



CHAPTER xcix.

An Act to extend the time limited for the completion of the tramways light railways and works authorised to be constructed by the Hastings Tramways Company and to revive the powers for the compulsory purchase of land by that Company and to authorise the construction of certain deviations of their authorised light railways and other works and for other purposes. A.D. 1905.

[11th July 1905.]

WHEREAS by the Bexhill and Saint Leonards Light Railway Order 1900 (hereinafter called "the Order of 1900") the Bexhill and Saint Leonards Light Railway Company were incorporated and authorised to make and maintain the light railways therein described :

And whereas by the Hastings Tramways Act 1900 (hereinafter called "the Act of 1900") the Hastings Tramways Company (in this Act called "the Company") were incorporated and authorised to make and maintain the tramways and other works therein described and to raise capital for those purposes and the undertaking authorised by the Order of 1900 was transferred to and vested in the Company :

And whereas the period limited by the Act of 1900 for the compulsory purchase of lands for the purposes of that Act expired upon the thirtieth day of July one thousand nine hundred and three and the period limited by the said Act for the completion of the tramways and works thereby authorised will expire on the thirtieth day of July one thousand nine hundred and five :



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WHEREAS by the Bexhill and Saint Leonards Light Railway Order 1900 (hereinafter called "the Order of 1900") the Bexhill and Saint Leonards Light Railway Company were incorporated and authorised to make and maintain the light railways therein described :

And whereas by the Hastings Tramways Act 1900 (hereinafter called "the Act of 1900") the Hastings Tramways Company (in this Act called "the Company") were incorporated and authorised to make and maintain the tramways and other works therein described and to raise capital for those purposes and the undertaking authorised by the Order of 1900 was transferred to and vested in the Company :

And whereas the period limited by the Act of 1900 for the compulsory purchase of lands for the purposes of that Act expired upon the thirtieth day of July one thousand nine hundred and three and the period limited by the said Act for the completion of the tramways and works thereby authorised will expire on the thirtieth day of July one thousand nine hundred and five :

A.D. 1905.

And whereas by the Hastings Tramways (Extension of Time) Act 1902 (hereinafter called "the Act of 1902") the Act of 1900 was amended so that periods were respectively limited for the taking of lands and the construction of the light railways authorised by the Order of 1900 which coincided with the periods respectively limited by the Act of 1900 for the taking of lands and the completion of the tramways by that Act authorised:

And whereas by the Hastings Tramways (Extensions) Act 1903 (hereinafter called "the Act of 1903") the Company were authorised to construct certain extensions of their tramways and the period limited as aforesaid by the Act of 1900 as amended by the Act of 1902 for the compulsory purchase of lands was extended until the thirty-first day of December one thousand nine hundred and three and such period expired on that day:

And whereas the period limited by the Act of 1903 for the completion of the extension tramways thereby authorised will expire on the twenty-first day of July one thousand nine hundred and six:

And whereas it is expedient that the periods so limited for the compulsory purchase of lands for the purposes of the Order of 1900 and the Act of 1900 be extended and the powers for the compulsory purchase of such lands be revived and the periods respectively limited for the completion of the light railways authorised by the Order of 1900 and the tramways authorised by the Act of 1900 and the Act of 1903 respectively be extended:

And whereas it is expedient that the Company be authorised to construct the tramways hereinafter described in deviation of the light railways authorised by the Order of 1900 and to abandon the construction of so much of the said light railways as would be rendered unnecessary thereby:

And whereas it is expedient that the Company be authorised to construct the street works hereinafter described and to purchase lands and exercise the powers hereinafter contained and that the aforesaid Acts and Order be amended as hereinafter provided:

And whereas plans and sections showing the lines situations and levels of the tramways and other works by this Act authorised the plans showing also the lands which may be taken or used compulsorily under the powers of this Act with a book

A.D. 1905.

And whereas by the Hastings Tramways (Extension of Time) Act 1902 (hereinafter called "the Act of 1902") the Act of 1900 was amended so that periods were respectively limited for the taking of lands and the construction of the light railways authorised by the Order of 1900 which coincided with the periods respectively limited by the Act of 1900 for the taking of lands and the completion of the tramways by that Act authorised:

And whereas by the Hastings Tramways (Extensions) Act 1903 (hereinafter called "the Act of 1903") the Company were authorised to construct certain extensions of their tramways and the period limited as aforesaid by the Act of 1900 as amended by the Act of 1902 for the compulsory purchase of lands was extended until the thirty-first day of December one thousand nine hundred and three and such period expired on that day:

And whereas the period limited by the Act of 1903 for the completion of the extension tramways thereby authorised will expire on the twenty-first day of July one thousand nine hundred and six:

And whereas it is expedient that the periods so limited for the compulsory purchase of lands for the purposes of the Order of 1900 and the Act of 1900 be extended and the powers for the compulsory purchase of such lands be revived and the periods respectively limited for the completion of the light railways authorised by the Order of 1900 and the tramways authorised by the Act of 1900 and the Act of 1903 respectively be extended:

And whereas it is expedient that the Company be authorised to construct the tramways hereinafter described in deviation of the light railways authorised by the Order of 1900 and to abandon the construction of so much of the said light railways as would be rendered unnecessary thereby:

And whereas it is expedient that the Company be authorised to construct the street works hereinafter described and to purchase lands and exercise the powers hereinafter contained and that the aforesaid Acts and Order be amended as hereinafter provided:

And whereas plans and sections showing the lines situations and levels of the tramways and other works by this Act authorised the plans showing also the lands which may be taken or used compulsorily under the powers of this Act with a book

of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands were duly deposited for public inspection with the clerk of the peace for the county of Sussex and the said plans sections and book of reference respectively are in this Act referred to as "the deposited plans sections and book of reference":

And whereas the purposes of this Act cannot be effected 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:—

1. This Act may be cited as the Hastings Tramways Act 1905 and the Hastings Tramways Acts 1900 to 1903 and the Bexhill and Saint Leonards Light Railway Order 1900 and this Act may be cited together as the Hastings Tramways Acts 1900 to 1905. Short title.

2. The following Acts and parts of Acts are so far as applicable to and except where expressly varied by or inconsistent with this Act incorporated with and form part of this Act (that is to say):— Incorporation of general Acts.

The Lands Clauses Acts;

Sections 3 (Interpretation of terms) and 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870; and

Part II. of the Railways Clauses Act 1863 (relating to extension of time).

3. Subject as hereinafter provided 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: Interpretation.

The expression "the Order of 1900" means the Bexhill and Saint Leonards Light Railway Order 1900;

The expression "the Act of 1900" means the Hastings Tramways Act 1900;

of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands were duly deposited for public inspection with the clerk of the peace for the county of Sussex and the said plans sections and book of reference respectively are in this Act referred to as "the deposited plans sections and book of reference":

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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:—

1. This Act may be cited as the Hastings Tramways Act 1905 and the Hastings Tramways Acts 1900 to 1903 and the Bexhill and Saint Leonards Light Railway Order 1900 and this Act may be cited together as the Hastings Tramways Acts 1900 to 1905. Short title.

2. The following Acts and parts of Acts are so far as applicable to and except where expressly varied by or inconsistent with this Act incorporated with and form part of this Act (that is to say):— Incorporation of general Acts.

The Lands Clauses Acts;

Sections 3 (Interpretation of terms) and 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870; and

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3. Subject as hereinafter provided 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: Interpretation.

The expression "the Order of 1900" means the Bexhill and Saint Leonards Light Railway Order 1900;

The expression "the Act of 1900" means the Hastings Tramways Act 1900;

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The expression "the Act of 1902" means the Hastings Tramways (Extension of Time) Act 1902;

The expression "the Act of 1903" means the Hastings Tramways (Extensions) Act 1903;

The expression "the tramroad" means that portion of Tramway No. 2 by this Act authorised which will not be situate in a carriageway being a public highway;

The expression "the tramways" means the tramways by this Act authorised and includes the tramroad;

The expression "the street works" means the widening and alterations of streets and roads by this Act authorised;

The expression "the undertaking" means the undertaking by this Act authorised:

In this Act and for the purposes of this Act in the Tramways Act 1870—

The expression "road" shall include the carriageway of any road not being a public highway in which any portion of the tramways will be situate; and

The expression "tramway" shall include the tramroad:

And for the purposes of this Act the provisions of the Railways Clauses Act 1863 incorporated with this Act shall be read and have effect as if the words "special Act" included the Order of 1900 and the word "railway" included tramways and as if in lieu of the words "the railway and works or injuriously affected by the construction thereof" the words "the special Act" had been inserted.

Reviving powers and extending time for purchase of lands for purposes of Order of 1900 and Act of 1900.

4. The powers conferred upon the Company by or under the Order of 1900 and the Act of 1900 as respectively amended by the Act of 1902 and the Act of 1903 for the compulsory purchase of lands for the purposes of the Order of 1900 and the powers conferred upon the Company by the Act of 1900 for the compulsory purchase of (A) the lands required for the purposes of the street improvements authorised by section 8 of that Act and (B) the lands shown on the deposited plans and described in the deposited book of reference and in section 7 of that Act are hereby respectively revived and extended and may be exercised by the Company at any time within but shall cease after the expiration of two years from the date of passing of this Act.

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The expression "the Act of 1902" means the Hastings Tramways (Extension of Time) Act 1902;

The expression "the Act of 1903" means the Hastings Tramways (Extensions) Act 1903;

The expression "the tramroad" means that portion of Tramway No. 2 by this Act authorised which will not be situate in a carriageway being a public highway;

The expression "the tramways" means the tramways by this Act authorised and includes the tramroad;

The expression "the street works" means the widening and alterations of streets and roads by this Act authorised;

The expression "the undertaking" means the undertaking by this Act authorised:

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The expression "road" shall include the carriageway of any road not being a public highway in which any portion of the tramways will be situate; and

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And for the purposes of this Act the provisions of the Railways Clauses Act 1863 incorporated with this Act shall be read and have effect as if the words "special Act" included the Order of 1900 and the word "railway" included tramways and as if in lieu of the words "the railway and works or injuriously affected by the construction thereof" the words "the special Act" had been inserted.

Reviving powers and extending time for purchase of lands for purposes of Order of 1900 and Act of 1900.

4. The powers conferred upon the Company by or under the Order of 1900 and the Act of 1900 as respectively amended by the Act of 1902 and the Act of 1903 for the compulsory purchase of lands for the purposes of the Order of 1900 and the powers conferred upon the Company by the Act of 1900 for the compulsory purchase of (A) the lands required for the purposes of the street improvements authorised by section 8 of that Act and (B) the lands shown on the deposited plans and described in the deposited book of reference and in section 7 of that Act are hereby respectively revived and extended and may be exercised by the Company at any time within but shall cease after the expiration of two years from the date of passing of this Act.

5. The period limited by the Act of 1902 for the completion of the works authorised by the Act of 1900 and the tramways authorised by the Act of 1900 and the period limited by the Act of 1900 for the completion of the tramways street widenings and works authorised by the Act of 1900 and the period limited by the Act of 1903 for the completion of the extension tramways authorised by the Act of 1903 are hereby respectively extended until the thirtieth day of July one thousand nine hundred and seven.

A.D. 1905.
Extension of
time for com-
pletion of
works.

6. Subject to the provisions of this Act the Company may make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections with all proper rails plates sidings junctions works and conveniences connected therewith Provided that nothing in this Act shall authorise any interference with electric lines and 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.

Power to
make tram-
ways.

The tramways hereinbefore referred to and authorised by this Act are situate in the parish and borough of Bexhill and county of Sussex and are—

Tramway No. 1 (5 furlongs and 5·80 chains or thereabouts in length double line) commencing by a junction with the Light Railway No. 8 authorised by the Order of 1900 in De la Warr Road at a point 27·60 chains or thereabouts measured in an easterly direction from the junction of Dorset Road with De la Warr Road and terminating in Magdalen Road by a junction with the aforesaid authorised Light Railway No. 8 at a point ·80 chain or thereabouts measured in a westerly direction from the junction of Manor Road with Magdalen Road:

Tramway No. 2 (6 furlongs and 8·10 chains or thereabouts in length double line of which 1 furlong and 5·70 chains or thereabouts will be tramroad and situate on roads not being public highways) commencing in Station Square by a junction with the aforesaid authorised Light Railway No. 8 at a point ·65 chain or thereabouts measured in a north-easterly direction from the junction of Western Road with Devonshire Road and terminating by a junction with the Light Railway No. 7 authorised by the Order of

5. The period limited by the Act of 1902 for the completion of the works authorised by the Act of 1900 and the tramways authorised by the Act of 1900 and the period limited by the Act of 1900 for the completion of the tramways street widenings and works authorised by the Act of 1900 and the period limited by the Act of 1903 for the completion of the extension tramways authorised by the Act of 1903 are hereby respectively extended until the thirtieth day of July one thousand nine hundred and seven.

A.D. 1905.
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Tramway No. 2 (6 furlongs and 8·10 chains or thereabouts in length double line of which 1 furlong and 5·70 chains or thereabouts will be tramroad and situate on roads not being public highways) commencing in Station Square by a junction with the aforesaid authorised Light Railway No. 8 at a point ·65 chain or thereabouts measured in a north-easterly direction from the junction of Western Road with Devonshire Road and terminating by a junction with the Light Railway No. 7 authorised by the Order of

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1900 at a point 20·50 chains or thereabouts measured in a westerly direction from the junction of Park Road with Wickham Avenue :

Provided that the Company shall not without the previous consent in writing of the mayor aldermen and burgesses of the borough of Bexhill open the tramways for public traffic until the widening and alterations of streets and roads authorised by the section of this Act whereof the marginal note is "Power to make street works" have been completed to the extent shown on the deposited plans.

Power to deviate tram-road.

7. The Company in constructing any portion of the tram-road may deviate from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown on those plans and may deviate from the levels shown on the deposited sections to any extent not exceeding two feet.

Period for completion of works.

8. If the tramways are not completed prior to the thirty-first day of July one thousand nine hundred and seven the powers by this Act granted to the Company for constructing the tramways or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

For protection of Corporation of Bexhill.

9. Notwithstanding anything contained in this Act or in the Order of 1900 the following provisions for the protection of the mayor aldermen and burgesses of the borough of Bexhill (in this section referred to as "the corporation") shall unless otherwise agreed in writing between the Company and the corporation apply and have effect (that is to say) :—

(1) The Company shall not construct or use upon any lands situate within the borough of Bexhill a station for generating electric power or a car depôt or any building to be used for a similar purpose without the previous consent of the corporation which consent shall not be unreasonably withheld :

(2) No portion of the tramways by this Act authorised shall nor shall any portion of the light railways authorised by the Order of 1900 which is situate within the borough of Bexhill be opened for traffic prior to the opening for traffic of Tramway No. 1 authorised by this Act and so much of Light Railway No. 8 authorised by the Order of 1900 as is not by this Act authorised to be abandoned :

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1900 at a point 20·50 chains or thereabouts measured in a westerly direction from the junction of Park Road with Wickham Avenue :

Provided that the Company shall not without the previous consent in writing of the mayor aldermen and burgesses of the borough of Bexhill open the tramways for public traffic until the widening and alterations of streets and roads authorised by the section of this Act whereof the marginal note is "Power to make street works" have been completed to the extent shown on the deposited plans.

Power to deviate tram-road.

7. The Company in constructing any portion of the tram-road may deviate from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown on those plans and may deviate from the levels shown on the deposited sections to any extent not exceeding two feet.

Period for completion of works.

8. If the tramways are not completed prior to the thirty-first day of July one thousand nine hundred and seven the powers by this Act granted to the Company for constructing the tramways or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

For protection of Corporation of Bexhill.

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(1) The Company shall not construct or use upon any lands situate within the borough of Bexhill a station for generating electric power or a car depôt or any building to be used for a similar purpose without the previous consent of the corporation which consent shall not be unreasonably withheld :

(2) No portion of the tramways by this Act authorised shall nor shall any portion of the light railways authorised by the Order of 1900 which is situate within the borough of Bexhill be opened for traffic prior to the opening for traffic of Tramway No. 1 authorised by this Act and so much of Light Railway No. 8 authorised by the Order of 1900 as is not by this Act authorised to be abandoned :

- (3) Simultaneously with the construction of the Tramway No. 2 in Devonshire Road the Company shall pave with wood blocks to the reasonable satisfaction of the corporation the whole of the roadway of that road:
- (4) The Company shall not attach any brackets wires or apparatus to any building in Devonshire Road:
- (5) Except in cases of emergency the Company shall not without the previous consent in writing of the corporation open or break up any road within the borough of Bexhill nor allow any such road previously broken up by them to remain open during the months of July August or September:
- (6) If within fourteen days after the receipt of notice from the Company of their intention to commence the construction of the Tramway No. 2 in Devonshire Road the corporation give to the Company notice in writing of their desire that all posts to be erected by the Company in Devonshire Road for use in working the tramways shall be placed in the centre of the roadway of that road such posts shall be so placed unless the Board of Trade shall otherwise require:
- (7) The Company shall not use any cars upon the tramways and light railways within the borough of Bexhill other than those which are for the time being approved for use in the borough of Hastings:
- (8) Any difference which may arise between the Company and the corporation under this section shall be settled by arbitration.

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10. If any work authorised by this Act or by the Act of 1900 or the Act of 1902 involves the removal or alteration of any post office letter box the Company shall not remove or alter such box but shall give notice to the Postmaster-General of the removal or alteration required and the Postmaster-General shall remove or alter the box as he may think fit and the Company shall pay to the Postmaster-General all expenses incurred by him in relation to such removal or alteration.

As to removal or alteration of post office letter boxes.

11. For the protection of the Bexhill Water and Gas Company (in this section referred to as "the water company") the following provisions shall (unless otherwise agreed between

For protection of Bexhill Water and Gas Company.

- (3) Simultaneously with the construction of the Tramway No. 2 in Devonshire Road the Company shall pave with wood blocks to the reasonable satisfaction of the corporation the whole of the roadway of that road:
- (4) The Company shall not attach any brackets wires or apparatus to any building in Devonshire Road:
- (5) Except in cases of emergency the Company shall not without the previous consent in writing of the corporation open or break up any road within the borough of Bexhill nor allow any such road previously broken up by them to remain open during the months of July August or September:
- (6) If within fourteen days after the receipt of notice from the Company of their intention to commence the construction of the Tramway No. 2 in Devonshire Road the corporation give to the Company notice in writing of their desire that all posts to be erected by the Company in Devonshire Road for use in working the tramways shall be placed in the centre of the roadway of that road such posts shall be so placed unless the Board of Trade shall otherwise require:
- (7) The Company shall not use any cars upon the tramways and light railways within the borough of Bexhill other than those which are for the time being approved for use in the borough of Hastings:
- (8) Any difference which may arise between the Company and the corporation under this section shall be settled by arbitration.

A.D. 1905.

10. If any work authorised by this Act or by the Act of 1900 or the Act of 1902 involves the removal or alteration of any post office letter box the Company shall not remove or alter such box but shall give notice to the Postmaster-General of the removal or alteration required and the Postmaster-General shall remove or alter the box as he may think fit and the Company shall pay to the Postmaster-General all expenses incurred by him in relation to such removal or alteration.

As to removal or alteration of post office letter boxes.

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For protection of Bexhill Water and Gas Company.

A.D. 1905. the water company and the Company) apply and have effect
— (that is to say):—

Whenever the construction of any work by this Act authorised or the use or alteration thereof necessitates the removal or alteration of any main pipe apparatus or other work of the water company if within seven days after receipt of notice from the Company of their intention to remove or alter such main pipe apparatus or work shall have been served upon them the water company by notice in writing so elect the water company shall themselves execute the work of removal or alteration so necessitated and the reasonable costs of so doing (including the cost of superintendence) shall be repaid by the Company to the water company. Provided that any works which the water company so desire themselves to execute shall be carried out under the inspection of the engineer of the Company and to his reasonable satisfaction with all reasonable despatch and if the water company fail so to do such works the same may notwithstanding such notice be executed by the Company.

For protec-
tion of Lon-
don Brighton
and South
Coast Rail-
way Com-
pany.

12. Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not without the previous consent in writing of the London Brighton and South Coast Railway Company for the purpose of taking up or setting down passengers or receiving or delivering goods permit any carriage engine or other vehicle to be stopped between the point B in Station Square Bexhill referred to in section 43 subsection (5) of the Order of 1900 and a point on Tramway No. 2 by this Act authorised in Devonshire Road Bexhill in line with the southern boundary of Western Road at its junction with Devonshire Road.

Deposit
money not to
be repaid ex-
cept so far as
tramways are
opened.

13. Whereas pursuant to the standing orders of both Houses of Parliament and to the Parliamentary Deposits Act 1846 a sum of four hundred and seventy-six pounds thirteen shillings and ninepence war stock being equal in value to five per centum upon the amount of the estimate in respect of the tramways and four per centum upon the amount of the estimate in respect of the street works has been transferred into the name of the Paymaster-General for and on behalf of the Supreme Court in respect of the application to Parliament for this Act (which stock is referred to in this Act as "the deposit fund") Be it

A.D. 1905. the water company and the Company) apply and have effect
— (that is to say):—

Whenever the construction of any work by this Act authorised or the use or alteration thereof necessitates the removal or alteration of any main pipe apparatus or other work of the water company if within seven days after receipt of notice from the Company of their intention to remove or alter such main pipe apparatus or work shall have been served upon them the water company by notice in writing so elect the water company shall themselves execute the work of removal or alteration so necessitated and the reasonable costs of so doing (including the cost of superintendence) shall be repaid by the Company to the water company. Provided that any works which the water company so desire themselves to execute shall be carried out under the inspection of the engineer of the Company and to his reasonable satisfaction with all reasonable despatch and if the water company fail so to do such works the same may notwithstanding such notice be executed by the Company.

For protection of London Brighton and South Coast Railway Company.

12. Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not without the previous consent in writing of the London Brighton and South Coast Railway Company for the purpose of taking up or setting down passengers or receiving or delivering goods permit any carriage engine or other vehicle to be stopped between the point B in Station Square Bexhill referred to in section 43 subsection (5) of the Order of 1900 and a point on Tramway No. 2 by this Act authorised in Devonshire Road Bexhill in line with the southern boundary of Western Road at its junction with Devonshire Road.

Deposit money not to be repaid except so far as tramways are opened.

13. Whereas pursuant to the standing orders of both Houses of Parliament and to the Parliamentary Deposits Act 1846 a sum of four hundred and seventy-six pounds thirteen shillings and ninepence war stock being equal in value to five per centum upon the amount of the estimate in respect of the tramways and four per centum upon the amount of the estimate in respect of the street works has been transferred into the name of the Paymaster-General for and on behalf of the Supreme Court in respect of the application to Parliament for this Act (which stock is referred to in this Act as "the deposit fund") Be it

enacted that notwithstanding anything contained in the said Act the said deposit fund shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them (which persons survivors or survivor are or is in this Act referred to as "the depositors") unless the Company shall previously to the expiration of the period limited by this Act for completion of the tramways open the same for the public conveyance of passengers and if the Company shall make default in so opening the tramways the deposit fund shall be applicable and shall be applied as provided by the next following section. Provided that if within such period as aforesaid the Company open any portion of the tramways for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the tramways opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the tramways so opened bears to the entire length of the tramways the High Court shall on the application of the depositors order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

14. If the Company do not previously to the expiration of the period limited for the completion of the tramways complete the same and open them for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid or transferred to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the tramroad or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of using property for the purpose of the tramroad conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and also in compensating all road authorities for the expense incurred by them in taking up any

Application
of deposit
fund.

enacted that notwithstanding anything contained in the said Act the said deposit fund shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them (which persons survivors or survivor are or is in this Act referred to as "the depositors") unless the Company shall previously to the expiration of the period limited by this Act for completion of the tramways open the same for the public conveyance of passengers and if the Company shall make default in so opening the tramways the deposit fund shall be applicable and shall be applied as provided by the next following section. Provided that if within such period as aforesaid the Company open any portion of the tramways for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the tramways opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the tramways so opened bears to the entire length of the tramways the High Court shall on the application of the depositors order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

14. If the Company do not previously to the expiration of the period limited for the completion of the tramways complete the same and open them for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid or transferred to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the tramroad or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of using property for the purpose of the tramroad conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and also in compensating all road authorities for the expense incurred by them in taking up any

Application
of deposit
fund.

A.D. 1905. tramway or any 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 tramways 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 is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund 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 undertaking 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 retransferred to the depositors Provided that until the deposit fund has been repaid or retransferred to the depositors or has become otherwise applicable as hereinbefore mentioned any interest or dividends accruing thereon shall as and when the same become payable be paid to or on the application of the depositors.

Incorporation of sections of Act of 1900 and Order of 1900.

15.—(1) The following sections of the Act of 1900 and the Order of 1900 shall so far as the same are applicable extend and apply to the tramways and 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):—

ACT OF 1900.

- Section 15 (Inspection by Board of Trade):
- Section 18 (Gauge of tramways):
- Section 19 (Tramways to be kept on level of surface of road):
- Section 22 (As to rails of tramways):
- Section 23 (Penalty for not maintaining rails and roads):
- Section 30 (Application of road materials excavated in construction of works):
- Section 43 (Byelaws by Board of Trade):

A.D. 1905. tramway or any 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 tramways 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 is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund 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 undertaking 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 retransferred to the depositors Provided that until the deposit fund has been repaid or retransferred to the depositors or has become otherwise applicable as hereinbefore mentioned any interest or dividends accruing thereon shall as and when the same become payable be paid to or on the application of the depositors.

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ACT OF 1900.

- Section 15 (Inspection by Board of Trade):
- Section 18 (Gauge of tramways):
- Section 19 (Tramways to be kept on level of surface of road):
- Section 22 (As to rails of tramways):
- Section 23 (Penalty for not maintaining rails and roads):
- Section 30 (Application of road materials excavated in construction of works):
- Section 43 (Byelaws by Board of Trade):

- Section 45 (Amendment of Tramways Act 1870 as to A.D. 1905
byelaws by local authority):
Section 48 (Provisions as to motive power):
Section 50 (Special provisions as to use of electrical power).

ORDER OF 1900.

- Section 49 (As to subsidence of road):
Section 50 (As to manholes):
Section 56 (Service of cars):
Section 57 (As to removal of snow &c.):
Section 59 (Local authorities and road authorities may use
railways for certain purposes):
Section 65 (Power of local authority to make byelaws):
Section 66 (General provisions as to byelaws).

Provided always that in construing for the purposes of this Act the provisions of sections 19 and 23 of the Act of 1900 and the above-mentioned sections of the Order of 1900 the expression "the corporation" in such sections of the Act of 1900 shall be deemed to mean the road authority and the respective expressions "the railways" "the Company" and "this Order" in such sections of the Order of 1900 shall be deemed to mean respectively the tramways the Company and this Act.

(2) The following provisions of the Order of 1900 shall extend and apply to the tramways and the Company in respect thereto in as full and complete a manner as if such tramways had formed part of the railways authorised by the Order of 1900:—

- Section 68 (Rates and charges authorised):
Section 69 (Rates for passengers):
Section 70 (As to fares on Sundays and holidays):
Section 71 (Passengers' luggage):
Section 72 (Tolls for use of railways):
Section 73 (Cheap fares for labouring classes):
Section 74 (Rates for goods &c.):
Section 75 (Payment of rates and charges):
Section 76 (Periodical revision of rates and charges):
Schedule.

- Section 45 (Amendment of Tramways Act 1870 as to A.D. 1905
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Section 48 (Provisions as to motive power):
Section 50 (Special provisions as to use of electrical power).

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Section 69 (Rates for passengers):
Section 70 (As to fares on Sundays and holidays):
Section 71 (Passengers' luggage):
Section 72 (Tolls for use of railways):
Section 73 (Cheap fares for labouring classes):
Section 74 (Rates for goods &c.):
Section 75 (Payment of rates and charges):
Section 76 (Periodical revision of rates and charges):
Schedule.

A.D. 1905.

Temporary tramways or tramroad may be made when necessary.

16. When by reason of the execution of any work affecting the surface or soil of any road along the carriageway of which either of the tramways is laid it shall in the opinion of the road authority be expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Company may with the consent of the road authority and subject to such conditions as the road authority may impose construct in the same or any adjacent road and (so long as occasion may require) maintain a temporary tramway or tramroad in lieu of the tramway or part of the tramway so removed or discontinued.

If any difference arises between the Company and the road authority with respect to any conditions or with respect to the mode of constructing any temporary tramway or tramroad under the authority of this section the same shall be settled by arbitration under this Act.

Company may reduce footpath for constructing tramway.

17. The Company may increase the roadway of any road in which either of the tramways are authorised to be laid to such extent as may be necessary to leave a space of nine feet and six inches between the outside of the footpath on each or either side of such road and the nearest rail of the tramway by reducing the width of the footpath on each or either side of such road Provided that no footpath shall be reduced in width without the consent of the road authority or other person in whom it is vested nor to such an extent as to be less than six feet wide.

Shelters or waiting rooms.

18. The Company may erect and maintain shelters or waiting rooms for the accommodation of passengers and may with the consent of the local and road authority use for that purpose portions of any streets or roads.

Plan of proposed mode of construction.

19. In addition to the requirements of section 26 of the Tramways Act 1870 the Company shall lay before the Board of Trade and the road authority a plan showing the proposed mode of constructing laying down or renewing the tramways and a statement of the materials intended to be used therein and the Company shall not commence the construction laying down or renewal of any of the tramways or part of any of the tramways respectively 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 and under the superintendence and to the reasonable satisfaction of the surveyor of the road authority as provided by section 26 of the said Act.

A.D. 1905.

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20. 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 Company shall if and when required by the Board of Trade construct a cross-over or cross-overs connecting the one tramway with the other and by the means of such cross-over or cross-overs the traffic shall when necessary be diverted from one tramway to the other.

A.D. 1905.

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Cross-overs
to be con-
structed in
certain cases.

21.—(1) The Company may subject to the provisions of this Act with the consent of the Board of Trade and of the local authority make maintain alter and remove such cross-overs passing places sidings junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the tramways or for providing access to any warehouses stables or carriage-houses or works of the Company.

Power to
make addi-
tional cross-
overs and to
double tram-
way lines.

(2) Notwithstanding anything shown on the deposited plans the Company may with the consent of the Board of Trade and of the local authority lay down single or interlacing lines in lieu of double lines on either of the tramways and may with the like consent alter the position in the road of either of the tramways or any part thereof.

(3) Provided that if in the construction of any works under this section any rail is intended to be laid nearer to the footpath than previously authorised in such a manner that for a distance of thirty feet or upwards a less space than nine feet six inches would intervene between it and the outside of the footpath on either side of the road the Company shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses shops or warehouses abutting on the place where such less space would intervene and such rail shall not be so laid if the owners or occupiers of one third of such houses shops or warehouses by writing under their hands addressed and delivered to the Company within three weeks after receiving the notice from the Company express their objection thereto.

22. Every sanitary authority shall at all times have free access to and communication with all their sewers and drains and power to lay lateral and private drains to communicate therewith without the consent or concurrence of the Company and the provisions contained in sections 32 and 33 of the

Sanitary
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have access
to sewers.

20. 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 Company shall if and when required by the Board of Trade construct a cross-over or cross-overs connecting the one tramway with the other and by the means of such cross-over or cross-overs the traffic shall when necessary be diverted from one tramway to the other.

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A.D. 1905. Tramways Act 1870 shall be applicable in the case of any sewer or private drain of or under the control of such sanitary authority as if the same were a pipe for the supply of gas or water.

As to electrical works &c.

23.—(1) The Company may construct lay down erect maintain renew and repair on in under or over the surface of any road (including footways) bridge or public place in which the tramways will be situate or in which it may be necessary so to do in order to form connections between the tramways and any tramways or light railways of the Company or between any such tramways or light railways and any generating station and on in under or over any lands of or belonging or leased to the Company or on in under or over which the Company may acquire the right so to do cables electric mains wires conductors posts tubes boxes apparatus and appliances and may make and maintain openings and ways for the purpose of working the tramways and any tramways or light railways of the Company by electrical power and may for that purpose subject to the provisions contained in Part II. of the Tramways Act 1870 and to the provisions of this Act open and break up any such road (including footways) bridge or place and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein thereover or thereunder :

Provided as follows :—

- (A) All posts and apparatus erected by the Company under the powers of this Act in any public road shall be of such design as the local authority may approve and shall be placed in such position as the local authority and road authority may approve Provided that no post or other apparatus shall be erected on the carriageway except with the consent of the Board of Trade :
- (B) The route in which any electrical apparatus is to be laid or erected for the purpose of connecting any of such tramways or light railways with a generating station shall be approved by the local authority and the road authority within whose jurisdiction each portion of the route is situate.

(2) Nothing in this section shall extend to 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.

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(2) Nothing in this section shall extend to 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.

24. The provisions of sections 26 to 33 and 41 of the Tramways Act 1870 (except so much of section 28 as relates to the repair of the road between and on each side of the rails of a tramway) shall apply as if all posts tubes pipes wires and other apparatus used or to be used by the Company for the purposes of electrical power were parts of the tramway and section 30 shall have effect as if wires or apparatus laid in a road included wires or apparatus erected or carried over a road or footpath.

A.D. 1905.
Apparatus used for mechanical power to be deemed part of tramway.

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

Alteration of telegraph lines of Postmaster-General.

26. In the event of the tramways or either of them being worked by electrical power the following provisions shall have effect:—

For protection of Post Office telegraph lines.

(1) The Company shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by His Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Company as to compliance with this subsection shall be determined by arbitration:

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

(3) Before any electric line is laid down or any act or work for working the tramways by electricity is done within

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

(3) Before any electric line is laid down or any act or work for working the tramways by electricity is done within

A.D. 1905.

ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Company or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Company and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work. Any difference which arises between the Postmaster-General and the Company as to any requirements so made shall be determined by arbitration :

- (4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Company is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Company's works or to the working of the undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated by the Company enter any of the Company's works for the purpose of inspecting the Company's plant and the working of the same and the Company shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Company pursuant to the Board of Trade regulations :
- (5) In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :

A.D. 1905.

ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Company or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Company and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work. Any difference which arises between the Postmaster-General and the Company as to any requirements so made shall be determined by arbitration :

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- (5) In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :

(6) Provided that nothing in this section shall subject the Company or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice:

(7) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work:

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

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

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

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

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

- (6) Provided that nothing in this section shall subject the Company or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice:
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- (10) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Company or their agents were a company within the meaning of that Act:
- (11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Company by indictment action or otherwise in relation to any of the matters aforesaid:
- (12) In this section the expression "the Company" includes their lessees and any person owning working or running carriages on either of the tramways.

A.D. 1905.

As to purchase of undertaking.

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

(1) The period of twenty-five years from the sixth day of June one thousand nine hundred shall be substituted for the period of twenty-one years mentioned in the said section 43 of the Tramways Act 1870 and every subsequent period of ten years shall be substituted for every subsequent period of seven years:

(2) The terms upon which the Company may be required to sell the tramways or any part thereof shall be the terms of paying the fair market value thereof as a going concern but without any allowance for compulsory purchase:

And for the purposes of the said section 43 of the Tramways Act 1870 the tramroad shall be deemed to be a tramway within the meaning of that Act.

Abandonment of light railways.

28. The Company shall abandon the construction of (A) so much of the Light Railway No. 7 authorised by the Order of 1900 as would lie between the termination hereinbefore described of Tramway No. 2 authorised by this Act and the authorised termination of the said light railway and (B) so much of the Light Railway No. 8 authorised by the Order of 1900 as would lie between its commencement and the point of commencement hereinbefore described of Tramway No. 2 authorised by this Act and (C) so much of the Light Railway No. 8 authorised by the Order of 1900 as would lie between the commencement and termination hereinbefore described of Tramway No. 1 authorised by this Act.

As to deposit under Order of 1900.

29. Whereas pursuant to the Order of 1900 the Company have brought into Court as a deposit a sum of one thousand three hundred and twenty-nine pounds eighteen shillings and sixpence war stock (which stock is hereinafter referred to as "the light railway deposit fund") And whereas the sum of two hundred and eighty-four pounds and fifteen shillings bears to the sum of one thousand three hundred and twenty-nine pounds eighteen shillings and sixpence the same proportion as the length of light railways by this Act authorised to be abandoned bears to the entire length of light railways by the Order of 1900 authorised to be made Be it enacted as follows The High Court shall at any time after the passing of this Act on appli-

A.D. 1905.

As to purchase of undertaking.

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

(1) The period of twenty-five years from the sixth day of June one thousand nine hundred shall be substituted for the period of twenty-one years mentioned in the said section 43 of the Tramways Act 1870 and every subsequent period of ten years shall be substituted for every subsequent period of seven years:

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And for the purposes of the said section 43 of the Tramways Act 1870 the tramroad shall be deemed to be a tramway within the meaning of that Act.

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As to deposit under Order of 1900.

29. Whereas pursuant to the Order of 1900 the Company have brought into Court as a deposit a sum of one thousand three hundred and twenty-nine pounds eighteen shillings and sixpence war stock (which stock is hereinafter referred to as "the light railway deposit fund") And whereas the sum of two hundred and eighty-four pounds and fifteen shillings bears to the sum of one thousand three hundred and twenty-nine pounds eighteen shillings and sixpence the same proportion as the length of light railways by this Act authorised to be abandoned bears to the entire length of light railways by the Order of 1900 authorised to be made Be it enacted as follows The High Court shall at any time after the passing of this Act on appli-

cation by or on behalf of the depositors mentioned or referred to in section 99 of the Order of 1900 or the survivors or survivor of them or the executors or administrators of such survivor or by or on behalf of any other person entitled to the light railway deposit fund order that the sum of two hundred and eighty-four pounds and fifteen shillings war stock and the interest or dividends thereon be paid or transferred to the depositors or any other person or persons entitled thereto or to any persons or person whom they or he may appoint in that behalf and upon such order being made such sum and the interest or dividends thereon shall be paid or transferred to such persons or person accordingly.

A.D. 1905.

30. Subject to the provisions of this Act the Company may in the lines and situations and according to the levels shown on the deposited plans and sections make the widening and alterations of streets and roads in the parish and borough of Bexhill in the county of Sussex shown on those plans and hereinafter described (that is to say):—

Power to make street works.

- (1) The rounding off of the corner of De la Warr Road at the junction of Manor Road therewith on the south side of the former road and the east side of the latter road:
- (2) The widening of Manor Road on the west side between points respectively 9·50 chains and 10·50 chains or thereabouts measured in a southerly direction from the junction of Manor Road with De la Warr Road:
- (3) The rounding off of the corner of Manor Road at its junction with Magdalen Road on the west side of the former road and the north side of the latter road.

31. The aforesaid roads as so widened and altered shall (subject to the provisions of the Tramways Act 1870 and of this Act as to the repair by the Company of part of roads in which tramways are laid) be and continue vested in and repairable by and under the control and management in all respects of the authority company body or person having now the control and management of or being liable to maintain and repair such roads.

As to repair of altered roads.

32. The Company may for any purpose in connection with the street works upon any lands acquired by them under the powers of this Act and also in any street within the limits of deviation shown on the deposited plans raise sink or otherwise

Power to alter drains pipes &c.

cation by or on behalf of the depositors mentioned or referred to in section 99 of the Order of 1900 or the survivors or survivor of them or the executors or administrators of such survivor or by or on behalf of any other person entitled to the light railway deposit fund order that the sum of two hundred and eighty-four pounds and fifteen shillings war stock and the interest or dividends thereon be paid or transferred to the depositors or any other person or persons entitled thereto or to any persons or person whom they or he may appoint in that behalf and upon such order being made such sum and the interest or dividends thereon shall be paid or transferred to such persons or person accordingly.

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As to repair of altered roads.

32. The Company may for any purpose in connection with the street works upon any lands acquired by them under the powers of this Act and also in any street within the limits of deviation shown on the deposited plans raise sink or otherwise

Power to alter drains pipes &c.

A.D. 1905. — alter the position of any sewer drain channel water or pipe belonging to or connected with any house or building adjoining or near to such works and also any main or other pipe for carrying a supply of gas or water or for hydraulic purposes or any pipe tube wire or apparatus laid down or used for telegraphic telephonic or electric purposes and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit and making reasonable compensation to any company or person who suffers damage by such alteration:

Provided that the Company shall not raise sink or otherwise alter or interfere with any pipe tube wire or other apparatus laid down or used for telegraphic or telephonic purposes by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878 Provided also that nothing in this section shall extend to 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.

Power to deviate street works.

33. The Company in making the street works may deviate from the levels thereof respectively shown on the deposited sections to any extent not exceeding two feet and may deviate from the line of any of such works to any extent within the limits of deviation defined on the deposited plans.

Power to acquire lands and easements.

34. Subject to the provisions of this Act the Company may enter upon take and use the lands shown on the deposited plans and described in the deposited book of reference and included within the limits of deviation and of property to be acquired shown upon those plans in connection with the street works and may also take an easement or right of constructing laying down erecting maintaining repairing renewing working and using subject to the provisions of this Act the tramroad and any cables electric mains wires conductors posts tubes boxes apparatus appliances works and conveniences connected therewith in and along the property shown on the deposited plans and described in the deposited book of reference and included within the limits of deviation and of lands over which easements are to be acquired marked on those plans in connection with the tramroad Provided that the Company shall make to the owners lessees and occupiers and other parties having any estate or interest in such property compensation for the easement or right of so

A.D. 1905. — alter the position of any sewer drain channel water or pipe belonging to or connected with any house or building adjoining or near to such works and also any main or other pipe for carrying a supply of gas or water or for hydraulic purposes or any pipe tube wire or apparatus laid down or used for telegraphic telephonic or electric purposes and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit and making reasonable compensation to any company or person who suffers damage by such alteration:

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constructing laying down erecting maintaining repairing renewing working and using the tramroad and any cables electric mains wires conductors posts tubes boxes apparatus appliances works and conveniences connected therewith and may give notice to treat in respect of such right or easement and the provisions of the Lands Clauses Acts inclusive of those with regard to arbitration and the summoning of a jury shall apply to the purchase of such right or easement as if such purchase were a purchase of land within the meaning of such Acts.

35. 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 rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to take easements &c. by agreement.

36. The powers of the Company for the compulsory purchase of lands and easements 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.

37. The Company may by agreement purchase take on lease or acquire and may hold for the purposes of their undertaking such lands as they may require and may sell or dispose of any such lands not required for any such purpose provided that they shall not at any time hold for such purposes more than ten acres of land in addition to any lands which they are otherwise authorised to acquire and hold and that nothing in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land acquired by or leased to them under this section.

Purchase of lands by agreement.

38. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county of Sussex for

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

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

A.D. 1905.

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 county of Sussex and a duplicate thereof shall also be deposited with the town clerk of the county borough or borough or clerk to the parish council of the parish in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands or easements or rights in and over the same as the case may be and execute the works in accordance with such certificate.

As to generating stations.

39. So much of section 7 (Power to take and use lands for generating station) of the Act of 1900 as provides that the Company shall not construct a station or stations for generating electric power nor erect buildings nor use dynamos engines and other apparatus and things necessary or proper for the generation of electricity or the working of tramways thereby elsewhere than on the lands described in that section is hereby repealed but the Company shall not be exonerated from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands other than the lands described in that section Provided that the Company shall not construct or establish such a station upon any lands situate in the borough of Hastings as existing at the date of the passing of this Act except upon the lands described in the said section or upon the land situate in Parker Road in the said borough upon which a generating station is now being erected without the previous consent in writing of the mayor aldermen and burgesses of the said borough which consent shall not be unreasonably withheld and if any difference arises as to whether such consent is unreasonably withheld that difference shall be referred to arbitration.

Power to construct tramways prior to completion of authorised

40. Notwithstanding anything in section 3 (Power to make tramways) of the Act of 1903 the Company may commence the construction of the extension tramways authorised by that Act prior to the completion and opening for traffic of the light

A.D. 1905.

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 county of Sussex and a duplicate thereof shall also be deposited with the town clerk of the county borough or borough or clerk to the parish council of the parish in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands or easements or rights in and over the same as the case may be and execute the works in accordance with such certificate.

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Power to construct tramways prior to completion of authorised

40. Notwithstanding anything in section 3 (Power to make tramways) of the Act of 1903 the Company may commence the construction of the extension tramways authorised by that Act prior to the completion and opening for traffic of the light

railway and portions of light railway and tramway hereinafter described (that is to say):—

A.D. 1905.
light railways
and tram-
ways.

(A) The Light Railway No. 7 authorised by the Order of 1900;

(B) So much of the Light Railway No. 8 authorised by the said Order as lies between the authorised commencement of such light railway and Station Square Bexhill; and

(C) So much of Tramway No. 2 authorised by the Act of 1900 as is situate in Upper Church Road between London Road and Sedlescombe Road:

Provided that the Company shall not open for traffic Tramway No. 1 authorised by the Act of 1903 prior to the opening for traffic of Tramway No. 2 by this Act authorised and so much of Light Railway No. 7 authorised by the Order of 1900 as is not by this Act authorised to be abandoned.

41. 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 authorised by the Act of 1900 the Act of 1903 or this Act or any of the light railways authorised by the Order of 1900 anything which is calculated to obstruct or interfere with the working of such tramway or light railway 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.

Penalty for
malicious
damage.

42. Where under the provisions of the Tramways Act 1870 or this Act or of any Act wholly or partially incorporated with this Act any matter in difference is referred to arbitration the reference shall be to an arbitrator appointed by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply thereto.

Provisions as
to arbitra-
tion.

43. All orders regulations and byelaws made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant secretary of the Board.

Orders &c. of
Board of
Trade.

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A.D. 1905.
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Provided that the Company shall not open for traffic Tramway No. 1 authorised by the Act of 1903 prior to the opening for traffic of Tramway No. 2 by this Act authorised and so much of Light Railway No. 7 authorised by the Order of 1900 as is not by this Act authorised to be abandoned.

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42. Where under the provisions of the Tramways Act 1870 or this Act or of any Act wholly or partially incorporated with this Act any matter in difference is referred to arbitration the reference shall be to an arbitrator appointed by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply thereto.

Provisions as
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43. All orders regulations and byelaws made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant secretary of the Board.

Orders &c. of
Board of
Trade.

A.D. 1905.
 Recovery of
 demands in
 county court.

44. Proceedings for the recovery of any demand made under the authority of this Act or the former Acts or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court provided that the demand does not exceed the amount recoverable in that court in a personal action.

Recovery of
 penalties.

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

Power to
 apply exist-
 ing funds.

46. The Company may from time to time apply towards any of the purposes of this Act to which capital is properly applicable any moneys which they have raised or may hereafter raise under the Act of 1900 by shares stock or borrowing.

As to appli-
 cation of
 funds raised
 under Act of
 1903.

47. All moneys raised under the Act of 1903 whether by shares stock or borrowing may be applied for the purposes of the Order of 1900 the Act of 1900 the Act of 1903 and this Act and other the general purposes of the Company being in all cases purposes to which capital is properly applicable.

Provision as
 to general
 Tramway
 Acts.

48. Except as by this Act expressly provided nothing in this Act shall exempt the Company or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum fares rates or charges authorised by this Act.

Costs of Act.

49. 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.

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A.D. 1905.
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