengthened or rebuilt the county council shall give notice accompanied by sufficient plans and specifications of the intended works to the Company and may after fourteen days from the date of the notice (or forthwith in case of emergency) proceed with all due despatch to execute all such works as may be reasonably necessary and the Company shall defray all moneys reasonably expended by the county council in the execution thereof:

- (9) All the works to be carried out or provided by the Company under the provisions of this section shall be executed at the cost of the Company and to the reasonable satisfaction of the county surveyor:
- (10) Any question which may arise between the county council or the county surveyor and the Company with reference to this section or anything to be done or not to be done thereunder shall be determined by arbitration and be referred to an arbitrator to be agreed on between the parties or failing agreement to be appointed by the Board of Trade on the application of either party and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

For protection of  
Bristol Corporation.

**11.** For the protection of the corporation the following provisions shall unless otherwise agreed in writing between the corporation and the company have effect (that is to say):—

- (1) The provisions of the Bristol Tramways (Extensions) Act 1898 and of the Bristol Tramways (Electrical Power &c.) Act 1898 (including those specified in the section of this Act of which the marginal note is "Incorporating provisions of Acts of 1898") so far as the same are applicable and not inconsistent with any of the provisions of this Act shall extend and apply to such of the tramways as are within the city and to the Company in respect thereof as fully and effectually as if re-enacted in this Act with reference to those tramways and in particular the provisions of section 55 of the Bristol Tramways (Extensions) Act 1898 shall extend to so much of the undertaking as is within the city as fully and effectually as if that section had been re-enacted in this Act with reference thereto;

(2) The Company shall not commence to construct Tramway No. 1 by this Act authorised unless and until— A.D. 1904.

(A) They shall have widened or altered Westbury Road between the point of commencement of the said tramway and the point of intersection thereof with the existing tramway running from Durdham Down to Redland Hill so that a space of not less than nine feet will intervene between the outside rails of the tramway on each side and the nearest edge of the carriageway ;

(B) They shall have widened Westbury Road aforesaid between the said point of intersection and the point at which the boundary of the city crosses the said road so that the width of the carriageway shall be not less than thirty-two feet three inches :

(3) The Company shall not commence to construct Tramways No. 1A or No. 1B by this Act authorised unless and until they shall have widened the portions of roadway in which the same will respectively be laid to such an extent that a space of not less than eighteen feet shall in the case of each of the said tramways intervene between the outer rails of the tramways on each side and the nearest edge of the carriageway :

(4) The land required to enable the Company to effect the widenings or alterations referred to in the two last preceding subsections of this section shall be provided by the corporation :

(5) When constructing Tramways Nos. 1 1A and 1B the Company shall lay the whole of the carriageway in which the said Tramways Nos. 1A and 1B and the portion of the said Tramway No. 1 within the city will be laid as widened under the provisions of this section with Karri or Jarrah timber and the corporation shall repay to the Company—

(A) The cost of so laying the portions of the existing carriageway which the Company will not become liable under the provisions of section 28 of the Tramways Act 1870 as incorporated with this Act to maintain and keep in good condition and repair ; and



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(B) The difference between the cost of so laying the widened portions of such carriageway and the cost which would have been incurred in laying such portions with macadam :

Provided that the corporation shall if they so desire be at liberty on giving to the Company at any time before the Company shall have commenced the work notice in writing of such desire themselves to lay such carriageway or any part or parts thereof in manner aforesaid and in that event the Company shall forthwith on demand repay to the corporation—

(A) The cost incurred in so laying the portions of such carriageway which the Company will become liable as aforesaid to maintain and keep in good condition and repair ; and

(B) The cost which would have been incurred in laying the widened portions of such carriageway with macadam :

- (6) The Company shall not commence to construct Tramway No. 3 by this Act authorised in Downend Road (so far as the same is within the city) unless and until they shall have increased the width of the carriageway of that road to not less than thirty-two feet three inches by throwing into such carriageway the roadside wastes :
- (7) The Company shall at their own expense lay the portions of Downend Road situate within the city for the repair of which the Company will under the provisions of section 28 of the Tramways Act 1870 as incorporated with this Act become liable in respect of the said Tramway No. 3 with the like materials as are used by the Company in laying the portion of the said tramway outside the city :
- (8) Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not lay the said Tramway No. 3 between the point of commencement thereof hereinbefore described and the point of intersection of Lawn Road and Downend Road otherwise than in such position in the roadway as the corporation shall approve :
- (9)—(A) The rails of Tramway No. 1 shall be laid in the portion of Westbury Road referred to in subsection

(2) (A) of this section in the position therein indicated and in the portion of the said road referred to in subsection (2) (B) of this section in the centre of the roadway as widened under the provisions of this section : A.D. 1904.

(B) The rails of Tramway No. 1A and Tramway No. 1B shall be laid in the position indicated in subsection (3) of this section :

(c) Subject to the provisions of subsection (8) of this section the rails of Tramway No. 3 (so far as the same is situate within the city) shall be laid in the centre of the carriageway and according to such levels as the corporation shall prescribe and the Company shall make all such alterations as may be reasonably necessary to adapt the whole of the carriageway to the level at which such rails are laid and shall also make all such alterations or adaptations of the roadside wastes on each side of such carriageway as may be reasonably necessary for affording convenient access from such roadside wastes to the carriageway.

**12.** If the Company desire under the authority of this Act to do any act which shall or may render necessary the removal displacement or duplication of any of the then existing mains or pipes valves syphons plugs or apparatus or other works belonging to or controlled by the Bristol Waterworks Company the West Gloucestershire Water Company or the Bristol Gas Company the Company shall give to the company to be affected by such act fourteen days' notice in writing of such desire and such company shall forthwith (without prejudice nevertheless to the protection afforded them by the Tramways Act 1870 and subject to the proviso in this section hereinafter contained) make such removal displacement or duplication as may be necessary and do all works incident thereto and all expenses to be thereby incurred shall be defrayed by the Company Provided always that if the Company are of opinion that such act does not render necessary any such duplication the question as to the necessity thereof shall be determined by an arbitrator to be appointed by the Board of Trade on the application of either party and such arbitrator shall also determine as to whether the whole or if not the whole what proportion of the costs of such duplication shall be paid by the Company but without prejudice to any existing rights of the Company or of any of the said companies to refer any question

For protection of  
Bristol  
Waterworks  
Company  
West Gloucestershire  
Water Company and  
Bristol Gas  
Company.

A.D. 1904. — other than the necessity of such duplication to arbitration under the provisions of the Tramways Act 1870. Nothing contained in this Act shall interfere with the exercise by any of the said companies of the powers and privileges conferred upon them respectively by any Acts or Act of Parliament of laying down and maintaining and as occasion may require of repairing and altering any mains or pipes in and under any of the roads upon which the tramways may be laid or works executed under the authority of this Act. And the provisions of the Tramways Act 1870 shall extend and apply to all works by this Act authorised and to the Company in respect thereof and the provisions of that Act in favour of the local authority or the road authority shall be extended to and include each of the said companies.

Power to owners to grant easements &c.

**13.** Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain properties.

**14.** And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Company of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Company and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto. Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of the Company or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to

the Company that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

- (3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Company have compulsory powers of purchase) can be so severed :
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Company the portion which the tribunal shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :
- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :

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(6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :

(7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

Period for  
compulsory  
purchase of  
lands.

**15.** The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease as regards land within the city after the expiration of three years and as regards other lands after the expiration of four years from the passing of this Act.

Period for  
completion of  
tramways.

**16.** The tramways shall be completed as regards so much of the tramways as is within the city within four years and as regards the remainder of the tramways within five years from the passing of this Act and on the expiration of those periods respectively the powers by this Act granted to the Company for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

**17.** If the Company fail within the period limited by this Act to complete the tramways or any of them and open the same for public traffic the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the said tramways are completed and opened for public traffic or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the uncompleted tramway or tramways and the said penalty may be applied for by any road authority landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act 1854 And every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as hereinafter provided But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening any tramway by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

A.D. 1904.  
Penalty imposed unless tramways opened within limited time.

**18.** Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the tramways or any portion thereof in respect of the non-completion of which the same was recovered and also in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively and in making good all damage caused to such roads by the construction or abandonment of such tramway and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit And if no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall

Application of penalty.

A.D. 1904. have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or the tramway or tramways in respect of which the penalty has been incurred or any part thereof has been abandoned be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the Court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or re-transferred to the Company.

Incorporating provisions of Acts of 1898.

**19.** The sections hereinafter referred to of the Bristol Tramways (Extensions) Act 1898 and the Bristol Tramways (Electrical Power &c.) Act 1898 are hereby incorporated with this Act and shall so far as applicable extend and apply to the tramways and the Company in respect thereof as fully and effectually as if those sections had been re-enacted in this Act with reference thereto (that is to say):—

*Bristol Tramways (Extensions) Act 1898—*

- Section 21 Gauge of tramways ;
- Section 24 As to rails of tramways ;
- Section 25 Penalty for not maintaining rails and roads in good condition ;
- Section 26 Local authority to have access to sewers ;
- Section 27 Tramways to be kept on a level with surface of road ;
- Section 28 Power to make additional crossings &c. ;
- Section 29 Temporary tramways ;
- Section 35 Application of road materials ;
- Section 37 Power to lay down double or interlacing lines in place of single lines and vice versâ ;
- Section 38 Inspection by Board of Trade ;
- Section 39 Agreements between Company and road authorities ;
- Section 42 Traffic upon tramways ;
- Section 44 Company not bound to carry animals &c. ;
- Section 45 As to carriage of animals goods &c. in separate carriages ;
- Section 48 Tolls and charges ;



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- Section 49 Passengers' luggage ;
- Section 50 Cheap fares for labouring classes ;
- Section 52 Payment of tolls and charges ;
- Section 53 Periodical revision of tolls and charges ;
- Section 57 Recovery of penalties ;
- Section 58 Form and delivery of notices ;
- Section 60 Saving as to powers of borrowing on mortgage :

*Bristol Tramways (Electrical Power &c.) Act 1898—*

- Section 4 Provisions as to motive power ;
- Section 7 Special provisions as to use of electrical power ;
- Section 8 Byelaws ;
- Section 9 Amendment of Tramways Act 1870 as to byelaws  
by local authority ;
- Section 10 Orders &c. of Board of Trade ;
- Section 22 Posts &c. to be removed if user discontinued.

**20.**—(A) 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 seven of the Telegraph Act 1878 shall apply (instead of the provisions of section thirty of the Tramways Act 1870) to any such alteration.

For protection of  
Postmaster-  
General.

(B) In the event of any tramways or light railways of the Company being worked by electricity the following provisions shall have effect :—

- (1) The Company 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-General and the Company 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 Company of their electric lines and works or by the working of the undertaking of the Company the Company shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection :
- (3) Before any electric line is laid down or any act or work for working the tramways or light railways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Company 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 Company 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 Any difference which arises between the Postmaster-General and the Company as to any requirement 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 Company is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Company'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 Company enter any of the Company's works for the purpose of inspecting the Company's plant and the working of the same and the Company shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Company pursuant to the Board of Trade regulations :

- (5) In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company 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 : A.D. 1904.
- (6) Provided that nothing in this section shall subject the Company 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 the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice :
- (7) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work :
- (8) For the purposes of this section and subject as therein provided sections two ten eleven and twelve 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 thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Company 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 Company by indictment action or otherwise in relation to any of the matters aforesaid :

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

Conveyance  
of mails.

**21.** Notwithstanding any provision in any Act or Provisional Order relating to any of the existing tramways of the Company the Conveyance of Mails Act 1893 shall extend and apply to all such tramways 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 Company as the body or person owning or working such tramways.

Power to  
erect posts  
&c.

**22.** For the purposes of this Act and of supplying electrical power for working the tramways the Company may use any generating station of the Company for the time being existing or authorised and may for those purposes supply electrical power therefrom and the Company may execute all such works on or in connection with the tramways and in over or under the streets roads or bridges in or over which the same are laid as may be necessary or expedient for working the tramways by mechanical power as aforesaid and may lay down construct erect and maintain on in under or over the surface or bed of any street road footway bridge river or place (but as regards any private property only with the consent in writing of the owner and occupier thereof) and may with the consent in writing of the owner and occupier of any house or building attach to such house or building such posts conductors wires tubes mains plates cables boxes and apparatus and may make and maintain such openings and ways in on or under any such surface or bed as may be necessary or convenient either for the working of the tramways or for connecting any portions of the Company's tramways or for providing access to or forming connections with any generating station or other stations depôts engines machinery or apparatus and all works to be executed by the Company in pursuance of the powers of this section shall be deemed to be works of a tramway and subject in all respects to the provisions of Parts II. and III. of the Tramways Act 1870 as if such works had been expressly mentioned in the said Act Provided that the Company shall not

exercise the powers conferred on them by this section within the city except under and subject to the provisions set forth in the schedule to the Bristol Tramways (Electrical Power &c.) Act 1898. A.D. 1904.

**23.** All posts and wires erected by the Company under the powers of this Act above the level of the surface of any street or road shall be erected in such position and at such height and shall be of such design as shall be reasonably approved by the road authority or in the event of such approval being withheld for a period of one month after notice in writing shall have been given to the road authority by the Company stating the position in which and the height at which such posts and wires are proposed to be erected and accompanied by drawings showing the design of such posts such posts and wires shall be erected in such position and at such height and shall be of such design as may be approved by the Board of Trade. Provided that this section shall not apply to posts and wires erected within the city.

Above ground posts &c. to be subject to approval of road authority or Board of Trade.

**24.** In addition to the requirements of section 26 of the Tramways Act 1870 the Company shall not only give notice to the road authority of their intention to open or break up any road for the purpose of constructing laying down maintaining or renewing any of the tramways but also lay before the Board of Trade and (as regards any part of the tramways within the city) before the corporation a plan showing the proposed mode of constructing laying down maintaining and renewing such tramways and a statement of the materials intended to be used therein and the Company shall not commence the construction laying down maintenance or renewal of any of the tramways or part of any of the tramways respectively except for the purpose of necessary repairs until such plan and statement have been approved by the Board of Trade and as regards any part of the tramways within the city by the corporation (but such approval by the corporation shall not be unreasonably withheld) and after such approval the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the surveyor of the road authority as provided by section 26 of the said Act.

Provision as to construction of tramways.

**25.** The Company on the one hand and any of the local authorities or road authorities in or through whose districts the tramways will be laid on the other hand may enter into and carry into effect agreements with respect to the widening and improvement of roads along which the tramways will be laid and the

Agreements with local authorities or road authorities as to street improvements.

A.D. 1904. acquisition of land for or in connection therewith and any such agreement may provide either for the acquisition of the land and the execution of the works by the Company and for contributions to the expenses thereof by the local authority or road authority (as the case may be) or on the other hand for the acquisition of the land and the execution of the works by the local authority or road authority and for the Company defraying or contributing to the expenses thereof and any such widening when completed shall vest in the road authority. Any expenses incurred by a local authority for the purposes of any agreement under this section shall be deemed to be and may be defrayed in the same manner as expenses of a local authority under the Public Health Act 1875.

Scale of  
passenger  
fares.

**26.** From and after the opening for public traffic of each of the tramways respectively the tolls and charges to be taken by the Company for passengers shall in lieu of the tolls and charges prescribed by section 51 of the Bristol Tramways (Extensions) Act 1898 and the Third Schedule to that Act and notwithstanding any provision in the Bristol Tramways Acts 1872 to 1904 be as follows (that is to say):—

The Company may (subject to the provisions herein contained as to passengers being persons of the labouring class or being children under three years of age) demand and take from passengers travelling on the respective routes mentioned in the first column of the Third Schedule to this Act any tolls or charges not exceeding those set opposite such routes respectively in the second column of the said Third Schedule:

The Company may demand and take from persons belonging to the labouring class travelling in carriages provided for the labouring class on the respective routes mentioned in the first column of the said Third Schedule any tolls or charges not exceeding those set opposite such routes respectively in the third column of the said Third Schedule:

The Company shall not demand or take any toll or charge for children under the age of three years provided any such child does not occupy a seat to the exclusion of a passenger.

Cheap fares  
for labour-  
ing classes  
within the  
city:

**27.—**(1) The Company shall and they are hereby required to run upon their existing tramways within the city and (at all times after the opening thereof for public traffic) so much of the

tramways by this Act authorised as is within the city a proper and sufficient service of carriages for persons belonging to the labouring class each way every morning and every evening (Sundays Christmas Day Good Friday and bank holidays 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 persons going to and returning from their work at fares not exceeding the fares specified in the last preceding section of this Act On Saturdays the Company 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.

A.D. 1904.

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

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

**28.** It shall not be lawful for the Company or any other company or person working or using the tramways to take or demand on Sundays or any bank or other public holiday any higher tolls or charges than those levied by them on ordinary week days.

As to fares on Sundays and holidays.

**29.** Section 43 of the Tramways Act 1870 shall not apply to the tramways and in lieu thereof the following provisions shall have effect as regards those tramways (viz.):—

Future purchase of undertaking by local authorities.

The local authorities in whose districts each of the tramways is situate may if each such local authority respectively by resolution passed in manner prescribed by section 43 of the Tramways Act 1870 so decide within six months after the expiration of a period of forty-two years from the passing of this Act or within six months after the expiration of every subsequent period of seven years by notice in writing require the Company to sell and thereupon the Company shall sell to them the portion of the undertaking in respect of that tramway upon terms of paying the fair market value thereof as a going concern but without any allowance for compulsory purchase such



A.D. 1904.

value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party and the expenses of the reference to be borne and paid as the referee directs and when any such sale has been made all the rights powers and authorities of the Company in respect of the portion of the undertaking sold shall be transferred to and vested in and may be exercised by the authorities to whom the same has been sold in like manner as if such portion of the undertaking was constructed by such authorities under the powers conferred upon them by a Provisional Order under the Tramways Act 1870 and in reference to the same they shall be deemed to be the promoters:

Provided that any such notice shall not be valid or effectual unless within three months after service thereof on the Company or such further period as may be allowed by the Board of Trade a contract for sale containing provisions for vesting in each local authority so much of the said portion of the undertaking as is situate in their district and a scheme or schemes for the future maintenance management and working of that tramway shall have been approved by the Board of Trade:

The local authorities may pay the purchase money and all expenses incurred by them under the authority of this section out of the like rate and shall have the like powers to borrow on the security of the same as if such expenses were incurred in applying for obtaining and carrying into effect a Provisional Order obtained by them under the Tramways Act 1870 Provided that this section shall not apply to any of the tramways or any part thereof or to any portion of the undertaking within the city.

As to purchase of existing tramways in certain districts.

**30.** Notwithstanding anything in the Bristol Tramways Acts 1872 to 1904 or the Acts incorporated therewith to the contrary contained the provisions of the section of this Act of which the marginal note is "Future purchase of undertaking by local authorities" shall (in lieu of any provisions as to purchase contained in any of such Acts) extend and apply to the portions of the undertaking in respect of such of the existing tramways and light railways of the Company as are situate within the districts of the Horfield Urban District Council the Kingswood Urban District Council and the Keynsham Rural District Council and

those portions of the undertaking shall for the purposes of the said section of this Act be deemed to form part respectively of the portions of the undertaking in respect of such of the tramways by this Act authorised as are situate within such districts. A.D. 1904.

**31.**—(1) For the purposes of the section of this Act the marginal note whereof is “Future purchase of undertaking by local authorities” the rural district council of Warmley shall be deemed to be the local authority within the meaning of such section so far as concerns the tramways within the district of the said council. Provided always that the powers of purchase conferred on the said council by this section shall only be exercised in respect of the tramways within the parish of Mangotsfield with the consent in writing of the parish council of Mangotsfield and if such consent is not given the said parish council shall subject to the provisions of subsection 4 of the section of this Act the marginal note whereof is “For protection of Gloucestershire County Council” remain the local authority for the purposes of the said section of this Act the marginal note whereof is “Future purchase of undertaking by local authorities” in respect of the tramways within the said parish. For protection of rural district council of Warmley.

(2) Any expenses incurred by the said council under the authority of this section may be defrayed in manner directed by the Public Health Act 1875 either as general or as special expenses as the said council may with the approval of the Local Government Board determine.

**32.** If any person without lawful excuse (the proof whereof shall be on him) wilfully does any of the following things (namely) :— Penalty for wilful injury or obstruction to light railways of Company.

Interferes with removes or alters any part of any light railway of the Company or of the works connected therewith ;

Places or throws any stones dirt wood refuse or other material on any part of any such light railway ;

Does or causes to be done anything in such manner as to obstruct any carriage using any such light railway or to endanger the lives of persons therein or thereon ;

Or knowingly aids or assists in the doing of any such thing ;

he shall for every such offence be liable (in addition to any proceedings by way of indictment or otherwise to which he may be subject) to a penalty not exceeding five pounds.

A.D. 1904.  
Penalty on  
passengers  
practising  
frauds on  
Company.

**33.** If any person travelling or having travelled in any carriage on any light railway of the Company avoids or attempts to avoid payment of his fare or if any person having paid his fare for a certain distance knowingly and wilfully proceeds in any such carriage beyond such distance and does not pay the additional fare for the additional distance or attempts to avoid payment thereof or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage every such person shall for every such offence be liable to a penalty not exceeding forty shillings and from and after the passing of this Act the provisions of section 5 of the Regulation of Railways Act 1889 shall cease to apply to any light railway of the Company.

Byelaws as  
to number of  
passengers  
on carriages.

**34.**—(1) The powers of the Company under section 46 of the Tramways Act 1870 with respect to the making of regulations and byelaws for regulating the travelling in or upon any carriage belonging to them shall be deemed to include power to make regulations and byelaws for regulating the number of passengers to be carried in or upon any carriage of the Company and such power shall extend to carriages used upon any light railways for the time being of the Company as well as upon any tramways for the time being of the Company and any such byelaw when confirmed by the Board of Trade shall have effect notwithstanding any provisions to the contrary contained in any public or local Act with respect to the matters aforesaid or in any regulation or byelaw made under any such Act before the passing of this Act but the provisions of this section shall be without prejudice to the exercise by the local authority of their powers under sections 46 and 48 of the Tramways Act 1870 Provided that when making any byelaw under the powers of this section the Company shall cause a copy thereof to be forwarded to the local authority in order that the local authority may be afforded an opportunity of making to the Board of Trade such representation if any with respect to the proposed byelaw as to the local authority may seem desirable.

(2) No regulation or byelaw made by the Company under the powers of this section affecting any tramways or light railways within the city shall be submitted to the Board of Trade for confirmation unless or until the same shall have been approved in writing by the corporation under their common seal.

**35.** And whereas the Company may require to raise additional capital for the purposes of this Act Therefore a sum not being less than one third of the total amount of additional capital to be raised by the Company for those purposes whether by means of shares debentures debenture stock or otherwise shall be so raised that the dividend or interest thereon shall not (with any payment by way of bonus) in any year exceed four per centum on the amount of capital so issued and any premiums received by the Company upon or in respect of the issue of such additional capital shall be applied for the purposes aforesaid and shall not be entitled to dividend or interest.

A.D. 1904.  
Mode of  
raising new  
capital.

**36.** The Company shall deliver to the registrar of joint stock companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty Every penalty under this section shall be recoverable summarily.

Copy of Act  
to be regis-  
tered.

There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies Act 1862 on registration of any document other than a memorandum of association.

**37.** Nothing in this Act contained shall exempt the Company or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum fares rates or charges authorised by this Act.

Provision as  
to general  
Tramway  
Acts.

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

Costs of  
Act.

A.D. 1904

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

The Bristol Corporation Tramways Order 1872 ;  
 The Bristol and Eastern District Tramways Order 1875 ;  
 The Bristol Tramways (Extension) Order 1876 ;  
 The Bristol Tramways (Extensions) Order 1877 ;  
 The Bristol Tramways (Extensions) Order 1879 ;  
 The Bristol Tramways (Extensions) Order 1880 ;  
 The Bristol Tramways (Extensions) Order 1881 ;  
 The Bristol Tramways (Extensions) Order 1882 ;  
 The Bristol Tramways Order 1887 ;  
 The Bristol Tramways (Extension) Order 1891 ;  
 The Bristol Tramways Act 1894 ;  
 The Bristol Tramways Order 1896 ;  
 The Bristol Tramways Act 1897 ;  
 The Bristol Tramways (Electrical Power &c.) Act 1898 ;  
 The Bristol Tramways (Extensions) Act 1898 ; and  
 The St. George and Hanham Light Railway Order 1898.

SECOND SCHEDULE.

PROPERTIES OF WHICH PARTS ONLY ARE REQUIRED TO BE TAKEN.

Borough District or Parish.	Number on deposited Plans.
City of Bristol - - - -	13 14 15 16 17 18 19 and 20.
Parish of Westbury-upon-Trym - -	6.
Parish of Mangotsfield - - -	4 and 5.
Urban district of Kingswood - -	3 4 5 6 7 8 9 10 11 12 13 15 16 17 19 20 21 22 23 24 and 25.
Parish of Siston - - - -	2 and 3.

THIRD SCHEDULE.

A.D. 1904.

Column I. Either Way between	Column II. Ordinary Fares.	Column III. Workmen's Cars.
TRAMWAYS CENTRE AND HENBURY (viâ Whiteladies Road) - - - - -	4d.	2d.
Tramways Centre and Tyndall's Park Road - - -	1d.	½d.
Park Street and Durdham Down (St. John's School) -	1d.	½d.
Durdham Down (St. John's School) and bottom of Westbury Hill - - - - -	1d.	½d.
Westbury Hill (Bottom of) and Henbury - - -	1d.	½d.
TRAMWAYS CENTRE AND FILTON - - - - -	3d.	1½d.
Tramways Centre and Zetland Road - - - - -	1d.	½d.
Zetland Road and Horfield Barracks - - - - -	1d.	½d.
Ashley Down Road and Filton - - - - -	1d.	½d.
TRAMWAYS CENTRE AND DURDHAM DOWN (viâ Zetland Road) - - - - -	2d.	1d.
Tramways Centre and Zetland Road - - - - -	1d.	½d.
Zetland Road and Durdham Down (St. John's School)	1d.	½d.
TRAMWAYS CENTRE AND WARWICK ROAD (viâ City Road or Cumberland Street) - - - - -	1d.	½d.
TRAMWAYS CENTRE AND KEYNSHAM - - - - -	4d.	2d.
Tramways Centre and Cemetery Gates (Bath Road) -	1d.	½d.
Three Lamps and Brislington - - - - -	1d.	½d.
Brislington and Hicks Gate - - - - -	1d.	½d.
Hicks Gate and Keynsham - - - - -	1d.	½d.
TRAMWAYS CENTRE AND HOTWELLS - - - - -	1d.	½d.
BRISTOL BRIDGE (MORLEY STATUE) AND KNOWLE -	2d.	1d.
Bristol Bridge and Bush Hotel - - - - -	1d.	½d.
Three Lamps and Knowle - - - - -	1d.	½d.
BRISTOL BRIDGE (REDCLIFF STREET) AND ASHTON GATE (RAILWAY BRIDGE) - - - - -	1d.	½d.
BRISTOL BRIDGE (REDCLIFF STREET) AND BEDMINSTER DOWN (MINERS' ARMS) - - - - -	1d.	½d.
OLD MARKET AND DURDHAM DOWN (ST. JOHN'S SCHOOL) (viâ Whiteladies Road) - - - - -	2d.	1d.
Old Market and Tyndall's Park Road - - - - -	1d.	½d.
Park Street and Durdham Down (St. John's School) -	1d.	½d.
OLD MARKET AND BUSH HOTEL TOTTERDOWN - - -	1d.	½d.
OLD MARKET AND ZETLAND ROAD (viâ Barrs Street)	1d.	½d.

[Ch. ccxxxvii.] *Bristol Tramways (Extensions)* [4 EDW. 7.]  
*Act, 1904.*

A.D. 1904.

	Column I.	Column II.	Column III.
	Either Way between	Ordinary Fares.	Workmen's Cars.
OLD MARKET AND WARMLEY	- - -	4d.	1½d.
Old Market and Victoria Road Redfield	- - -	1d.	
Lawrence Hill (Great Western Railway) and White- way Road	- - - - -	1d.	
Whiteway Road and Kingswood Tramway Depôt	- - -	1d.	
Kingswood Tramway Depôt and Warmley	- - -	1d.	½d.
Old Market and Bath Road Junction (St. George)	- - -	—	½d.
Bath Road Junction (St. George) and Kingswood Tramway Depôt	- - - - -	—	½d.
OLD MARKET AND STAPLE HILL	- - -	3d.	1d.
Old Market and Eastville	- - -	1d.	
Eastville and Fishponds	- - -	1d.	
Fishponds and Staple Hill	- - -	1d.	
Old Market and Upper Eastville	- - -	—	½d.
Upper Eastville and Staple Hill	- - -	—	½d.
OLD MARKET AND DOWNEND	- - -	3d.	1d.
Old Market and Eastville	- - -	1d.	
Eastville and Fishponds	- - -	1d.	
Fishponds and Downend	- - -	1d.	
Old Market and Upper Eastville	- - -	—	½d.
Upper Eastville and Downend	- - -	—	½d.
OLD MARKET AND LONGWELLS GREEN	- - -	4d.	1½d.
Old Market and Victoria Road Redfield	- - -	1d.	
Lawrence Hill (Great Western Railway) and Marling Road	- - - - -	1d.	
Marling Road and Hanham Wesleyan School	- - -	1d.	
Hanham Wesleyan School and Longwells Green	- - -	1d.	½d.
Old Market and Bath Road Junction	- - -	—	½d.
Bath Road Junction and Hanham Wesleyan School	- - -	—	½d.

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