



CHAPTER cxxxvi.

An Act for incorporating and conferring powers on the
Rossendale Valley Tramways Company, and for other
purposes.

A.D. 1888.

[24th July 1888.]

WHEREAS by the Manchester Bury and Rochdale Tramways
(Extensions) Order 1882 confirmed by the Tramways Orders
Confirmation (No. 3) Act 1882 (and hereinafter referred to as “the
Order of 1882”) and with which was incorporated the Tramways
Act 1870 the Manchester Bury Rochdale and Oldham Steam Tram-
ways Limited (hereinafter referred to as “the Limited Company”) was
authorised to construct certain tramways in the county of
Lancaster :

And whereas by the Manchester Bury Rochdale and Oldham
Steam Tramways Act 1884 (hereinafter referred to as “the Act of
1884”) the Limited Company was dissolved and re-incorporated by
the name of the Manchester Bury Rochdale and Oldham Steam
Tramways Company (hereinafter referred to as “the Manchester
Company”) and their undertaking was vested in the Manchester
Company who were empowered to construct complete work and
maintain amongst others the tramways authorised by the Order of
1882 and to exercise the powers conferred by that Order upon the
Limited Company and the powers conferred upon the Manchester
Company by the Act of 1884 :

And whereas by the Manchester Bury Rochdale and Oldham
Steam Tramways (Extension of Time) Act 1885 the time for com-
pleting amongst others certain of the tramways authorised by the
Order of 1882 was extended :

And whereas by the Manchester Bury Rochdale and Oldham
Steam Tramways Act 1887 (hereinafter referred to as “the Act of
1887”) the time for completing certain of the tramways authorised
by the Order of 1882 was further extended until the twelfth day of

A.D. 1888. July 1888 and such tramways were formed into a separate undertaking with a separate capital of the Manchester Company to be called the Rossendale Valley Tramways :

And whereas the Manchester Company has not commenced the construction of the said Rossendale Valley Tramways nor raised any portion of the capital of the separate undertaking :

And whereas by an Order made by the Vice Chancellor of the Chancery of the County Palatine of Lancaster dated the seventh day of November 1887 it was ordered that the Manchester Company should be wound up by that court under the provisions of the Companies Acts 1862 and 1867 and it is expedient that the said Rossendale Valley Tramways undertaking should be transferred to or vested in an independent Company incorporated to construct maintain and work the same :

And whereas the persons hereinafter named with others are willing at their own expense to construct and maintain the said Rossendale Valley Tramways undertaking if authorised by Parliament so to do and are desirous of being incorporated into a Company for that purpose :

And whereas John Beattie (since deceased) and Luke Bishop two of the then directors of the Manchester Company transferred or paid on behalf of the Manchester Company to the account of the Paymaster-General for the time being on behalf of the Court of Chancery with reference to the Order of 1882 a deposit fund as security for the completion of the tramways authorised by that Order and it is expedient that all the right title and interest of the said depositors and the Manchester Company in or to the balance of such deposit fund now remaining to the credit of ex parte the Manchester Bury and Rochdale Tramways (Extensions) 1882 should be deemed to be vested in the Company and that a portion of such deposit fund which is now forfeited or liable to be forfeited should be released :

And whereas it is expedient to further extend the time limited for constructing and opening for public traffic the said Rossendale Valley Tramways and to repeal or modify some of the provisions of the Order of 1882 and that such further powers be conferred upon the Company as are hereinafter contained :

And whereas the said Rossendale Valley Tramways will connect with the tramways of the Accrington Corporation Steam Tramways Company and it is expedient that power should be granted to the Company and the said Company to enter into agreements as hereinafter provided and that the said Rossendale Valley Tramways should be constructed upon the same gauge as the tramways of the said Company :

And whereas the purposes of this Act cannot be effected without the authority of Parliament : A.D. 1888.

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

1. This Act may be cited as the Rossendale Valley Tramways Act 1888. Short title.

2. The Companies Clauses Consolidation Act 1845 Part I. (relating to cancellation and surrender of shares) of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 the Lands Clauses Consolidation Act 1845 (except the provisions thereof with respect to the purchase of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) the Lands Clauses Consolidation Acts Amendment Act 1860 and section 3 (interpretation of terms) section 19 (local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 so far as the same respectively are applicable to and not varied or excepted by or inconsistent with the provisions of this Act are (except where expressly varied by this Act) incorporated with and form part of this Act. Incorporation of Acts.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction or unless herein otherwise provided : Interpretation.

The expression "the Company" means the Company incorporated by this Act :

The expression "the tramways" means the tramways and works forming the separate undertaking of the Manchester Company called the Rossendale Valley Tramways created by and defined in the Act of 1887 :

The expression "the undertaking" means the undertaking of the Company :

And for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute :

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The word "contingencies" in the Companies Clauses Consolidation Act 1845 section 122 shall with reference to the Company be construed to include the contingency of the undertaking or any part thereof being sold to the local authorities under the Tramways Act 1870 section 43 at a sum less than the aggregate amount of the capital and debts of the Company.

Company
incorporated.

4. Charles Courtney Cramp William Penrose Green and Alfred Love and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and they are hereby united into a Company for the purposes hereinafter mentioned and for those purposes shall be and are hereby incorporated by the name of the Rossendale Valley Tramways Company and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase hold and dispose of lands and other property for the purposes of this Act.

General
purposes of
Company.

5. Subject to the provisions of this Act the Company may construct complete work use and maintain the tramways and may exercise the powers conferred upon the Manchester Company in relation thereto by the recited Acts and Order respectively.

Capital.

6. The capital of the Company shall be eighty thousand pounds in eight thousand shares of ten pounds each.

Shares not to
be issued
until one-
fifth paid.

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

Calls.

8. One-fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls.

Receipt in
case of per-
sons not sui
juris.

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

Power to
borrow.

10. The Company may from time to time borrow on mortgage of the undertaking any sum or sums not exceeding in the whole twenty thousand pounds at the times and subject to the restrictions hereinafter contained that is to say in respect of each sum of forty thousand pounds part of the said capital of eighty thousand pounds the Company may borrow the sum of ten thousand pounds but no part of each such sum of ten thousand pounds shall be borrowed

until the whole of the portion of capital in respect of which it is to be borrowed is issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of such capital has been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

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

For appointment of a receiver.

12. The Company shall not create debenture stock.

Company not to create debenture stock.

13. Every mortgage granted by the Company shall be marked with the date and short title of the Act under the powers of which the same is granted.

Date &c. of Act to be marked on mortgages.

14. Every mortgage of the Company's undertaking shall be deemed to comprise all purchase-money which may be paid to the Company in the event of a compulsory sale to a local authority under section 43 of the Tramways Act 1870 and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage.

Mortgage to comprise purchase-money paid on compulsory sale.

15. Every mortgage deed granted by the Company under this Act shall be endorsed with notice that such mortgage will not be a charge upon the tramways or the undertaking or any part thereof respectively comprised in any compulsory sale to any local authority under section 43 of the Tramways Act 1870.

Indorsement of notice of power of future purchase by local authorities.

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Application
of moneys.

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

Ordinary
meetings.

17. The first ordinary meeting of the Company shall be held within six months after the passing of this Act and the future ordinary meetings of the Company shall be held in the month of February in every subsequent year or in such other month in every subsequent year as the Company by the resolution of an extraordinary general meeting shall from time to time determine.

Quorum of
meetings.

18. The quorum to constitute a general meeting whether ordinary or extraordinary of the Company shall be ten shareholders holding in the aggregate not less than three thousand pounds nominal value in the capital of the Company.

Extraordi-
nary meeting
convened by
shareholders.

19. The number of shareholders who may require an extraordinary meeting to be convened shall not be less than ten holding in the aggregate not less than three thousand pounds nominal value in the capital of the Company.

Number of
directors.

20. The number of directors shall be five but the Company may from time to time reduce or increase the number provided that the number be never less than three nor more than seven.

Qualification
of directors.

21. The qualification of a director shall be the possession in his own right of not less than thirty shares.

Quorum of
directors.

22. The quorum of a meeting of directors shall be three.

First
directors.

23. Charles Courtney Cramp William Penrose Green and Alfred Love and two persons to be nominated by them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act or nominated as aforesaid being if qualified eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power hereinbefore contained for altering the number of directors) elect a person or persons to supply the place or places of the director or directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or

resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act and two of the directors for the time being shall go out of office in the year next after the first ordinary meeting held after the passing of this Act. A.D. 1888.

24. Immediately after the passing of this Act the Company shall pay to the Manchester Company its successors or assigns or to any person or persons properly appointed to receive the same on its behalf the sum of two thousand four hundred pounds and such payment is hereby authorised and approved. Payment to Manchester Company.

25. Subject to and immediately after the payment by the Company of the sum to be paid to the Manchester Company its successors or assigns or to any person or persons properly appointed to receive the same on its behalf as hereinbefore provided all the statutory rights powers authorities obligations and liabilities of the Manchester Company in respect of the tramways and the separate undertaking of that Company shall be transferred to vested in and may be exercised by and shall attach to the Company in like manner as if such tramways had been originally authorised to be constructed by the Company and in reference to the tramways and the undertaking the Company shall be deemed to be the promoters and the provisions with respect to tolls and charges and all matters relating thereto in the recited Acts and Order respectively applicable to the tramways shall apply to the tramways as though the same were authorised by this Act Provided always that this section shall not be construed to impose upon the Company any of the general liabilities of the Manchester Company with respect to its general undertaking. Transfer of the tramways authorised.

26. Subject to the payment by the Company of the sum to be paid to the Manchester Company its successors or assigns or to any person or persons properly appointed to receive the same on its behalf as hereinbefore provided all the right title and interest of the depositors and the Manchester Company in or to the sum of one thousand six hundred and fifty-eight pounds fourteen shillings and eightpence Consolidated Three Pounds per Centum Annuities and five pounds six shillings and twopence cash (being the balance of the deposit fund transferred or paid to the account of the Paymaster-General for the time being on behalf of the Court of Chancery with reference to the Order of 1882 and now remaining to the credit of ex parte the Manchester Bury and Rochdale Tramways (Extensions) 1882) shall be deemed to be transferred to or vested in the Company and if and whenever the event happens upon which the balance of Provisions as to release of balance of the deposit for the Order of 1882.

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Extension of
time for
completion of
tramways.

27. The time limited by the Order of 1882 as extended by the Act of 1887 for the completion and opening for public traffic of so much of the Tramway No. 10 authorised by the said Order as extends from the existing terminus of the tramway in Market Street Facit to the authorised termination of the said Tramway No. 10 and also of the tramways authorised by the said Order and therein numbered 11 12 13 14 15 16 17 18 and 19 is hereby further extended and the powers granted to the Manchester Company for the construction and completion of those tramways and portion of tramway may subject to the payment by the Company of the sum to be paid to the Manchester Company its successors or assigns or to any person or persons properly appointed to receive the same on its behalf as hereinbefore provided be exercised by the Company until the twelfth day of July one thousand eight hundred and eighty-nine which shall be deemed to have been the time limited by the Order of 1882 for the completion and opening for public traffic of the said tramways and portion of tramway and on the expiration of that period the powers for making and completing the said tramways and portion of tramway and executing the works connected therewith or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Release of
portion of
deposit ap-
plicable to
portion of
tramways
abandoned.

28. Subject to the payment by the Company of the sum to be paid to the Manchester Company its successors or assigns or to any person or persons properly appointed to receive the same on its behalf as hereinbefore provided and notwithstanding anything contained in section 12 of the Tramways Act 1870 the High Court of Justice in England may and shall at any time after the passing of this Act on application of the Company order the sum of two hundred and twelve pounds Consolidated Three Pounds per Centum Annuities (being the proportion of the said sum of one thousand six hundred and fifty-eight pounds fourteen shillings and eightpence like annuities and five pounds six shillings and twopence cash herein-

before referred to which is applicable to so much of Tramway No. 7A authorised by the Order of 1882 as now remains uncompleted) to be paid or transferred to the Company and thereupon the same shall be paid or transferred to the Company or to any person or persons whom it may appoint in that behalf. A.D. 1888.

29. The provisions of section 15 so far as it relates to the tramways and sections 16 and 17 respectively of the Order of 1882 are by this Act repealed and in lieu thereof the following provisions shall have effect with respect to the construction and maintenance of the tramways (in addition to all other provisions of this Act and of the recited Acts and Order respectively in which any local or road authority affected thereby is referred to or mentioned by name) and the following provisions shall be read and construed as if the same had been originally included in the Order of 1882 instead of the provisions of the Order of 1882 repealed by this Act as aforesaid. Repeal of certain provisions in Order of 1882 and substitution of other provisions in lieu thereof for protection of local and road authorities.

(1) Every passing place shall be sixty-six yards in length and should the road authority require any passing place to exceed that length they shall give notice to that effect to the Company at a reasonable time after the deposit of the working drawings hereinafter mentioned and before the works shall have been commenced and thereupon the Company shall construct such passing place of such reasonable length as the road authority shall direct and the Board of Trade approve. (As to length of passing places.)

(2) One month at least before any roads are broken up for the purpose of constructing any of the tramways the Company shall give notice to the road authority and such notice shall be accompanied by proper working plans and drawings and a specification showing the manner in which the Company propose to make form and pave the line of road and the materials which they propose to use and the work shall not be commenced or undertaken until the road authority have approved of the mode in which it is to be done and of the materials to be used. Provided that unless the road authority give the Company notice in writing expressing their non-approval of such specification within one month from the delivery of such notice the Company shall be at liberty to assume that such approval is given and such approval shall in no case be unreasonably withheld and the Company shall alter the specification and drawings subject to the provisions of this Act in such manner as the road authority may reasonably require and the Board of Trade may approve. (One month's notice to be given to road authority before breaking up roads.)

(3) The rails of which any of the tramways shall for the time being consist shall be of a weight of not less than 85 to 88 (Tramway rails to be of certain

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weight and
rails and
road to be
kept in good
condition and
penalty for
default.)

pounds per yard and the Company shall at all times and in such manner as the road authority shall direct and to their satisfaction maintain such rails and keep them in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic and the substructure upon which the same rest and if the Company at any time make default in complying with this provision or with any of the provisions of section 28 of the Tramways Act 1870 they shall (without prejudice to the enforcement in any manner of the other requirements of this Act or to any other remedy against the Company) for every such offence be subject on information laid or complaint made to a penalty not exceeding two pounds and in case of a continuing offence to a further penalty not exceeding two pounds for every day after the first on which such default continues after seven days' previous notice shall have been given or left at the office of the Company by the clerk or surveyor for the time being of the road authority and such penalty shall be a penalty within the meaning of section 56 of the said Act.

(Company to
pave portion
of road re-
pairable by
them with
setts of speci-
fied size and
material.)

(4) The portion of the road required by section 28 of the Tramways Act 1870 to be constructed maintained and kept in good repair by the Company shall not be deemed to be so constructed maintained and kept unless (subject to the approval of the Board of Trade) it is paved by the Company with granite setts of such depth (not exceeding five inches) grouted in pitch as the road authority may reasonably direct and approve.

(Road autho-
rity in cer-
tain events
may pave.)

(5) If at any time during the construction of the tramways the Company make any default in paving such portion of any road in which any of the tramways are being laid as under this Act the Company are bound to pave the road authority may give notice in writing to the Company of such default and if at the expiration of fourteen days from the giving of such notice the Company fail to commence the necessary works to remedy such default or having so commenced shall not prosecute the same to completion with all reasonable despatch the road authority may execute such works at the same time as or forthwith after such tramway shall be laid on such road and the costs and expenses incurred by them in so doing shall be paid by the Company to the road authority.

(Deviation
from centre
of the road
in certain
cases.)

(6) Subject to the approval of the Board of Trade where any part of any of the tramways if constructed according to the deposited plans and sections would be so laid that a less space than 9 feet 6 inches would intervene between the outside of the

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footpath on either side of the road and the inside rail of the tramway the Company shall not construct such part in accordance with the deposited plans and the deposited sections but they may and they are hereby required to deviate from the deposited plans and the deposited sections and to construct such part of such tramway on one side of the road. The side of the road upon which such tramway is to be constructed shall be decided by the road authority.

- (7) The Company shall not in the construction alteration or relaying of any of the tramways stop up or interfere with any road so as to prevent the passage of traffic along such road except with the previous consent in writing of the road authority. (Company not to stop ordinary traffic except with consent.)
- (8) The levels at which the tramways are to be constructed shall be decided by the road authority and any expense in the construction of the tramways over and above that which would have been incurred by the Company in following the levels shown on the deposited plans and rendered necessary by such decision shall be borne by the Company. Provided that if by reason of any such alterations of levels any buildings or land be injuriously affected the compensation (if any) payable therefor shall be paid by the road authority who shall also execute at their own cost all works rendered necessary by such alteration of levels not forming an integral part of the construction of the tramways. (Levels to be fixed by road authority.)
- (9) If by reason of the construction of the tramways according to the levels shown on the deposited sections any alteration is rendered necessary in the level of any of the streets or roads or in the levels of the footways of such streets or roads the expense of making such alterations and of the making good the roadways on either side of the tramway and all damage to any building or land by reason of such alteration shall be borne and paid by the Company. (Injury to foot paths and buildings to be borne by Company in certain cases.)
- (10) The several provisions herein contained for the protection of the road authority and of any sewers pipes and apparatus shall not be deemed to supersede or dispense with the provisions of sections 26 to 33 both inclusive of the Tramways Act 1870 but those provisions respectively (except in so far as they may be inconsistent with any of the special provisions herein contained) shall be and remain in full force and effect. (Provisions of this Act not to supersede provisions of sections 26 to 33 of the Tramways Act 1870.)
- (11) Sections 30 32 and 33 of the Tramways Act 1870 shall extend and apply to the road authority with reference to the pipes and apparatus belonging to them in like manner as (Provisions as to Gas and Water Companies

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to extend to
road autho-
rity.)

the same apply to a company or person being the owner of gas and water mains or pipes tubes wires or apparatus Provided that all works or interference under the thirtieth section of the Tramways Act 1870 or otherwise with or in connection with such pipes and apparatus shall be made or executed by the road authority upon the request and at the cost of the Company.

(Extension
of section 26
of Tram-
ways Act
1870.)

(12) Sub-sections 2 3 and 4 of section 26 of the Tramways Act 1870 shall extend and apply to the works referred to in sections 27 and 28 of the said Act and to all other works of every description affecting any sewer pipes or apparatus or other works or property of or under the control or jurisdiction of the road authority.

(Interference
with line of
proposed
sewers.)

(13) If in the construction of the tramways the Company shall interfere with the line of any sewers proposed to be made in such manner that it shall become necessary for the road authority to construct manholes side entrances and ventilators through such interference the cost and expense incurred by the road authority in constructing such manholes side entrances and ventilators shall on demand be paid by the Company to the road authority and the road authority may recover the same from the Company in like manner as any simple contract debt of like amount may be recovered.

(Removal &c.
of mains &c.
to be effected
by road
authority
at cost of
Company.)

(14) Whenever the Company desire under the authority of this Act to do any act which may render necessary the alteration removal or displacement of any sewers pipes or apparatus or works belonging to or under the control of the road authority the Company shall give to the road authority fourteen days' notice in writing of such desire and the road authority shall thereupon forthwith but without prejudice to the protection afforded to them by the Tramways Act 1870 make such alteration displacement or removal as the case may be and do all work incidental thereto and all reasonable expenses that may be thereby incurred shall be defrayed by the Company.

(Exemption
of road
authority
from liability
in execution
of own
works.)

(15) The road authority may at any time hereafter construct and lay in any direction within their district any new or additional sewers pipes or other apparatus and from time to time repair alter amend and maintain any existing sewers pipes or apparatus under across or near the tramways and the road authority shall not be liable for any damage to the tramways or loss of traffic thereon that may be caused by the execution of any of the aforesaid works at under across or near to the tramways nor for the expense of taking up removing and relaying the parts of

such tramways as may be interfered with as aforesaid by the road authority all of which shall be done at the expense of the Company Provided that the operations of the road authority shall be carried on so as to interfere as little as possible with the traffic on or construction of the tramways Provided always that all watching guarding fencing and lighting required and necessary during the construction of any works by the road authority upon any roads whereon the tramways or any part thereof are laid shall be done and provided by the road authority.

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(16) The road authority and their officers and servants shall at all times have free access to and communication with all existing and future sewers pipes apparatus and other works in connection therewith Provided always that if at any time after the passing of this Act any such sewers or any other works of or belonging to or under the control of the road authority shall be or become injured or damaged by reason or in consequence of any act deed matter or thing of or by the Company or their servants it shall be lawful for the road authority immediately thereupon or at any time thereafter at the cost expense and risk of the Company to do what they shall respectively deem reasonably necessary in order to the thorough and efficient reinstatement of such sewer drain or other work as aforesaid and if the Company shall not on demand pay the road authority the cost and expense incurred by them the road authority may recover the same from the Company in like manner as any simple contract debt of like amount may be recovered.

(Road authority to have access to sewers &c.)

(17) The road authority shall not be responsible to the Company for any damage the Company may sustain by reason of their having to repair or relay their lines of tramway from time to time in consequence of the ground slipping or subsiding after or during the construction laying or relaying of any sewer pipes or apparatus or after the ground above the same shall have been filled in all of which shall be borne by the Company but in such construction or laying and in the filling in of the ground above and around the same the road authority shall proceed with all reasonable care and despatch.

(Road authority not to be responsible for subsidence.)

(18) The road authority shall not be liable to the Company for and the Company shall indemnify the road authority against any loss by reason of suspension of traffic or any accidents damages or injuries either to the tramways works and property of the Company or to the persons and property being conveyed on or using the same or to any other person or property what-

(Company to indemnify the road authority from accidents &c. caused by escape of gas or water &c.)

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soever and all actions suits and costs in respect thereof which may either during the progress of the works of the Company or at any time thereafter be caused by the bursting breaking or leakage from any sewer of or by any escape from any pipe or apparatus of the road authority crossing or being underneath (either wholly or partially) or near to any tramway or work of the Company unless such damages accidents or injuries arise as the consequence of any wilful act or default of the road authority the intention of this section being that the road authority shall not by reason of the existence of the tramways or the working of them by the Company or their assignees or of the construction thereof be liable to any greater extent than they might be liable if such tramways were not in existence or if works in connection with the construction or repair thereof were not at the time of any injury being caused being carried on Provided always that the Company shall not nor shall their lessees be liable for any damages claims or demands to which the road authority would be liable if the tramways were not in existence or if works in connection therewith were not for the time being carried on.

(Removal of tramways by road authority.)

(19) If at any time it shall appear to the road authority desirable that any of the tramways or any part thereof should be removed the road authority may with the approval of the Board of Trade remove the same at any time after the expiration of six months' notice given by the road authority to the Company upon paying or making proper compensation to the Company such compensation in case of difference between the parties to be settled in the manner specified in section 33 of the Tramways Act 1870 for the settlement of the differences in the said section mentioned Provided always that if the Company object to such removal the matter shall be referred to and settled by the Board of Trade and provided also that nothing in this sub-section shall empower the road authority to break or interfere with the continuity of the said tramways except temporarily for the purposes of any works repairs or other operations under the powers hereinbefore contained.

(Company to be solely responsible for maintenance of tramways.)

(20) The sole responsibility of maintaining and working the tramways free from damage or accident shall rest with the Company and they shall have no claim whatever for any damage or interruption of the traffic which may arise from any works executed or to be executed by the road authority or from the use of any implements or materials used in the maintenance

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thereof or by reason of any accident which may happen to any road under the control of the road authority except where such damage or interruption of traffic results from wilful negligence or improper conduct in the execution of such works or in the use of such implements or materials.

(21) The use of the bell whistle or other warning apparatus upon the tramways under the provisions of this Act shall be subject to any regulations which subject to this Act or to any regulations made by the Board of Trade under the provisions of this Act the road authority may make and which they are hereby respectively authorised to make subject as aforesaid with respect to such use on the tramways.

(Road authority may make regulations as to use of bell whistle &c.)

(22) The road authority may if and when they think fit by notice in writing direct the Company at any time after the expiration of twenty-four hours from the service of such notice to stop delay or suspend the working of the tramways for the purpose of facilitating traffic during the holding of any special markets or fairs or during the time of any public meeting procession or demonstration or during such time as in the opinion of the road authority the roads or streets upon which the tramways are laid are likely to be more than usually thronged or crowded Provided always that such stoppage delay or suspension shall continue so long only as may be reasonably necessary for the purposes aforesaid or any of them and the Company shall not have any claim for compensation in respect thereof.

(Road authority may stop traffic in certain cases.)

(23) If the Company discontinue working the traffic upon any of the tramways for the space of one week except where such discontinuance may be necessary for the repair of the tramways they shall be liable to pay to the road authority a penalty of two pounds a day for every day on which they discontinue working such traffic Provided always that the Company shall not be liable to any such penalty if the discontinuance to work the tramways arises from any act of the road authority or their officers or from accident or any other circumstance over which the Company has no control.

(Penalty for default of Company in working tramways.)

(24) No tramway car shall be allowed to remain stationary or stop for the purpose of taking up passengers animals goods minerals or parcels or for any other purpose whatsoever in the line of any road crossing.

(Tramway cars not to be stopped at certain places.)

(25) All the carriages to be used by the Company for the conveyance of traffic on the tramways shall be kept in good repair and condition to the reasonable satisfaction of the road

(Restrictions and provisions as to carriages.)

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authority No passenger carriages coupled together shall be used upon the tramways if the road authority object to such user.

(Lights on carriages after sunset.)

(26) Between sunset and sunrise the Company shall fix and maintain one white light at least in front of each carriage or of the first of two or more carriages coupled together or of each engine and one coloured light at least at the rear of such carriage or the last of such carriages.

(As to removal of snow and ice.)

(27) The Company shall not on any pretence without the previous consent in writing of the road authority use salt or any mixture of salt for the purpose of melting or removing snow or ice from the tramway track.

(As to tolls for passengers.)

(28) Notwithstanding anything contained in this Act or in the recited Acts and Order respectively the Company shall not charge any passenger travelling upon any of the tramways or any part thereof more than one penny for any distance less than one mile and for the purposes of this sub-section convenient stages shall be arranged between the road authority and the Company which in default of agreement shall be determined by the Board of Trade between the parties so as to meet the convenience of the public.

(Road authority may use tramways for certain purposes during certain hours.)

(29) The road authority at such times between the hours of eleven at night and five in the morning as they shall think fit may use the tramways for the conveyance of night-soil dung manure ashes rubbish filth and other refuse scavenging stuff and road metal required for their existing works or roads free of all tolls and charges whatsoever and for this object may if authorised to do so without payment to the Company therefor connect branch lines with the lines of the Company at such points as the road authority may from time to time deem expedient Provided always that the road authority shall not for such purpose use steam or any mechanical power on the tramways.

(Certain expenses of road authorities to be borne by Company.)

(30) The Company shall pay all reasonable costs charges and expenses incurred by the road authority in relation to this Act and shall on demand repay to the road authority all reasonable charges and expenses incurred by them for the supervision and inspection of any work done or to be done by the Company in connection with the tramways and the road authority are hereby authorised to order such supervision and inspection of the works as they may deem proper.

(Recovery of money.)

(31) All and singular the sums and sum of money by this Act provided to be paid by the Company to the road authority except as is by this Act otherwise provided may be recovered

by the road authority by all and the same means as any simple contract debt of like amount may be recovered.

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(32) If any difference arise between the road authority and the Company touching anything to be done or not to be done by the road authority or the Company and for the settlement of which no special provision is made in this Act the matter in difference shall (unless otherwise agreed on between the parties within ten days after such difference shall have arisen) be determined by a referee to be appointed by the Board of Trade upon the application of either of the parties in manner provided by section 33 of the Tramways Act 1870 for the settlement of the differences in the said section mentioned.

(Arbitration.)

(33) Except as herein is otherwise expressly provided nothing herein contained shall take away lessen prejudice or alter any of the estates rights interests powers or authorities of or belonging to the road authority but the road authority may have use exercise and enjoy the same as fully freely and effectually in all respects as they could or might have done if this Act had not been passed.

(Saving rights of the road authority.)

(34) Nothing in this Act shall prejudice or interfere with any rights of any person being the owner lessee or occupier of any subway tunnel pipe or shafting constructed or laid under any road crossed by any of the tramways and the provisions of section 32 (rights of authorities and companies &c. to open roads) of the Tramways Act 1870 shall extend and apply to and in relation to all such subways tunnels pipes and shafting.

(Saving certain rights under roads.)

30. For the protection of the mayor aldermen and burgesses of the borough of Bacup in the county of Lancaster (in this section hereinafter referred to as "the Bacup Corporation") the following provisions (in addition to all other provisions of this Act and of the recited Acts and Order respectively in which the Bacup Corporation is referred to as the local or road authority or is mentioned by name) shall have effect with respect to the construction and maintenance of such of the tramways as are authorised to be constructed within the borough of Bacup (in this section hereinafter referred to as "the Bacup tramways") :—

For protection of the Corporation of Bacup.

(1) As security to the Bacup Corporation for the due completion of the Bacup tramways and for the repair maintenance or restoration of the road rails and substructure (as provided by the Tramways Act 1870 the Order of 1882 the Act of 1884 and this Act respectively) for the period of 12 months from the completion and opening for public traffic of the Bacup tramways or of such part thereof as the Company may elect and the

(Company to give security to Bacup Corporation)

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Bacup Corporation may reasonably require the Company to construct and maintain and as security for the payment by the Company of any additional expenses imposed upon the Bacup Corporation as hereinafter provided the Company shall within two months after the passing of this Act deposit with the Bacup Corporation the sum of seven hundred and fifty pounds and such sum shall be held by the Bacup Corporation during the construction and until the expiration of such period of 12 months and until the completion of the sewers proposed to be laid by the Bacup Corporation in the roads occupied by the Bacup tramways and in the event of any expenses being incurred by the Bacup Corporation in the repair maintenance or restoration of so much of any road whereon any of the Bacup tramways is laid as the Company are liable to repair maintain or restore and the rails or substructure of which any of the Bacup tramways for the time being consist during such period they shall be at liberty to provide for and pay such expenses out of the money so to be deposited as aforesaid until the amount of such expenses shall be recovered from the Company in the manner provided by this Act and upon the recovery of such amount from the Company the Bacup Corporation shall hold the same upon the same terms and for the same purposes as they held the moneys applied in payment of the said expenses as aforesaid and as if such amount so recovered had formed part of the original deposit and if any difference arises between the Company and the Bacup Corporation in relation to the due completion of the Bacup tramways such difference shall be settled in manner provided by section 33 of the Tramways Act 1870 Provided always that during the continuance of such deposit the Bacup Corporation shall pay to the Company such interest on the sum on deposit from time to time as the Bacup Corporation may receive for the same.

(Application of road material excavated in the construction of the Bacup tramways.)

(2) Section 27 of the Order of 1882 shall not apply to the Bacup tramways but in lieu thereof any metalling or material excavated by the Company in the construction of the Bacup tramways from any road whereon the same are authorised to be constructed may be used or applied by the Company as far as may be necessary in or towards the construction of the Bacup tramways or works connected therewith and the maintenance thereof for six months after completion and in or towards the reinstating and maintenance for the period aforesaid of the road or of so much thereof on either side of the tramway as the Company are required to maintain and the Company shall if so required by

the surveyor for the time being of the Bacup Corporation remove the surplus metalling or material not used or required to be used for the purposes aforesaid to such place or places as such surveyor shall direct and determine such place or places not to exceed a distance of one mile from the site of the works where such material shall be then deposited Provided always that the foregoing provisions of this sub-section shall not apply to the paving setts excavated by the Company in constructing the Bacup tramways which shall remain the absolute property of the Bacup Corporation who shall at their own expense pick up and cart away the same as they are excavated by the Company.

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- (3) The Bacup Corporation shall have power at any time during the construction of the proposed line of sewers on giving previous notice in writing to the Company to absolutely stop delay or suspend the working of the Bacup tramways for the execution of any works to such sewers by the Bacup Corporation such stoppage delay or suspension to continue only as long as may be absolutely necessary for the purposes aforesaid and the Company shall not be entitled to claim any compensation or damages in respect thereof Provided always that in the event of the Bacup Corporation exercising such power the Bacup Corporation shall allow and give facilities to the Company for the construction and maintenance of a temporary tramway or temporary tramways as provided by section 26 of the Order of 1882. (Power to suspend working of Bacup tramways.)
- (4) Any additional expenses imposed upon the Bacup Corporation by reason of the construction or existence of the Bacup tramways in any road or place where any sewers mains pipes tubes wires or apparatus under the control of the Bacup Corporation shall now or at any time hereafter exist shall be borne and paid by the Company Provided that such additional expenses shall not exceed five hundred pounds in the whole. (Additional expenses of Bacup Corporation caused by Bacup tramways to be borne by Company.)
- (5) It shall be lawful for the Bacup Corporation to exercise the powers of purchase given them by the Tramways Act 1870 at the end of any year from the passing of this Act on giving to the Company six months' previous notice in writing of their intention so to do. (Periods at which Bacup Corporation may exercise powers of purchase.)
- (6) If the Bacup Corporation exercise such right the Company shall have the right to demand a lease of the tramways purchased for a term not exceeding 21 years and at a rent equal to the amount of interest which the Bacup Corporation shall pay on the purchase money plus five shillings per centum per annum to cover expenses of collection. (Company to have option of lease.)

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For protection of the Rawtenstall Local Board.

31. For the protection of the local board for the district of Rawtenstall in the county of Lancaster (in this section hereinafter referred to as "the Rawtenstall Board") the following provisions (in addition to all other provisions of this Act and of the recited Acts and Order respectively in which the Rawtenstall Board is referred to as the local or road authority or is mentioned by name) shall have effect with respect to the construction and maintenance of such of the tramways as are authorised to be constructed within the district of the Rawtenstall Board (in this section hereinafter referred to as "the Rawtenstall tramways"):

(Company to give security to Rawtenstall Board.)

- (1) As security to the Rawtenstall Board for the due completion of the Rawtenstall tramways and for the repair maintenance or restoration of the road rails and substructure (as provided by the Tramways Act 1870 the Order of 1882 the Act of 1884 and this Act respectively), for the period of 12 months from the completion and opening for public traffic of the Rawtenstall tramways or of such part thereof as the Company may elect and the Rawtenstall Board may reasonably require the Company to construct and maintain and as security for the payment by the Company of any additional expenses imposed upon the Rawtenstall Board as hereinafter provided the Company shall within two months after the passing of this Act deposit with the Rawtenstall Board the sum of seven hundred and fifty pounds and such sum shall be held by the Rawtenstall Board during the construction and until the expiration of such period of 12 months and until the completion of the sewers proposed to be laid by the Rawtenstall Board in the roads occupied by the Rawtenstall tramways and in the event of any expenses being incurred by the Rawtenstall Board in the repair maintenance or restoration of so much of any road whereon any of the Rawtenstall tramways is laid as the Company are liable to repair maintain or restore and the rails or substructure of which any of the Rawtenstall tramways for the time being consist during such period they shall be at liberty to provide for and pay such expenses out of the money so to be deposited as aforesaid until the amount of such expenses shall be recovered from the Company in the manner provided by this Act and upon the recovery of such amount from the Company the Rawtenstall Board shall hold the same upon the same terms and for the same purposes as they held the moneys applied in payment of the said expenses as aforesaid and as if such amount so recovered had formed part of the original deposit and if any difference arises between the Company and the Rawtenstall Board in relation to

the due completion of the Rawtenstall tramways such difference shall be settled in manner provided by section 33 of the Tramways Act 1870 Provided always that during the continuance of such deposit the Rawtenstall Board shall pay to the Company such interest on the sum on deposit from time to time as the Rawtenstall Board may receive for the same.

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- (2) The granite setts with which the Rawtenstall tramways shall be paved shall be of the Clee Hill quarry or of such similar stone as the surveyor for the time being of the Rawtenstall Board may reasonably direct and approve. (As to paving setts.)
- (3) Section 27 of the Order of 1882 shall not apply to the Rawtenstall tramways but in lieu thereof any metalling or material excavated by the Company in the construction of the Rawtenstall tramways from any road whereon the same are authorised to be constructed may be used or applied by the Company as far as may be necessary in or towards the construction of the Rawtenstall tramways or works connected therewith and the maintenance thereof for six months after completion and in or towards the reinstating and maintenance for the period aforesaid of the road or of so much thereof on either side of the tramway as the Company are required to maintain and the Company shall if so required by the surveyor for the time being of the Rawtenstall Board remove the surplus metalling or material not used or required to be used for the purposes aforesaid to such place or places as such surveyor shall direct and determine such place or places not to exceed a distance of one mile from the site of the works where such material shall be then deposited Provided always that the foregoing provisions of this sub-section shall not apply to the paving setts excavated by the Company in constructing the Rawtenstall tramways which shall remain the absolute property of the Rawtenstall Board who shall at their own expense pick up and cart away the same as they are excavated by the Company. (Application of road material excavated in the construction of the Rawtenstall tramways.)
- (4) The Rawtenstall Board may at any time and from time to time take upon themselves the repairing maintaining or repaving of such portions of any road whereon any of the Rawtenstall tramways are laid as under this Act the Company are bound to repair or maintain for the whole or any part of the length of the tramway laid upon such road and that notwithstanding that the Company may have theretofore repaired or maintained the same or any part thereof Provided that the Rawtenstall Board shall by notice in writing to the Company state when they intend to take upon themselves such repairing and maintaining (Rawtenstall Board may maintain &c. parts of roads maintainable &c. by Company.)

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or repaving and if the Rawtenstall Board shall give such notice they shall execute such repairs maintenance or repaving from and after the time and for the period mentioned in that behalf in such notice and the Company shall on demand repay to the Rawtenstall Board the nett expenses incurred by them in repairing maintaining and repaving such portions of any such road.

(Stoppage of traffic for certain purposes by Company on notice from Rawtenstall Board.)

(5) Whenever for the purpose of enabling them to execute any work in connection with the line of sewers proposed to be laid or to their existing sewers or other works the Rawtenstall Board so require and shall give notice to that effect the Company shall absolutely stop the traffic on the tramway or any temporary or substituted tramway to which the notice refers when it would otherwise interfere with such work and shore up and secure such tramway at their own risk and cost during the execution of the work Provided always that any such stoppage shall not be continued for more than seven days in any month and that such work shall always be completed by the Rawtenstall Board with all reasonable care and expedition and the Company shall not be entitled to or claim any compensation in respect of such stoppage.

(Provision for omnibus service to Crawshawbooth and Loveclough.)

(6) The Company shall if required by the Rawtenstall Board so to do provide and maintain between the point of termination of Tramway No. 17 described in the Order of 1882 at or near the White Lion Hotel (Rawtenstall) and the villages of Crawshawbooth and Loveclough adequate communication by means of an efficient service of omnibuses the true intent and meaning of this sub-section being that the Company shall provide an omnibus to convey passengers to and from every tramcar which shall arrive at or depart from the said White Lion Hotel.

(Extension of Rawtenstall tramways to Loveclough in certain events and provisions as to same.)

(7) The Rawtenstall Board may and will assist the Company in an application for powers to construct and maintain a tramway from the said point of termination of the said Tramway No. 17 at or near the said White Lion Hotel to the Holts Arms Hotel in the said village of Loveclough The Rawtenstall Board may on or before the thirty-first day of July in any year give the Company not less than one month's notice in writing requiring the Company to proceed with such application at the proper time according to the regulations in that behalf made and provided and if the Company shall not on or before the thirty-first day of August next after the giving such notice give to the Rawtenstall Board notice in writing that they will proceed with such application in due course thereafter then

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and in such case the Rawtenstall Board may apply for such powers and on the same being granted the Company shall construct such tramway at their own expense as the contractors of the Rawtenstall Board and shall be entitled to a lease of such tramway at a rental of twenty-five pounds per mile for a term not exceeding twenty-one years from the date of the certificate of the Board of Trade that such tramway has been completed and is fit for public traffic or as an alternative to such rent the Company may pay to the Rawtenstall Board the cost of obtaining such powers and in that event the said lease shall reserve a nominal annual rental of five pounds only.

- (8) Any additional expenses imposed upon the Rawtenstall Board by reason of the construction or existence of the Rawtenstall tramways in any road or place where any sewers mains pipes tubes wires or apparatus under the control of the Rawtenstall Board shall now or at any time hereafter exist shall be borne and paid by the Company Provided that such additional expenses shall not exceed the sum of five hundred pounds in the whole. (Additional expenses of Rawtenstall Board caused by Rawtenstall tramways to be borne by Company.)
- (9) It shall be lawful for the Rawtenstall Board to exercise the powers of purchase given them by the Tramways Act 1870 at the end of any year from the passing of this Act on giving to the Company six months' previous notice in writing of their intention so to do. (Periods at which Rawtenstall Board may exercise powers of purchase.)
- (10) If the Rawtenstall Board exercise such right the Company shall have the right to demand a lease of the tramways purchased for a term not exceeding 21 years and at a rent equal to the amount of interest which the Rawtenstall Board shall pay on the purchase money plus five shillings per centum per annum to cover expenses of collection. (Company to have option of lease.)

32. The Company may from time to time purchase and acquire by agreement for the general purposes of their undertaking and hold any lands not exceeding five acres but nothing in this Act shall exonerate the Company from any action indictment or other proceeding for nuisance in the event of any nuisance being caused by them on any land acquired under the powers of this section. Purchase of lands by agreement.

33. The Company shall not under the powers by this Act granted without the consent of the Local Government Board purchase or acquire by compulsion or agreement in any borough or other urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December. Restriction on displacing persons of labouring class.

A.D. 1888. last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers :

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

Mode of formation of tramways and gauge.

34. Notwithstanding anything contained in the Order of 1882 the Act of 1884 or the Act of 1887 every tramway to be made or laid down under the powers of this Act shall be constructed with two rails to be approved by the Board of Trade on a gauge of four feet and shall be laid and maintained in such a manner that the uppermost surface of the rail shall be on a level with the surface of the road Provided always that so much of section 34 of the Tramways Act 1870 as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramways but no such carriage shall exceed the width of six feet three inches.

Powers to Company and to Accrington Tramways Company to use portions of tramways of either Company.

35. The Company may (subject to the performance and observance of all reasonable conditions and bye-laws for the time being in force with respect to the same) run over work and use with their engines horses carriages officers and servants for the purposes of their traffic of every description the tramways authorised by the Accrington Corporation Steam Tramways (Haslingden and Rawtenstall Extension) Act 1887 (hereinafter in this Act referred to as "the Accrington tramways") or any part thereof belonging to the Accrington Corporation Steam Tramways Company (hereinafter in this Act referred to as "the Accrington Company") and may make physical junctions with the Accrington tramways and may demand and take for the use of the Accrington tramways the tolls and charges which the Accrington Company are authorised to take for the use of the Accrington tramways and the Accrington Company may subject as aforesaid and in the manner and for the purposes aforesaid run over work and use the tramways to be constructed under the authority of this Act or any part thereof and may make physical junctions with such tramways and may demand and take for the use of such tramways the tolls and charges which the Company are authorised to take for the use of such tramways The powers granted by this section shall only be exercised upon such terms conditions and regulations and on payment of such tolls or other

consideration as shall if agreed between the Companies be from time to time approved by the Board of Trade and if not agreed between the Companies from time to time determined by an arbitrator to be appointed by the Board of Trade on the application of either Company and the decisions of such arbitrator shall be binding and conclusive on the parties in difference and the costs and expenses of such arbitration shall be defrayed as the arbitrator shall direct.

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36. With the sanction of three fourths of the votes of the shareholders of the Company and of the Accrington Company respectively present personally or by proxy at a meeting of each such Company specially convened for the purpose the Company on the one hand and the Accrington Company on the other hand may from time to time enter into agreements with respect to the working use management and maintenance of the tramways to be constructed under the authority of this Act and the Accrington tramways respectively or any part thereof respectively for the purposes of traffic of every description or with respect to the supply during the continuance of any agreement for such tramways respectively or any part thereof respectively being worked and used by either Company of the engines stock and plant necessary for the purposes of such agreements or with respect to the leasing by either Company of the said tramways respectively or any part thereof respectively Provided always that nothing in this Act contained shall authorise the Accrington Company to enter into any agreements in any way affecting the tramways constructed under the authority of the Accrington Corporation Tramways Act 1882 and demised to the Accrington Company or to give the Company running powers over the said last mentioned tramways or any part thereof Provided also that no agreement entered into under the powers of this section shall have any effect unless approved by the Board of Trade.

Power to enter into certain agreements with Accrington Company and provision for protection of Accrington Corporation.

37. No interest or dividend shall be paid out of any share or loan capital which the Company are by this Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Interest not to be paid on calls paid up.

38. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any

Deposits for future Bills not to be

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paid out of
capital.

standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other tramway or to execute any other work or undertaking.

Provision as
to general
tramway
Acts.

39. Nothing in this Act contained shall exempt the Company or the tramways from the provisions of any general Act relating to tramways now in force or which may hereafter 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 of tolls or charges authorised by this Act.

Costs of Act.

40. All the 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.

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