

**CHAPTER cclxxvii.**

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Ashton-under-Lyne Corporation Tramways Denton Urban District Council Tramways Devonport Corporation Tramway Liverpool Corporation Tramways Extensions Northampton Corporation Tramways and Pontypridd Urban District Council Tramways.

A.D. 1901.

[17th August 1901.]

WHEREAS under the authority of the Tramways Act 1870 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed :

33 & 34 Vict.
c. 78.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act and set out in the schedule to this Act annexed be confirmed by Act of Parliament :

Be it therefore 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 :—

1. This Act may be cited as the Tramways Orders Confirmation (No. 1) Act 1901.

Short title.

2. The several Orders as amended and set out in the schedule to this Act annexed shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full force and validity and the dates of the same respectively shall be the date of the passing of this Act.

Confirmation
of Orders in
schedule.

A.D. 1901.

Protection
of houses of
labouring
class.

3. The Promoters mentioned in the said Orders shall not in the exercise of the powers of this Act or of the said Orders purchase or acquire in any city borough or other urban district or in any rural parish ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied. If any promoters acquire or appropriate any house or houses under the powers of this Act or of the said Orders in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the Court may if it think fit reduce such penalty.

For the purposes of this section—

The expression “labouring class” means mechanics artisans 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 such persons who may be residing with them;

The expression “house” means any house or part of a house occupied as a separate dwelling.

SCHEDULE.

A.D. 1901.

LIST OF ORDERS.

ASHTON-UNDER-LYNE CORPORATION TRAMWAYS.—Order authorising the Mayor Aldermen and Burgesses of the Borough of Ashton-under-Lyne to construct additional Tramways in their Borough and conferring further powers upon them with regard to the Tramways already constructed therein.

DENTON URBAN DISTRICT COUNCIL TRAMWAYS.—Order authorising the Urban District Council of Denton to construct Tramways in their District.

DEVONPORT CORPORATION TRAMWAY.—Order amending the Devonport Corporation Tramway Order 1899 with respect to the commencement and opening for public traffic of the Tramway thereby authorised.

LIVERPOOL CORPORATION TRAMWAYS EXTENSIONS.—Order authorising the Mayor Aldermen and Citizens of the City of Liverpool to construct additional Tramways in the said City.

NORTHAMPTON CORPORATION TRAMWAYS.—Order authorising the Mayor Aldermen and Burgesses of the Borough of Northampton to construct Tramways in their Borough and conferring further powers upon them with regard to the Tramways already constructed therein.

PONTYPRIDD URBAN DISTRICT COUNCIL TRAMWAYS.—Order authorising the Urban District Council of Pontypridd to construct Tramways in their District.

A.D. 1901.

ASHTON-UNDER-LYNE CORPORATION.

*Ashton-
under-Lyne
Corporation.*

Order authorising the Mayor Aldermen and Burgesses of the Borough of Ashton-under-Lyne to construct additional Tramways in their Borough and conferring further powers upon them with regard to the Tramways already constructed therein.

Short and col-
lective titles.

1. This Order may be cited as the Ashton-under-Lyne Corporation Tramways Order 1901 and the Ashton-under-Lyne Corporation Tramways Order 1900 (in this Order referred to as "the Order of 1900") and this Order may be jointly cited as the Ashton-under-Lyne Corporation Tramways Orders 1900 and 1901.

The Promoters.

2. The mayor aldermen and burgesses of the borough of Ashton-under-Lyne acting by the council shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Construction
of tramways.

3. The Promoters may subject to the provisions of this Order—

(a) Construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails plates sleepers junctions turntables turnouts crossings passing-places works and conveniences connected therewith or for the purposes thereof ;

(b) Erect or construct on any lands taken or appropriated under the powers of this Order any offices stables sheds workshops stores waiting rooms or other buildings yards works and conveniences for the purposes of the undertaking :

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

The tramways authorised by this Order will be wholly situate within the borough and are as follows (that is to say):—

Tramway No. 1 (single line 2 chains in length) commencing in Wellington Road on the northerly side of the market buildings at a point 20 yards or thereabouts westwards from Henrietta Street and terminating by a junction with the existing tramway in Cowhill Lane in line with the southerly side of Katherine Street or thereabouts :

Tramway No. 2 (single line .60 chain in length) commencing in Cowhill Lane by a junction with the existing tramway therein at a point 3 yards or thereabouts north of the southerly side of Katherine Street and passing thence into Katherine Street and terminating therein by a junction with

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

Tramway No. 4 authorised by the Order of 1900 in a line with the easterly side of Cowhill Lane or thereabouts:

A.D. 1901.

Tramway No. 3 (single line 1·75 chains in length) commencing in Cavendish Street by a junction with the Tramway No. 1 authorised by the Order of 1900 at a point 5 yards or thereabouts southwards from Stamford Street and passing thence into and along Stamford Street and terminating therein by a junction with the existing tramway at a point 24 yards or thereabouts eastwards from Cavendish Street or thereabouts:

*Ashton-
under-Lyne
Corporation.*

Tramway No. 4 (single line ·85 chain in length) commencing in Cavendish Street by a junction with Tramway No. 1 authorised by the Order of 1900 at a point 5 yards or thereabouts southwards from the north side of Wellington Street and passing thence into and along Old Street and terminating therein by a junction with the existing tramway at a point 4 yards or thereabouts eastwards from Cavendish Street or thereabouts:

Tramway No. 5 (single line 3·75 chains in length) wholly in Stamford Street commencing by a junction with the existing tramway at a point in a line with the easterly side of Corkland Street and terminating at the easterly boundary of the borough.

4. The Promoters shall not in constructing the tramways authorised by this Order cross or make any junction or connection with any of the tramways belonging to the Manchester Carriage and Tramways Company unless and until they shall in pursuance of their statutory powers have purchased the undertaking of the said company authorised by the Manchester Suburban Tramways Act 1879 and the Manchester Carriage and Tramways Company Act 1880 or failing such purchase without the consent of the said Company in writing and then only on such terms and conditions as may be mutually agreed.

For protection of the Manchester Carriage and Tramways Company.

5. Upon the acquisition by the Corporation of any of the tramways or parts of tramways authorised by the Manchester Suburban Tramways Act 1879 or by the Manchester Carriage and Tramways Company Act 1880 and constructed within the borough the provisions of those Acts shall cease to apply to the tramways and parts of tramways so acquired and the provisions hereinafter mentioned of the Order of 1900 shall so far as they are applicable in that behalf extend and apply mutatis mutandis to and in relation to such tramways or parts of tramways and such last mentioned provisions shall also so far as they are applicable in that behalf and are not inconsistent with the provisions of this Order extend and apply mutatis mutandis to and in relation to the tramways authorised by this Order as if in either case such tramways or parts of tramways had formed part of the tramways authorised by the Order of 1900 and the provisions of the Conveyance of Mails Act 1893 shall extend and apply accordingly. The provisions of the Order of 1900 herein-before referred to are—

Application of Order of 1900 to tramways authorised by Acts of 1879 and 1880 when acquired and to tramways authorised by this Order.

Section 2. Incorporation of Acts.

Section 3. Interpretation.

Section 4. The Promoters.

Section 5. Lands.

Section 14. Gauge and width of carriages.

Section 15. Provisions as to construction of tramways.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

Ashton-
under-Lyne
Corporation.

- Section 16. Rails of tramways.
Section 17. Penalty for not maintaining rails and road in good condition.
Section 18. Tramways to be kept on level of surface of road.
Section 19. Alteration of tramways.
Section 20. Cross-overs to be constructed in certain cases.
Section 21. Additional cross-overs &c. may be made where necessary.
Section 22. Temporary tramways may be made when necessary.
Section 23. Application of road materials excavated in construction of works.
Section 24. Tramways not to be opened until certified by Board of Trade.
Section 25. Provisions as to motive power.
Section 26. Works for applying mechanical power.
Section 27. Mechanical power works to be subject to section 30 of Tramways Act 1870.
Section 28. Byelaws.
Section 29. Amendment of the Tramways Act 1870 as to byelaws by local authority.
Section 30. Special provisions as to use of electrical power.
Section 31. For protection of the Postmaster General.
Section 32. Traffic upon tramways.
Section 33. Promoters' lessees not bound to carry animals goods &c.
Section 34. Passengers' fares.
Section 35. As to fares on Sundays or holidays.
Section 36. Passengers' luggage.
Section 37. Cheap fares for labouring classes.
Section 38. Rates and charges for animals goods &c.
Section 39. Payment of rates.
Section 40. Periodical revision of tolls.
Section 41. Power to Corporation to work tramways.
Section 42. Regulations.
Section 43. Working agreements.
Section 44. Orders &c. of the Board of Trade.
Section 45. Mortgages to include rents and rates.
Section 46. Recovery of penalties.
Section 47. Audit of accounts.
Section 48. Protection of local authority.
Section 49. Form and delivery of notices.
Section 50. Provisions as to arbitration.
Section 51. Saving for general Acts.
Schedule.

Alteration of
tramways
authorised by
Acts of 1879
and 1880.

6. Upon the acquisition by the Corporation of any of the tramways or parts of tramways authorised by the Manchester Suburban Tramways Act 1879 or by the Manchester Carriage and Tramways Company Act 1880 the Corporation may subject to the previous approval of the Board of Trade make such alterations therein as may be necessary or expedient for the purpose of adapting them to working by mechanical power in pursuance of the powers of this Order.

7. In maintaining the tramway constructed on the bridge carrying Manchester Road over the railway of the Oldham Ashton-under-Lyne and Guide Bridge Junction Railway Company (in this section called "the company") and in making and maintaining any wires apparatus subways tunnels cables tubes and openings under the surface of the street where the same passes over such bridge in order to work the tramways by mechanical power the following provisions shall unless otherwise agreed between the company and the Promoters be in force and have effect:—

A.D. 1901.

Ashton-under-Lyne Corporation.

For protection of London and North Western and Oldham Ashton-under-Lyne and Guide Bridge Junction Railway Companies.

- (1) The Promoters shall not in any way vary alter or interfere with the structure of such bridge or of the approaches thereto and they shall so maintain such tramway and construct and maintain such wires apparatus subways tunnels cables tubes and openings over such bridge and the approaches thereto as the case may be as not injuriously to affect the same:
- (2) In the event of any injury being caused to such bridge or approaches by the maintenance of such tramway or by the construction maintenance laying repairing use or removal of such wires apparatus subways tunnels cables tubes and openings the company may at the expense of the Promoters restore such bridge or approaches or the part or parts thereof which may be injured to as good a state and condition as they were in before such injury was occasioned:
- (3) All works which may be necessary in constructing and maintaining any of the said wires apparatus subways tunnels cables tubes and openings over such bridge shall be constructed and maintained in all things at the expense of the Promoters and to the reasonable satisfaction of the principal engineer of the company or in case of difference of an engineer to be appointed by the Board of Trade on the application of the company or the Promoters:
- (4) The Promoters shall indemnify the company against all sums costs and expenses which they may be required to pay in repairing and maintaining so much of the road over such bridge or approaches as the Promoters are liable to maintain and repair under section 28 of the Tramways Act 1870:
- (5) If any difference shall arise under this section between the Promoters and the company the matter in difference shall unless otherwise agreed be determined by arbitration under this Order.

DENTON URBAN DISTRICT COUNCIL.

Order authorising the Urban District Council of Denton to construct Tramways in their District.

*Denton Urban District Council.**Preliminary.*

1. This Order may be cited as the Denton Urban District Council Tramways Order 1901. Short title.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect Incorporation of Acts.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901. to the entry upon lands by the Promoters of the undertaking) and of the
Tramways Act 1870 are hereby incorporated with this Order except where the
same are inconsistent with or expressly varied by this Order.

Denton
Urban District
Council.
Interpretation.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings :

Provided that in this Order—

The expression "the tramways" means the tramways and works by this Order authorised ;

The expression "the undertaking" means the undertaking by this Order authorised ;

The expression "the district" means the urban district of Denton in the county of Lancaster ;

The expression "the Council" means the Urban District Council of Denton ;

The expression "mechanical power" includes steam electrical and every other motive power not being animal power and the word "engine" includes motor.

The Promoters. 4. The Council shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Lands.

5. The Promoters may—

(a) Subject to the sanction of the Local Government Board and under such conditions as they may prescribe from time to time appropriate and use for any of the purposes of this Order but subject to the provisions (if any) under which such lands were respectively acquired any lands not dedicated to public use from time to time vested in them ;

(b) By agreement from time to time purchase and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell let or dispose of any such lands which may not be necessary for such purposes Provided that all sums received by the Promoters from the sale of such lands or from fines or premiums on leases of the same shall be applied solely in repayment of outstanding loans and that such moneys shall not be applied to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board :

Provided that they shall not at any time hold for such purposes more than five acres of land Provided also that nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon lands appropriated or taken under the powers of this section.

Construction of Tramways.

Construction
of tramways.

6. The Promoters may subject to the provisions of this Order—

(a) Construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this

Order (which plans and sections are in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails plates sleepers junctions turntables turnouts works and conveniences connected therewith or for the purposes thereof;

A.D. 1901.
—
Denton
Urban District
Council.

- (b) Erect or construct on any lands taken or appropriated under the powers of this Order any offices stables sheds workshops stores waiting rooms or other buildings yards works and conveniences for the purposes of the undertaking:

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the Act of 1882 apply except in accordance with and subject to the provisions of that section.

The tramways authorised by this Order will be wholly situate within the district and are as follows (that is to say):—

Tramway No. 1 (1 mile 5 furlongs 1·81 chains in length) whereof 6 furlongs 6·46 chains will be single line and 6 furlongs 5·35 chains will be double line) commencing in Manchester Road by a junction with the tramway of the Manchester Carriage and Tramways Company at a point 8 yards west of the westerly side of Market Street proceeding along Manchester Road Market Street Victoria Street Stockport Road Two Trees Lane and Haughton Green Road and terminating in the last-mentioned road at a point opposite to the entrance gates to St. Mary's Churchyard:

Tramway No. 1 will be laid as single line except at the following places where notwithstanding anything shown on the deposited plans it will be laid as double line:—

- (a) In Manchester Road and Market Street from the commencement of the tramway to the commencement of Tramway No. 1A herein-after described;
- (b) In Stockport Road and Two Trees Lane from the termination of Tramway No. 1A herein-after described to a point 3 chains south-east of the commencement of Tramway No. 2 herein-after described;
- (c) In Two Trees Lane between the points respectively 1·30 chains west and 2·20 chains east of the westerly side of Lowe's Lane;
- (d) In Two Trees Lane and Haughton Green Road from a point opposite to the westerly side of the Clarke's Arms Inn to a point opposite to the northerly end of Prospect Place;
- (e) In Haughton Green Road between the points respectively 5 chains and 1·50 chains north-east of the termination of the tramway.

Tramway No. 1A (single line 5·81 chains in length) commencing in Market Street by a junction with Tramway No. 1 at a point 3·50 chains from the commencement of Tramway No. 1 proceeding along Market Street Albert Street and Stockport Road and terminating in the last-mentioned road by a junction with Tramway No. 1 at a point 0·96 chain north of the northerly side of Inman Street.

[Ch. cclxxvii.] *Tramways Orders Confirmation* [1 EDW. 7.]
(No. 1) Act, 1901.

A.D. 1901.

—
Denton
Urban District
Council.

Tramway No. 2 (7 furlongs 3·20 chains in length whereof 5 furlongs 8·70 chains will be single line and 1 furlong 4·50 chains will be double line) to be situate in Stockport Road commencing by a junction with Tramway No. 1 at a point opposite to the entrance to the Mason's Arms and terminating at the township boundary on the northerly side of Beet Bridge:

Tramway No. 2 will be laid as single line except at the following places where it will be laid as double line:—

- (a) From the commencement of the tramway to a point 4·00 chains from such commencement;
- (b) Between the points respectively 6·22 chains and 9·72 chains south-west of the south-westerly side of Fletcher Street;
- (c) Between the points respectively 7·50 chains and 1 furlong 1 chain south of the southerly side of Shaw Street;
- (d) Between the points respectively 6·30 chains and 2·80 chains north of the termination of the tramway.

For protection
of the Man-
chester Car-
riage and
Tramways
Company.

7. The Promoters shall not in the exercise of the powers of this Order make any junction or connexion or in any way interfere with the tramway in Manchester Road belonging to the Manchester Carriage and Tramways Company or interfere with the roadway of the road on which such tramway is constructed unless and until they shall have purchased so much of the undertaking of the said Company authorised by the Manchester Carriage and Tramways Company's Order 1882 as is situate in the district or failing such purchase without the consent of the said Company in writing and then only on the terms and conditions of such consent.

For protec-
tion of the
Corporation of
Manchester.

8. The following provisions for the protection of the lord mayor aldermen and citizens of the city of Manchester (herein-after referred to as "the Corporation") shall unless otherwise agreed between the Corporation and the Council apply and have effect (that is to say):—

Sections 30 32 and 38 of the Tramways Act 1870 shall extend and apply to the Corporation with reference to the water mains pipes works or apparatus belonging to or under the control of the Corporation in like manner as the same apply to a company or person being the owner of water mains pipes works or apparatus Provided that (except in cases of emergency) all works or interference under section 30 of the Tramways Act 1870 or otherwise with or in connexion with the water mains pipes works or apparatus belonging to or under the control of the Corporation shall be made and executed by the Corporation and not otherwise upon the request and at the cost of the Council unless the Corporation fail to make or execute the same within seven days after the Council shall have requested them to do so.

Gauge and
width of
Carriages.

9. The tramways shall be constructed on a gauge of 4 feet 8½ inches or such other gauge as may from time to time be determined by the Board of Trade on the application of the Promoters Provided always that in the event of the tramways being constructed on a less gauge than 4 feet 8½ inches so

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

much of section 34 of the Tramways Act 1870 as limits the extent of the carriages used on any tramways beyond the outer edge of the wheels of such carriages shall not apply to carriages used on the tramways but in that case no engine or carriage used on the tramways shall exceed 6 feet 6 inches in width or such other width as may from time to time be prescribed by the Board of Trade.

A.D. 1901.

—
Denton
Urban District
Council.

10. In addition to the requirements of section 26 of the Tramways Act 1870 the Promoters shall lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining or renewing the tramways and a statement of the materials intended to be used therein and the Promoters 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 after such approval the works shall be executed in accordance in all respects with such plan and statements.

Provisions as to
construction of
tramways.

11. The rails of the tramways shall be such as the Board of Trade may approve.

Rails of tram-
ways.

12.—(1) The Promoters shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways and the substructure upon which the same rest and if the Promoters at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues.

Penalty for not
maintaining
rails and roads
in good con-
dition.

(2) In case it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the district that the Promoters have made default in complying with the provisions in this section contained or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are by this section imposed.

13. If the Promoters or any other road authority hereafter alter the level of any road along or across which any part of the tramways is laid or authorised to be laid the Promoters may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Tramways to
be kept on
level of surface
of road.

14. The Promoters may with the consent of the Board of Trade lay down double lines in lieu of single or single lines in lieu of double or interlacing lines in lieu of double or single lines on the tramways and may with the like consent subject in places where the Promoters may not be the road authority

Alteration of
tramways.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901. to the approval of that authority alter the position in the road in which any of the tramways or any part thereof respectively is constructed or authorised to be constructed Provided that the uppermost surface thereof shall be on a level with the surface of the road as altered or widened Provided further that in the exercise of the powers of this section no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if one third of the owners or one third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Promoters within three weeks after receiving from the Promoters notice of their intention express their objection thereto.

Denton
Urban District
Council.

Cross-over roads to be constructed in certain cases.

15. Where in any road in which a double line of tramway is laid there shall be less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches the Promoters shall if and where required by the Board of Trade construct a cross-over road or cross-over roads connecting the one tramway with the other and by the means of such cross-over road or roads the traffic shall when necessary be diverted from one tramway to the other.

Additional cross-over roads &c. may be made where necessary.

16. The Promoters may subject to the provisions of this Order from time to time make maintain alter and remove all such cross-over roads passing-places sidings triangles junctions and other works in addition to those particularly specified in and authorised by this Order as they find necessary or convenient for the efficient working of the tramways or any of them or for facilitating the traffic of the roads in which the same are laid or for providing access to any stables or carriage houses sheds or works of the Promoters or for effecting junctions with any tramways but in places where the Promoters may not be the road authority the same shall only be made subject to the approval of the road authority Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if one third of the owners or one third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Promoters within three weeks after receiving from the Promoters notice of their intention express their objection thereto.

Temporary tramways may be made when necessary.

17. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid it is in the opinion of the Promoters necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Promoters may construct in the same or any adjacent road and maintain so long as occasion may require a temporary tramway or temporary tramways in lieu of the tramway or part of the tramway so removed or discontinued subject in places in which the Promoters may not be the road authority to the approval of the road authority and to such regulations as that authority may make.

18. Any paving metalling or material excavated by the Promoters in the construction of any works under the authority of this Order from any road under their jurisdiction or control shall absolutely vest in and belong to the Promoters and may be dealt with removed and disposed of by them in such manner as they may think fit.

*Denton
Urban District
Council.*

Application of road materials excavated in construction of works.

19. The tramways shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade.

Tramways not to be opened until certified by the Board of Trade.

Motive Power.

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

Provisions as to motive power.

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

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

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

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

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

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

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

21. For the purpose of working any of the tramways by mechanical power the Promoters and their lessees subject to the provisions of this Order (and as to the lessees subject to the terms of their lease) may—

Mechanical power works

(a) construct provide maintain and use on any lands appropriated or acquired under the powers of this Order stations for generating electrical power and may provide in connexion with such stations or with any generating station constructed under powers already conferred upon the

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

Denton
Urban District
Council.

Promoters all necessary or proper machinery dynamos engines buildings works and conveniences ;

(b) place construct erect lay down make and maintain on above or below the surface of any street or road posts brackets electric conductors wires apparatus subways tunnels cables tubes and openings ;

(c) with the consent of the owners and occupiers of any houses or buildings affix to such houses or buildings and maintain brackets wires and apparatus.

Mechanical
power works
to be subject
to Tramways
Act 1870.

22. All works to be executed by the Promoters or their lessees in any street or road for working the tramways by mechanical power in pursuance of the powers of this Order shall be deemed to be works of a tramway subject in all respects (save as by this Order otherwise expressly provided) to the provisions of the Tramways Act 1870 as in this Order incorporated as if they had been therein expressly mentioned.

Byelaws.

23. Subject to the provisions of this Order the Board of Trade may make byelaws with regard to any part of the tramways upon which mechanical power may be used for all or any of the following purposes (that is to say) :—

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

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

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

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

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

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

Amendment of
the Tramways
Act 1870 as to
byelaws by
local autho-
rity.

24. The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramways shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by the Board of Trade regulations at which engines are to be driven or propelled on the tramways under the authority of this Order but the byelaws of the local authority may restrict the rate of speed to a lower rate than that so authorised.

25. The following provisions shall apply to the use of electrical power under this Order unless such power is entirely contained in and carried along with the carriages:—

A.D. 1901.

Denton
Urban District
Council.

Special pro-
visions as to
use of electrical
power.

(1) The Promoters shall employ either insulated returns or uninsulated metallic returns of low resistance.

(2) The Promoters shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus.

(3) The electrical power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return.

(4) The Promoters shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Promoters either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking.

(5) At the expiration of two years from the passing of the Act confirming this Order the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents.

(6) If any difference arises between the Promoters and any other party with respect to anything herein-before in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

*Denton
Urban District
Council.*

(7) The expression "the Promoters" in this section shall include their lessees and any persons owning working or running carriages over any tramways of the Promoters.

For protection
of the
Postmaster-
General.

26.—(A). Notwithstanding anything in this Order contained if any of the works authorised to be executed by this Order involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

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

- (1) The Promoters 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 the 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. If any question arises as to whether the Promoters have constructed their electric lines or other works or work their undertaking in contravention of this sub-section such question shall be determined by arbitration and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.
- 2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the undertaking of the Promoters the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection.
- (3)—(a) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters 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 Promoters 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:

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

(b) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

A.D. 1901.
—
Denton
Urban District
Council.

- (4) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters 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.
- (5) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work 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 reasons for doing or executing the same without previous notice.
- (6) 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.
- (7) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order.
- (8) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882.
- (9) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.
- (10) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid.
- (11) In this section the expression "the Promoters" includes their lessees and any person owning working or running carriages over the tramway (or any part thereof) of the Promoters.

Traffic upon Tramways.

27. The tramways may be used for the purpose of conveying passengers animals goods minerals and parcels.

Traffic upon
tramways.

A.D. 1901.

Denton
Urban District
Council.

Promoters'
lessees not
bound to carry
animals goods
&c.

28. The Promoters' lessees shall not be bound to carry unless they think fit any animals goods minerals or parcels other than passengers' luggage not exceeding twenty-eight pounds in weight.

Rates.

Passengers'
fares.

29. The Promoters' lessees may demand and take for every passenger travelling upon the tramways or any part thereof including every expense incidental to such conveyance any rates or charges not exceeding one penny per mile (and for this purpose a fraction of a mile beyond an integral number of miles shall be deemed a mile) but in no case shall the Promoters' lessees be bound to charge a less sum than twopence.

As to fares on
Sundays and
holidays.

30. The Promoters or any person working or using the tramways shall not take or demand on Sunday or any public or local holiday any higher rates or charges than those levied by them on ordinary week-days.

Passengers'
luggage.

31. Every passenger travelling upon the tramways may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof Provided that all such personal luggage be carried by hand and at the responsibility of the passenger and do not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

Cheap fares
for labouring
classes.

32.—(1) The Promoters' lessees at all times after the opening of the tramways for public traffic shall and they are hereby required to run a proper and sufficient service of carriages for artizans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day Good Friday and public 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 workmen going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance On Saturdays the Promoters' lessees in lieu of running such carriages after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is 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 Promoters' lessees to provide such service as may appear to the Board to be reasonable.

(3) The Promoters' lessees 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.

Rates and
charges for
animals goods
&c.

33. The Promoters' lessees may demand and take in respect of any animals goods minerals or parcels conveyed by them on the tramways including every expense incidental to such conveyance any rates or charges not exceeding the rates and charges specified in the schedule to this Order annexed subject to the regulations in that behalf therein contained.

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

A.D. 1901.

Denton
Urban District
Council.

Payment of
rates.

34. The rates and charges by this Order authorised shall be paid to such persons and at such places upon or near to the tramways and in such manner and under such regulations as the Promoters' lessees may by notice to be annexed to the list of rates and charges appoint.

Periodical
revision of
rates and
charges.

35. If at any time after three years from the opening for public traffic of the tramways or any portion thereof or after three years from the date of any order made in pursuance of this section in respect of the tramways or any portion thereof it is represented in writing to the Board of Trade by the Promoters or by their lessees or by twenty inhabitant ratepayers of the district that under the circumstances then existing all or any of the rates and charges demanded and taken in respect of the traffic on the tramways or on such portion should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if such referee reports that it has been proved to his satisfaction that all or any of the rates or charges should be revised the said Board may make an order in writing altering modifying reducing or increasing all or any of the rates and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section Provided always that the rates and charges prescribed by any such order shall not exceed in amount the rates and charges by this Order authorised Provided also that a copy of this section shall be annexed to every table or list of rates published or exhibited by the Promoters or their lessees.

Miscellaneous.

Power to
Council
to work
tramways.

36. Notwithstanding anything in the Tramways Act 1870 to the contrary the Council may place and run carriages on and may work and may demand and take rates and charges in respect of the tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks horses harness engines machinery apparatus steam cable electrical and other plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the said tramways by animal or mechanical power and in such case the several provisions in this Order contained relating to the working of the tramways and the taking of rates and charges therefor shall extend and apply mutatis mutandis to and in relation to the Council and the Council may work such tramways and demand and recover such rates and charges accordingly but nothing in this section shall empower the Council to construct any station for generating electrical power nor to create or permit a nuisance.

37. The regulations authorised by the Tramways Act 1870 to be made by the Promoters of any tramway and their lessees may with respect to any tramways or portions of tramways for the time being belonging to and worked by the Council be made by the Council alone.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

—
Denton
Urban District
Council.
Working
agreements.

38. The Promoters may with the consent of the Board of Trade from time to time but subject to the provisions of this Order—

(1) Enter into and fulfil contracts and agreements with any person or local authority who are authorised to enter into such contracts and agreements and are the owners or lessees of any tramways in the district or in any adjacent district which can be worked with any of the tramways of the Council with respect to—

(a) The construction of the whole or any part of the tramways by this Order authorised ;

(b) The use maintenance and management by the contracting parties or any or either of them of the whole or any part of their respective tramway undertakings ;

(c) The interchange accommodation and forwarding of carriages passengers and traffic coming from or destined for the respective undertakings of the contracting parties ; and

(d) The fixing collecting and apportionment of the rates charges and other receipts arising from such traffic :

(2) Confirm any such contracts and agreements which may have been entered into before the confirmation of this Order.

Mortgages
to include
rents and
rates.

39. The Promoters may include in any mortgage of the local rate made under section 20 of the Tramways Act 1870 the moneys coming to them out of the rents reserved under any lease made under the authority of the Tramways Act 1870 or this Order and the rates charges and sums authorised to be taken or received by them under the provisions of this Order.

Orders &c. of
the Board of
Trade.

40. All orders regulations and byelaws made and consents and certificates given by the Board of Trade under the authority of this Order shall be signed by a secretary or an assistant secretary of the Board and when purporting to be so signed the same shall be deemed to be duly made in accordance with the provisions of this Order and to be orders and regulations within the meaning of the Documentary Evidence Acts 1868 and 1882 and may be proved accordingly.

Recovery of
penalties.

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

Audit of
accounts.

42. Sections 247 and 250 of the Public Health Act 1875 shall apply to the audit of accounts of the receipts and expenditure of the Promoters and their officers with respect to the tramways as if such accounts related to receipts and expenditure under that Act.

Protection of
local authority:

43. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 is hereby incorporated with this Order and in construing that section for the purposes of this Order the expression "this Act" where used in that section shall mean this Order.

A.D. 1901.

Denton
Urban District
Council.
 Form and
 delivery of
 notices.

44. With respect to notices and to the delivery thereof by or to the Promoters the following provisions shall have effect (that is to say):—

- (1) Every notice consent or approval shall be in writing and if given by the promoters or by any local or road authority or company shall be signed by their clerk or secretary.
- (2) Any notice to be delivered by or to the Promoters to or by any body or any company or Corporation may be delivered by being left at the principal office of such body company or Corporation or at the office of the clerk to the Promoters as the case may be or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office or to the clerk to the said Promoters.

45. Where under the provisions of the Tramways Act 1870 and this Order any matter in difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Arbitration Act 1889 shall apply to every such arbitration and the decision of the arbitrator shall be final and conclusive and binding on all parties and the costs of and incidental to the arbitration and award shall if either party so require be taxed and settled as between the parties by any one of the taxing masters of the High Court and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters and all those enactments including the enactments relating to the taking of fees by means of stamps shall extend to the fees in respect of the said taxation.

Provisions as
 to arbitration.

46. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates of rates and charges authorised by this Order.

Saving for
 general Acts.

SCHEDULE.

MAXIMUM RATES AND CHARGES FOR ANIMALS GOODS &c.

<i>Animals.</i>	Per Mile.
	<i>s. d.</i>
For every horse mule or other beast of draught or burden - per head	0 4
For every ox cow bull or head of cattle - - - - - „	0 3
For every calf pig sheep or other small animal - - - - - „	0 1½

Goods and Minerals.

For all coals coke culm charcoal cannel limestone chalk lime salt sand fire-clay cinders dung compost and all sorts of manure and all undressed materials for the repair of public roads or highways
 per ton 0 2

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

Per Mile.
s. d.

A.D. 1901.

—
Denton
Urban District
Council.

For all iron iron-ore pig-iron bar-iron rod-iron sheet-iron hoop-iron plates of iron slabs billets and rolled iron bricks slag and stone stones for building pitching and paving tiles slates and clay (except fire-clay) and for wrought iron not otherwise specifically classed herein and for heavy iron castings including railway chairs - per ton	0	2½
For all sugar grain corn flour hides dyewoods earthenware timber staves deals and metals (except iron) nails anvils vices and chains and for light iron castings - - - - - per ton	0	3
For cotton wools drugs and manufactured goods and all other wares merchandise fish articles matters or things not otherwise specially classed herein - - - - - per ton	0	4
For every carriage of whatever description - - - - -	1	0

Any
Distance.
s. d.

Small Parcels.

For any parcel not exceeding 7 lbs. in weight - - - - -	0	3
For any parcel exceeding 7 lbs. and not exceeding 14 lbs. in weight -	0	5
For any parcel exceeding 14 lbs. and not exceeding 28 lbs. in weight -	0	7
For any parcel exceeding 28 lbs. and not exceeding 56 lbs. in weight	0	9
For any parcel exceeding 56 lbs. in weight but not exceeding five hundred pounds in weight such sum as the person conveying the same may think fit.		

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed parcels but that term shall apply only to single parcels in separate packages.

Per Mile.
s. d.

For the Carriage of Single Articles of Great Weight.

For the carriage of any iron boiler cylinder or single piece of machinery or single piece of timber or stone or other single article the weight of which including the carriage exceeds four tons but does not exceed eight tons such sum as the person conveying the same may think fit not exceeding - - - - - per ton	2	0
For the carriage of any single piece of timber stone machinery or other single article the weight of which with the carriage exceeds eight tons such sum as the person conveying the same may think fit.		

Regulations as to Rates.

For articles or animals conveyed on the tramways for a less distance than a mile rates and charges as for one mile may be demanded.
A fraction of a mile beyond an integral number of miles shall be deemed a mile.
For a fraction of a ton rates and charges may be demanded and taken according to the number of the quarters of a ton in such fraction and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber the weight shall be determined according to imperial avoirdupois weight.

A.D. 1901.

*Denton
 Urban District
 Council.*

With respect to stone and timber fourteen cubic feet of stone forty cubic feet of oak mahogany teak beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

DEVONPORT CORPORATION.

Order amending the Devonport Corporation Tramway Order 1899 with respect to the commencement and opening for public traffic of the tramway thereby authorised.

*Devonport
 Corporation.*

1. This Order may be cited as the Devonport Corporation Tramway Order 1901.

Short title.

2. Whereas the tramway authorised by the Devonport Corporation Tramway Order 1899 (in this Order referred to as "the Order of 1899") was not commenced nor completed and opened for public traffic within the prescribed periods respectively and it is expedient that in relation thereto the Order of 1899 should be amended and the provisions following should be in force and have effect :

Amendment of
 Devonport
 Corporation
 Tramway
 Order 1899
 with respect
 to commence-
 ment and
 opening of
 tramway.

Therefore the powers conferred upon the Promoters by the Order of 1899 shall be deemed to have been and to be unaffected by the failure to commence the construction of the tramway thereby authorised and to complete and open the same for public traffic within the respective prescribed periods and the Promoters may and shall commence the construction of the said tramway within twelve months after the commencement of this Order and complete and open the same for public traffic within a further period of twelve months from commencing the works and the Order of 1899 shall be read and have effect accordingly and in section 24 sub-section 5 of that Order the words "The Devonport Corporation Tramway Order 1901" are hereby substituted for the words "this Order."

LIVERPOOL CORPORATION EXTENSIONS.

Order authorising the Mayor Aldermen and Citizens of the City of Liverpool to construct additional Tramways in the said City.

*Liverpool
 Corporation
 Extensions.*

1. This Order may be cited as the Liverpool Corporation Tramways Extensions Order 1901.

Short title.

2. The provisions of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order :

Incorporation
 of Acts.

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

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.
Liverpool Corporation Extensions.
Interpretation.

any alteration of or interference with any telegraphic line belonging to or used by the Postmaster-General The expression "telegraphic line" in this Order has the same meaning as in the Telegraph Act 1878.

3. The several words terms and expressions to which by the Tramways Act 1870 meanings are assigned have in this Order the same respective meanings :

Provided that in this Order—

The expressions "the tramways" and "the undertaking" mean respectively the tramways and works and the undertaking by this Order authorised ;

The expression "the Act of 1897" means the Liverpool Corporation Tramways Act 1897 ;

The expression "the Order of 1900" means the Liverpool Corporation Tramways (Extensions) Order 1900 ;

The expression "the city" means the city of Liverpool ; and

The expression "the Corporation" means the Mayor Aldermen and Citizens of the city acting by the Council.

The Promoters.

4. The Corporation shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Construction of tramways.

5. The Promoters may subject to the provisions of this Order construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order respectively referred to as "the deposited plans" and "the deposited sections") the tramways hereinafter described with all proper rails plates offices weighbridges stables carriage-houses warehouses works and conveniences connected therewith or for the purposes thereof Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

The tramways authorised by this Order will be situated wholly within the city and are—

In the township of Kirkdale and parish of Liverpool—

Tramway No. 1 (Great Homer Street and Fox Street) commencing in Kirkdale Road by a junction with the existing tramway in Smith Street at a point opposite the north side of Great Mersey Street passing along Great Homer Street and Fox Street and terminating in Richmond Row by a junction with Tramway No. 2 at a point 0·3 chain west of the west side of Fox Street :

Tramway No. 1 will be laid as a double line except between the points herein-after specified where it will be laid as a single line (that is to say) :—

In Great Homer Street between a point opposite the south side of Rose Vale and a point 1·5 chains north of the north side of Juvenal Street :

Tramway No. 1 will be 7 furlongs and 3·1 chains in length of which 5 furlongs and 6·3 chains will be double line and 1 furlong and 6·8 chains single line.

A.D. 1901.

—
*Liverpool
Corporation
Extensions.*

In the township of Everton and parish of Liverpool—

Tramway No. 2 (Everton Brow and Richmond Row) commencing in Shaw Street by a junction with the existing tramway at a point opposite the south side of Everton Brow passing along Everton Brow and Richmond Row and terminating in Richmond Row by a junction with Tramway No. 3 at a point nearly opposite Rose Hill:

Tramway No. 2 will be laid as a single line except between the points herein-after specified where it will be laid as a double line (that is to say):—

- (a) In Everton Brow between a point opposite the west side of Shaw Street and a point 0·2 chain east of the west side of Salisbury Street;
- (b) In Everton Brow between a point 2·3 chains east of the east side of Soho Street and a point 0·4 chain east of the east side of Soho Street;
- (c) In Richmond Row between a point 0·3 chain east of the east side of Fox Street and a point 1·3 chains west of the west side of Fox Street;
- (d) In Richmond Row between a point 1 chain east of the east side of Saint Anne Street and a point 0·3 chain west of the west side of Saint Anne Street;
- (e) In Richmond Row between a point 2·5 chains west of the west side of Saint Anne Street and the junction of Tramway No. 2 with Tramway No. 3 opposite Rose Hill:

Tramway No. 2 will be 3 furlongs and 5·7 chains in length of which 1 furlong and 4·2 chains will be double line and 2 furlongs and 1·5 chains single line.

In the township of Everton—

Tramway No. 2A (junction to Tramway No. 2) commencing in Everton Brow by a junction with Tramway No. 2 at a point opposite the west side of Shaw Street curving into and terminating in Shaw Street by a junction with the existing tramway at a point 0·3 chain north of the north side of Everton Brow:

Tramway No. 2A will be 1·2 chains in length and will be single line throughout.

In the parish of Liverpool—

Tramway No. 2B (junction to Tramway No. 2) commencing in Richmond Row by a junction with Tramway No. 2 at a point 0·2 chain east of the east side of Saint Anne Street curving into and terminating in Saint Anne Street by a junction with the existing tramway at a point 0·5 chain south of the south side of Richmond Row:

Tramway No. 2B will be 1·3 chains in length and will be double line throughout.

Tramway No. 3 (Christian Street) commencing in Cazneau Street by a junction with the existing tramways at a point opposite the north side of Rose Place passing along the proposed new street and Christian

A.D. 1901.

*Liverpool
Corporation
Extensions.*

Street and terminating in Islington by a junction with the existing tramways at a point 0·3 chain west of the west side of Christian Street :

Tramway No. 3 will be 3 furlongs and 0·1 chain in length and will be double line throughout.

Tramway No. 4 (Juvenal Street) commencing in Cazneau Street by a junction with the existing tramway at a point 0·3 chain south of the south side of Juvenal Street passing along Juvenal Street and terminating in Great Homer Street by a junction with Tramway No. 1 at a point opposite the north side of Prince Edwin Street :

Tramway No. 4 will be 8·7 chains in length and will be single line throughout.

In the township of Toxteth Park and in the parish of Liverpool—

Tramway No. 5 (Mulgrave Street North Hill Street Harlow Street Grafton Street and Jamaica Street) commencing in Grove Street by a junction with the existing tramway at a point 0·3 chain north of the north side of Upper Parliament Street passing along Mulgrave Street North Hill Street Harlow Street Grafton Street and Jamaica Street and terminating in Park Lane by a junction with the existing tramways at a point 0·9 chain north of the north side of Kent Street :

Tramway No. 5 will be laid as a double line except between the points herein-after specified where it will be laid as a single line (that is to say) :—

(a) In North Hill Street between a point 0·4 chain north of the north side of Huntington Street and a point opposite the south side of Pim Hill Street ;

(b) In North Hill Street between a point opposite the north side of Grinshill Street and a point opposite the south side of Admiral Street ;

(c) In North Hill Street and Harlow Street between a point 0·3 chain north of the north side of Nickleby Street and a point 0·2 chain south of the south side of Mill Street :

Tramway No. 5 will be 2 miles 3 furlongs and 4 chains in length of which 1 mile 6 furlongs and 2·4 chains will be double line and 5 furlongs 1·6 chains single line.

In the township of Toxteth Park—

Tramway No. 6 (Mill Street) commencing in Mill Street by a junction with the existing tramway at a point 0·6 chain south of the south side of Hill Street passing along Mill Street and terminating at a point opposite the north side of Parkhill Road :

Tramway No. 6 will be 6 furlongs and 7 chains in length and will be double line throughout.

In the township of West Derby—

Tramway No. 7 (Townsend Lane) commencing in Townsend Lane by a junction with the existing tramway at a point 0·4 chain east of the

east side of Abbey Road passing along Townsend Lane and terminating in Newhall Lane at a point 0·4 chain east of the east side of Cherry Lane :

A.D. 1901.

—
*Liverpool
Corporation
Extensions.*

Tramway No. 7 will be laid as a single line except between the points herein-after specified where it will be laid as a double line (that is to say):—

- (a) In Townsend Lane between a point opposite the west side of Bishop Road and a point 0·6 chain west of the west side of Vicar Road ;
- (b) In Townsend Lane between a point 2·2 chains west of the division wall of the London and North Western Railway coal depôt and a point 0·5 chain west of the above-mentioned division wall ;
- (c) In Townsend Lane between a point 2·2 chains west of the centre of the London and North Western Railway bridge at Breck Road Station and a point 0·8 chain west of the centre of the same bridge ;
- (d) In Townsend Lane between a point 2·7 chains west of the west side of Maiden Lane and a point 1·0 chain west of the west side of Maiden Lane ;
- (e) In Townsend Lane between a point 2·1 chains south of the south side of Huxley Street and a point 0·4 chain south of the south side of Huxley Street ;
- (f) In Townsend Lane between a point 0·7 chain west of the west side of Larkhill Lane and a point opposite the east side of Cherry Lane :

Tramway No. 7 will be 6 furlongs and 1·5 chains in length of which 1 furlong and 3·1 chains will be double line and 4 furlongs and 8·4 chains single line.

Tramway No. 8 (Church Mount Marmaduke Street &c.) commencing in Edge Lane by a junction with Tramway No. 9 at a point 0·2 chain east of the east side of Marmaduke Street passing along Marmaduke Street Church Mount and Holland Place and terminating in Holland Place by a junction with the existing tramway at a point opposite the south-west side of Holland Place :

Tramway No. 8 will be 1 furlong and 2·8 chains in length and will be single line throughout.

Tramway No. 9 (Edge Lane) commencing in Mount Vernon Road by a junction with the existing tramway at a point 0·8 chain east of the east side of Hatfield Street passing along Mount Vernon Northview Edge Lane and St. Oswald's Street and terminating in Prescott Road by a junction with the existing tramways at a point opposite the south side of St. Oswald's Street :

A.D. 1901.

*Liverpool
Corporation
Extensions.*

Tramway No. 9 will be laid as a single line except between the points herein-after specified where it will be laid as a double line (that is to say):—

- (a) In Edge Lane between a point 0·7 chain east of the east side of Marmaduke Street and a point 1·2 chains east of the east side of Durning Road ;
- (b) In Edge Lane between a point opposite the east side of Needham Road and a point opposite the east side of Deane Road ;
- (c) In Edge Lane between a point 7 chains west of the west side of Laurel Road and a point 4·7 chains west of the west side of Laurel Road ;
- (d) In Edge Lane between a point 2·5 chains west of the west side of Southbank Road to a point opposite the west side of Southbank Road ;
- (e) In Edge Lane between a point 0·2 chain east of the east side of Meliden Road and a point opposite the east side of Milton Road ;
- (f) In Edge Lane between a point 1·2 chains east of the east side of Wood Grove and a point 0·2 chain east of the east side of Fletcher Grove ;
- (g) In Edge Lane and St. Oswald's Street between a point 1·4 chains east of the east side of Tapley Place and a point 0·3 chain west of the west side of Springfield Street ;
- (h) In St. Oswald's Street between a point opposite the east side of Mill Lane and a point 2·7 chains east of the east side of Mill Lane ;
- (j) Also at the junction of St. Oswald's Street with Prescott Road between a point 1·4 chains east of the east side of Rock Street and its junction with the existing tramway in Prescott Road at a point opposite the south side of St. Oswald's Street :

Tramway No. 9 will be 2 miles and 8·5 chains in length of which 5 furlongs and 6·1 chains will be double line and 1 mile 3 furlongs and 2·4 chains single line :

Provided always that the portion of Tramway No. 9 in St. Oswald's Street between a point 0·5 chain east of the east side of Salisbury Street and a point 0·5 chain west of the west side of Mill Lane shall not be constructed unless and until the roadway in St. Oswald's Street between the said points has been widened so as to admit a space of not less than 9 feet 6 inches on both sides of the roadway measured from the kerb of the footpath to the nearest rail of tramway.

Tramway No. 9A (junction to Tramway No. 9) commencing in St. Oswald's Street by a junction with Tramway No. 9 at a point 0·4 chain west of the west side of Broad Green Road curving into and terminating in Prescott Road by a junction with the existing tramways at a point 0·3 chain west of the west side of St. Oswald's Street :

Tramway No. 9A will be 1·4 chains in length and will be double line throughout.

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

Tramway No. 10 (Prescot Road) commencing in Prescot Road by a junction with the existing tramway at a point 0·8 chain east of the east side of St. Oswald's Street passing along and terminating in Prescot Road at the city boundary :

A.D. 1901.

*Liverpool
Corporation
Extensions.*

Tramway No. 10 will be laid as a double line except between the points herein-after specified where it will be laid as a single line (that is to say) :—

In Prescot Road between a point 4·3 chains west of the centre of the Cheshire Lines Railway Bridge at Knotty Ash Station and a point 8·5 chains east of the last-mentioned point :

Tramway No. 10 will be 1 mile 2 furlongs and 0·1 chain in length of which 1 mile and 7·3 chains will be double line and 1 furlong and 2·8 chains single line.

Tramway No. 11 (Broad Green Road) commencing in Prescot Road by a junction with the existing tramways at a point opposite St. Oswald's Street passing along Broad Green Road and terminating at Broad Green at a point opposite the east side of Rocky Lane :

Tramway No. 11 will be 1 mile 1 furlong and 2·2 chains in length and will be double line throughout.

Tramway No. 12 (Thomas Lane) commencing in Prescot Road by a junction with Tramway No. 10 at a point 0·3 chain west of the west side of Thomas Lane passing along Thomas Lane and terminating in Broad Green Road by a junction with Tramway No. 11 at a point 0·3 chain west of the west side of Thomas Lane :

Tramway No. 12 will be 7 furlongs and 3·7 chains in length and will be double line throughout.

6. For the protection of the London and North Western Railway Company (herein-after referred to as "the company") the following provisions shall apply and have effect :—

For the protection of the London and North Western Railway Company.

(1) Where any tramway will pass in front of the entrances to any passenger or goods station of the company no additional crossing passing-place siding or turnout shall under this Order be made for or in connexion therewith for the distance thereon extending in front of the said entrances to such stations and for a length of ten yards at each end of such distance and no carriage used on the tramways shall without the consent in writing of the company under their common seal be stopped or permitted to be stopped within such distance and lengths except for and only for so long as may be absolutely necessary for the purposes of setting down and taking up passengers :

(2) The Promoters shall not in connexion with any work by this Order authorised in any way vary alter or interfere with the structure of any tunnel or bridge carrying any road over any railway of the company and they shall so construct and maintain the tramways over such tunnel or bridge as not injuriously to affect the same :

(3) In the event of any injury being caused to any such tunnel or bridge by the construction maintenance repairing user or removal of any of the

A.D. 1901.

*Liverpool
Corporation
Extensions.*

tramways the company may at the expense of the Promoters restore such tunnel or bridge or the part or parts thereof which may be injured to as good a state and condition as they were in before such injury was occasioned and the Promoters shall indemnify the company against all sums costs and expenses which they may pay or be put to in repairing and maintaining so much of the road over such tunnel or bridge as the Promoters are liable to maintain and repair under section 28 of the Tramways Act 1870 and the company may recover from the Promoters all such sums costs and expenses with full costs and charges by all and the same means as any simple contract debt of like amount may be recovered :

- (4) Whenever and so often as the company shall require to widen lengthen strengthen reconstruct alter or repair any such tunnel or bridge or to widen or alter their railways or to lift or support any such tunnel or bridge owing to the subsidence thereof caused by the minerals thereunder having been or being worked or gotten and they shall find it necessary for effecting any of such purposes that the working and use of any of the tramways over such tunnel or bridge should be wholly or partly stopped or delayed or that such tramways should be temporarily diverted or wholly or in part taken up or removed and shall except in cases of emergency give to the Promoters seven clear days' notice in writing requiring such stoppage delay or diversion taking up or removal the working and user of such tramways shall be stopped or delayed or such tramways shall be diverted or taken up or removed accordingly at the expense of the Promoters and under the superintendence of their engineer if such engineer shall give such superintendence but only for so long as the company may find it to be absolutely necessary for effecting such purpose and without their being liable for any compensation claims demands charges costs and expenses for or in respect of such stoppage or delay or in any way relating thereto :
- (5) In case the principal engineer of the company shall be of opinion that any such strengthening is desirable or necessary owing to the carriages or other vehicles on any of the tramways being or being intended to be moved by steam electrical or any mechanical power such strengthening shall be effected in all things at the expense of the Promoters who shall also pay to the company all additional expense which they may incur or be put to in effecting any such widening lengthening strengthening reconstruction alterations repairs lifting or supporting by reason of the existence of the tramways so passing or any of the works connected therewith the amount of such expenditure to be recoverable as aforesaid by the company from the Promoters with full costs and charges by all and the same means as any simple contract debt of like amount may be recovered :
- (6) All works which may be necessary in constructing and maintaining any of the tramways over any bridge works or property of the company shall be constructed and maintained in all things at the expense of the Promoters and to the reasonable satisfaction of the principal engineer of the company :

(7) If any difference shall arise under this section between the Corporation and the company touching anything to be done or omitted to be done or not to be done or the reasonableness of any requirements or of any charges or in any manner in connexion with the foregoing provisions of this section the matter in difference shall unless otherwise agreed be determined by a referee to be nominated by the Board of Trade under section 33 of the Tramways Act 1870.

A.D. 1901.

Liverpool Corporation Extensions.

7. For the protection of the Cheshire Lines Committee (in this section called "the committee") the following provisions shall apply and have effect:—

For the protection of the Cheshire Lines Committee.

(1) The Promoters shall not in any way vary alter or interfere with the structure of any bridge carrying any road over any railway of the committee or of the approaches thereto and they shall so construct and maintain the tramways over such bridge and the approaches thereto as not injuriously to affect the same :

(Structure of bridges.)

(2) In the event of any injury being caused to any such bridge or approaches by the construction maintenance repairing or removal of any of the said tramways the committee may at the expense of the Promoters restore such bridge and approaches or the part or parts thereof which may be injured to as good a state and condition as they were in before such injury was occasioned and the Promoters shall indemnify the committee against all sums costs and expenses which they may pay or be put to in repairing and maintaining so much of the road over such bridge and approaches as the Promoters are liable to maintain and repair under section 28 of the Tramways Act 1870 and the committee may recover from the Corporation all such sums costs and expenses with full costs and charges by all and the same means as any simple contract debt of like amount may be recovered :

(Injury to bridges and repair of roads over same.)

(3) Whenever and so often as the committee shall require to widen lengthen strengthen reconstruct alter or repair any such bridge or approaches or to widen or alter their railways or to lift or support any such bridge or approaches owing to the subsidence thereof caused by the minerals thereunder having been or being worked or gotten and it shall be necessary for effecting any of such purposes that the working and user of any of the said tramways over such bridge or approaches shall be wholly or partly stopped up or delayed or that such tramways shall be temporarily diverted and be wholly or in part taken up or removed and shall except in cases of emergency give to the Promoters seven clear days' notice in writing requiring such stoppage delay or diversion taking up or removal the working and user of such tramways shall be stopped or delayed or such tramways shall be diverted or taken up or removed accordingly at the expense of the Promoters and under the superintendence of their engineer (if such engineer shall give such superintendence) but only for so long as it may be absolutely necessary for effecting such purpose and the committee shall not be liable for any compensation claims demands damages costs and expenses for and in respect of such stoppage or delay or in any way relating thereto :

(Suspension of tramway traffic during alterations in bridges widening of railways &c.)

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

Liverpool Corporation Extensions.
(Strengthening of bridges necessitated by mechanical traction.)

(4) In case it shall be found that any such strengthening is necessary owing to the carriages or other vehicles on any of the said tramways being or being intended to be moved by electrical steam or any mechanical power such strengthening shall be effected in all things at the expense of the Promoters who shall also pay to the committee all additional expenses which they may incur or be put to in effecting any such widening lengthening strengthening reconstructions alterations repairs lifting or supporting by reason of the existence of the tramway so passing or any of the works connected therewith the amount of such expenditure to be recoverable as aforesaid by the committee from the Promoters with full costs and charges by all and the same means as any simple contract debt of like amount may be recovered :

(Superintendence of works affecting railways &c.)

(5) All works which may be necessary in constructing and maintaining any of the said tramways over any bridge works or property of the committee shall be constructed and maintained in all things at the expense of the Promoters and to the reasonable satisfaction of the principal engineer of the committee :

(Differences how to be determined.)

(6) If any difference shall arise under this section between the Promoters and the committee touching anything to be done or omitted to be done or not to be done or the reasonableness of any requirements or of any charges or in any manner in connexion with the foregoing provisions of this section the matter in difference shall unless otherwise agreed be determined by a referee to be nominated by the Board of Trade under section 33 of the Tramways Act 1870.

Extending to this Order certain provisions of Order of 1900.

8. The herein-after mentioned provisions of the Order of 1900 and of the provisions thereby applied shall so far as the same are applicable extend and apply to the tramways and undertaking by this Order authorised in like manner in every respect as if the tramways and undertaking by this Order authorised formed part of the tramways and undertaking authorised by the Order of 1900 and for the purpose of such application the expressions "the tramways" and "the undertaking" in the said provisions shall be construed to include the tramways and the undertaking as defined by this Order The provisions of the Order of 1900 herein-before referred to are—

Section 10. Extending to this Order certain provisions of Order of 1883.

Section 12. Cheap fares for labouring classes.

Section 13. Mechanical power works to be subject to section 30 of Tramways Act 1870.

Section 14. Alteration of tramways.

Section 16. Audit.

Extending to this Order certain provisions of Act of 1897.

9. The herein-after mentioned provisions of the Act of 1897 shall so far as applicable extend and apply to the tramways by this Order authorised The provisions of the Act of 1897 herein-before referred to are—

Section 19. Power to work the undertaking.

Section 22. Limiting weight of cars &c. over bridges [belonging to the Mersey Docks and Harbour Board.

- Section 23. Plans &c. of certain works to be approved by engineer to Mersey Docks and Harbour Board. A.D. 1901.
 Section 24. Prohibiting the raising of fares on Sundays and holidays. *Liverpool Corporation Extensions.*
 Part II. Use of mechanical power.
 Section 37. Power to attach conductors wires &c.

NORTHAMPTON CORPORATION.

Order authorising the Mayor Aldermen and Burgesses of the Borough of Northampton to construct Tramways in their Borough and conferring further powers upon them with regard to the Tramways already constructed therein. *Northampton Corporation.*

Preliminary.

1. This Order may be cited as the Northampton Corporation Tramways Order 1901. *Short title.*
2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order. *Incorporation of Acts.*
3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: *Interpretation.*
 Provided that in this Order—
 The expression “the borough” means the borough of Northampton in the county of Northampton;
 The expression “the Corporation” means the mayor aldermen and burgesses of the borough acting by the council;
 The expression “the Act of 1880” means the Northampton Street Tramways Act 1880;
 The expression “the Act of 1882” means the Northampton Street Tramways Act 1882;
 The expression “the Order of 1892” means the Northampton Street Tramways Order 1892 confirmed by the Tramways Orders Confirmation Act 1892;
 The expression “the tramways” means the tramways and works by this Order authorised and from and after the acquisition by the Corporation of any of the tramways and works authorised by the Act of 1880 the Act of 1882 and the Order of 1892 the expression shall include the tramways and works so acquired;
 The expression “the undertaking” means the undertaking by this Order authorised and (if and when respectively acquired by the Corporation)

A.D. 1901.

Northampton Corporation.

the undertakings authorised by the Act of 1880 the Act of 1882 and the Order of 1892 respectively ;

The expression "mechanical power" includes steam electrical and every other motive power not being animal power ;

The expression "engine" includes motor.

The Promoters.

4. The Corporation shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Lands.

5. The Promoters may—

(a) Subject to the sanction of the Local Government Board and under such conditions as they may prescribe from time to time appropriate and use for any of the purposes of this Order but subject to the provisions (if any) under which such lands were respectively acquired any lands not dedicated to public use from time to time vested in them being part of their corporate estates ;

(b) By agreement from time to time purchase and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell let or dispose of any such lands which may not be necessary for such purposes Provided that all sums received by the Promoters from the sale of such lands or from fines or premiums on leases of the same shall be applied solely in repayment of outstanding loans and that such moneys shall not be applied to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board :

Provided that they shall not at any time hold for such purposes more than five acres of land Provided also that nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon lands appropriated or taken under the powers of this section.

Construction of Tramways.

Construction of tramways.

6. The Promoters may subject to the provisions of this Order—

(a) Construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails plates sleepers junctions turntables turnouts works and conveniences connected therewith or for the purposes thereof ;

(b) Erect or construct on any lands taken or appropriated under the powers of this Order any offices stables sheds workshops stores waiting-rooms or other buildings yards works and conveniences for the purposes of the undertaking :

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
 (No. 1) Act, 1901.

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with—

A.D. 1901.
 Northampton Corporation.

- (a) any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section;
- (b) any part or parts of the tramways and works of the Northampton Street Tramways Company without the consent of that company until such part or parts have been acquired by the Corporation.

The tramways authorised by this Order will be wholly situate within the borough and are as follows (that is to say):—

Tramway No. 1 (single line 1 furlong 3 chains in length) situate in Kettering Road commencing near to the junction of Kingsley Road and Abington Grove by a junction with the existing tramway in Kettering Road and terminating at a point 2 chains 21 links east of the west pier of the gateway entrance to St. Matthew's Church:

Tramway No. 2 (single line 1 furlong 9 chains in length) situate in Wellingborough Road commencing at or near to the junction of that road with Roseholme Road by a junction with the existing tramway in Wellingborough Road and terminating at a point 4 chains 70 links eastward of the north side of Wantage Road.

7. The tramways shall be constructed on a gauge of three feet six inches or such other gauge as may from time to time be determined by the Board of Trade on the application of the Promoters. Provided always that in the event of the tramways being constructed on a less gauge than 4 feet 8½ inches so much of section 34 of the Tramways Act 1870 as limits the extent of the carriages used on any tramways beyond the outer edge of the wheels of such carriages shall not apply to carriages used on the tramways but no engine or carriage used on the tramways shall exceed six feet six inches in width or such other width as may from time to time be prescribed by the Board of Trade.

Gauge and width of carriages.

8. In addition to the requirements of section 26 of the Tramways Act 1870 the Promoters shall lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining or renewing the tramways and a statement of the materials intended to be used therein and the Promoters 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 after such approval the works shall be executed in accordance in all respects with such plan and statement.

Provisions as to construction of tramways.

9. The rails of the tramways shall be such as the Board of Trade may approve.

Rails of tramways.

10.—(1) The Promoters shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways and the substructure upon which the same rest

Penalty for not maintaining rails and roads in good condition.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

Northampton Corporation.

and if the Promoters at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues.

(2) In case it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the borough that the Promoters have made default in complying with the provisions in this section contained or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are by this section imposed.

Tramways to be kept on level of surface of road.

11. If the Promoters or any other road authority hereafter alter the level of any road along or across which any part of the tramways is laid or authorised to be laid the Promoters may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Alteration of tramways.

12. The Promoters may with the consent of the Board of Trade lay down double lines in lieu of single or single lines in lieu of double or interlacing lines in lieu of double or single lines on any of the tramways and may with the like consent subject in places where the Promoters may not be the road authority to the approval of that authority alter the position in the road in which any of the tramways or any part thereof respectively is constructed or authorised to be constructed Provided that the uppermost surface thereof shall be on a level with the surface of the road as altered or widened Provided further that in the exercise of the powers of this section no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if one third of the owners or one third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Promoters within three weeks after receiving from the Promoters notice of their intention express their objection thereto.

Cross-over roads to be constructed in certain cases.

13. Where in any road in which a double line of tramways is laid there shall be less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches the Promoters shall if and where required by the Board of Trade construct a cross-over road or cross-over roads connecting the one tramway with the other and by the means of such cross-over road or cross-over roads the traffic shall when necessary be diverted from one tramway to the other.

Additional cross-over roads &c.

14. The Promoters may subject to the provisions of this Order from time to time make maintain alter and remove all such cross-over roads passing-places

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

sidings triangles junctions and other works in addition to those particularly specified in and authorised by this Order as they find necessary or convenient for the efficient working of the tramways or any of them or for facilitating the traffic of the roads in which the same are laid or for providing access to any stables or carriage-houses sheds or works of the Promoters or for effecting junctions with any tramways but in places where the Promoters may not be the road authority the same shall only be made subject to the approval of the road authority Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if one third of the owners or one third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Promoters within three weeks after receiving from the Promoters notice of their intention express their objection thereto.

A.D. 1901.

Northampton Corporation.

may be made where necessary.

15. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid it is in the opinion of the Promoters necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Promoters may construct in the same or any adjacent road and maintain so long as occasion may require a temporary tramway or temporary tramways in lieu of the tramway or part of the tramway so removed or discontinued subject in places in which the Promoters may not be the road authority to the approval of the road authority and to such regulations as that authority may make.

Temporary tramways may be made when necessary.

16. Any paving metalling or material excavated by the Promoters in the construction of any works under the authority of this Order from any road under their jurisdiction or control shall absolutely vest in and belong to the Promoters and may be dealt with removed and disposed of by them in such manner as they may think fit.

Application of road materials excavated in construction of works.

17. The tramways authorised by this Order shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade.

Tramways not to be opened until certified by Board of Trade.

Motive Power.

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

Provisions as to motive power.

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

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

(3) The Promoters or any company or person using any mechanical power on the tramways contrary to the provisions of this Order or of the

A.D. 1901.

—
Northampton Corporation.

Board of Trade regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence is continued after conviction thereof.

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

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

(b) that the use of mechanical power as authorised under this Order is a danger to the passengers or the public;

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

Mechanical
power works.

19. For the purpose of working any of the tramways by mechanical power the Promoters and their lessees subject to the provisions of this Order (and as to the lessees subject to the terms of their lease) may—

(a) construct provide maintain and use on any lands appropriated or acquired by them under the powers of this Order stations for generating electrical power with all necessary or proper machinery dynamos engines buildings works and conveniences;

(b) place construct erect lay down make and maintain on above or below the surface of any street or road posts brackets electric conductors wires apparatus subways tunnels cables tubes and openings;

(c) with the consent of the owners and occupiers of any houses or buildings attach to such houses or buildings and maintain brackets wires and apparatus:

Provided always that nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them in exercising the powers of this section.

For the pro-
tection of the
London and
North Western
Railway Com-
pany.

20. In laying down any double lines in lieu of single or single lines in lieu of double or interlacing lines in lieu of double or single lines on any of the tramways and in constructing any cross-over or cross-overs connecting one tramway with another and in making maintaining altering or removing all such cross-overs passing places sidings triangles junctions and other works for the efficient working of the tramways and in constructing erecting laying down making and maintaining on above or below the surface of any street or road posts brackets electric conductors wires apparatus subways tunnels cables tubes and openings for the purpose of working any of the tramways by mechanical power (all of which works are herein-after included in the expression

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

and referred to as "the said works") where any of the tramways crosses any railway bridge carrying any road over any railway of the London and North Western Railway Company (herein-after called "the railway company") the following provisions shall be in force and have effect:—

A.D. 1901.

Northampton
Corporation.

- (1) Before commencing any of the said works which in any way alter or interfere with the structure of any such bridge or of the approaches thereto the Corporation shall give not less than fourteen days' previous notice in writing to the railway company of their intention to commence the same and the Corporation shall so construct the said works and maintain the same over such bridges and the approaches thereto as not injuriously to affect the structure thereof.
- (2) In the event of any injury being caused to the structure of any such bridge or approaches by the said works the railway company may at the expense of the Corporation restore such bridge and the approaches or the part or parts thereof which may be so injured to as good a state and condition as they were in before such injury was occasioned.
- (3) In case any strengthening repairing lifting or supporting of any such bridge or approaches is rendered necessary by the carriages or vehicles on such tramways being or being intended to be moved by mechanical power and would not otherwise be necessary such strengthening shall be effected in all things at the reasonable expense of the Corporation who shall also pay to the railway company all additional reasonable expense which they may incur or be put to in effecting any widening lengthening strengthening reconstruction alterations repairs lifting or supporting of any such bridge or approaches by reason of the existence of the said works.
- (4) All the said works shall be constructed and maintained in all things at the expense of the Corporation and to the reasonable satisfaction of the principal engineer of the railway company or in case of difference of an engineer to be appointed by the Board of Trade on the application of the railway company or the Corporation and if so required by the railway company the said works shall be constructed in accordance with plans and sections to be previously submitted to and reasonably approved by the principal engineer of the railway company or in case of difference by the engineer appointed by the Board of Trade as aforesaid.

21. All works to be executed by the Promoters or their lessees in any street or road for working the tramways by mechanical power in pursuance of the powers of this Order shall be deemed to be works of a tramway subject in all respects (save as by this Order otherwise expressly provided) to the provisions of the Tramways Act 1870 as if they had been therein expressly mentioned.

Mechanical
power works to
be subject to
Tramways
Act 1870.

22. Subject to the provisions of this Order the Board of Trade may make byelaws with regard to any part of the tramways upon which

Byelaws.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 Edw. 7.]

A.D. 1901. mechanical power may be used for all or any of the following purposes
(that is to say):—

—
Northampton Corporation.

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

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

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

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

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

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

Amendment of the Tramways Act 1870 as to byelaws by local authority.

23. The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramways shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by the Board of Trade regulations at which engines are to be driven or propelled on the tramways under the authority of this Order but the byelaws of the local authority may restrict the rate of speed to a lower rate than that so authorised.

Special provisions as to use of electrical power.

24. The following provisions shall apply to the use of electrical power under this Order unless such power is entirely contained in and carried along with the carriages :—

(1) The Promoters shall employ either insulated returns or uninsulated metallic returns of low resistance.

(2) The Promoters shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus.

(3) The electrical power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return.

A.D. 1901.

—
Northampton Corporation.

(4) The Promoters shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Promoters either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking.

(5) At the expiration of two years from the passing of the Act confirming this Order the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents.

(6) If any difference arises between the Promoters and any other party with respect to anything herein-before in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be.

(7) The expression "the Promoters" in this section shall include their lessees and any person owning working or running carriages over any tramways of the Promoters.

25.—(A) Notwithstanding anything in this Order contained if any of the works authorised to be executed by this Order involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

For protection
of the Post-
master-General.

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

(1) The Promoters 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 the 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

A.D. 1901.

*Northampton
Corporation.*

their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein. If any question arises as to whether the Promoters have constructed their electric lines or other works or work their undertaking in contravention of this subsection such question shall be determined by arbitration and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

- (2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the undertaking of the Promoters the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection.
- (3)—(a) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters 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 Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work:
 - (b) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.
- (4) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters 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.
- (5) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work 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 reasons for doing or executing the same without previous notice.
- (6) 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

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
 (No. 1) Act, 1901.

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. A.D. 1901.
Northampton Corporation.

(7) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order.

(8) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882.

(9) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.

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

(11) In this section the expression "the Promoters" includes their lessees and any person owning working or running carriages over the tramways (or any part thereof) of the Promoters.

Traffic upon Tramways.

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

27. The Promoters' lessees shall not be bound to carry unless they think fit any animals goods minerals or parcels other than passengers' luggage not exceeding twenty-eight pounds in weight. *Promoters not bound to carry animals goods &c.*

Rates.

28. The Promoters' lessees may demand and take for every passenger travelling upon the tramways or any part thereof including every expense incidental to such conveyance any rates or charges not exceeding one penny per mile (and for this purpose a fraction of a mile beyond an integral number of miles shall be deemed a mile) but in no case shall the Promoters or their lessees be bound to charge a less sum than twopence. *Passengers' fares.*

29. The Promoters or any person working or using the tramways shall not take or demand on Sunday or any public or local holiday any higher rates or charges than those levied by them on ordinary week-days. *As to fares on Sundays and holidays.*

30. Every passenger travelling upon the tramways may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof. Provided that all such personal *Passengers' luggage.*

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

Northampton Corporation.

Cheap fares for labouring classes.

luggage be carried by hand and at the responsibility of the passenger and do not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

31.—(1) The Promoters' lessees at all times after the opening of the tramways for public traffic shall and they are hereby required to run a proper and sufficient service of carriages for artisans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than eight o'clock in the morning or earlier than five o'clock in the evening respectively as may be most convenient for such workmen going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance On Saturdays the Promoters' lessees in lieu of running such carriages after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is 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 Promoters' lessees to provide such service as may appear to the Board to be reasonable.

(3) The Promoters' lessees 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.

Rates and charges for animals goods &c.

32. The Promoters' lessees may demand and take in respect of any animals goods minerals or parcels conveyed by them on the tramways including every expense incidental to such conveyance any rates or charges not exceeding the rates and charges specified in the schedule to this Order annexed subject to the regulations in that behalf therein contained.

Payment of rates.

33. The rates and charges by this Order authorised shall be paid to such persons and at such places upon or near to the tramways and in such manner and under such regulations as the Promoters' lessees may by notice to be annexed to the list of rates and charges appoint.

Periodical revision of rates and charges.

34. If at any time after three years from the opening for public traffic of the tramways or any portion thereof or after three years from the date of any order made in pursuance of this section in respect of the tramways or any portion thereof it is represented in writing to the Board of Trade by the Promoters or by their lessees or by twenty inhabitant ratepayers of the borough that under the circumstances then existing all or any of the rates and charges demanded and taken in respect of the traffic on the tramways or on such portion should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if such referee reports that it has been proved to his satisfaction that all or any of the rates or charges should be revised the said Board may make an order in writing altering modifying reducing or increasing all or any of the rates and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the

tramways in such manner as they think fit and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section Provided always that the rates and charges prescribed by any such order shall not exceed in amount the rates and charges by this Order authorised Provided also that a copy of this section shall be annexed to every table or list of rates published or exhibited by the Promoters or their lessees.

A.D. 1901.

—
Northampton Corporation.

Miscellaneous.

35. Notwithstanding anything in the Tramways Act 1870 to the contrary the Corporation may place and run carriages on and may work and may demand and take rates and charges in respect of the tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks horses harness engines machinery apparatus steam cable electrical and other plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the said tramways by animal or mechanical power and in such case the several provisions in this Order contained relating to the working of the tramways and the taking of rates and charges therefor shall extend and apply mutatis mutandis to and in relation to the Corporation and the Corporation may work such tramways and demand and recover such rates and charges accordingly but nothing in this section shall empower the Corporation to construct any station for generating electrical power nor to create or permit a nuisance.

Power to Corporation to work tramways.

36. The regulations authorised by the Tramways Act 1870 to be made by the Promoters of any tramway and their lessees may with respect to any tramways or portions of tramways for the time being belonging to and worked by the Corporation be made by the Corporation alone.

Regulations.

37. The Promoters may with the consent of the Board of Trade from time to time but subject to the provisions of this Order—

Working agreements.

(1) enter into and fulfil contracts and agreements with any local authority or persons who are authorised to enter into such contracts or agreements and are the owners or lessees of any tramways in any adjacent district which can be worked with any of the tramways of the Council with respect to—

(a) the construction of the tramways by this Order authorised;

(b) the working running over use maintenance and management by the contracting parties or any or either of them of their respective tramway undertakings or any part or parts thereof;

(c) the interchange accommodation and forwarding of traffic coming from or destined for the respective undertakings of the contracting parties; and

(d) the fixing collecting and apportionment of rates charges and other receipts arising from such traffic:

(2) confirm any such contracts and agreements which may have been entered into before the confirmation of this Order.

A.D. 1901.

Northampton Corporation.

Orders &c. of the Board of Trade

38. All orders regulations and byelaws made and consents and certificates given by the Board of Trade under the authority of this Order shall be signed by a secretary or an assistant secretary of the Board and when purporting to be so signed the same shall be deemed to be duly made in accordance with the provisions of this Order and to be orders and regulations within the meaning of the Documentary Evidence Acts 1868 and 1882 and may be proved accordingly.

Mortgage may include rents &c.

39. The Promoters may include in any mortgage of the local rate made by them under section 20 of the Tramways Act 1870 the moneys coming to them out of the rents reserved under any lease made under the authority of the Tramways Act 1870 or this Order and the rates charges and sums authorised to be taken or received by them under the provisions of this Order.

Recovery of penalties.

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

Audit of accounts.

41. Sections 246 and 250 of the Public Health Act 1875 shall apply to the audit of accounts of the receipts and expenditure of the Promoters and their officers with respect to the tramways as if such accounts related to receipts and expenditure under that Act.

Protection of local authority.

42. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 is hereby incorporated with this Order and in construing that section for the purposes of this Order the expression "this Act" where used in that section shall mean this Order.

Form and delivery of notices.

43. With respect to notices and to the delivery thereof by or to the Promoters the following provisions shall have effect (that is to say):—

(1) Every notice consent or approval shall be in writing and if given by the Promoters or by any local or road authority or company shall be signed by their clerk or secretary.

(2) Any notice to be delivered by or to the Promoters to or by any body or any company or corporation may be delivered by being left at the principal office of such body company or corporation or at the office of the clerk to the Promoters as the case may be or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office or to the clerk to the said Promoters.

Provisions as to arbitration.

44. Where under the provisions of the Tramways Act 1870 and this Order any matter in difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Arbitration Act 1889 shall apply to every such arbitration and the decision of the arbitrator shall be final and conclusive and binding on all parties and the costs of and incidental to the arbitration and award shall if either party so require be taxed and settled as between the parties by any one of the taxing masters of the High Court and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters and all those enactments including the

enactments relating to the taking of fees by means of stamps shall extend to the fees in respect of the said taxation.

A.D. 1901.

Northampton Corporation.

Repeal of Acts.

45. From and after the acquisition by the Corporation of any of the tramways authorised by the Act of 1880 the Act of 1882 or the Order of 1892 the provisions of this Order (so far as applicable) and of the Conveyance of Mails Act 1893 shall extend and apply to the tramways so acquired as if such tramways had been constructed in pursuance of the powers of this Order and the provisions of the Act of 1880 the Act of 1882 and the Order of 1892 shall cease to apply to the tramways so acquired and upon the acquisition by the Corporation of the whole of such tramways the last-mentioned provisions shall by virtue of this Order be repealed except so far as may be necessary to provide for the distribution of the assets of the Northampton Street Tramways Company and the winding up of their affairs.

46. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates of rates and charges authorised by this Order.

Saving for general Acts.

SCHEDULE.

MAXIMUM RATES AND CHARGES FOR ANIMALS GOODS &c.

<i>Animals.</i>	Per Mile.
	<i>s. d.</i>
For every horse mule or other beast of draught or burden - per head	0 4
For every ox cow bull or head of cattle - - - - - „	0 3
For every calf pig sheep or other small animal - - - - - „	0 1½

Goods and Minerals.

For all coal coke culm charcoal cannel limestone chalk lime salt sand fire-clay cinders dung compost and all sorts of manure and all undressed materials for the repair of public roads or highways - - - - - per ton	0 2
For all iron iron-ore pig-iron bar-iron rod-iron sheet-iron hoop-iron plates of iron slabs billets and rolled iron bricks slag and stone stones for building pitching and paving tiles slates and clay (except fire-clay) and for wrought iron not otherwise specifically classed herein and for heavy iron castings including railway chairs per ton	0 2½
For all sugar grain corn flour hides dyewoods earthenware timber staves deals and metals (except iron) nails anvils vices and chains and for light iron castings - - - - - per ton	0 3

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

Northampton Corporation.

	Per Mile.
	s. d.
For cotton wools drugs and manufactured goods and all other wares merchandise fish articles matters or things not otherwise specially classed herein - - - - - per ton	0 4
For every carriage of whatever description - - - - -	1 0

Parcels.

	Any Distance.
	s. d.
For any parcel not exceeding 7 lbs. in weight - - - - - each	0 3
For any parcel exceeding 7 lbs. and not exceeding 14 lbs. in weight - - - - -	0 5
For any parcel exceeding 14 lbs. and not exceeding 28 lbs. in weight - - - - -	0 7
For any parcel exceeding 28 lbs. and not exceeding 56 lbs. in weight - - - - -	0 9
For any parcel exceeding 56 lbs. in weight but not exceeding 500 lbs. in weight such sum as the persons conveying the same may think fit.	

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed parcels but that term shall apply only to single parcels in separate packages.

For the Carriage of Single Articles of Great Weight.

	Per Mile.
	s. d.
For the carriage of any iron boiler cylinder or single piece of machinery or single piece of timber or stone or other single article the weight of which including the carriage exceeds four tons but does not exceed eight tons such sum as the person conveying the same may think fit not exceeding - - - - - per ton	2 0
For the carriage of any single piece of timber stone machinery or other single article the weight of which with the carriage exceeds eight tons such sum as the person conveying the same may think fit.	

Regulations as to Rates.

For articles or animals conveyed on the tramways for a less distance than a mile rates and charges as for one mile may be demanded.

A fraction of a mile beyond an integral number of miles shall be deemed a mile.

For a fraction of a ton rates and charges may be demanded and taken according to the number of the quarters of a ton in such fraction and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber the weight shall be determined according to imperial avoirdupois weight.

With respect to stone and timber fourteen cubic feet of stone forty cubic feet of oak mahogany teak beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

PONTYPRIDD URBAN DISTRICT COUNCIL.

A.D. 1901.

*Order authorising the Urban District Council of Pontypridd to
construct Tramways in their District.*

*Pontypridd
Urban District
Council.*

Preliminary.

1. This Order may be cited as the Pontypridd Urban District Council Short title.
Tramways Order 1901.
2. The provisions of the Lands Clauses Acts (except with respect to the Incorporation
of Acts.
purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order.
3. The several words terms and expressions to which by the Acts in whole Interpretation.
or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings :
Provided that in this Order—
 - The expression “the tramways” means the tramways and works by this Order authorised ;
 - The expression “the undertaking” means the undertaking by this Order authorised ;
 - The expression “the district” means the urban district of Pontypridd in the county of Glamorgan ;
 - The expression “the Council” means the Urban District Council of Pontypridd ;
 - The expression “mechanical power” includes steam electrical and every other motive power not being animal power and the word “engine” includes motor.
4. The Council shall be the Promoters for the purposes of this Order and The Promoters.
are in this Order referred to as “the Promoters.”
5. The Promoters may— Lands.
 - (a) subject to the sanction of the Local Government Board and under such conditions as they may prescribe from time to time appropriate and use for any of the purposes of this Order but subject to the provisions (if any) under which such lands were respectively acquired any lands not dedicated to public use from time to time vested in them ;
 - (b) by agreement from time to time purchase and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell let or dispose of any such lands which may not be necessary for such purposes Provided that all sums received by the Promoters from the sale of such lands or from fines or premiums

[Ch. cclxxvii.] *Tramways Orders Confirmation* [1 EDW. 7.]
(No. 1) Act, 1901.

A.D. 1901.

*Pontypridd
Urban District
Council.*

on leases of the same shall be applied solely in repayment of outstanding loans and that such moneys shall not be applied to the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board:

Provided that they shall not at any time hold for such purposes more than five acres of land Provided also that nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon lands appropriated or taken under the powers of this section.

Construction of Tramways.

Construction of
tramways.

6. The Promoters may subject to the provisions of this Order —

(a) construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails plates sleepers junctions turntables turnouts works and conveniences connected therewith or for the purposes thereof;

(b) erect or construct on any lands taken or appropriated under the powers of this Order any offices stables sheds workshops stores waiting rooms or other buildings yards works and conveniences for the purposes of the undertaking :

Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the Act of 1882 apply except in accordance with and subject to the provisions of that section.

The tramways will be wholly situated within the district and are as follows (that is to say) :—

Tramway No. 1 (1 mile 7 furlongs 3·5 chains in length whereof 1 mile 3 furlongs 3·8 chains are single line and 3 furlongs 9·7 chains are double line) commencing in Taff Street at the intersection of the centre lines of that street and Crossbrook Street thence passing along Taff Street the bridge over the Taff River (known as Victoria Bridge) Bridge Street the bridge over the Glamorganshire Canal (known as Trallwn Bridge) the bridge over the Glamorganshire Canal (known as Coed-pen-Maen Bridge) Coed-pen-Maen Road Pont Shon Norton Pont Shon Norton Road and Cilfynydd Road and terminating in Cilfynydd Road at the intersection of the centre lines of that road and the Albion Colliery Bridge :

Tramway No. 1 will be laid as a single line except between the following points where it will be laid as a double line :—

(a) In Taff Street and Bridge Street from the intersection of the centre lines of Taff Street and Crossbrook Street to a point in

- Bridge Street 1·7 chains west of the centre of the said bridge (known as Victoria Bridge) over the Taff River ;
- (b) In Bridge Street from a point 1·5 chains east of the centre of the said bridge over the Taff River to a point 0·7 chain west of the centre of the said bridge (known as Trallwn Bridge) over the Glamorganshire Canal ;
- (c) In Coed-pen-Maen Road between points respectively 2·1 chains and 5 chains south-west of the intersection of the centre lines of Alpha Street and Coed-pen-Maen Road ;
- (d) In Coed-pen-Maen Road between points respectively 4·6 chains and 7·6 chains north-east of the intersection of the centre lines of Alpha Street and Coed-pen-Maen Road ;
- (e) In Coed-pen-Maen Road between points respectively 1 chain north-east and 2 chains south-west of the intersection of the centre lines of Bonvilston Road and Coed-pen-Maen Road ;
- (f) In Coed-pen-Maen Road and Pont Shon Norton Road between points respectively 1·9 chains south and 3 chains north of the centre of Pont Shon Norton ;
- (g) In Cilfynydd Road between points respectively 14·3 chains and 10·6 chains south of the southern corner of the Albion Hotel ;
- (h) In Cilfynydd Road between points respectively 2·8 chains and 5·8 chains south of the intersection of the centre lines of Jones Street and Cilfynydd Road ;
- (j) In Cilfynydd Road between points respectively 0·6 chain and 3·6 chains south of the intersection of the centre lines of the Albion Colliery Bridge and Cilfynydd Road.

A.D. 1901.

*Pontypridd
Urban District
Council.*

Tramway No. 2 (2·2 chains in length whereof 0·6 chain is single line and 1·6 chains are double line) commencing in Park Street at a point 0·7 chain south of the intersection of the centre lines of Castle Street and Park Street and terminating in Park Street at a point 2·9 chains south of such intersection :

Tramway No. 2 will be laid as a double line from its commencement to a point 2·3 chains south of the intersection of the centre lines of Castle Street and Park Street and as a single line from the point last described to the termination of the tramway.

Tramway No. 4 (1 mile 2 furlongs 0·3 chain in length whereof 6 furlongs 7·8 chains are single line and 3 furlongs 2·5 chains are double line) commencing at the junction of Ynysangharad Street and Coed-pen-Maen Road at a point 0·3 chain east of the centre of the bridge known as Trallwn Bridge over the Glamorganshire Canal by a junction with Tramway No. 1 thence passing along Ynysangharad Street, Pentre-bach Road over Glyntaff Canal Bridge along Cardiff Road Castle Bridge and Castle Street and terminating by a junction with Tramway No. 2 at a point 0·7 chain south of the intersection of the centre lines of Castle Street and Park Street :

A.D. 1901.

Pontypridd
Urban District
Council.

Tramway No. 4 will be laid as a single line except between the following points where it will be laid as a double line:—

- (a) In Ynysangharad Street between points respectively 2·5 chains and 9·5 chains south of the intersection of the centre lines of that street and the bridge known as Trallwn Bridge over the Glamorganshire Canal at the commencement of Tramway No. 4 ;
- (b) In Ynysangharad Street between points respectively 1·4 chains west and 6·2 chains east of the intersection of the centre lines of Ynysangharad Street and the bridge leading to the Newbridge Chainworks ;
- (c) In Pentre-bach Road between points respectively 3·2 chains and 6·2 chains south-east of the intersection of the centre lines of Davies Terrace and Pentre-bach Road ;
- (d) In Pentre-bach Road between points respectively 0·7 chain and 3·7 chains north-west of the north-west corner of the Farmers Arms Public House ;
- (e) In Pentre-bach Road between points respectively 11·3 chains and 14·3 chains south-east of the south-east corner of the Farmers Arms Public House ;
- (f) In Pentre-bach Road and Cardiff Road between points respectively 1·2 chains north and 3·0 chains south of the intersection of the centre lines of Glyntaff Road and Pentre-bach Road ;
- (g) In Cardiff Road between points respectively 1·5 chains and 4·5 chains north of the intersection of the centre lines of Cardiff Road and Castle Bridge ;
- (h) In Castle Street between points respectively 1·0 chain north and 0·7 chain south of the intersection of the centre lines of Castle Street and Park Street.

Tramway No. 4A (single line 0·8 chain in length) commencing in Coed-pen-Maen Road by a junction with Tramway No. 1 at a point 0·5 chain north of the intersection of the centre lines of the bridge known as Trallwn Bridge over the Glamorganshire Canal and Ynysangharad Street and passing thence along Coed-pen-Maen Road and Ynysangharad Street and terminating by a junction with Tramway No. 4 in Ynysangharad Street at a point 0·5 chain south of the above-mentioned point of intersection.

For the protection of the Glamorganshire County Council.

7. Where any part of a county road is less than 24 feet between the kerbs no portion of the tramways shall be laid down in such road until such road shall have been widened to 24 feet except as to such portion of the county road as is situate between the points X and Y on the plan herein-after referred to.

As to road widenings.

8.—(1) The Council shall not construct so much of Tramway No. 1 as lies between its commencement and Pont Shon Norton Bridge unless and until the roadway is so widened as to be of the width of 24 feet between the points A and B C and D and E and F shown on the plan herein-after referred to.

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

(2) The Council shall not construct so much of Tramway No. 4 as is situate in Ynysangharad Street unless and until they shall have widened the roadway between the points G and H shown on the plan herein-after mentioned to a width of 20 feet.

A.D. 1901.

*Pontypridd
Urban District
Council.*

(3) The plan herein-before referred to is a plan signed in triplicate by Arthur Frederick Jeffreys Esquire the Chairman of the Committee of the House of Commons to which the Bill for the Act confirming this Order was referred and deposited at the Private Bill Office of the House of Commons with the Board of Trade and with the clerk to the Council.

9. For the protection of the mayor aldermen and burgesses of the county borough of Cardiff (in this section called "the corporation") the following provisions shall have effect except so far as the corporation and the Promoters may otherwise agree (that is to say):—

For the protection of the Corporation of Cardiff.

(1) In this section the expression "water mains" means the water conduits water mains and pipes hydrants valves air valves and water apparatus and appliances belonging to the corporation.

(Definition.)

(2) The provisions of sections 30 32 and 33 of the Tramways Act 1870 shall extend and apply to the water mains and to the corporation in respect thereof as though the corporation were a water company and the said section 32 shall be construed as including the rights and powers conferred on the corporation by this Order and the said section 33 as extending to any difference as to the necessity for any alteration of any water mains as to the endangering of the safety of the Taff Fawr water main as to the necessity or sufficiency of any repairs or strengthening works as to the reasonableness of any conditions or time or as to the amount of any damages costs and expenses Provided that in subsection 1 of the said section 30 fourteen days shall be substituted for seven days Provided further that if it shall appear that the works of the Promoters will necessitate raising lowering or altering the position of any of the water mains the corporation on giving before the expiration of the fourteen days notice by this subsection provided notice to the Promoters stating what raising lowering or alteration of the position of such water mains the corporation consider necessary may in all respects at the cost of the Promoters raise lower or alter the position of such water mains in accordance with such notice Provided that the corporation shall not commence any such alterations at the expense of the Promoters until the expiration of a period of seven days from the delivery to the Promoters of such notice as aforesaid and if during such last period the Promoters shall give notice to the corporation that they do not agree as to the necessity for any such alterations no such alterations shall be commenced until the matter in difference has been decided as by this section provided Provided always that if within fourteen days of the receipt by the Promoters of the notice from the corporation stating their intention to execute the alterations of the water mains themselves or in the event of a difference arising as to the necessity for such alterations within

(Application of ss. 30 32 33 of Tramways Act 1870.)

A.D. 1901.

*Pontypridd
Urban District
Council.*

(Security of
Taff Fawr
water main.)

seven days from the settlement of such difference the corporation do not commence and within reasonable time thereafter complete such alterations the Promoters may themselves carry out or complete the same as the case may be.

(3) In every case in which any of the tramways will be constructed in such proximity to the Taff Fawr water main as to endanger the safety of such main the Promoters shall bear the cost necessarily and properly incurred by the corporation in strengthening and securing the said main from all injury apprehended by reason of the construction of the tramways by the Promoters and shall for ever afterwards uphold and maintain such strengthening and securing works and the portion of the said water main so endangered in good and sufficient repair and the Promoters shall allow the corporation and their contractors and their respective officers servants and workmen at all reasonable times and with all necessary materials to have free access to any part of any such water main.

(Use of
explosives in
constructing
tramways.)

(4) The Promoters shall not without the previous consent of the corporation under the hand of the town clerk use any explosive substance in the construction of any portion of the tramways within forty feet of the Taff Fawr water main so as to endanger the said main and the corporation are hereby authorised to give such consent subject to such conditions as to them may seem expedient and subject to the payment and satisfaction by the Promoters of all damages costs and expenses to be sustained by the corporation in respect of such water main by the use of any explosive substance whether within or beyond the said distance such damages to be recovered by action in any court of competent jurisdiction and the corporation shall not incur any liability by giving any such consent.

For the pro-
tection of the
Glamorgau-
shire Canal
Navigation.

10. For the protection of the company of proprietors of the Glamorganshire Canal Navigation (herein-after referred to as "the canal company") the following provisions shall have effect except so far as the Promoters and the canal company may otherwise agree:—

(1) From and after the time when any tramway of the Promoters shall be laid upon any bridge or portion of a bridge crossing the canal of the canal company and at present maintained by the canal company such bridge or portion of a bridge and the road over the same shall so long as such tramway shall exist be maintained by and at the expense of the Promoters in such a manner as to be as convenient in all respects for the canal company and their traffic as at the date of this Order and this provision shall apply to any reconstructed or altered bridge which may take the place of any existing bridge.

(2) Notwithstanding that such bridge may be maintained by the Promoters the same shall be deemed to remain and be the property of the canal company and if in consequence of or in connexion with any improvement of or dealing with the undertaking of the canal company (including the construction of a railway on or near the site of the canal) or for any other reason it shall be found necessary or desirable to reconstruct or alter any

such bridge it shall be lawful for the canal company to carry out such alteration without being responsible to the Promoters for any interruption of traffic on any tramway upon such bridge which may be occasioned by such alteration and if any additional expense shall be incurred whether in temporarily removing or in relaying any such tramway for the purpose or in the course of such alteration the amount of such additional expense shall be paid by the Promoters to the canal company and if not paid on demand shall be recoverable by the canal company in any court of competent jurisdiction.

A.D. 1901.

*Pontypridd
Urban District
Council.*

- (3) The Promoters shall be responsible in damages to the canal company for any injury to their canal or works boats or other property or interruption of traffic which may be occasioned by any of the works or operations of the Promoters whether in constructing or maintaining the said tramways or any of them.
- (4) In case any bridge or portion of any bridge or the road over the same at present maintained by the canal company shall become maintainable by the Promoters under the provisions of this Order the canal company shall pay to the Promoters yearly and every year while such bridge or portion of bridge and road shall be maintained by the Promoters a sum equal to the average yearly sum expended by the canal company in maintaining the same during the ten years immediately preceding the passing of the Act confirming this Order such sum to be considered as due on the first day of January in each year.
- (5) In the construction of the tramways the Promoters shall have power (subject to the foregoing provisions) to reconstruct the arch of any of the bridges belonging to the Canal Company so as to maintain as far as possible the road level provided that such reconstruction of the arch shall not reduce the present head room of the said bridges.

11. The tramways shall be constructed on a gauge of 3 feet 6 inches or such other gauge as may from time to time be determined by the Board of Trade on the application of the Promoters Provided always that in the event of the tramways being constructed on a less gauge than 4 feet 8½ inches so much of section 34 of the Tramways Act 1870 as limits the extent of the carriages used on any tramways beyond the outer edge of the wheels of such carriages shall not apply to carriages used on the tramways but no engine or carriage used on the tramways shall exceed 6 feet 6 inches in width or such other width as may from time to time be prescribed by the Board of Trade.

Gauge and
width of
carriages.

12. In addition to the requirements of section 26 of the Tramways Act 1870 the Promoters shall lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining or renewing the tramways and a statement of the materials intended to be used therein and the Promoters 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 after such approval the works shall be executed in accordance in all respects with such plan and statement.

Provisions as
to construction
of tramways.

*Pontypridd
Urban District
Council.*

Rails of
tramways.

Penalty for not
maintaining
rails and roads
in good con-
dition.

13. The rails of the tramways shall be such as the Board of Trade may approve.

14.—(1) The Promoters shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways and the substructure upon which the same rest and if the Promoters at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues.

(2) In case it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the district that the Promoters have made default in complying with the provisions in this section contained or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are by this section imposed.

Tramways to
be kept on
level of surface
of road.

15. If the Promoters or any other road authority hereafter alter the level of any road along or across which any part of the tramways is laid or authorised to be laid the Promoters may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Alteration of
tramways.

16. The Promoters may with the consent of the Board of Trade lay down double lines in lieu of single or single lines in lieu of double or interlacing lines in lieu of double or single lines on the tramways and may with the like consent subject in places where the Promoters may not be the road authority to the approval of that authority alter the position in the road in which any of the tramways or any part thereof respectively is constructed or authorised to be constructed Provided that the uppermost surface thereof shall be on a level with the surface of the road as altered or widened Provided further that in the exercise of the powers of this section no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if one third of the owners or one third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Promoters within three weeks after receiving from the Promoters notice of their intention express their objection thereto.

Cross-over
roads to be
constructed in
certain cases.

17. Where in any road in which a double line of tramway is laid there shall be less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches the Promoters shall if and where required by the Board of Trade construct a cross-over road or cross-over roads connecting the one tramway with the other and by the

A.D. 1901. by such surveyor or by some other person named by him for that purpose such surplus paving metalling or material shall absolutely vest in and belong to the Promoters and may be dealt with removed and disposed of by them in such manner as they may think fit Any difference between the Promoters and any road authority or surveyor or other person with reference to any of the matters aforesaid shall be settled by a referee to be nominated by the Board of Trade on the application of either party.

*Pontypridd
Urban District
Council.*

Tramways
not to be
opened until
certified by
Board of
Trade.

21. The tramways shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade.

Motive Power.

Provisions as
to motive
power.

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

- (1) The mechanical power shall not be used except with the consent of and according to a system approved by the Board of Trade.
- (2) The Board of Trade shall make regulations (in this Order referred to as “the Board of Trade regulations”) for securing to the public all reasonable protection against danger arising from the use under this Order of mechanical power on the tramways and for regulating the use of electrical power.
- (3) The Promoters or any company or person using any mechanical power on the tramways contrary to the provisions of this Order or of the Board of Trade regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence is continued after conviction thereof.
- (4) The Board of Trade if they are of opinion—
 - (a) that the Promoters or such company or person have or has made default in complying with the provisions of this Order or of the Board of Trade regulations whether a penalty in respect of such non-compliance has or has not been recovered; or
 - (b) that the use of mechanical power as authorised under this Order is a danger to the passengers or the public;may by order either direct the Promoters or such company or person to cease to use such mechanical power or permit the same to be continued only subject to such conditions as the Board of Trade may impose and the Promoters or such company or person shall comply with every such order In every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Mechanical
power works.

23. For the purpose of working any of the tramways by mechanical power the Promoters and their lessees subject to the provisions of this Order (and as to the lessees subject to the terms of their lease) may—

- (a) construct maintain and use on any lands appropriated or acquired by them under the powers of this Order stations for generating electrical

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

A.D. 1901.

means of such cross-over road or roads the traffic shall when necessary be diverted from one tramway to the other.

*Pontypridd
Urban District
Council.*

18. The Promoters may subject to the provisions of this Order from time to time make maintain alter and remove all such cross-over roads passing-places sidings triangles junctions and other works in addition to those particularly specified in and authorised by this Order as they find necessary or convenient for the efficient working of the tramways or any of them or for facilitating the traffic of the roads in which the same are laid or for providing access to any stables or carriage-houses sheds or works of the Promoters or for effecting junctions with any tramways but in places where the Promoters may not be the road authority the same shall only be made subject to the approval of the road authority Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if one third of the owners or one third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Promoters within three weeks after receiving from the Promoters notice of their intention express their objection thereto.

Additional cross-over roads &c. may be made where necessary.

19. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways are laid it is in the opinion of the Promoters necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Promoters may construct in the same or any adjacent road and maintain so long as occasion may require a temporary tramway or temporary tramways in lieu of the tramway or part of the tramway so removed or discontinued subject in places in which the Promoters may not be the road authority to the approval of the road authority and to such regulations as that authority may make.

Temporary tramways may be made when necessary.

20.—(1) Any paving metalling or material excavated by the Promoters in the construction of any works under the authority of this Order from any road under their jurisdiction or control shall absolutely vest in and belong to the Promoters and may be dealt with removed and disposed of by them in such manner as they may think fit.

Application of road materials excavated in construction of works.

(2) Any paving metalling or material excavated by the Promoters in the construction of the tramways from any road under the jurisdiction or control of any road authority other than the Promoters may be applied by the Promoters so far as may be necessary in or towards the reinstating of such road and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway on either side of such tramways as the Promoters are by this Order required to maintain and the Promoters shall if so required deliver the surplus paving metalling or material not used or required to be retained for the purposes aforesaid to the surveyor of such road authority or to such person as he may appoint to receive the same at such place as he may direct Provided that if within seven days after the setting aside of the surplus arising from the excavation of any such paving metalling or material and notice duly given such surplus is not removed

power and may provide in connexion with such stations or with any generating station constructed under powers already conferred or to be conferred upon the Promoters all necessary or proper machinery dynamos engines buildings works and conveniences;

(b) place construct erect lay down make and maintain on above or below the surface of any street or road posts brackets electric conductors wires apparatus subways tunnels cables tubes and openings;

(c) with the consent of the owners and occupiers of any houses or buildings affix to such houses or buildings and maintain brackets wires and apparatus.

24. All works to be executed by the Promoters or their lessees in any road for working the tramways by mechanical power in pursuance of the powers of this Order shall be deemed to be works of a tramway subject in all respects (save as by this Order otherwise expressly provided) to the provisions of the Tramways Act 1870 as in this Order incorporated as if they had been therein expressly mentioned.

25. Subject to the provisions of this Order the Board of Trade may make byelaws with regard to any part of the tramways upon which mechanical power may be used for all or any of the following purposes (that is to say):—

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

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

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

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

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

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

26. The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramways shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by the Board of Trade regulations at which engines are to be driven or propelled on the tramways under the authority of this Order but the byelaws of the local authority may restrict the rate of speed to a lower rate than that so authorised.

A.D. 1901.

—
Pontypridd
Urban District
Council.

Mechanical
power works to
be subject to
section 30 of
Tramways Act
1870.

Byelaws.

Amendment of
the Tramways
Act 1870 as to
byelaws by
local authority.

D 1901.

Pontypridd
Urban District
Council.

Special
provisions
as to use of
electrical
power.

27. The following provisions shall apply to the use of electrical power under this Order unless such power is entirely contained in and carried along with the carriages:—

- (1) The Promoters shall employ either insulated returns or uninsulated metallic returns of low resistance.
- (2) The Promoters shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus.
- (3) The electrical power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return.
- (4) The Promoters shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Promoters either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking.
- (5) At the expiration of two years from the passing of the Act confirming this Order the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents.
- (6) If any difference arises between the Promoters and any other party with respect to anything herein-before in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be.
- (7) The expression "the Promoters" in this section shall include their lessees and any person owning working or running carriages over any tramways of the Promoters.

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

28.—(A) Notwithstanding anything in this Order contained if any of the works authorised to be executed by this Order involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

A.D. 1901.

*Pontypridd
Urban District
Council.*

For protection
of the Post-
master-
General.

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

(1) The Promoters 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 the 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. If any question arises as to whether the Promoters have constructed their electric lines or other works or work their undertaking in contravention of this subsection such question shall be determined by arbitration and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Promoters of their electric lines and works or by the working of the undertaking of the Promoters the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection.

(3)—(a) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters 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 Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work:

(b) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

(4) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable

A.D. 1901.

*Pontypridd
Urban District
Council.*

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.

- (5) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work 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.
- (6) 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.
- (7) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order.
- (8) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882.
- (9) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.
- (10) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid.
- (11) In this section the expression "the Promoters" includes their lessees and any person owning working or running carriages over any of the tramways of the Promoters.

Traffic upon Tramways.

Traffic upon tramways.

29. The tramways may be used for the purpose of conveying passengers animals goods minerals and parcels.

Promoters' lessees not bound to carry animals goods &c.

30. The Promoters' lessees shall not be bound to carry unless they think fit any animals goods minerals or parcels other than passengers' luggage not exceeding twenty-eight pounds in weight.

Rates.

Passengers' fares.

31. The Promoters' lessees may demand and take for every passenger travelling upon the tramways or any part thereof including every expense incidental to such conveyance any rates or charges not exceeding one penny

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

per mile (and for this purpose a fraction of a mile beyond an integral number of miles shall be deemed a mile) but in no case shall the Promoters' lessees be bound to charge a less sum than twopence.

A.D. 1901.
—
*Pontypridd
Urban District
Council.*

32. The Promoters or any person working or using the tramways shall not take or demand on Sunday or any public or local holiday any higher rates or charges than those levied by them on ordinary week-days.

As to fares on
Sundays and
holidays.

33. Every passenger travelling upon the tramways may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof Provided that all such personal luggage be carried by hand and at the responsibility of the passenger and do not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

Passengers'
luggage.

34.—(1) The Promoters' lessees at all times after the opening of the tramways for public traffic shall and they are hereby required to run a proper and sufficient service of carriages for artizans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day Good Friday and public 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 workmen going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance On Saturdays the Promoters' lessees in lieu of running such carriages after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

Cheap fares
for labouring
classes.

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

(3) The Promoters' lessees 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.

35. The Promoters' lessees may demand and take in respect of any animals goods minerals or parcels conveyed by them on the tramways including every expense incidental to such conveyance any rates or charges not exceeding the rates and charges specified in the schedule to this Order annexed subject to the regulations in that behalf therein contained.

Rates and
charges for
animals goods
&c.

36. The rates and charges by this Order authorised shall be paid to such persons and at such places upon or near to the tramways and in such manner and under such regulations as the Promoters' lessees may by notice to be annexed to the list of rates and charges appoint.

Payment of
rates.

37. If at any time after three years from the opening for public traffic of the tramways or any portion thereof or after three years from the date of any order made in pursuance of this section in respect of the tramways or any portion thereof it is represented in writing to the Board of Trade by the Promoters or by their lessees or by twenty inhabitant ratepayers of the district

Periodical
revision of
rates and
charges.

[Ch. cclxxvii.] *Tramways Orders Confirmation* [1 EDW. 7.]
(No. 1) Act, 1901.

A.D. 1901. that under the circumstances then existing all or any of the rates and charges demanded and taken in respect of the traffic on the tramways or on such portion should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if such referee reports that it has been proved to his satisfaction that all or any of the rates or charges should be revised the said Board may make an order in writing altering modifying reducing or increasing all or any of the rates and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section Provided always that the rates and charges prescribed by any such order shall not exceed in amount the rates and charges by this Order authorised Provided also that a copy of this section shall be annexed to every table or list of rates published or exhibited by the Promoters or their lessees.

*Pontypridd
Urban District
Council.*

Miscellaneous.

Power to
Council to
work tram-
ways.

38. Notwithstanding anything in the Tramways Act 1870 to the contrary the Council may place and run carriages on and may work and may demand and take rates and charges in respect of the tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks horses harness engines machinery apparatus steam cable electrical and other plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the said tramways by animal or mechanical power and in such case the several provisions in this Order contained relating to the working of the tramways and the taking of rates and charges therefor shall extend and apply mutatis mutandis to and in relation to the Council and the Council may work such tramways and demand and recover such rates and charges accordingly but nothing in this section shall empower the Council to construct any station for generating electrical power nor to create or permit a nuisance.

Regulations.

39. The regulations authorised by the Tramways Act 1870 to be made by the Promoters of any tramway and their lessees may with respect to any tramways or portions of tramways for the time being belonging to and worked by the Council be made by the Council alone.

Working
agreements.

40. The Promoters may with the consent of the Board of Trade from time to time but subject to the provisions of this Order—

(1) enter into and fulfil contracts and agreements with any person or local authority who are authorised to enter into such contracts and agreements and are the owners or lessees of any tramways in the district or in any adjacent district which can be worked with any of the tramways of the Council with respect to—

(a) the construction of the whole or any part of the tramways by this Order authorised ;

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

- (b) the working use maintenance and management by the contracting parties or any or either of them of the whole or any part of their respective tramway undertakings;
- (c) the interchange accommodation and forwarding of carriages passengers and traffic coming from or destined for the respective undertakings of the contracting parties; and
- (d) the fixing collecting and apportionment of the rates charges and other receipts arising from such traffic:

A.D. 1901.
—
*Pontypridd
Urban District
Council.*

- (2) confirm any such contracts and agreements which may have been entered into before the confirmation of this Order:

Provided that nothing in this Order shall authorise the Promoters to work any tramways outside their district.

41. Upon the acquisition by the Council of the tramways or parts of tramways authorised by the Pontypridd and Rhondda Valley Tramways Order 1882 confirmed by the Tramways Orders Confirmation (No. 2) Act 1882—

Application of this Order to tramways authorised by the Pontypridd and Rhondda Valley Tramways Order 1882.

- (1) The provisions of that Order shall cease to apply to the tramways or parts of tramways so acquired and the provisions of this Order shall so far as they are applicable in that behalf extend and apply mutatis mutandis to and in relation to such tramways or parts of tramways as if such tramways or parts of tramways had formed part of the tramways authorised by this Order and the provisions of the Conveyance of Mails Act 1893 shall extend and apply accordingly:

- (2) The Council may subject to the approval of the Board of Trade make such alterations in such tramways or parts of tramways as may be necessary or expedient for the purpose of adapting them to working by mechanical power in pursuance of the powers of this Order.

42. The Promoters may include in any mortgage of the local rate made by them under section 20 of the Tramways Act 1870 the moneys coming to them out of the rents reserved under any lease made under the authority of the Tramways Act 1870 or this Order and the rates charges and sums authorised to be taken or received by them under the provisions of this Order.

Mortgage may include rents &c.

43. All orders regulations and byelaws made and consents and certificates given by the Board of Trade under the authority of this Order shall be signed by a secretary or an assistant secretary of the Board and when purporting to be so signed the same shall be deemed to be duly made in accordance with the provisions of this Order and to be orders and regulations within the meaning of the Documentary Evidence Acts 1868 and 1882 and may be proved accordingly.

Orders &c. of the Board of Trade.

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

Recovery of penalties.

45. Sections 247 and 250 of the Public Health Act 1875 shall apply to the audit of the accounts of the receipts and expenditure of the Promoters and their officers with respect to the tramways as if such accounts related to receipts and expenditure under that Act.

Audit of accounts.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901.

*Pontypridd
Urban District
Council.*

Protection of
local authority.

Form and
delivery of
notices.

46. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 is hereby incorporated with this Order and in construing that section for the purposes of this Order the expression "this Act" where used in that section shall mean this Order.

47. With respect to notices and to the delivery thereof by or to the Promoters the following provisions shall have effect (that is to say):—

(1) Every notice consent or approval shall be in writing and if given by the Promoters or by any local or road authority or company shall be signed by their clerk or secretary.

(2) Any notice to be delivered by or to the Promoters to or by any body or any company or corporation may be delivered by being left at the principal office of such body company or corporation or at the office of the clerk to the Promoters as the case may be or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office or to the clerk to the said Promoters.

Provisions as
to arbitration.

48. Where under the provisions of the Tramways Act 1870 and this Order any matter in difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Arbitration Act 1889 shall apply to every such arbitration and the decision of the arbitrator shall be final and conclusive and binding on all parties and the costs of and incidental to the arbitration and award shall if either party so require be taxed and settled as between the parties by any one of the taxing masters of the High Court and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters and all those enactments including the enactments relating to the taking of fees by means of stamps shall extend to the fees in respect of the said taxation.

Saving for
general Acts.

49. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates of rates and charges authorised by this Order.

SCHEDULE.

MAXIMUM RATES AND CHARGES FOR ANIMALS GOODS &C.

		Per Mile.	
		<u>s.</u>	<u>d.</u>
	<i>Animals.</i>		
For every horse mule or other beast of draught or burden	- per head	0	4
For every ox cow bull or head of cattle	- - - "	0	3
For every calf pig sheep or other small animal	- - - "	0	1½

[1 EDW. 7.] *Tramways Orders Confirmation* [Ch. cclxxvii.]
(No. 1) Act, 1901.

	Per Mile.	A.D. 1901.
	s. d.	—
<i>Goods and Minerals.</i>		
For all coals coke culm charcoal cannel limestone chalk lime salt sand fireclay cinders dung compost and all sorts of manure and all undressed materials for the repair of public roads or highways	0 2	Pontypridd Urban District Council.
For all iron iron-ore pig-iron bar-iron rod-iron sheet-iron hoop-iron plates of iron slabs billets and rolled iron bricks slag and stone stones for building pitching and paving tiles slates and clay (except fireclay) and for wrought iron not otherwise specifically classed herein and for heavy iron castings including railway chairs - per ton	0 2½	
For all sugar grain corn flour hides dyewoods earthenware timber staves deals and metals (except iron) nails anvils vices and chains and for light iron castings - - - - per ton	0 3	
For cotton wool drugs manufactured goods and all other wares merchandise fish articles matters or things not otherwise specially classed herein - - - - per ton	0 4	
For every carriage of whatever description - - - -	1 0	

Any
Distance.

Small Parcels.

s. d.

For any parcel not exceeding 7 lbs. in weight - - -	0 3
For any parcel exceeding 7 lbs. and not exceeding 14 lbs. in weight -	0 5
For any parcel exceeding 14 lbs. and not exceeding 28 lbs. in weight	0 7
For any parcel exceeding 28 lbs. and not exceeding 56 in weight -	0 9
For any parcel exceeding 56 lbs. in weight but not exceeding five hundred pounds in weight such sum as the person conveying the same may think fit.	

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed parcels but that term shall apply only to single parcels in separate packages.

Per Mile.

For the Carriage of Single Articles of Great Weight.

s. d.

For the carriage of any iron boiler cylinder or single piece of machinery or single piece of timber or stone or other single article the weight of which including the carriage exceeds four tons but does not exceed eight tons such sum as the person conveying the same may think fit not exceeding - - - per ton	2 0
For the carriage of any single piece of timber stone machinery or other single article the weight of which with the carriage exceeds eight tons such sum as the person conveying the same may think fit.	

Regulations as to Rates.

For articles or animals conveyed on the tramways for a less distance than a mile rates and charges as for one mile may be demanded.

[Ch. cclxxvii.] *Tramways Orders Confirmation*
(No. 1) Act, 1901.

[1 EDW. 7.]

A.D. 1901. A fraction of a mile beyond an integral number of miles shall be deemed a mile.

Pontypridd
Urban District
Council.

For a fraction of a ton rates and charges may be demanded and taken according to the number of the quarters of a ton in such fraction and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber the weight shall be determined according to imperial avoirdupois weight.

With respect to stone and timber fourteen cubic feet of stone forty cubic feet of oak mahogany teak beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

Printed by EYRE and SPOTTISWOODE,
FOR
T. DIGBY PIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

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