

[3 EDW. 7.] *Croydon and District Electric Tramways* [Ch. cclxi.]  
(*Extensions*) Act, 1903.



CHAPTER cclxi.

An Act to authorise the British Electric Traction Company Limited to construct further tramways in the counties of Surrey and Kent and for other purposes.

A.D. 1903.

[14th August 1903.]

**W**HEREAS by the Croydon and District Electric Tramways Act 1902 (hereinafter called "the Act of 1902") the British Electric Traction Company Limited (hereinafter called "the Company") were authorised to construct the tramways in the counties of Surrey and Kent described in and authorised by that Act :

And whereas the construction of the tramways in the counties of Surrey and Kent hereinafter described will be of public and local advantage and the Company are willing at their own expense to construct the same and it is expedient that powers be conferred upon them for that purpose :

And whereas by the Mitcham Light Railway Order 1901 (hereinafter called "the Order of 1901") the council for the rural district of Croydon (hereinafter called "the Croydon District Council") were empowered to make the light railways in the parish of Mitcham in that Order described and with the consent of the Board of Trade to sell the undertaking authorised by the said Order to any company or person :

And whereas such light railways may be conveniently worked in conjunction with the tramways authorised by the Act of 1902 and this Act and the Croydon District Council have with the consent of the Board of Trade transferred to the Company the undertaking authorised by the Order of 1901 and all the rights powers and authorities in respect thereof :

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And whereas it is expedient that the transfer of such undertaking rights powers and authorities should be confirmed and such provision made with regard thereto as is hereinafter contained:

And whereas it is expedient that the Company be authorised to purchase lands compulsorily in connection with the tramways authorised by this Act and the Act of 1902 and to exercise the other powers in that behalf by this Act conferred upon them:

And whereas plans and sections showing the situation lines and levels of the tramways as originally proposed to be authorised by this Act such plans showing the lands as originally proposed to be taken compulsorily under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and occupiers of those lands were in the month of November 1902 deposited with the respective clerks of the peace for the counties of Surrey and Kent and are in this Act referred to respectively as "the originally deposited plans sections and book of reference":

And whereas during the progress through Parliament of the Bill for this Act an alteration was made in a part of the tramways by this Act authorised and a plan and section of the altered portion of the said tramways describing the situation line and levels of the said altered portion and a book of reference to the last mentioned plan containing the names of the owners or reputed owners lessees or reputed lessees and occupiers of the lands through which the same will be made were in the month of June 1903 deposited with the clerk of the peace for the county of Surrey and are in this Act respectively referred to as "the amended plan section and book of reference":

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

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

Short title.

1. This Act may be cited for all purposes as the *Croydon and District Electric Tramways (Extensions) Act 1903*.

Incorporation of Acts.

2. The Lands Clauses Acts and section 3 (Interpretation of terms) and Parts II. and III. of the *Tramways Act 1870* are except where expressly varied by this Act incorporated with and form part of this Act.

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

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Interpreta-  
tion.

“The tramways” and “the undertaking” mean respectively the tramways and the undertaking by this Act authorised ;

“Engine” includes motor ;

“The Croydon District Council” means the council for the rural district of Croydon :

And in this Act and for the purposes of this Act in the Tramways Act 1870 the expression “local authority” shall mean with reference to a rural district the district council of that district.

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

Correction  
of errors &c.  
in deposited  
plans and  
book of refe-  
rence.

5. Subject to the provisions of this Act the Company may make form lay down work use and maintain in the lines and according to the levels shown on the originally deposited plans and sections or as the case may be on the amended plan and section

Power to  
make tram-  
ways.

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A.D. 1903. the tramways hereinafter described with all proper rails plates works  
and conveniences connected therewith.

The tramways hereinbefore referred to and authorised by this Act are situate in the counties of Surrey and Kent and are—

CARSHALTON SECTION.

Tramway No. 1 (1 mile 2 furlongs and 8·50 chains or thereabouts in length of which 5 furlongs and 5·10 chains is single line and 5 furlongs and 3·40 chains double line) commencing in Westmead Road Carshalton by a junction with Tramway No. 6 authorised by the Act of 1902 at the point at which the boundary between the urban districts of Sutton and Carshalton crosses that road and terminating on the western side of Park Lane Wallington at the boundary between the urban district of Carshalton and the hamlet of Wallington:

Tramway No. 2 (7 furlongs and 7·60 chains or thereabouts in length of which 3 furlongs and 7·10 chains is single line and 4 furlongs and 0·50 chain double line) commencing by a junction with Tramway No. 1 by this Act authorised at its termination and terminating in Stafford Road at or about the point at which the boundary between the hamlet of Wallington and parish of Beddington crosses that road:

Tramway No. 3 (1 mile 0 furlongs and 6·80 chains or thereabouts in length of which 6 furlongs and 2·80 chains is single line and 2 furlongs and 4·00 chains double line) commencing by a junction with Tramway No. 2 by this Act authorised at its termination and terminating in Stafford Road by a junction with Tramway No. 10 authorised by the Act of 1902.

PENGE SECTION.

Tramway No. 4 (5 furlongs and 2·30 chains or thereabouts in length of which 1 furlong and 7·80 chains is single line and 3 furlongs and 4·50 chains double line) commencing in Anerley Road Penge by a junction with Tramway No. 15 authorised by the Act of 1902 and terminating in Anerley Road at a point 22 yards or thereabouts north-west of its junction with Croydon Road:

Tramway No. 4A (double line) 2·00 chains or thereabouts in length commencing in Anerley Road by a junction with Tramway No. 4 by this Act authorised at a point 26 yards or thereabouts south-east of the junction of Thicket Road

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with Anerley Road and terminating in Thicket Road by a junction with the before-mentioned Tramway No. 15 authorised by the Act of 1902 : A.D. 1903.

Tramway No. 5 (1 furlong and 6·60 chains or thereabouts in length of which 3·10 chains is single line and 1 furlong and 3·50 chains double line) commencing in Anerley Road by a junction with Tramway No. 4 by this Act authorised and terminating in Elmers End Road at or about the point at which the boundary between the urban districts of Penge and Beckenham crosses that road :

Tramway No. 5A (single line) 1·30 chains or thereabouts in length commencing in Anerley Road by a junction with Tramway No. 4 by this Act authorised at its termination and terminating in Croydon Road by a junction with Tramway No. 21 authorised by the Act of 1902 :

Tramway No. 5B (single line) 1·60 chains or thereabouts in length commencing in Anerley Road by a junction with Tramway No. 4 by this Act authorised at its termination and terminating in Croydon Road by a junction with the Tramway No. 21 authorised by the Act of 1902.

6. Subject to the provisions of this Act the Company may enter upon take hold and use the following lands respectively shown on the originally deposited plans and the amended plan and respectively described in the deposited book of reference and the amended book of reference and exercise thereon or in connection therewith the following powers (that is to say) :— Power to take lands.

(1) The lands in the parishes of Carshalton and Wallington required for the construction of so much of the Tramways Nos. 1 and 2 by this Act authorised as is shown on the deposited plans and the amended plan as intended to be constructed across private lands :

(2) In the parish of Carshalton—

(A) A strip of land abutting on the north side of Westmead Road Carshalton between points respectively situate 63 yards or thereabouts east and 200 yards or thereabouts west of the junction of Ringstead Road with Westmead Road ;

(B) A piece of land abutting on the west side of Ringstead Road at or about its junction with Westmead Road ;

(C) A piece of land abutting on the east side of Ringstead Road at or about its junction with Carshalton Road ;

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- (D) A strip of land abutting on the south side of Carshalton Road between points respectively situate 88 yards or thereabouts east and 87 yards or thereabouts west of the junction of Ringstead Road therewith ;
- (E) A strip of land abutting on the north side of Carshalton Road extending from Highfield Road for a distance of 83 yards or thereabouts westward ;
- (F) A strip of land abutting on the south side of Carshalton Road opposite Highfield Road ;
- (G) A strip of land consisting of the forecourts of the houses on the south side of Carshalton Road extending from Cambridge Road for a distance of 75 yards or thereabouts eastward ;
- (H) Lands abutting on the north side of Carshalton Road at or about its junction with Pound Street :
- (3) In the parishes of Carshalton and Wallington—  
Lands lying on both sides of Park Lane extending from the northern side of the bridge carrying the said Park Lane over the London Brighton and South Coast Railway for a distance of 93 yards or thereabouts southwards :  
And the Company may in the lines and according to the levels shown on the originally deposited plans and sections widen the said bridge and the southern approach thereto to any extent not exceeding the extent shown on those plans :
- (4) In the parish of Wallington—  
A strip of land abutting on the south side of Stanley Park Road and extending from a point opposite the west side of Holmwood Gardens for a distance of 180 yards or thereabouts westward :
- (5) In the parish of Peenge—
- (A) A plot of building land 1 acre 2 roods 7 poles or thereabouts in area abutting on the south-east side of Green Lane and situate between Green Lane and Cottingham Road ;
- (B) A plot of building land 1 acre 2 roods 32 poles or thereabouts in area abutting on the south-east side of Cottingham Road and situate between Cottingham Road and Kingsdale Road ;
- (C) A plot of building land 2 roods 10 poles or thereabouts in area abutting on the north-east side of Torr Road and situate between Torr Road and the South Eastern and Chatham Railway :

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(6) In the parish and urban district of Sutton—

(A) A strip of property abutting on the west side of the High Street Sutton between points respectively situate 41 yards and 79 yards or thereabouts south of Church Street ;

(B) A strip of property abutting on the west side of the High Street Sutton extending from West Street for a distance of 75 yards or thereabouts in a northerly direction :

(7) In the parish of Mitcham—

(A) A strip of property abutting on the north-west side of London Road Mitcham and extending from Philpotts Nursery for a distance of 250 yards or thereabouts in a south-westerly direction ;

(B) A strip of land abutting on the south-east side of London Road Mitcham and extending from the southern side of Mitcham Park Road for a distance of 107 yards or thereabouts in a north-easterly direction ;

(C) A strip of land abutting on the north-west side of London Road Mitcham and extending from the bridge carrying the said road over the London Brighton and South Coast Railway at Mitcham Station for a distance of 103 yards or thereabouts in a north-easterly direction ;

(D) A strip of land abutting on the western side of the main road from Mitcham to Sutton and extending from Morden Road for a distance of 177 yards or thereabouts in a southerly direction ;

(E) A piece of land abutting on the eastern side of the main road from Mitcham to Sutton and extending from a point opposite the southern side of Morden Road for a distance of 20 yards or thereabouts in a southerly direction ;

(F) A strip of land abutting on the eastern side of the main road from Mitcham to Sutton between points respectively situate 88 yards and 206 yards or thereabouts south of Morden Road :

(8) In the parishes of Mitcham and Morden—

A strip of land abutting on the western side of the main road from Mitcham to Sutton between points respectively situate 103 yards or thereabouts north and 63 yards or thereabouts south of the centre of the bridge carrying the said main road over the River Wandle near the Wandle Flour Mills and the bed and channel of the said river.

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For protection of  
Carshalton  
Park Estate  
Limited and  
owner and  
lessee of  
Carshalton  
Park House.

7. For the protection of the Carshalton Park Estate Limited and the owner and lessee of Carshalton Park House the following provisions shall have effect (that is to say) :—

- (1) Notwithstanding anything shown on the originally deposited plans and sections Tramway No. 1 if constructed may and shall between the respective points of commencement and termination of the alteration shown on the amended plan be constructed in the line shown on that plan and not in the line shown on the originally deposited plans :
- (2) The Company may enter upon take and use for the purposes of this Act the lands shown on the amended plan and included within the limits of lands to be acquired delineated thereon and the Company shall not enter upon take or use otherwise than by agreement the lands shown on the originally deposited plans and thereon numbered respectively 30 31 and 32 in the parish of Carshalton :
- (3) No party entitled to compensation in respect of the lands shown on the amended plan and described in the amended book of reference taken by the Company under this Act or any interest therein shall make any claim in respect of severance or on account of the exercise of the powers of this Act injuriously affecting any lands of such party but shall be entitled only to compensation for the value of the lands taken by the Company :
- (4) Unless the Company serve notice to treat in respect of the said lands within one year from the date of the passing of this Act the powers by this Act granted to the Company for the compulsory purchase thereof shall cease :
- (5) Notwithstanding anything contained in this Act or shown on the amended plan and section the Company shall not construct the portion of Tramway No. 1 which will be situate on the estate of the Carshalton Park Estate Limited otherwise than according to the level shown on the section thereof which has been signed by Stephen Sellon on behalf of the Company and by Edward Herbert Bouchier on behalf of the Carshalton Park Estate Limited and so long as any part of the said tramway which will be situate on the said estate of the Carshalton Park Estate Limited shall consist of a single line with passing places such passing places shall be constructed only in the positions shown on the plan thereof which has been signed as aforesaid.



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

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Owners may  
be required  
to sell parts  
only of cer-  
tain proper-  
ties.

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Schedule to this Act and whereof a portion only is required for the purposes of the Company or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Company that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Company have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell

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and convey to the Company the portion which the tribunal shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :

- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

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

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

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9.—(1) The Company shall not under the powers of this Act purchase or acquire in any borough or other urban district and elsewhere than in any borough or urban district in any parish ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

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Restrictions  
on displacing  
persons of  
labouring  
class.

(A) Shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the said fifteenth day of December or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case ; and

(B) Shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing

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provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme 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.

(6) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as they may see fit.

(8) The Local Government Board may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of

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this section and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

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(9) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(10) Any houses purchased or acquired by the Company for or in connection with any of the purposes of this Act whether purchased or acquired in exercise of the powers conferred by this Act or otherwise and whether before or after the passing of this Act which may have been occupied by persons of the labouring class within five years before the passing of this Act and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Local Government Board under the powers of any previous Act relating to the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the Local Government Board are unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Local Government Board they might have been sufficient to accommodate.

(11) For the purposes of this section—

The word "house" means any house or part of a house occupied as a separate dwelling; and

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 of such persons who may be residing with them.

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Power to  
owners to  
grant ease-  
ments &c.

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

Power to  
deviate cer-  
tain tram-  
ways.

11. The Company in constructing any portion or portions of Tramways Nos. 1 and 2 by this Act authorised which will not be laid along the carriageway of any public street or road may deviate from the lines thereof shown on the originally deposited plans or as the case may be on the amended plan to any extent within the limits of deviation shown on those plans respectively and may also deviate from the levels of such portion or portions of tramway or tramways (except where laid across any public street or road) shown on the deposited sections or as the case may be the amended section to any extent not exceeding five feet.

Incorpora-  
tion of sec-  
tions of Act  
of 1902.

12. The following sections of the Act of 1902 shall so far as the same are applicable extend and apply to the tramways and to the Company in respect thereto in as full and complete a manner as if the said sections were re-enacted in this Act with reference thereto (that is to say) :—

- Section 12 (As to electrical works &c.);
- Section 13 (Power to attach brackets &c. to buildings);
- Section 14 (Gauge of tramways);
- Section 15 (Inspection by Board of Trade);
- Section 16 (As to rails of tramways);
- Section 17 (Repair of part of road where tramway is laid);
- Section 18 (Further provisions as to construction of tramways);
- Section 19 (Penalty for not maintaining rails in proper order);
- Section 20 (Tramways to be kept on level of surface of roads);
- Section 21 (Application of road materials excavated in construction of works);
- Section 22 (Power to make additional crossings &c.);
- Section 23 (Power to make interlacing lines &c.);

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- Section 24 (Temporary tramways may be made when necessary); A.D. 1903.
- Section 25 (Company may reduce footpath for constructing tramway);
- Section 26 (Local authority to have access to sewers);
- Section 38 (Provisions as to motive power);
- Section 39 (Byelaws);
- Section 40 (Recovery of penalties);
- Section 41 (Amendment of Tramways Act 1870 as to byelaws by local authority);
- Section 42 (Orders &c. of Board of Trade);
- Section 43 (For protection of Postmaster-General);
- Section 44 (Special provisions as to use of electrical power);
- Section 45 (Local authorities and road authorities may use tramways for certain purposes);
- Section 47 (Rates for passengers);
- Section 48 (Passengers' luggage);
- Section 49 (Company may carry animals goods and other things);
- Section 50 (Rates for animals &c.);
- Section 51 (Rates for small parcels and single articles of great weight);
- Section 52 (Regulations as to rates on tramways);
- Section 53 (Cheap fares for labouring classes);
- Section 54 (Prohibiting raising of fares on Sundays and holidays);
- Section 55 (Periodical revision of rates and charges):

And the said section 43 (For protection of Postmaster-General) shall extend and apply to the light railways and undertaking authorised by the Order of 1901 and to the Company in respect thereof and to the supply of electrical power by the Company to any local authority for any purpose under the powers of this Act.

13. For the purposes of subsections (7) and (11) of section 35 of the Act of 1902 Tramways Nos. 1 2 and 3 authorised by this Act shall be deemed to form part of the Croydon Sutton and Mitcham section of the tramways authorised by the Act of 1902 and for the purposes of subsection (8) of that section to have been tramways authorised by that Act. For protection of corporation of Croydon.

14.—(1) The provisions of section 32 (For protection of Penge Urban District Council) of the Act of 1902 except subsections (4) For protection of Penge Urban

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(*Extensions*) Act, 1903.

A.D. 1903.  
District  
Council.

and (11) thereof shall extend and apply to the tramways by this Act authorised within the urban district of Penge and to the Company in respect thereto in as full and complete a manner as if the same were re-enacted in this Act with reference thereto and the section of this Act whereof the marginal note is "As to purchase of undertaking" shall not apply to so much of the undertaking as shall be situate in such urban district.

(2) On or before commencing the construction of Tramway No. 4 over the bridge carrying Anerley Road in the urban district of Penge over the railway of the London Brighton and South Coast Railway Company the Company shall pay to the Penge Urban District Council such sum or sums not exceeding in the aggregate one thousand five hundred pounds as that council shall then have expended in effecting the widening of such bridge.

For pro-  
tection of  
Lambeth  
Waterworks  
Company.

15. For the protection of the company of proprietors of Lambeth Waterworks (in this section referred to as "the protected company") the following provisions shall apply and have effect:—

- (A) Whenever the construction of the works by this Act authorised necessitates the removal deviation alteration or support of any pipe or main of the protected company the work of removal deviation alteration or support so necessitated shall if the protected company so desire and give notice of such desire to the Company within seven days after receiving notice from the Company pursuant to section 30 of the Tramways Act 1870 be executed by the protected company:
- (B) If the protected company elect to execute such works themselves they shall complete the same with all reasonable expedition and to the reasonable satisfaction of the engineer to the Company and the reasonable expenses of the protected company in the execution of such work shall be paid by the Company:
- (C) Any difference which may arise between the protected company and the Company with respect to any of the matters referred to in this section shall be settled in manner provided by section 33 of the Tramways Act 1870.

For pro-  
tection of  
London  
Brighton

16. Notwithstanding anything in this Act contained the following provisions shall have effect for the protection of the London Brighton and South Coast Railway Company (hereinafter



[3 EDW. 7.] *Croydon and District Electric Tramways* [Ch. cclxi.]  
(*Extensions*) Act, 1903.

called "the Brighton Company") unless otherwise agreed between the Brighton Company and the Company:—

A.D. 1903.  
—  
and South  
Coast Rail-  
way Com-  
pany.

- (1) The Company shall not without the consent in writing of the Brighton Company under their common seal enter upon take or use any of the lands or property of the Brighton Company except as far as may be necessary for the purpose of effecting the widening and reconstruction of the bridge mentioned in the next subsection:
- (2) The Company shall when widening the bridge carrying Park Lane over the Croydon and Epsom line of the Brighton Company in Wallington Hamlet at their sole expense reconstruct the existing bridge and construct the widening thereof of two spans of not less than twenty-six feet each measured on the square and with a headway of fourteen feet six inches throughout above the existing level of the rails of the running lines on the said railway and in connection with such widening and reconstruction the Company shall be at liberty to lower the level of the roadway over the widened and reconstructed bridge as far as may be practicable and after the completion of the widened and reconstructed bridge the Brighton Company shall maintain the same and the reasonable expense of the maintenance thereof shall be borne as to two-thirds by the Company and as to the remaining one-third by the Brighton Company. The Brighton Company shall at their sole expense make all such alterations in the position of the rails of the said railway as may be reasonably necessary to enable the Company to reconstruct the said bridge in accordance with the provisions of this subsection and the Company shall repay to the Brighton Company the reasonable cost thereof not exceeding the sum of three hundred pounds:
- (3) The Company shall not except in the case of the bridge referred to in the last preceding subsection in any way alter or interfere with the structure of any bridge carrying any road over any railway of the Brighton Company or the approaches thereto and they shall so construct and maintain the tramways and works by this Act authorised over any bridge and approaches as not injuriously to affect the same and according to plans sections and specifications to be previously submitted to and reasonably approved by the engineer of the Brighton Company:

[Ch. cclxi.] *Croydon and District Electric Tramways* [3 EDW. 7.]  
(*Extensions*) Act, 1903.

A.D. 1903.

- (4) If the engineer of the Brighton Company do not within twenty-eight days after the submission to him of any plans sections or specifications under the last preceding subsection signify his disapproval of such plans sections or specifications he shall be deemed to have approved thereof and any difference which may arise between the Company and the Brighton Company as to the reasonableness of the withholding of such approval shall be determined by arbitration as hereinafter provided :
- (5) In the event of any injury being caused to the structure of any bridge belonging to the Brighton Company or the approaches thereto by the construction maintenance repairing use or removal of any of the said tramways or works by this Act authorised the Brighton Company may at the reasonable expense of the Company restore the structure of such bridge and approaches or the part or parts thereof which shall be injured to as good a state and condition as the same were in before such injury was occasioned :
- (6) After the completion of the widening and reconstruction of the bridge mentioned in subsection 2 of this section and the construction by the Company of the Tramway No. 2 over the same the Company shall at all times repair and maintain the whole of the roadway over the said bridge and the approaches thereto until the same shall become a highway repairable by the public at large and shall effectually indemnify the Brighton Company against all claims in respect thereof :
- (7) The Company shall be responsible for and make good to the Brighton Company all losses damages and expenses which may be occasioned to the Brighton Company by or by reason of the execution or failure of any of the intended works or by or by reason of any act or omission of the Company or their contractors or any person in the employ of either of them and the Company shall effectually indemnify the Brighton Company from all claims and demands upon or against them by reason of such execution or failure or of any such act or omission :
- (8) The Company shall on demand pay to the Brighton Company the reasonable expense of the employment by them during the reconstruction of the said bridge in Wallington Hamlet hereinbefore referred to and during the construction

[3 EDW. 7.] *Croydon and District Electric Tramways* [Ch. cclxi.]  
(*Extensions*) Act, 1903.

execution or repair by the Company under the powers of this Act of any tramway or any work affecting any bridge of the Brighton Company or the approaches thereto of a sufficient number of inspectors watchmen and signalmen to be appointed by the Brighton Company for preventing all interference obstruction danger and accident from any of the operations acts or defaults of the Company or their contractors or of any person in their employ or otherwise but the appointment by the Brighton Company of such inspectors watchmen and signalmen shall not in any way relieve the Company from the liabilities imposed upon them by this section : A.D. 1903.

(9) Whenever and so often as the Brighton Company shall require to widen lengthen strengthen reconstruct alter or repair any bridge over their railway or the approaches thereto or to widen or alter their railway thereunder or to lift or support any such bridge or approaches owing to the subsidence thereof and it shall be necessary for effecting any of such purposes that the working and user of any portion of the tramways by this Act authorised over any such bridge or approaches shall be wholly or partially stopped or delayed or that such portion of the said tramways should be temporarily diverted or be wholly or in part taken up or removed and the Brighton Company shall (except in case of emergency) give to the Company seven clear days' notice in writing requiring such stoppage delay or diversion taking up or removal then the working and user of such portion of the tramways shall be stopped or delayed or the said tramways shall be diverted or taken up or removed accordingly at the expense of the Company and under their superintendence if they shall give such superintendence but only for so long as may be absolutely necessary for effecting such purposes and without the Brighton Company being liable for any compensation claims demands damages costs or expenses for or in respect of such stoppage delay or diversion taking up or removal or in any way relating thereto :

(10) The Company shall from time to time pay to the Brighton Company any additional expense which the Brighton Company may incur in effecting the widening lengthening strengthening reconstruction alteration or repair of any bridge over their railway (other than the bridge

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(*Extensions*) Act, 1903.

A.D. 1903.

mentioned in subsection 2 of this section) by reason of the existence of the tramways by this Act authorised or any of the works connected therewith :

- (11) If and whenever the engineer of the Brighton Company and (in case of difference between such engineer and the Company) an engineer to be appointed by the Board of Trade on the application of either the Brighton Company or the Company shall be of opinion that any strengthening reconstruction or alteration of any bridge over the Brighton Company's railway (other than the bridge mentioned in subsection 2 of this section) is necessary or desirable owing to the weight of the carriages or other vehicles used or intended to be used on the tramways imposing a greater strain on such bridge than the ordinary traffic of the road it shall be lawful for the Brighton Company after fourteen days' notice in writing to the Company to effect and complete such strengthening reconstruction or alteration at the reasonable expense in all respects of the Company and the Company shall on demand pay to the Brighton Company all moneys properly expended by them in or about the execution of the works aforesaid :
- (12) Whenever any tramway by this Act authorised on both sides of any bridge or approaches of the Brighton Company is a single line there shall only be a single line over such bridge or approaches and no turnouts or passing places shall be constructed thereon without the previous consent in writing of the Brighton Company under their common seal :
- (13) All works which may be necessary in constructing and maintaining any tramway authorised by this Act or for working any such tramway by mechanical power over any bridge of the Brighton Company or the approaches thereto shall be constructed and maintained in all things by and at the expense of the Company and to the reasonable satisfaction of the engineer of the Brighton Company or in case of difference of an engineer to be appointed by the Board of Trade on the application of either the Brighton Company or the Company :
- (14) The Company shall not in any manner in the reconstruction of the said bridge in Wallington Hamlet hereinbefore referred to or in the execution maintenance or repair of any of their tramways works or apparatus obstruct or interfere

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(Extensions) Act, 1903.

with the free uninterrupted and safe user of any railway belonging to or worked by the Brighton Company or any traffic thereon : A.D. 1903.

(15) With respect to Tramway No. 4 by this Act authorised where the same will pass in front of Ridsdale Road and Station Road being the approaches to the Anerley Station of the Brighton Company no crossing passing place siding junction or other work in connection with the said tramway shall be made for the distance thereon extending in front of the said approaches to the said station and for a length of thirty yards at each end of such distance and without the consent of the Brighton Company under their common seal no vehicle or carriage used on the said tramway shall be stopped or permitted to be stopped within such distance and lengths except for and only for so long as shall be absolutely necessary for the purpose of taking up and setting down passengers :

(16) Notwithstanding anything contained in the section of this Act the marginal note whereof is "Incorporation of sections of Act of 1902" or in section 13 of the Act of 1902 no brackets wires or apparatus shall without the consent in writing of the Brighton Company under the hand of their secretary be affixed or attached to any house building or property belonging to or occupied by the Brighton Company or to any bridge belonging to or maintainable or repairable by the Brighton Company :

(17) The Company shall not except as hereinbefore provided in constructing the tramways over any bridge carrying any road over the railway of the Brighton Company alter the level of the road or of the footpaths on each side of such road :

(18) Any matter in difference between the Company and the Brighton Company under any of the provisions of this section shall be referred to an arbitrator to be appointed by the Board of Trade on the application of either party.

17. For the protection of the Croydon District Council the following provisions shall unless otherwise agreed between the said council and the Company have effect (that is to say) :—

For protection of Croydon District Council.

(1) Wherever the Company are by this Act empowered to enter upon take and use any lands shown on the originally deposited plans or as the case may be the amended plan and

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(*Extensions*) Act, 1903.

A.D. 1903,

described in the originally deposited book of reference or as the case may be the amended book of reference for widening any road in the district of the Croydon District Council they shall before constructing any tramway to be situate in such road widen such road to such extent as may be necessary to make the same of a width of not less than fifty feet (including footpaths) and the Company shall as part of the widening metal kerb and channel the lands added to the roadway in such manner as shall be reasonably approved by and to the reasonable satisfaction of the Croydon District Council and from and after the completion of each such widening the lands so added shall be dedicated by the Company to the public as part of the highway :

- (2) Before opening for public traffic the portion of the Tramway No. 2 by this Act authorised which will be situate upon the bridge carrying Park Lane over the Croydon and Epsom line of the London Brighton and South Coast Railway Company the Company shall widen such bridge and the approaches thereto to such an extent that the space between the parapets of such bridge and between the boundary fences of such approaches shall be not less than fifty feet and the Company shall thereafter pave and maintain the road and footways over the widened bridge and approaches until the same shall become a highway repairable by the public at large :
- (3) When constructing any tramway authorised by this Act within the district of the Croydon District Council the Company shall if so required by the said Council in writing under their common seal pave with wood the whole width of the roadway along which such tramway is laid opposite to and for a distance of fifty feet on either side of any of the existing public buildings or places of worship :
- (4) (A) The provisions of subsections (10) (12) (13) and (14) of section 32 (For protection of Penge Urban District Council) and of subsections (3) (4) (5) (6) and (7) of section 33 (For protection of Croydon Rural District Council) of the Act of 1902 shall extend and apply to the tramways by this Act authorised within the district of the Croydon District Council and to the said council and the Company in respect thereto in as full and complete a manner as if the same were re-enacted in this Act with reference thereto ;  
(B) The section of this Act whereof the marginal note is "Period for completion of tramways" shall with reference

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(*Extensions*) Act, 1903.

to the tramways by this Act authorised within the district of the Croydon District Council be construed and have effect as if the period of three years were substituted for the period of five years mentioned in such section ;

A.D. 1903.

(c) Subsection 1 of the section of this Act whereof the marginal note is " As to purchase of undertaking " shall not apply to so much of the undertaking as shall be situate within the district of the Croydon District Council :

- (5) Any dispute arising between the Croydon District Council and the Company in respect of the matters hereinbefore mentioned shall be referred to and determined by an arbitrator appointed on the application of either party by the Board of Trade.

18. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

19. If the tramways are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for constructing the same or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Period for completion of tramways.

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

Penalty imposed unless line opened within time limited.

[Ch. cclxi.] *Croydon and District Electric Tramways* [3 EDW. 7.]  
(*Extensions*) Act, 1903.

A.D. 1903. prevented from completing or opening any tramway by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Application  
of penalty.

21. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the tramways or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid and also in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively and in making good all damage caused to such roads by the construction or abandonment of such tramway and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit And if no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or the tramway or tramways in respect of which the penalty has been incurred or any part thereof has been abandoned be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or re-transferred to the Company.

Transfer  
of Mitcham  
Light Rail-  
way under-  
taking.

22.—(1) The transfer of the powers rights privileges and authorities conferred upon the Croydon District Council by the Order of 1901 or any Acts wholly or partly incorporated therewith to the Company is hereby confirmed and all the rights powers privileges obligations and liabilities of the said council their officers and servants respectively which by virtue of the said Order or of



[3 EDW. 7.] *Croydon and District Electric Tramways* [Ch. cclxi.]  
(*Extensions*) Act, 1903.

any Acts wholly or partly incorporated therewith might be exercised or enjoyed by them or are imposed upon them respectively for the purposes of or in relation to the light railways and undertaking authorised by the said Order may be exercised enjoyed fulfilled and discharged by the Company their directors officers and servants respectively under and with the same regulations restrictions conditions obligations penalties and immunities as by the said council their officers and servants respectively and the provisions of the Order of 1901 including the provisions of any Act or Acts wholly or partly incorporated therewith shall be read and have effect as if that Order had been passed with respect to the Company and as if the Company had been named therein instead of the Croydon District Council subject to the following exceptions and provisions (that is to say) :—

A.D. 1903.

Sections 5 14 and 71 to 83 and 92 and the Second Schedule shall not apply to the Company.

(2) The provisions of section 43 of the Tramways Act 1870 as modified by section 56 of the Act of 1902 shall extend and apply to the light railways authorised by the Order of 1901 and to the Company and to the Croydon District Council in relation thereto as fully and completely as if such light railways had formed part of the Croydon Sutton and Mitcham section of the tramways authorised by that Act.

**23.** Section 43 of the Tramways Act 1870 shall in its application to the undertaking and to the Company in relation thereto be modified as follows (that is to say) :—

As to purchase of undertaking.

- (1) The Company shall not be required to sell any part of the undertaking included in the Carshalton section of tramways by this Act authorised unless each of the local authorities in whose districts the tramways forming such section are situate shall pass a resolution as provided by the said section and shall serve notice upon the Company in accordance with that section :
- (2) The period of forty-two years shall be substituted for the period of twenty-one years mentioned in the said section 43 of the Tramways Act 1870 :
- (3) The terms upon which the local authorities may require the Company to sell the undertaking as aforesaid shall be the terms of paying the fair market value thereof as a going concern but without any allowance for compulsory purchase :

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(*Extensions*) Act, 1903.

A.D. 1903.

- (4) On any sale to any local authority such arrangements as may be approved by the Board of Trade shall be made for vesting in each local authority the portion of the undertaking so purchased which is situate within their district and for the future maintenance management and convenient working of the tramways to be sold to such authority in conjunction with any other of the tramways with which they are directly or indirectly connected and the sale shall not take effect until an instrument has been properly executed in a form approved by the Board of Trade for carrying into effect such arrangements.

Agreements  
with local  
authorities  
as to supply  
of electric  
power.

24. The Company on the one hand and any local authority in whose district any portion of the tramways or of any light railways or of any tramways or light railways leased to or worked or run over or used by the Company is or will be situate on the other hand may enter into and carry into effect agreements for or with respect to all or any of the following purposes and all matters incidental thereto (that is to say) :—

- (1) The supply to the Company by any such local authority of electrical energy for working any of such tramways or light railways which may for the time being be worked by the Company by electrical power under the provisions of this Act or otherwise whether such tramways or light railways are or are not partly situate beyond the district of such authority :
- (2) The supply to any such local authority by the Company of electrical power for any purpose for which such authority are for the time being authorised to supply the same :
- (3) The payments to be made or other consideration to be given in respect of any such supply of energy.

Penalty for  
malicious  
damage.

25. If any person wilfully does or causes to be done with respect to any apparatus used for or in connection with the working of any of the tramways anything which is calculated to obstruct or interfere with the working of such tramway or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence or of any offence under section 50 of the Tramways Act 1870 with respect to any such tramway shall be liable to a penalty not exceeding twenty pounds.

[3 EDW. 7.] *Croydon and District Electric Tramways* [Ch. cclxi.]  
(*Extensions*) Act, 1903.

26. Where the consent or approval of any local or road authority is by this Act or by any of the sections of the Act of 1902 or the Tramways Act 1870 extended or applied to or incorporated with this Act required before the exercise of any powers by the Company such consent or approval shall not be unreasonably withheld and if any difference arises as to whether any consent or approval is unreasonably withheld that difference shall be referred to an arbitrator to be appointed by the Board of Trade.

A.D. 1903.  
Consents of  
local or road  
authority.

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

Copy of Act  
to be regis-  
tered.

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

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

Provision  
as to general  
Tramway  
Acts.

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

Costs of Act.

[Ch. cclxi.] *Croydon and District Electric Tramways* [3 EDW. 7.]  
*(Extensions) Act, 1903.*

A.D. 1903.

The SCHEDULE referred to in the foregoing Act.

PROPERTIES WHEREOF PORTIONS ONLY ARE REQUIRED TO BE TAKEN.

Parish.	Nos. on deposited Plans.
Parish and urban district of Carshalton	13 14 15 16 17 18 19 20 21.
Hamlet of Wallington - - -	7 8 9 10.
Parish and urban district of Sutton	1 9 10.
Parish of Morden - - - -	1.
Parish of Mitcham - - - -	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 20 21 22 23 24 25 26 27 28 29 30 31 32 35 36 37 38 39 41 49.

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