



CHAPTER xxix.

An Act to confirm a Provisional Order made by the Board of Trade under the Tramways Act 1870 relating to Manchester Corporation Tramways. A.D. 1908.

[18th June 1908.]

WHEREAS under the authority of the Tramways Act 1870 the Board of Trade have made the Provisional Order set out in the schedule to this Act annexed: 33 & 34 Vict.
c. 78.

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

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

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the Tramways Order Confirmation (No. 1) Act 1908. Short title.

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

A.D. 1908.

SCHEDULE.

MANCHESTER CORPORATION.

Manchester Corporation.

Order authorising the Lord Mayor Aldermen and Citizens of the City of Manchester to construct additional Tramways in their City.

Short title.

1. This Order may be cited as the Manchester Corporation Tramways Order 1908.

Incorporation of Acts.

2. The following Acts and parts of Acts so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Order are hereby incorporated with this Order:—

The Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking):

Section 3 (Interpretation of terms) section 19 (Local Authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 Provided that section 19 shall be read and have effect as if the words “but nothing in this Act contained shall authorise any local authority to place and run carriages upon such tramways and to demand and take tolls and charges in respect of the use of such carriages” were omitted from that section.

Interpretation.

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

The expression “the Corporation” means the lord mayor aldermen and citizens of the city of Manchester acting by the council:

The expressions “the Act of 1900” “the Act of 1904” and “the Act of 1907” mean respectively the Manchester Corporation Tramways Act 1900 the Manchester Corporation Tramways Act 1904 and the Manchester Corporation Tramways Act 1907.

Promoters.

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

Construction of tramways.

5. The Promoters may subject to the provisions of this Order construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as “the deposited plans” and “the deposited sections”) the tramways herein-after described with all proper rails plates sleepers channels junctions turntables turnouts crossings passing places posts poles brackets wires stables carriage-houses engine-houses sheds buildings works and conveniences connected therewith:

[8 EDW. 7.] *Tramways Order Confirmation (No. 1)* [Ch. xxix.]
Act, 1908.

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

A.D. 1908.

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Manchester Corporation.

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

Tramway No. 1 (double line) (8·89 chains in length) wholly situate in Princess Road commencing in the township of Moss Side by a junction with the existing tramway in that road at the termination of that tramway and terminating in the township of Withington at a point 14 yards or thereabouts north of the intersection of the centre line of Princess Road and the northerly boundary of Alexandra Park if produced:

Tramway No. 1A (double line) (0·67 chain in length) commencing by a junction with Tramway No. 1 at a point 44 yards or thereabouts north of its termination and terminating at the easterly boundary of Princess Road at a point 47 yards or thereabouts north of the intersection of the easterly boundary of Princess Road and the northerly boundary of Alexandra Park if produced:

Tramway No. 1B (single line) (0·55 chain in length) commencing by a junction with Tramway No. 1 at a point 55 yards or thereabouts north of its termination and terminating at the easterly boundary of Princess Road at a point 13 yards or thereabouts north of the termination of Tramway No. 1A.

6. Subject to the provisions of this Order sections 17 (Incorporation of provisions from certain Corporation Acts) including the provisions incorporated by that section 26 (As to fares on Sundays and holidays) 27 (Use of tramway posts by Postmaster General) and 37 (Provision as to general tramway Acts) of the Act of 1907 shall so far as the same are not inconsistent with the provisions of this Order extend and apply mutatis mutandis to and in relation to the tramways and works by this Order authorised and those tramways and works shall form part of the tramway undertaking of the Corporation and lands acquired or to be acquired and moneys borrowed or to be borrowed under previous Acts or Orders relating to that undertaking shall be available for the purposes of this Order:

Incorporation
of provisions
from certain
Corporation
Acts.

Provided that notwithstanding anything in the said section 17 as hereby applied nothing in this Order shall—

(1) extend or apply to the tramways the provisions of section 46 (Incorporation of certain sections of Tramways Act 1870) of the Act of 1900 or of sections 26 (Amendment of section 22 of Act of 1900) 33 (Deviation) 34 (Power to make subsidiary works) 35 (Temporary stoppage of streets) or 36 (As to repair of street works) of the Act of 1904; or

[Ch. xxix.] *Tramways Order Confirmation (No. 1)* [8 EDW. 7.]
Act, 1908.

A.D. 1908.

*Manchester
Corporation.*

(2) be deemed to authorise—

(a) the affixing of posts brackets wires or apparatus to any house or building without the consent of the owners and occupiers thereof;

(b) the reduction of the width of any footpath without the consent of the person in whom the same is vested;

(c) the taking of lands otherwise than by agreement.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

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