



CHAPTER lii.

An Act to confirm a Provisional Order made by the Minister of Transport under the Tramways Act 1870 relating to Morecambe Corporation Tramways. A.D. 1922.
[20th July 1922.]

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

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

And whereas it is requisite that the said Provisional Order should 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 Act 1922. Short title,

2. The Order set out in the schedule to this Act 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. Confirma-
tion of
Order in
schedule.

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SCHEDULE.

MORECAMBE CORPORATION.

Order authorising the Corporation of Morecambe to construct and work a new tramway and the use of mechanical power on the existing tramways of the Corporation in the Borough of Morecambe and for other purposes.

Short title.

1. This Order may be cited as the Morecambe Corporation Tramways Order 1922.

Incorporation of Acts.

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

Interpretation.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order (unless the context otherwise requires) the same respective meanings And in this Order—

The expression "the borough" means the borough of Morecambe;

The expression "the Corporation" means the mayor aldermen and burgesses of the borough acting by the council;

The expression "the Act of 1886" means the Morecambe Tramways Act 1886;

The expression "the Order of 1892" means the Morecambe Tramways (Extension) Order 1892 confirmed by the Tramways Orders Confirmation Act 1892;

The expression "the Order of 1897" means the Morecambe Urban District Council Tramways Order 1897 confirmed by the Tramways Orders Confirmation (No. 2) Act 1897;

The expression "the Order of 1909" means the Morecambe Corporation Tramways Order 1909 confirmed by the Tramways Orders Confirmation Act 1909;

The expression "the Act of 1918" means the Morecambe Corporation Act 1918;

The expression "the tramways" means the existing tramway undertaking of the Corporation and the tramway by this Order authorised;

The expression "the tramway" means the tramway by this Order authorised to be constructed;

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The expression "the tramway undertaking" means the tramway undertaking of the Corporation for the time being authorised;

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

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

Promoters.

5. Subject to the provisions of this Order the Promoters may make form lay down use and maintain the tramway hereinafter described in the lines and according to the levels and within the limits of deviation shown on the deposited plan and section and in all respects in accordance with such plan and section with all proper rails plates works and conveniences connected therewith Provided that nothing in this Order or in any Act wholly or in part incorporated therewith shall extend to or authorise any interference with electric lines and works of any undertakers under the Electric Lighting Acts 1882 to 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-
way.

The tramway hereinbefore referred to and authorised by this Order is—

A tramway 5 furlongs 1.54 chains in length commencing in the Victoria Esplanade by a junction with the existing tramway of the Promoters authorised by the Order of 1909 at a point 2 chains or thereabouts east of the western side of Elms Road and 2 chains or thereabouts east of the north-easterly corner of the garden of Bare White House and passing thence in a north-easterly direction along an intended extension of the promenade and terminating at the borough boundary The tramway will be laid as a double line throughout.

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

Provisions as
to motive
power.

- (1) The mechanical power shall not be used except with the consent of and according to a system approved by the Minister of Transport :
- (2) The Minister of Transport shall make regulations (in this Order referred to as "the Mechanical Power Regulations") for securing to the public all reasonable protection against danger arising from the use under this Order of mechanical power on the tramways and for regulating the use of electrical power :

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

(4) The Minister of Transport if he is of opinion—

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

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

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

Mechanical
power works.

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

(a) Construct provide maintain and use on any lands appropriated or acquired by them under the powers of the Order of 1909 stations for transforming electrical power with all necessary or proper machinery dynamos engines buildings works and conveniences :

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

Provided always that no posts shall be erected on the carriage-way without the consent of the Minister of Transport and subject to such conditions as to removal as he may require.

Mechanical
power works
to be subject
to Tramways
Act 1870.

8. All works to be executed by the Promoters or their lessees in any street or road for working the tramways by mechanical power in pursuance of the powers of this Order shall be deemed to be works of a tramway subject in all respects

(save as by this Order otherwise expressly provided) to the provisions of the Tramways Act 1870 as in this Order incorporated as if they had been therein expressly mentioned : A.D. 1922.
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Provided always that nothing in this Order contained shall authorise the opening or breaking up of any street or road outside the borough and that section 30 (except subsections (1) and (5) thereof) of the Tramways Act 1870 in its application to the undertaking shall have effect as if wires or apparatus laid in a road included wires or apparatus erected or carried over a street road or footpath.

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

- (1) The Promoters shall employ either insulated returns or uninsulated metallic returns of low resistance :
- (2) The Promoters shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus :
- (3) The electrical power shall be used only in accordance with the Mechanical Power Regulations and in such regulations provisions shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :
- (4) The Promoters shall be deemed to take all reasonable and proper precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Promoters either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Mechanical Power Regulations and in prescribing such means the Minister of Transport shall have regard to the expense involved.

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and to the effect thereof upon the commercial prospects of the undertaking :

- (5) At the expiration of two years from the passing of the Act confirming this Order the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents :
- (6) If any difference arises between the Promoters and any other party with respect to anything in this section contained such difference shall unless the parties otherwise agree be determined by the Minister of Transport or at his option by an arbitrator to be appointed by him and the costs of such determination shall be in the discretion of the Minister or of the arbitrator as the case may be :
- (7) The Promoters using electrical power contrary to the provisions of this Order or of the Mechanical Power Regulations shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof. Provided always that whether any such penalty has been recovered or not the Minister of Transport if in his opinion the Promoters in the use of electrical power under the authority of this Order have made default in complying with the provisions of this Order or the Mechanical Power Regulations may by order direct the Promoters to cease to use electrical power and thereupon the Promoters shall cease to use electrical power and shall not again use the same unless with the authority of the Minister of Transport and in every such case the Minister of Transport shall make a special report to Parliament notifying the making of such order :
- (8) The expression "the Promoters" in this section includes licensees and any person owning working or running carriages over any tramway of the Promoters.

Alteration of
telegraph
lines of
Postmaster-
General.

10. Notwithstanding anything in this Order contained if any of the works authorised to be executed by this Order involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions

of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration. A.D. 1922.

11. In the event of any tramways of the Promoters being worked by electricity the following provisions shall have effect :— For protection of Post Office telegraph lines.

(1) The Promoters shall construct their electric lines and other works of all descriptions and shall work the tramway 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 the tramway 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 Promoters 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 Promoters of their electric lines and works or by the working of the tramway undertaking the Promoters shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection :

(3) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Promoters as to any requirement 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 Promoters is injuriously affected and he is of opinion

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that such injurious affection is or may be due to the construction of the Promoters' works or to the working of the tramway 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 Promoters enter any of the Promoters' works for the purpose of inspecting the Promoters' plant and the working of the same and the Promoters 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 Promoters pursuant to the Mechanical Power Regulations :

- (5) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding twenty pounds and to a further fine not exceeding ten pounds for every day during which such contravention or non-compliance continues after conviction thereof or if the telegraphic communication is wilfully interrupted to a fine not exceeding fifty pounds and to a further fine not exceeding fifty pounds for every day on which such interruption continues after conviction thereof :
- (6) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognisance 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 Order :

- (9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882 : A.D. 1922.
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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 Minister of Transport on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act :
- (11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid :
- (12) In this section the expression "the Promoters" includes their lessees and any person owning working or running carriages on any of the tramways of the Promoters.

12.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Promoters in connection with the tramways and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions :—

Use of tramway posts by Postmaster-General.

- (a) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways :
- (b) The Postmaster-General shall give to the Promoters not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided :
- (c) Unless otherwise agreed between the Postmaster-General and the Promoters the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard

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or bracket and the expense of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Promoters or by any regulations which may from time to time be made by the Minister of Transport arising through the exercise by the Postmaster-General of the powers conferred by this section :

- (d) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided :
- (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road :
- (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair :
- (g) The Postmaster-General shall make good to the Promoters and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Promoters their officers or servants :
- (h) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Promoters and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Promoters or failing agreement determined as hereinafter provided :

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(i) The Promoters shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Promoters of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Promoters their officers or servants :

(j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Promoters the value of the same Provided that if the Promoters or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Promoters from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connection with their tramways or other municipal undertakings or shall take away any existing right of the Promoters of permitting the use by any company or person of their posts standards or brackets in connection with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section the expression "the Promoters" includes their lessees the expression "telegraph" has the same meaning as in the Telegraph Act 1869 and other expressions have the same meaning as in the Telegraph Act 1878.

13. In addition to the provisions of the sections of this Order the marginal notes whereof are "Provisions as to motive power" and "Provisions as to use of electrical power" the following provisions for the protection of the Midland Railway

For protection of Midland Railway Company.

A.D. 1922. — Company (in this section called “the company”) shall unless otherwise agreed between the Promoters and the company apply and have effect :—

- (1) Nothing in this Order contained shall affect the right of the company to lay down certain additional lines of rails in Marine Road under an agreement dated the tenth day of March one thousand nine hundred and nine and made between the Promoters and the company :
- (2) Any works of alteration adaptation or reconstruction of the existing tramway in Marine Road at or affecting the crossing by that tramway of the line or lines of rails of the company in that road or of any electric wires or cables of the company above or beneath that road shall be executed under the superintendence (if given) and to the reasonable satisfaction of the chief engineer of the company according to complete drawings and specifications previously submitted to and approved by him Provided that such approval shall not be unreasonably withheld and provided also that if such drawings and specifications shall not be disapproved by him within one month after they shall have been submitted to him he shall be deemed to have approved the same :
- (3) If within one month after the receipt of such drawings and specifications the company give to the Promoters notice that they desire themselves to execute any part of such works the company may themselves execute such part of such works and recover the reasonably incurred costs thereof from the Promoters :
- (4) The Promoters shall on demand repay to the company the expense of any watching or signalling which may be necessary for the protection of the said line or lines of rails and the traffic thereon by reason of and during the execution of such works :
- (5) The Promoters shall at all times maintain such works in good repair and condition to the reasonable satisfaction of the chief engineer of the company and if and whenever the Promoters fail so to do the company may make and do in and upon as well the lands of the Promoters as their own lands all such works repairs and things as they may reasonably think necessary in that behalf and the expense thereof shall be repaid to the company by the Promoters :
- (6) If by reason of the execution maintenance or failure of any such works the said line or lines of rails or the said wires or cables or any other work or property of the company shall be damaged or any person using

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the same shall be injured or any interruption shall be caused to the traffic on the said line or lines of rails or on any other railway of the company the Promoters shall make full compensation to the company in respect of such damage injury or interruption and shall effectually indemnify and hold harmless the company from all claims or demands upon or against them in respect thereof :

- (7) Any additional expense which the company may reasonably incur in laying the said additional lines or rails and in maintaining renewing or altering the said line or lines of rails wires or cables by reason of the existence of any works of the Promoters constructed or laid over across or under the said line or lines of rails wires or cables shall be paid by the Promoters :
- (8) Any difference which may arise between the Promoters and the company under this section shall be determined by an arbitrator to be appointed (failing agreement) by the President of the Institution of Civil Engineers on the application of either party and the provisions of the Arbitration Act 1889 shall apply to such arbitration.

14. The following provisions for the protection of the London and North Western Railway Company (in this section referred to as "the railway company") shall unless otherwise agreed be in force and have effect :—

For protection of London and North Western Railway Company.

In laying down or executing or in effecting the repairs and renewals of any works under the powers of the section of this Order of which the marginal note is "Mechanical power works" upon across over under or in any way affecting the railways lands or property belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the railway company the same shall be done under the superintendence (if given) and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans to be submitted to and in such manner as shall be previously reasonably approved by him Provided that such approval shall not be unreasonably withheld and provided also that if such plans shall not be disapproved by him within one month after they shall have been submitted to him he shall be deemed to have approved the same and all such works matters and things shall be constructed executed and done in all things by and at the expense of the Promoters (who shall restore and make good the roads over any such

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bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Promoters) and so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon And if any such injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the leakage or failure of any such works the Promoters shall make reasonable compensation in respect thereof to the railway company.

Any dispute or difference which may arise between the railway company and the Promoters with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer to be appointed failing agreement on the application of either party by the President of the Institution of Civil Engineers and subject thereto the Arbitration Act 1889 shall apply to any such arbitration.

Attachment
of brackets
&c. to build-
ings.

15. The Promoters may with the consent of the owner of any building attach to that building such brackets wires and apparatus as may be required for the working of the tramways by mechanical power :

Provided that—

- (1) Where in the opinion of the Promoters any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid :
- (2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after that owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Promoters notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1) :

(3) The owner may require the Promoters to remove temporarily the attachments where necessary during any reconstruction or repair of the building. A.D. 1922.

For the purpose of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack-rent shall be deemed to be the owner.

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

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

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

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

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

For providing for the due publicity of all byelaws and Mechanical Power Regulations in force for the time being in relation to the tramways by exhibition of the same in conspicuous places on the carriages and elsewhere :

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

17.—(1) Notwithstanding anything contained in the Act of 1886 the Order of 1892 the Order of 1897 the Order of 1909 and the Act of 1918 the Promoters may demand and take for every passenger travelling upon the tramways or upon any part thereof including every expense incidental to such conveyance any tolls or charges not exceeding one penny and one halfpenny per mile and in computing the said tolls and charges the fraction of a mile shall be deemed a mile. Tolls and charges increased.

(2) Subsection (2) of section 16 of the Order of 1909 shall read and construed as if the words "one penny and one halfpenny" were substituted for the words "one penny" in that subsection.

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(3) Subsection (1) of section 16 of the Order of 1909 is hereby repealed.

(4) Subsection (1) of section 17 of the Order of 1909 shall be read and construed as if the words "one penny" were substituted for the words "one halfpenny" in that subsection.

Power to
Corporation
to work
tramways.

18. Notwithstanding anything in the Tramways Act 1870 to the contrary the Promoters may place and run carriages on and may work and may demand and take tolls and charges in respect of the tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks horses harness engines machinery apparatus steam cable electrical and other plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the said tramways by animal or mechanical power and in such case the several provisions in this Order contained relating to the working of the tramways and the taking of tolls and charges therefor shall extend and apply mutatis mutandis to and in relation to the Promoters and the Promoters may work such tramways and demand and recover such tolls and charges accordingly but nothing in this section shall empower the Promoters to create or permit a nuisance or to manufacture any such plant appliances or conveniences required for the working or user of such tramways.

Section 19 of the Order of 1909 is hereby repealed.

Working
agreements.

19.—(1) Subject to the provisions of this Order the Promoters may :—

(a) Enter into and carry into effect contracts and agreements with any company or person authorised (whether expressly or otherwise) to enter into such contracts or agreements and owning or working any tramways in the borough or in any adjacent district which can be worked with the tramway undertaking with respect to—

(1) The formation of junctions between the tramways and the tramways belonging to such company or person ;

(2) The working running over using maintaining and managing by either of the contracting parties of the tramways or any of the tramways of the other and the fixing collecting apportionment and distribution of the rates and profits arising therefrom or of a rent for the same ;

(3) The supply under any agreement for the tramways of either of the contracting parties being worked and used by the other of animal or mechanical power or of engines carriages and plant necessary

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for the purpose of such agreement. Provided that no electrical energy shall be supplied by the Promoters under this section in any district in which any local authority company or person shall be supplying energy under statutory authority without the consent in writing of such local authority company or person;

(4) The management regulation interchange collection transmission and delivery of traffic coming from or destined for the undertaking of the contracting parties;

(5) The appointment of officers and servants and generally all such matters as may be deemed desirable for enabling the tramway undertakings of the contracting parties to be worked in connection:

(b) Confirm subject to this section any such contracts and agreements entered into before the confirmation of this Order.

(2) Any contract or agreement under this section shall be submitted to and be subject to the approval of the Ministry of Transport.

(3) During the continuance of any contract or agreement under this section for the working running over or user by one of the contracting parties of the tramways of the other the tramways of the parties so contracting shall for the purposes of calculating maximum rates tolls charges or fares in respect of conveyance partly over the tramways of the one party and partly over those of the other be considered as one tramway and the maximum charge for conveyance over the tramways of each such party shall be calculated at the maximum rate which would be applicable if the conveyance took place for the entire distance over those tramways only.

(4) In this section the word "tramways" includes light railways and parts of tramways and light railways.

(5) Section 21 of the Order of 1909 is hereby repealed.

20. Subject to the provisions of and amendments made by this Order the hereinafter-mentioned provisions of the Order of 1909 and the provisions thereby applied shall so far as the same are applicable extend and apply to the tramway in like manner in every respect as if the tramway formed part of the tramways and tramway undertaking authorised by the Order of 1909 and for the purpose of such application the expressions "the tramways" and "the tramway undertaking" in the said provisions shall be construed to include the tramway by this Order authorised.

Extending
to this Order
certain pro-
visions of
Order of
1909.

A.D. 1922.
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The provisions of the Order hereinbefore referred to are—

- Section 8 (Extending to this Order certain sections of Order of 1897).
- Section 11 (Power to make additional crossovers and to alter tramway lines).
- Section 13 (Junctions with tramways which can be worked in connection with new tramways).
- Section 16 (Passengers' fares) as amended by section 17 of this Order.
- Section 17 (Cheap fares for labouring classes) as amended by section 17 of this Order.
- Section 18 (Tolls for small parcels).
- Section 20 (Regulations by Corporation).

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