



CHAPTER lxiX.

An Act to authorise the Hastings Tramways Company to run trolley vehicles in substitution for their tramway and light railway services and on other routes and for other purposes.

A.D. 1927.

[29th July 1927.]

WHEREAS the Hastings Tramways Company (hereinafter referred to as "the Company") under and by virtue of the Hastings Tramways Acts 1900 to 1921 are the owners of a system of tramways and light railways in the county borough of Hastings and the borough of Bexhill in the county of East Sussex :

And whereas it is expedient that the Company be authorised to run trolley vehicles along the streets and roads in the said boroughs in which tramways and light railways of the Company are constructed or authorised to be constructed in substitution for such tramways and light railways and along certain other streets and roads in those boroughs and that the provisions contained in this Act with respect thereto should be enacted :

And whereas it is expedient that the other provisions of this Act be enacted :

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

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Company (Trolley Vehicles) Act, 1927.*

A.D. 1927. Parliament assembled and by the authority of the same
— as follows :—

Short and
collective
titles.

1.—(1) This Act may be cited as the Hastings
Tramways Company (Trolley Vehicles) Act 1927.

(2) The Hastings Tramways Acts 1900 to 1921 and
this Act may be cited together as the Hastings Tramways
and Trolley Vehicles Acts 1900 to 1927.

Interpreta-
tion.

2. In this Act unless the subject or context otherwise
requires—

“The Company” means the Hastings Tramways
Company;

“The Order of 1900” means the Bexhill and St.
Leonards Light Railway Order 1900;

“The Act of 1900” “the Act of 1903” “the Act
of 1905” “the Act of 1920” and “the Act of
1921” mean respectively the Hastings Tram-
ways Act 1900 the Hastings Tramways (Exten-
sions) Act 1903 the Hastings Tramways Act 1905
the Hastings Tramways Act 1920 and the
Hastings Tramways Act 1921;

“The existing Acts” means the Hastings Tramways
Acts 1900 to 1921 and includes the Order of
1900;

“The existing tramways and light railways” means
the tramways and light railways constructed by
the Company under the powers of the existing
Acts;

“The Pebsham Marsh section” means the portion
of railway No. 8 authorised by the Order of 1900
which is situate between the western end of the
track of that railway in Bexhill Road in the
county borough of Hastings and the junction of
Hastings Road and De la Warr Road in the
borough of Bexhill;

“The 1921 routes” means the routes of the tram-
ways authorised by the Act of 1921;

“The new routes” means the routes described in
paragraph (iii) of section 3 (Power to use trolley
vehicles) of this Act;

“The Hastings Corporation” means the mayor
aldermen and burgesses of the county borough
of Hastings;

“The Bexhill Corporation” means the mayor aldermen and burgesses of the borough of Bexhill; A.D. 1927.

“The Minister” means the Minister of Transport;

“Trolley vehicle” means a mechanically propelled vehicle adapted for use upon roads and moved by electrical power transmitted thereto from some external source;

“The trolley vehicles” means the trolley vehicles provided worked and run by the Company under the powers of this Act;

“Apparatus” includes all posts poles standards brackets cables conductors tubes mains transformers feeders wires and other apparatus and equipment for the purpose of working and lighting trolley vehicles;

“The trolley vehicle routes” means the routes upon which the Company are by this Act or by an order under the section of this Act the marginal note whereof is “Minister of Transport may authorise new routes” authorised to work and use trolley vehicles;

“Road authority” means with reference to any road or part of a road over which any proposed trolley vehicle service will pass the authority company or person charged with or liable to contribute to the maintenance of such road or part of a road.

3. The Company may subject to the provisions of this Act provide maintain and equip trolley vehicles and work and run the same in the county borough of Hastings and the borough of Bexhill— Power to use trolley vehicles.

(i) along the routes of all or any of the existing tramways and light railways other than the Pebsham Marsh section;

(ii) along the 1921 routes; and

(iii) along the following routes (that is to say):—

In the county borough of Hastings—

Commercial Road;

High Street;

Old London Road from High Street to
Priory Road;

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All Saints Street;
Pleasant Row;
East Street from its eastern end for a
distance of 10 yards or thereabouts
westwards therefrom;
East Beach Street;
Fish Market;
Bexhill Road from the western end of the
existing tramway track in that road
to Hastings Road at the boundary of
the county borough.

In the borough of Bexhill—

Hastings Road from Bexhill Road at the
boundary of the borough to De la
Warr Road:

Provided that the Company shall run trolley vehicles
in one direction only along High Street and shall not
run any trolley vehicles along All Saints Street until
the carriageway of that street has been widened to a
minimum width of twelve feet and that thereafter
the Company shall run their trolley vehicles along All
Saints Street in one direction only such direction being
opposite to the direction in which the Company shall
for the time being be running their trolley vehicles
in High Street:

Provided also that before equipping any route
for working trolley vehicles to include a turning point
or before arranging for a new turning point on any
route the Company shall submit plans of the turning
point to the Minister for approval and shall also submit
a copy of such plans to the road authority and that
before approving any such plans the Minister shall
give to the local authority and the road authority an
opportunity of making representations with reference
thereto and shall consider any such representations
which may be made to him.

As to
abandon-
ment of
existing
tramways
and light
railways.

4.—(1) The Company shall forthwith abandon and
discontinue the whole or any part of any of the existing
tramways and light railways if and when they have
provided along the route thereof apparatus and equip-
ment for the working of trolley vehicles in pursuance
of the powers of the section of this Act of which the
marginal note is "As to electrical works."

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(2) The Company shall forthwith also abandon and discontinue the Pebsham Marsh section if and when they have provided apparatus and equipment in pursuance of the powers of the aforesaid section of this Act for the working of trolley vehicles along Bexhill Road from the western end of the said railway track to Hastings Road and thence along Hastings Road from Bexhill Road to De la Warr Road:

Provided that if the powers conferred by this subsection for the abandonment and discontinuance of the Pebsham Marsh section are not exercised within five years from the passing of this Act such powers shall upon the expiration of that period cease and determine.

(3) When the Company have in pursuance of the foregoing provisions of this section abandoned and discontinued the whole or part of any of the existing tramways and light railways they shall forthwith take up and remove the rails of the tramway and light railway or part thereof so abandoned and discontinued and such of the apparatus and equipment provided or used for the purposes thereof or in connection therewith (hereinafter in this section called "tramway apparatus") as shall not be adapted altered or reconstructed for the purpose of working the trolley vehicles.

(4) On the taking up and removal of any such rails or tramway apparatus the Company shall (except where the rails or apparatus are not situate in a road dedicated to public use) with all convenient speed and in all cases within six weeks at the most (unless the road authority otherwise consent in writing) fill in the ground and make good the surface and to the satisfaction of the road authority restore the portion of road upon which such rails and tramway apparatus were laid or placed to as good a condition as that in which it was before the rails and tramway apparatus were laid or placed thereon and shall clear away all surplus paving or metalling material or rubbish occasioned by such work and they shall in the meantime cause the place where the road is opened or broken up to be fenced and watched and to be properly lighted at night:

Provided that if the Company fail to comply with the provisions of this subsection the road authority

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A.D. 1927. (if they think fit) may themselves at any time after seven days' notice to the Company remove such rails and tramway apparatus and do the works necessary for the restoration of the road to the extent in this subsection mentioned and the expense incurred by the road authority in so doing shall be repaid to them by the Company.

(5) As from the date on which the Company commence to take up and remove the rails of the whole or any part of any of the existing tramways and light railways in pursuance of the foregoing provisions of this section they shall cease to be under any obligation to use the same or to run carriages thereon or to maintain or repair any part of the roadway or land in which the same is situate.

(6) Nothing in this section shall relieve the Company of any liability attaching to them in respect of the maintenance and repair of any road in which any of the existing tramways and light railways has been abandoned and discontinued until the road shall have been restored in accordance with the provisions of this section.

Minister of
Transport
may
authorise
new routes.

5.—(1) If at any time hereafter the Company desire to provide maintain equip and use trolley vehicles upon any road as defined by the Tramways Act 1870 (other than the roads along which they are authorised to use trolley vehicles under the foregoing provisions of this Act) they may make application to the Minister and the Minister is hereby empowered to make a Provisional Order authorising the use by the Company of trolley vehicles subject to such conditions and restrictions (if any) as he may think fit upon any road to which such application relates and containing such incidental provisions as the said Minister may deem expedient and subject to the terms of the Provisional Order the provisions of this Act shall apply as if the use of trolley vehicles upon such road were authorised by this Act.

(2) No application under this section shall be entertained by the Minister unless the Company shall—

(a) have published once in each of two successive weeks in the months of October or November in some newspaper or newspapers circulating

in the borough or district to which the application relates notice of their intention to make such application and have published the like notice once in one or other of the same months in the London Gazette; A.D. 1927.

- (b) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads along which it is proposed to run trolley vehicles a notice of their intention to make such application;

and each such notice shall state the time and method for bringing before the Minister any objections to the grant of such application.

(3) The Minister may and he is hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section.

(4) The Minister shall consider any such application and may if he thinks fit direct an inquiry in relation thereto to be held or may otherwise inquire as to the propriety of proceeding upon such application and he shall consider any objection to such application that may be lodged with him in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) No Provisional Order shall be made without the consent of the local authority of the district in which the route is situate or (where the local authority are not the road authority) without the consent of the road authority.

(6) In any case where it shall appear to the Minister expedient that the application be granted he may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this Act shall not have any operation.

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(7) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a Select Committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

(8) The Act of Parliament confirming a Provisional Order under this section shall be deemed a public general Act.

(9) The making of a Provisional Order under this section shall be *primâ facie* evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(10) Any expenses incurred by the Minister in connection with the preparation and making of any such Provisional Order and any expenses incurred by the Minister in connection with any inquiry under this section shall be paid by the Company.

As to
electrical
works.

6.—(1) Subject to the provisions of this Act the Company may in under or over the surface of the streets or roads along or adjoining those along which they are or may be authorised to run trolley vehicles or in which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station place erect and maintain all necessary and proper standards brackets conductors mains cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power and may for that purpose subject to the provisions of Part II of the Tramways Act 1870 as incorporated with this Act and the provisions of this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electricity for the purpose of working the trolley vehicles :

Provided that—

(a) no apparatus shall be erected on the carriage-way of any public street or road except with the consent of the Minister;

- (b) all posts and apparatus erected by the Company under this section in any street or 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; A.D. 1927.
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- (c) the road in which any apparatus is to be placed or erected for the purposes of connecting the trolley vehicle routes or any of them with a generating station shall be approved by the local authority and (if the local authority are not the road authority) by the road authority;
- (d) any approval of a local or road authority under the aforesaid provisoes (b) and (c) shall not be unreasonably withheld and any question whether or not any such approval has been unreasonably withheld shall be determined by the Minister :

Provided also that no standard bracket conductor main cable wire post pole or other apparatus or equipment shall be erected or maintained over upon or in any way affecting any bridge work or other property (other than any tunnel) of the Southern Railway Company without their written consent (which consent shall not be unreasonably withheld) nor over upon or adjoining any tunnel of the Southern Railway Company in such manner as in any way to interfere with the structure of such tunnel.

(2) The Company may also adapt and use for the purpose of working trolley vehicles any apparatus and equipment already provided for working the existing tramways and light railways.

(3) In this section the expression "generating station" has the meaning assigned to it by section 25 of the Electric Lighting Act 1909.

(4) If any post or overhead wire erected under this section becomes owing to the construction of any new road or otherwise in the opinion of the road authority an obstruction the Company shall alter the position thereof in such manner as the road authority may direct but the Company may appeal against the direction to the Minister and the decision of the Minister shall be final.

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(5) No advertisement shall be displayed on any apparatus erected or used under the powers of this section except with the consent of the local authority of the borough in which the apparatus is situate.

Period for completion of change of system on existing routes.

7.—(1) The Company shall as soon as practicable after the passing of this Act commence the provision of the apparatus and equipment necessary for the working of trolley vehicles along the routes of the existing tramways and light railways other than the Pebsham Marsh section and shall within the period ending on the thirty-first day of March nineteen hundred and thirty complete the provision of such apparatus and equipment and commence to run trolley vehicles on all those routes other than as aforesaid :

Provided that on the application of the Company (after notice in writing to the road authority) the Minister may after considering any representations made to him by the road authority by order substitute for the said period any other period if he is satisfied that the Company were prevented from complying with the provisions of this subsection within the said period by unforeseen accident or circumstances beyond their control but the want of sufficient funds shall not be held to be a circumstance beyond their control.

(2) If the Company shall not within nine months after the passing of this Act commence such provision as aforesaid or shall not within the period specified in subsection (1) of this section or any period substituted therefor by the Minister under that subsection complete such provision and commence such running as aforesaid then in either of those events the Company shall pay to the Hastings Corporation and the Bexhill Corporation or one of them as hereinafter provided the sum of five hundred pounds and a further sum of fifty pounds for each week during which the default shall continue.

The said sums shall be deemed to be a debt due to the said corporations or one of them and shall be recoverable in any court of competent jurisdiction by the Hastings Corporation and the Bexhill Corporation or by either of them and any sums so recovered shall be divisible between the said corporations in proportion to the mileage of the trolley vehicle routes in the county borough of Hastings and the borough of Bexhill respectively Provided that if the default relates exclusively

to one of the said boroughs the said sums shall be due to and recoverable only by the corporation of that borough. A.D. 1927.

(3) The Hastings Corporation and the Bexhill Corporation shall apply any sums received by them respectively under subsection (2) of this section either in or towards the repayment of any of their outstanding loans or to such other purposes (being purposes to which capital moneys are properly applicable) as may be approved by the Minister of Health.

8. If within five years from the passing of this Act the Company shall not have commenced to run trolley vehicles along any one or more of the 1921 routes or the new routes (other than All Saints Street) the powers conferred by this Act with reference to the route or routes along which the Company have not commenced to run trolley vehicles shall cease to be exerciseable as from the expiration of that period. Period for completion of equipment on further routes.

9. Subject to the provisions of this Act the Company shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working the trolley vehicles and any person (except by agreement with the Company) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds. Company to have exclusive right of using trolley vehicle apparatus.

10.—(1) The trolley vehicles shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 nor shall they be deemed to be motor cars within the meaning of any of the provisions of the Motor Car Act 1903 (except subsection (1) of section 1 and the provisions necessary for enforcing that subsection section 6 and the provisions as amended by the Roads Act 1920 relating to the licensing and licences of drivers) and subject to that exception neither the Motor Car Acts 1896 and 1903 nor any byelaws or regulations made thereunder nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to the trolley vehicles. Trolley vehicles not to be deemed light locomotives or motor cars.

(2) The trolley vehicles shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Act 1889.

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Licence
duties on
trolley
vehicles.

11. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley vehicles as hackney carriages.

Conveyance
of mails.

12. The Company shall perform in respect of the trolley vehicles such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

Approval of
vehicles and
equipment
by Minister
of Trans-
port.

13.—(1) The trolley vehicles and the electrical equipment thereof used under the authority of this Act shall be of such form construction weight and dimensions as the Minister may approve and no trolley vehicle shall be used by the Company which does not comply with the requirements of the Minister.

(2) The Company shall not (unless the Minister otherwise approves) use on any trolley vehicles run by them any tyres other than pneumatic tyres.

(3) The Minister before giving any approval under subsection (1) or subsection (2) of this section shall give to the road authority an opportunity of making representations with reference to the matter in question and shall consider any such representations which may be made to him.

(4) Before applying to the Minister for his approval of the weight of any trolley vehicle to be used upon any road which crosses a bridge belonging to and repairable by a railway company the Company shall give to the railway company notice of the weight of the trolley vehicles proposed to be used by them upon such road and the Minister shall consider and determine after such inquiry as he may think fit any objections which may be submitted by the railway company to him on the ground that the strength of the bridge is insufficient to carry trolley vehicles of such weight. Provided that a copy of the objections shall be sent by the railway company to the Company at the same time as they are sent to the Minister.

Inspection
by Minister
of Trans-
port.

14. No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for traffic by an officer appointed by the Minister.

15. The Company shall at all times after the opening of any of the trolley vehicle routes for public traffic provide such service of trolley vehicles thereon (including through services) as may be reasonably required in the public interests and the Company shall be liable to a penalty of not exceeding five pounds for every day on which they shall fail (unless for reasons beyond their control) to comply with the provisions of this section Any question which may arise as to the service of trolley vehicles required in the public interests shall be determined on the application of the Company or of a local authority by the Minister whose decision shall be final.

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 Company to provide reasonable service.

16.—(1) The following provisions of the Tramways Act 1870 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) shall apply to the trolley vehicles and the apparatus used under the authority of this Act and for the purpose of such application such provisions shall be read and have effect as if the apparatus to be constructed or used in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the trolley vehicles were carriages used on tramways :—

Application of certain provisions of Tramways Act 1870 to trolley vehicles.

- Part II (relating to the construction of tramways) except sections 22 25 28 and 29;
- Section 41 (Tramways to be removed in certain cases);
- Section 42 (Proceedings in case of insolvency of promoters);
- Section 44 (Power of sale);
- Section 46 (Byelaws by local authority Promoters may make certain regulations);
- Section 47 (Penalties may be imposed in bye-laws);
- Section 48 (Power to local authority to license drivers conductors &c.);
- Section 49 (Penalty for obstruction of promoters in laying out tramway);
- Section 51 (Penalty on passengers practising frauds on the promoters);

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- Section 53 (Penalty for bringing dangerous goods on the tramway);
Section 55 (Promoters or lessees to be responsible for all damages);
Section 56 (Recovery of tolls penalties &c.);
Section 60 (Reserving powers of street authorities to widen &c. roads); and
Section 61 (Power for local or police authorities to regulate traffic in roads).

(2) Nothing in this Act shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon car or other carriage is to be kept.

Provisions
as to
motive
power:

17. The trolley vehicles may be moved subject to the following provisions by mechanical power (that is to say) :—

- (1) The mechanical power shall not be used except with the consent of and according to a system approved by the Minister :
- (2) The Minister shall make regulations (in this Act referred to as "the mechanical power regulations") for securing to the public all reasonable protection against danger arising from the use under this Act of mechanical power for the trolley vehicles and for regulating the use of electrical power :
- (3) The Company or any other company or person using any mechanical power for the trolley vehicles contrary to the provisions of this Act or of the mechanical power regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also if a continuing offence to a further penalty not exceeding five pounds for every day during which the offence is continued after conviction thereof :
- (4) The Minister if he is of opinion—
 - (a) that the Company or such other company or person have or has made default in complying with the provisions of this Act 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 Act is a danger to the passengers or the public; A.D: 1927.

may by order either direct the Company 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 may impose and the Company or such other company or person shall comply with every such order. In every such case the Minister shall make a special report to Parliament notifying the making of such order.

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

- (1) The Company shall employ either insulated returns or uninsulated metallic returns of low resistance :
- (2) The Company 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 trolley vehicle 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 provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :

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- (4) The Company 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 Company 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 shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking :
- (5) The provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable 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 Company and any other party with respect to anything in this section the difference shall unless the parties otherwise agree be determined by the Minister 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 Company using electrical power contrary to the provisions of this Act or of the mechanical power regulations shall for every such offence be subject to a penalty not exceeding ten pounds and also if a continuing offence to a further penalty not exceeding five pounds for every day during which the offence continues after conviction thereof Provided always

that whether any such penalty has been re- covered or not the Minister if in his opinion the Company in the use of electrical power under the authority of this Act have made default in complying with the provisions of this Act or the mechanical power regulations may by order direct the Company to cease to use electrical power and thereupon the Company shall cease to use electrical power and shall not again use the same unless with the authority of the Minister and in every such case the Minister shall make a special report to Parliament notifying the making of such order :

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- (8) The expression "Company" in this section shall include any person owning working or running trolley vehicles on any of the trolley vehicle routes.

19. Subject to the provisions of this Act the Minister may make byelaws with regard to any of the trolley vehicles 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 trolley vehicles ;

For providing that the trolley vehicles 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 may deem proper for securing safety ;

For regulating the entrance to exit from and accommodation in the trolley vehicles and the protection of passengers from the machinery of any of the trolley vehicles ;

For providing for the due publicity of all byelaws and mechanical power regulations in force for the time being in relation to the trolley vehicles by exhibition of the same in conspicuous places on the trolley vehicles and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Minister

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Application to trolley vehicles of certain provisions of Acts of 1905 1920 and 1921.

20. The following sections of the existing Acts shall so far as the same are applicable extend and apply to the trolley vehicles and the apparatus used under the authority of this Act and to the Company in respect thereto in as full and complete a manner as if the said sections (with all necessary alterations and with the substitution of the word "Minister" for the words "Board of Trade") were re-enacted in this Act (that is to say) :—

Order of 1900—

Section 92 (Power of local authority to purchase in the event of discontinuance or insolvency).

Act of 1900—

Section 52 (Corporation to have right to use standards and brackets for lighting).

Act of 1905—

Section 18 (Shelters or waiting rooms);

Section 25 (Alteration of telegraph lines of Postmaster-General);

Section 26 (For protection of Post Office telegraph lines) as amended by this Act.

Act of 1920—

Section 9 (Power to apply existing funds);

Section 10 (Crown rights).

Act of 1921—

Section 9 (Attachment of brackets &c. to buildings);

Section 10 (Use of tramway posts by Postmaster General);

Section 12 (As to works of electricity undertakers):

Provided that the expression "the extension tramways" in the said sections 9 and 10 of the Act of 1921 shall be construed as meaning all the trolley vehicle routes of the Company.

21. Subsection (4) of section 26 of the Act of 1905 shall be read and have effect as if the words "generated or used by or supplied to the Company" were inserted in that subsection in substitution for the words "generated by the Company."

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 For protec-
 tion of Post-
 master-
 General.

22. The Company may demand and take for every passenger conveyed on the trolley vehicles including every expense incidental to such conveyance a fare or charge not exceeding one penny halfpenny per mile and in computing the said fare or charge any fraction of a mile shall be deemed a mile Provided that the Company may appoint stages for the trolley vehicles each of not less than half a mile in length and may demand and take for every passenger travelling on the trolley vehicle including every expense incidental to the conveyance of such passenger any rates or charges not exceeding one penny halfpenny for each two stages (or portion of that distance) travelled and for this purpose the fraction of a stage shall be deemed to be a stage.

Fares and
 charges for
 passengers.

23. Every passenger conveyed on the trolley vehicles may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat required for a passenger nor be of a form or description to annoy or inconvenience other passengers.

Passengers'
 luggage.

24.—(1) The Company may if they think fit convey on the trolley vehicles small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers but they shall not carry any other goods or animals.

Parcels and
 dogs.

(2) The Company may demand and take for any dog a sum not exceeding the fare payable by the passenger and for parcels other than those referred to in the immediately preceding section of this Act carried in the trolley vehicles charges not exceeding such maximum charges as may from time to time be approved by the Minister.

25. Subsections (1) (2) and (3) of section 8 (Reduced return fares to be issued during certain hours) of the Act of 1920 shall extend and apply to the trolley

Reduced
 return fares
 during cer-
 tain hours.

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vehicle routes as though those subsections were re enacted in this Act with the substitution of the words "trolley vehicle system" and "trolley vehicles" for the words "tramway system" and "cars" respectively wherever the last-mentioned words occur in those subsections.

Periodical
revision of
fares and
charges.

26. If at any time after one year from the opening for public traffic of the trolley vehicle routes or any portion thereof or after two years from the date of any order made in pursuance of this section in respect of the trolley vehicle routes or any portion thereof it is represented in writing to the Minister by the local authority of the borough in which the trolley vehicle routes or such portion is wholly or partly situate or by twenty inhabitant ratepayers of that borough or by the Company that all or any of the fares or other charges demanded and taken in respect of the traffic on the trolley vehicle routes or on such portion should be revised the Minister may (if he thinks fit) direct an inquiry and if the person holding the inquiry reports that it has been proved to his satisfaction that all or any of the fares or charges should be revised the Minister may by order in writing alter modify reduce or increase all or any of the fares or charges to be taken in respect of the trolley vehicle routes or on any portion thereof and thenceforth such order shall be observed until the same is revoked or modified by an order of the Minister made in pursuance of this section. Provided that a representation under this section shall only be made by the local authority or by ratepayers of any borough in respect of fares and charges demanded and taken which affect that borough.

Lists of
fares &c.
to be
exhibited.

27. A list of the fares and charges by this Act authorised shall be exhibited in a conspicuous place inside each of the trolley vehicles.

Payment
of fares
and charges.

28. The fares and charges by this Act authorised shall be paid to such persons and at such places on or near to the trolley vehicle routes and in such manner and under such regulations as the Company may by notice to be annexed to the list of fares and charges appoint.

29. It shall not be lawful for the Company or any company or person working or running trolley vehicles on any of the trolley vehicle routes to take or demand on Sunday or any public holiday any higher fares or charges than those levied by them on ordinary weekdays.

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—
As to fares
on Sundays
or holidays.

30.—(1) The Company on the one hand and any local authority company body or person owning or working any tramways or trolley vehicles which may be connected with any trolley vehicle route of the Company on the other hand may enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say):—

Working
and other
agreements
with respect
to tram-
ways and
trolley
vehicles.

- (a) The formation of junctions between the tramways or trolley vehicle systems of the contracting parties;
- (b) The leasing (with the consent of the Minister) working running over using maintaining and managing by either of the contracting parties of the tramways or trolley vehicle systems or any of the tramways or trolley vehicle systems of the other and the fixing collecting apportionment and distribution of the rates and profits arising therefrom;
- (c) The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working of the tramways or trolley vehicle systems of rolling stock necessary for the purposes of such agreement and the employment of officers and servants;
- (d) The supply of motive power;
- (e) The payments to be made and the conditions to be performed with respect to the matters aforesaid;
- (f) The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways or trolley vehicle systems of the contracting parties.

(2) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the tramways or

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trolley vehicle system of the other the tramways and trolley vehicle systems of the parties so contracting shall for the purposes of calculating maximum fares and charges in respect of conveyance partly over the tramways or trolley vehicle system of the one party and partly over those of the other be considered as one tramway or trolley vehicle system as the case may be and the maximum charge for each portion of the entire distance shall be calculated at the maximum rate which according to the scale applicable to such portion would be chargeable for the entire distance.

(3) In this section the word "tramways" includes light railways.

Power to
reserve
cars for
special
purposes.

31.—(1) Notwithstanding anything in any Act to the contrary the Company may on any special occasion run and reserve trolley vehicles for any special purpose which the Company may consider necessary or desirable Provided that such trolley vehicles shall be distinguished from other trolley vehicles in such manner as the Company may direct and that during the running of such special trolley vehicles the Company shall maintain a reasonably sufficient ordinary service of trolley vehicles.

(2) The Company may make byelaws and regulations for prohibiting the use of any such vehicles by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions contained in this Act as to fares or charges shall not extend to any special trolley vehicles and in respect thereof the Company may demand and take such fares or charges as they shall think fit.

Through
cars.

32. The Company may run through trolley vehicles along any of the trolley vehicles routes or any specified portion thereof and such trolley vehicles shall be distinguished from other trolley vehicles in such manner as may be directed by the Company and the Company may demand and take for every passenger or parcel carried by such through vehicles a fare or charge not exceeding the maximum fare or charge which the Company are empowered to charge for and in respect of the whole of such route or the whole of the portion thereof traversed by any such vehicles Provided that during the running of such vehicles the Company

shall maintain a reasonably sufficient ordinary service of trolley vehicles. A.D. 1927.

33. The Company may appoint the stations and places from which the trolley vehicles shall start or at which they may stop for the purpose of taking up or setting down passengers and may make regulations for fixing the time during which the trolley vehicles shall be allowed to remain at any such place but any such appointment of stations and places and fixing of time shall be subject to the approval of the local authority of the borough or district in which the station or place is appointed which approval shall not be unreasonably withheld and any question as to whether such approval is unreasonably withheld shall be determined by the Minister.

Company
may appoint
stopping
and starting
places.

34.—(1) The Company may attach to any pole standard or other similar erection erected on or in the highway of or near to any of the trolley vehicles routes signs or directions indicating the position of stopping places for trolley vehicles Provided that in cases where the Company are not the owners of such pole standard or similar erection they shall give notice in writing of their intention to attach thereto any such sign or direction and shall make compensation to the owner for any damage or injury occasioned to such pole standard or similar erection by such attachment and the Company shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment.

Attachment
of signs
indicating
stopping
places.

(2) Nothing in this section shall be deemed to require the said owner to retain any such pole standard or similar erection when no longer required for his purposes.

(3) The Company shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing.

(4) The Company shall not attach any such sign or direction to any lamp-post standard or other similar erection belonging to any local authority county council or railway company without the consent in writing of the authority council or railway company.

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Cloak-
rooms &c.

35. The Company may provide cloak-rooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depôt or building used by them in connection with their trolley vehicle undertaking and at suitable places on any of the trolley vehicle routes and the Company may make charges for the use of such cloak-rooms rooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein but shall not use for the purpose any part of the highway without the consent of the local authority and the road authority.

Lost pro-
perty.

36. Any property found in any trolley vehicle of the Company or in any shelter or waiting-room in connection with their trolley vehicle undertaking shall forthwith be handed to the conductor of the vehicle or be taken to the head office of the Company and if not claimed within six months after the finding thereof the property may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks.

As to
removal of
snow &c.

37. If the Company at any time find it necessary or desirable to remove snow or other matter impeding the working of trolley vehicles on the trolley vehicle routes they may remove the snow or other matter to the side of the road but so as not to impede or obstruct the ordinary traffic on the road and they shall not use salt or other unsuitable material for thawing the snow on any road. Provided that any snow or other matter removed by the Company under this section shall not be allowed to remain on the road but shall be at once taken away by the Company.

Restricting
advertise-
ments on
trolley
vehicles.

38. The Company shall not allow advertisements (save notices relating to the Company's business or to announcements of bands fêtes and other occasional entertainments which may contribute to increase the Company's traffic) to be placed on the outside of the windows of any of the trolley vehicles nor on the inside of such windows save on the upper portion thereof and then so as not to obstruct the view of passengers seated in the trolley vehicles nor on the outside of the trolley vehicles save above the level of the roof of the lower deck of the vehicles and then of a depth not exceeding

eighteen inches and all advertisements shall be so fixed as not to cause any noise or rattling when the car is moving. A.D. 1927.

39. The Company on the one hand and the Hastings Corporation and the Bexhill Corporation or either of those corporations on the other hand may enter into and carry into effect agreements for or with respect to—

Agreements with corporations as to supply of electricity.

(1) The supply to the Company by the corporations or corporation party to the agreement of electricity for working any trolley vehicles which may for the time being be worked by the Company by electrical power :

(2) The payments to be made or other consideration to be given in respect of any such supply of electricity.

40. The Company may use any generating station or sub-station constructed under the powers of the existing Acts for the purpose of generating and supplying electricity for working the trolley vehicles by electrical power.

Supply of electricity.

41. The Company may manufacture purchase provide and hire trolley vehicles repairing cars and all apparatus and things which may be necessary for or incidental to the working of trolley vehicles and the exercise of the powers conferred on the Company by this Act.

Power to provide vehicles and equipment.

42. The Company may acquire and hold patent and other rights and licences (not being exclusive) in relation to the manufacture of trolley vehicles and apparatus and the use of electrical power for the purposes of this Act.

Power to hold patent rights.

43. If any person wilfully does or causes to be done with respect to any apparatus used for or in connection with the working of the trolley vehicles anything which is calculated to obstruct or interfere with the working of such trolley vehicles 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 shall be liable to a penalty not exceeding twenty pounds.

Penalty for malicious damage.

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Power to
corpora-
tions to
purchase
trolley
vehicle
under-
taking.

44. Notwithstanding anything in the existing Acts or this Act or any provisions of the Tramways Act 1870 incorporated with those Acts or any of them the following provisions shall have effect with reference to the purchase by the Hastings Corporation and the Bexhill Corporation (each of whom is in this section referred to as "the corporation") of the undertaking of the Company authorised by the existing Acts and this Act (hereinafter referred to as "the undertaking") (namely):—

(1) Subject as hereinafter provided it shall be lawful for the Hastings Corporation and the Bexhill Corporation if by resolution passed at a special meeting of the town council they so decide to purchase on the thirtieth day of June nineteen hundred and forty-five or the thirtieth day of June in every subsequent fifth year (but at no other date) so much of the undertaking as is situate within the county borough of Hastings or the borough of Bexhill (as the case may be) upon terms of paying the fair market value of such portion of the undertaking as a going concern but without any addition in respect of compulsory purchase which value shall be determined in case of difference by arbitration in manner provided by section 43 of the Tramways Act 1870 :

(2) The powers of compulsory purchase conferred on the corporations by this section shall be exerciseable only upon and subject to the following terms and conditions (that is to say):—

(a) it shall not be lawful for either corporation to purchase compulsorily the portion of the undertaking in their borough unless the other corporation purchases at one and the same time the remainder of the undertaking;

(b) if the corporations decide to purchase the undertaking they shall give to the Company notice in writing of such their decision not later than the thirty-first day of December in the year preceding the date of purchase;

(c) the sum to be paid to the Company in respect of such purchase shall if not agreed

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be determined by one and the same referee nominated under the said section 43 of the Tramways Act 1870 and in one and the same proceeding but the said referee shall by his award determine separately as respects each of the corporations the value of the undertaking situate in the borough of that corporation including all lands buildings works materials and plant of the Company suitable to and used by them for the purposes of their undertaking within such borough; and

(d) the respective sums to be paid to the Company by each of the corporations shall together be equal to the fair market value of the whole of the undertaking:

- (3) Subject to the foregoing provisions of this section the said section 43 of the Tramways Act 1870 shall apply to the purchase of the undertaking by the corporations under this section as if that section 43 with any necessary modifications were re-enacted in this Act.

45. If the Company propose to exercise their power of selling their undertaking under section 44 of the Tramways Act 1870 as applied by this Act the Company shall before selling to any company or person offer to sell the undertaking to the Hastings Corporation and the Bexhill Corporation jointly at the price at which they shall have bona fide arranged to sell the undertaking to such company or person subject to the said corporations not accepting the offer.

Right of
pre-emption
of corpora-
tions.

46. The following provisions for the protection of the Hastings Corporation (in this section referred to as "the corporation") shall (unless otherwise agreed in writing between the corporation and the Company) apply and have effect (that is to say):—

For pro-
tection of
Hastings
Corporation.

- (1) The Company shall before removing any posts standards or brackets to which any lamps cable wires appliances and apparatus provided by them in pursuance of subsection (3) of section 6 (For protection of Hastings Corporation) of the Act of 1920 are connected or attached give to the corporation at least two months notice of their intention to remove the same:

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(2) The Company shall also if requested by the corporation so to do either—

(i) leave such posts standards and brackets with the said lamps cable wires appliances and apparatus connected or attached thereto and remove therefrom any cable wires brackets or apparatus which may have been or may be intended to be used exclusively in connection with the supply of electrical motive power to the carriages used upon the existing tramways or for the purpose of working the trolley vehicles and at the cost of the Company make such alterations and additions to the said posts standards and brackets as may in the opinion of the corporation be necessary or desirable for the purpose of adapting such posts standards and brackets for street lighting purposes only; or

(ii) remove the whole of the said posts standards and brackets and substitute new posts standards brackets and apparatus of a size and design approved by the corporation for street lighting purposes and do all works necessary in connection therewith to the satisfaction of the corporation :

Any posts standards or brackets left or erected exclusively for purposes of street lighting as provided in this subsection shall on the removal of the cables wires brackets or apparatus used in connection with the supply of electrical motive power for the carriages used upon the existing tramways as aforesaid from the posts standards or brackets so left vest in and become the property of the corporation :

(3) The Hastings Corporation may use free of cost for the purpose of fixing thereto street names fire alarms plates or other signs any posts standards or brackets provided or used by the Company in the county borough of Hastings under or by virtue of the provisions of this Act :

(4) The Company shall between the hours of nine in the forenoon and nine in the afternoon on every weekday run at least two trolley passenger

vehicles per hour one in each direction from the Albert Memorial in the county borough of Hastings to the said Albert Memorial via Ore the Cemetery and Baldslow :

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Provided that if the Company prove to the reasonable satisfaction of the Hastings Corporation that the receipts in respect of traffic beyond Ore and Hollington are wholly inadequate at certain seasons the Company may temporarily reduce modify or wholly discontinue the service as and for such period as may be agreed between the Company and the Hastings Corporation or failing agreement determined by the Minister.

47. The Bexhill Corporation may use free of cost for the purpose of fixing thereto street names fire alarms plates or other signs any posts standards or brackets provided or used by the Company in the borough of Bexhill under or by virtue of the provisions of this Act.

For protection of Bexhill Corporation.

48. All orders regulations and byelaws made by the Minister under the authority of this Act shall be signed by a secretary or an assistant secretary of the Ministry of Transport.

Orders &c. of Minister of Transport.

49. Any byelaws and regulations made by the Company under this Act shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

As to making of byelaws.

50. With respect to notices and the delivery thereof by or to the Company the following provisions shall have effect (namely) :—

Form and delivery of notices.

(1) Every notice shall be in writing and if given by the Company or by the local or road authority shall be sufficiently authenticated by being signed by their secretary or clerk :

(2) Any notice to be delivered by or to the Company to or by the local or road authority or other body may be delivered by being left at the principal office of such local or road authority or other body or of the Company (as the case may be) or by being sent by post addressed to their respective clerk or secretary at their principal office or to such other office as the local or road authority or other body or the Company

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(as the case may be) may from time to time by notice to the other request that such notices may be sent or delivered.

Provision
as to
general
Trolley
Vehicle
Acts.

51. Nothing in this Act shall exempt the Company or their undertaking from the provisions of any general Act relating to trolley vehicles passed after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum fares or charges authorised by this Act.

Accounts
to be sent
to Minister
of Trans-
port.

52. The Company shall in every year within three months after the close of their financial year or such longer period as the Minister may allow send to the Minister a copy of the annual accounts of their trolley vehicle undertaking.

Inquiries by
Minister of
Transport.

53. In respect of the exercise of any powers or duties conferred on the Minister or the giving by him of any consents under this Act or any existing Act or Order of the Company the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

Recovery of
demands in
county
court.

54. Proceedings for the recovery of any demand made under the authority of this Act or the existing Acts or any subsequent Act relating to the Company 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 having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Recovery of
penalties &c.

55. Save as otherwise by the existing Acts or this Act expressly provided all offences against the existing Acts and this Act or any incorporated enactment and all penalties forfeitures costs and expenses imposed or recoverable under the existing Acts or this Act or any incorporated enactment or under any byelaw made thereunder respectively may be prosecuted and recovered in a summary manner. Provided that costs or expenses

(except such as are recoverable along with a penalty) shall not be recovered as penalties but may be recovered summarily as civil debts. A.D. 1927. —

56.—(1) The following provisions of the existing Repeal Acts are hereby repealed (namely) :—

Section.	Extent of Repeal.
Order of 1900—	
Section 44 (For the protection of Pelham Papillon).	Subsection (6).
Section 93 (Future purchase of undertaking by local authorities).	The whole section.
Section 94 (Power of sale)	The whole section.
Section 95 (Provisions affecting purchase by local authorities).	The whole section.
Section 96 (Effect of sale of undertaking).	The whole section.
Section 105 (Form and delivery of notices).	The whole section.
Act of 1900—	
Section 80 (Power to corporation to purchase compulsorily).	The whole section.
Section 81 (Right of pre-emption to corporation).	The whole section.
Act of 1905—	
Section 27 (As to purchase of undertaking).	The whole section.
Section 44 (Recovery of demands in county court).	The whole section.
Section 45 (Recovery of penalties).	The whole section.

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Section.	Extent of Repeal.
Act of 1920—	
Section 6 (For protection of Hastings Corporation).	Subsections (10) and (12).
Act of 1921—	
Section 8 (Incorporation of sections of former Acts).	Subsection (3).
Section 14 (As to purchase by Corporation).	The whole section.

Provided that the repeal of the said subsection (6) of section 44 (For the protection of Pelham Papillon) of the Order of 1900 shall not take effect unless and until the Company shall have permanently abandoned and discontinued the Pebsham Marsh section and that if such permanent abandonment and discontinuance shall not have taken place within five years from the passing of this Act the said subsection shall not be repealed but shall remain in full force and effect.

(2) So much of section 4 (Incorporating provisions of Acts of 1900 and 1902) of the Act of 1903 and so much of section 8 (Incorporation of sections of former Acts) of the Act of 1921 as incorporates any of the aforesaid sections are also hereby repealed.

(3) As from the date when any of the existing tramways and light railways is wholly or partly abandoned and discontinued and the roads shall have been restored under the provisions of the section of this Act of which the marginal note is "As to abandonment of existing tramways and light railways" section 41 (As to posts standards and brackets) and section 90 (Railways to be removed in certain cases) of the Order of 1900 and section 53 (Posts &c. to be removed if user discontinued) of the Act of 1900 shall (if those sections or either of them apply to such tramway or light railway at the passing of this Act) cease to apply to the whole or part thereof so abandoned and discontinued and to the posts brackets and wires used for supplying motive power to the carriages used thereon. As from the date when all the existing tramways and light railways have been so abandoned

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and discontinued and the roads shall have been so restored
the said sections 41 and 90 of the Order of 1900 and section
53 of the Act of 1900 and so much of the said section 4 of
the Act of 1903 and of the said section 8 of the Act of 1921
as incorporates the said section 53 shall become and be
repealed. A.D. 1927.
—

(4) The provisions of any order made by the Minister of Transport relating to the undertaking of the Company under the Statutory Undertakings (Temporary Increase of Charges) Act 1918 and the Tramways (Temporary Increase of Charges) Act 1920 and in force at the date of the passing of this Act shall (notwithstanding anything in any such order) not apply to the trolley vehicles or to the trolley vehicle undertaking of the Company and as from the date when the Company shall have abandoned or discontinued under the foregoing provisions of this Act the whole of their tramways and light railways the provisions of any such order then in force shall become and be by virtue of this Act repealed.

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

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