



# Tramways Act 1870

1870 CHAPTER 78 33 and 34 Vict

## PART III

### GENERAL PROVISIONS

#### *Purchase of Tramways*

#### [<sup>F1</sup>44] **Power of sale.**

Where any tramway in any district has been opened for traffic for a period of six months the promoters may, with the consent of the Board of Trade, sell their undertaking to a person, persons, corporation, or company, or to the local authority of such district; and when any such sale has been made all the rights, powers, authorities, obligations, and liabilities of such promoters in respect to the undertaking sold shall be transferred to, vested in, and may be exercised by, and shall attach to the person, persons, corporation, company, or local authority to whom the same has been sold, in like manner as if such tramway was constructed by such person, persons, corporation, company, or local authority under the powers conferred upon them by special Act, and in reference to the same they shall be deemed to be the promoters.

Provided always, that a local authority shall not purchase any undertaking under the provisions of this section unless they shall decide to make such purchase by resolution passed at a special meeting of the members constituting such local authority, which resolution shall be made in the same manner and shall be subject to the same conditions as to validity as resolutions made in regard to the purchase by the next preceding section authorized.

Where any purchase is made by any local authority under the provisions of this section, such local authority [<sup>F2</sup>may pay the purchase money and all expenses incurred by them in making such purchase out of the like funds, and for such purposes]] shall have all and the like powers and be subject to all the like conditions as if such purchases were made under the authority of the next preceding section.

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*Changes to legislation: There are currently no known outstanding effects for the Tramways Act 1870, Section 44. (See end of Document for details)*

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**Textual Amendments**

- F1** Ss. 43-47 repealed (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order) (1.1.1993) by Transport and Works Act 1992 (c. 42), ss. 65(1)(b), 68(1), **Sch. 4 Pt.I**; S.I. 1992/2784, art. 2(b), **Sch. 2 Pt.I**
- F2** Words repealed by (E.W. except London), Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV** and (S.), Local Government (Scotland) Act 1947 (c. 43), **Sch. 14**

**Modifications etc. (not altering text)**

- C1** S. 44 excluded by London Passenger Transport Act 1933 (c. 14), **s. 100**

**Changes to legislation:**

There are currently no known outstanding effects for the Tramways Act 1870, Section 44.