



### CHAPTER ciii.

An Act to empower the Metropolitan Electric Tramways Limited to provide and work vehicles by means of railless traction and for other purposes.

A.D. 1913.

[15th August 1913.]

**W**HEREAS the Metropolitan Electric Tramways Limited (in this Act called "the Company") are the owners or lessees of certain tramways in the counties of London and Middlesex and are the lessees of certain light railways in the counties of Middlesex and Hertford and have obtained powers to construct and work certain light railways in the urban district of Tottenham in the county of Middlesex:

And whereas one of the said tramways of the Company is laid in High Road Tottenham and the Company were by the Tottenham Walthamstow Light Railway Order 1906 (in this Act referred to as "the Order of 1906") authorised to construct light railways for the purposes of affording traffic facilities between such tramway and the boundary between the urban districts of Tottenham and Walthamstow at or near the bridge known as the Ferry Bridge over the old River Lee:

And whereas the Walthamstow Urban District Council (herein-after referred to as "the Walthamstow Council") own and work a system of light railways in their district terminating near to the said bridge:

And whereas by the Metropolitan Electric Tramways Act 1911 (in this Act referred to as "the Act of 1911") the Company and the Essex County Council were authorised to construct a new bridge over the old River Lee from a point at or near the south-eastern bank of that river and the termination of the said authorised light railways of the Company to a point

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A.D. 1913. at or near the said termination of the light railways of the  
Walthamstow Council :

And whereas it was provided by the Act of 1911 that the Walthamstow Council should in certain events apply for the necessary powers to make a light railway on and over the said bridge for the purpose of connecting the said light railways of the said council and the Company :

And whereas under the Act of 1911 powers were conferred upon the Middlesex County Council (in this Act referred to as "the Middlesex Council") to purchase and acquire from the Company the right of constructing the said light railways authorised by the said Order of 1906 and the powers for the construction thereof were extended for a period of eighteen months from the eighteenth day of August one thousand nine hundred and eleven :

And whereas the Middlesex Council have not exercised the said powers and the Company have not constructed the said light railways :

And whereas the provision of a trolley vehicle service on and extending beyond the route of the said authorised light railways of the Company as provided by this Act would be more economical and afford better traffic facilities than the construction of the light railways authorised by the Order of 1906 and it is expedient that the Company should be empowered to provide such a trolley vehicle service :

And whereas it is expedient that the Middlesex Council should be empowered to acquire the powers of this Act with reference to the provision and use of trolley vehicles along the routes above mentioned and to other matters in this Act mentioned :

And whereas it is expedient that the Company the Middlesex Council and any such local authority company or person as is mentioned or referred to in this Act in that behalf should be authorised to enter into and fulfil agreements for the several purposes herein-after specified :

And whereas it is expedient that the time now limited by the Act of 1911 for the compulsory purchase of the lands authorised to be acquired by the Metropolitan Electric Tramways Act 1905 should be extended as provided by this Act :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :



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

1. This Act may be cited as the Metropolitan Electric Tramways (Railless Traction) Act 1913. A.D. 1913.  
Short title.

2. The following Acts and parts of Acts so far as the same are applicable for the purposes of and are not inconsistent with or expressly varied by this Act are incorporated with and form part of this Act (that is to say):— Incorporation of Acts.

The Lands Clauses Acts (except the provisions of the Lands Clauses Consolidation Act 1845 with respect to the purchase and taking of lands otherwise than by agreement):

The following provisions of the Tramways Act 1870:—

Section 3 (Interpretation of terms);

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 45 (Tolls &c.);

Section 46 (Byelaws by local authority Promoters may make certain regulations);

Section 47 (Penalties may be imposed in byelaws);

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);

Section 52 (Transient offenders);

Section 53 (Penalty for bringing dangerous goods on the tramway);

Section 55 (Promoters or lessees to be responsible for all damages);

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Section 56 (Recovery of tolls penalties &c.);

Section 60 (Reserving powers of street authorities to widen &c. roads);

Section 61 (Power for local or police authorities to regulate traffic in roads);

Section 62 (Reservation of right of public to use roads);

Section 63 (Regulating inquiries before referee appointed by the Board of Trade);

Section 64 (Rules for carrying Act into effect):

Provided that the provisions of the Tramways Act 1870 incorporated with this Act shall for the purposes of this Act be read and have effect as if trolley vehicle equipment as defined by this Act were tramways and as if trolley vehicles were carriages used on tramways and as if the expression "road" included the footway And provided further that nothing in this section 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 waggon cart or other carriage is to be kept.

Interpreta-  
tion.

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

The expression "the Middlesex undertaking" means the light railways undertaking of the Middlesex Council;

The expression "the Act of 1908" means the Metropolitan Electric Tramways Act 1908;

The expression "trolley vehicles" means mechanically propelled vehicles adapted for use without rails upon roads and moved by electrical power transmitted thereto from some external source and used for passenger traffic under the powers of this Act;

The expression "trolley vehicle equipment" means and includes all posts poles brackets cables conductors tubes mains transformers feeders wires and other apparatus and equipment for the purpose of working and lighting trolley vehicles or for the purpose of connecting or signalling or

telephonic communication with or between any generating station substation street boxes pillars or depôt or between officers and servants employed in connexion with the working of trolley vehicles; A.D. 1913.

The expression "the trolley vehicle routes" means the routes described in this Act upon which trolley vehicles are by this Act authorised to be worked and used;

The expression "trolley vehicle system" means and includes any trolley vehicles established under the powers of this Act.

4. Subject to the provisions of this Act the Company may provide maintain and equip trolley vehicles and may work and use the same upon the routes in the county of Middlesex herein-after mentioned (that is to say):— Power to use trolley vehicles.

In the urban district of Wood Green—

Route No. 1 commencing at the depôt of the Company on the west side of Jolly Butcher's Hill Green Lanes passing along and terminating in Green Lanes at or near the junction thereof with Turnpike Lane:

In the urban district of Tottenham—

Route No. 2 commencing in Green Lanes at the termination herein-before described of Route No. 1 passing along Green Lanes West Green Road across High Road along Broad Lane and Ferry Lane and terminating in Ferry Lane at the boundary of the counties of Middlesex and Essex.

5.—(1) The Company may subject to the provisions of this Act place erect lay down maintain renew alter and repair trolley vehicle equipment on over under along and across any streets or roads forming part of the trolley vehicle routes or any continuation or extension of such streets and roads and any public streets or roads adjoining or intersecting the same or in which it may be necessary to lay down the same for the purpose of obtaining access to any generating station substation streets boxes lands depôts sheds or property of the Company or for the purpose of signalling or telephonic communication in connexion with the working of the trolley vehicles and may make and maintain openings and ways for the purpose of such equipment and for that purpose may subject to the provisions of this Act Power to erect trolley vehicle equipment.



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A.D. 1913. — open and break up any street or road as aforesaid and any railways tramways sidings sewers drains pavements mains pipes tubes wires and telephonic telegraphic and other apparatus or appliances therein or thereunder:

Provided as follows:—

- (a) All posts and apparatus erected by the Company under the powers of this Act in any street or road shall be of such design as the local authority may reasonably approve and shall be placed in such position as the local authority and road authority may reasonably approve. Provided that no post or other apparatus shall be erected upon the carriage-way of any public street or road except with the consent of the Board of Trade;
- (b) The route in which any electrical apparatus is to be laid for the purpose of connecting the trolley vehicle routes with a generating station shall be reasonably approved by the local authority and the road authority within whose jurisdiction each portion of the route of such electrical apparatus is situate:

Provided also that trolley vehicle equipment shall not be erected within the borough of Hornsey without the consent in writing of the mayor aldermen and burgesses of that borough under their corporate seal.

(2) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

(3) The trolley vehicle equipment or any part thereof shall not be used for the transmission of telegrams which are within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

Period for  
completion  
of trolley  
vehicle  
equipment.

6. If the trolley vehicle equipment along the trolley vehicle routes is not completed within three years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for completing the same or

otherwise in relation thereto shall cease except as to so much thereof as shall then be completed. A.D. 1913.

7. The provisions contained in the sections of the Acts of 1908 and 1911 the marginal notes of which are set forth in this section shall so far as applicable extend and apply to the trolley vehicles and the trolley vehicle system as fully and effectually as if the same had been expressly re-enacted in this Act with reference thereto. And in construing those provisions in their application to this Act unless the context otherwise requires the expression "the carriages" where used in such provisions shall mean the trolley vehicles and the expression "the tramway" or "the tramways" shall mean the trolley vehicles and the trolley vehicle equipment or any of them as the case may require.

Application  
of parts of  
Acts of 1908  
and 1911.

The sections herein-before referred to are—

Act of 1908—

- Section 8 (Temporary tramways may be made when necessary);
- Section 19 (Stopping up of roads during construction of tramway);
- Section 24 (As to notices to Company under section 30 of Tramways Act 1870);
- Section 25 (Provisions as to motive power);
- Section 26 (Special provisions as to use of electrical power);
- Section 27 (Alteration of telegraph lines of Postmaster-General);
- Section 28 (For protection of Post Office telegraph lines);
- Section 29 (Use of tramway posts by Postmaster-General);
- Section 30 (Attachment of brackets to buildings);
- Section 37 (Passengers' fares);
- Section 38 (Passengers' luggage);
- Section 39 (Traffic on tramway);
- Section 40 (As to fares on Sundays or holidays);
- Section 41 (Cheap fares for labouring classes);
- Section 42 (Periodical revision of rates and charges);



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Section 43 (Orders &c. of Board of Trade);

Section 67 (General provisions as to passengers' fares);  
and

Section 68 (Rates for parcels):

Act of 1911—

Section 62 (Consents of local or road authority);

Section 64 (Saving of powers of Commissioner of  
Police).

Company  
need not  
carry traffic  
on Route  
No. 1.

8. Nothing contained in this Act shall be deemed to impose upon the Company any obligation to carry any traffic on Route No. 1 by this Act authorised.

Trolley vehi-  
cles not to  
be deemed  
light loco-  
motives or mo-  
tor cars.

9. Subject to the provisions of this Act trolley vehicles shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of the Motor Car Act 1903 save and except for the purposes of subsection (1) of section 1 of that Act and the provisions necessary for enforcing that enactment and neither the regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to trolley vehicles.

Saving of  
excise duties.

10. 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 carriages or light locomotives or hackney carriages.

Approval of  
trolley vehi-  
cles and  
equipment  
by Board of  
Trade.

11.—(1) Trolley vehicles shall be of such form weight construction and dimensions as the Board of Trade may approve.

(2) No trolley vehicle shall be used by the Company which does not comply with the requirements of the Board of Trade nor until the trolley vehicle equipment has been approved by the Board of Trade nor shall any trailer be used without the consent of that Board and of the Commissioner of Police of the Metropolis.

(3) The Board of Trade shall give to the Great Eastern Railway Company notice before approving the weight of the trolley vehicles and the Great Eastern Railway Company shall before such approval be entitled to be heard thereon.



**12.** The fares rates and charges by this Act authorised shall be paid to such persons and at such places upon or near to the trolley vehicles and in such manner and under such regulations as the Company may by notice to be annexed to their lists of fares rates and charges appoint. A.D. 1913.  
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Payment of fares rates and charges.

**13.** In calculating the fares rates and charges to be taken by the Company under this Act in respect of traffic conveyed partly on the trolley vehicle routes and partly upon any tramways and light railways belonging or leased to or worked by the Company at or near to which the trolley vehicle routes shall commence or terminate the trolley vehicle system and such tramways and light railways shall be deemed to be one undertaking. As to charges for traffic partly on trolley vehicle routes and partly on tramways &c. of Company.

**14.** Subject to the provisions of this Act the Company shall have the exclusive right of using any trolley vehicle equipment provided erected or maintained by them under and for the purposes of this Act and any person using the said equipment otherwise than by agreement with the Company shall for every offence be liable on summary conviction to a penalty not exceeding twenty pounds. Company to have exclusive right of using trolley vehicle equipment.

**15.** No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade. Inspection by Board of Trade.

**16.** The Company shall perform in respect of trolley vehicles all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated. Conveyance of mails.

**17.** Subject to the provisions of this Act the Board of Trade may make byelaws with regard to 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 trolley vehicles shall be brought to a stand at such places as the Board of Trade may deem proper for securing safety ;

For regulating the entrance to exit from and accommodation in the trolley vehicles and the protection of

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passengers from the apparatus used for propelling such trolley vehicles;

For providing for the due publicity of all byelaws and Board of Trade regulations in force for the time being in relation to the trolley vehicles by exhibition of the same in some conspicuous place on the trolley vehicles and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this section shall be liable on summary conviction to a penalty not exceeding forty shillings.

Company  
may appoint  
stopping  
and starting  
places.

**18.** The Company may subject to the consent of the Middlesex Council or other the local authority charged with the maintenance and control of any road to be affected appoint the stations and places from which the trolley vehicles used by the Company 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 such trolley vehicles shall be allowed to remain at any such place.

Trees or  
shrubs over-  
hanging  
streets and  
footpaths.

**19.—(1)** Where any tree bush or shrub overhangs any street or footpath so as to obstruct or interfere with the working of the trolley vehicles or the erection maintenance and user of any trolley vehicle equipment or with the clear and safe passage of the trolley vehicles and the passengers thereon the Company may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop the tree hedge or shrub within seven days so as to prevent such obstruction or interference and in default of compliance the Company may themselves carry out the matters required to be done by their notice doing no unnecessary damage.

(2) Any person aggrieved by any requirement of the Company under this section may appeal to a court of summary jurisdiction within three clear days after the service of such notice provided he gives written notice of such appeal and the grounds thereof to the Company and the court shall have power to make such order as the court may think fit and to award costs such costs to be recoverable as a civil debt Notice of the right to appeal shall be endorsed on every notice given by the Company under this section.



20. For the protection of the Tottenham Urban District Council (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the council and the Company apply and have effect (that is to say):—

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For protec-  
tion of Tot-  
tenham Ur-  
ban District  
Council.

(1) The Company shall not commence to erect any trolley vehicle equipment under the powers of this Act in the urban district of Tottenham (in this section referred to as "the district") unless they shall within eighteen months from the passing of this Act have given notice in writing to the council that they intend to execute the works mentioned in this subsection nor until they shall to the reasonable satisfaction of the engineer of the council (in this section referred to as "the engineer")—

, (i) have completed the widenings in Broad Lane and Ferry Lane shown by a red line on the plan marked "A" signed by William Henry Prescott on behalf of the council and Stephen Sellon on behalf of the Company;

(ii) have reconstructed where necessary in connexion with the said widenings the footways kerbing paving and channelling of the said roads;

(iii) have constructed new gullies and raised or lowered the existing levels of any roads connected with the said roads to such extent as may be necessary to meet the altered levels of Broad Lane and Ferry Lane as widened in manner herein-before provided as reasonably fixed by the engineer;

(iv) have paved with creosoted deal wood blocks on a foundation nine inches in thickness of cement concrete in the proportions of six to one (for which purpose the Company may use the macadam forming the present surface of the road) from kerb to kerb so much of Broad Lane as is situate between the High Road and the northernmost end of the Page Green Schools Playground; and

(v) have paved with Plascom or other approved tar macadam for the full width of the carriageway so much of Ferry Lane as is in the county of

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Middlesex and so much of Broad Lane as is not referred to in the preceding paragraph (iv) of this subsection :

- (2) The Company shall (whether they erect trolley vehicle equipment in the district or not) complete the works referred to in the preceding subsection of this section within twelve months from the giving of any such notice as is therein mentioned and shall within twelve months from the passing of this Act and in any case before they shall commence to erect any such trolley vehicle equipment remove the centre poles on the tramways throughout the district and place in positions at the side of the road to be reasonably approved by the engineer the poles to be substituted therefor and refix to such substituted poles the existing arc lamps making all necessary connexions of cables and wires for lighting such lamps :
- (3) No post or other apparatus shall be erected upon the carriageway of any public street or road in the district except with the consent of the council :
- (4) The Company shall as far as practicable adopt the system of attaching brackets to buildings for the support of overhead wires in West Green Road in order to obviate the necessity for erecting poles to carry such wires :
- (5) In altering or reconstructing the bridge over the Lee Navigation for the purposes of the section of this Act of which the marginal note is "Widening of bridge over River Lee Navigation" the Company shall keep the gradient of the approaches to the said bridge on each side thereof as flat as possible and shall not at any point make the said gradients steeper than one in twenty-five without the consent of the council which consent shall not be unreasonably withheld :
- (6) If any difference shall arise between the council or the engineer on the one hand and the Company or their engineer on the other hand with respect to the foregoing provisions of this section such difference shall be referred to and determined by an arbitrator to be agreed upon by the parties in difference or failing such agreement to be appointed on the application of



either of such parties by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference: A.D. 1913.

- (7) The costs and expenses of the council (as taxed by the taxing officer of the House of Lords or House of Commons) incurred in or about and for or incidental to the agreement dated the thirtieth day of April one thousand nine hundred and thirteen between the Company of the one part and the council of the other part and the council's opposition to or support of the Bill for this Act shall be borne and paid by the Company:
- (8) The provisions of this section shall not apply to the county bridge carrying Ferry Lane over the Tottenham Mill Stream or the approaches to that bridge so far as such approaches are vested in the Middlesex Council:
- (9) Nothing in this section shall affect the agreement between the council of the one part and the Company of the other part dated the sixteenth day of April one thousand nine hundred and thirteen:
- (10) The said agreement dated the thirtieth day of April one thousand nine hundred and thirteen between the Company of the one part and the council of the other part is hereby annulled.

**21.—**(1) For the purposes of this section—

- (A) The word "route" shall mean any highway in the urban district of Tottenham upon which trolley vehicles shall be run in exercise of the powers of this Act;
- (B) The expression "the council" shall mean the Tottenham Urban District Council;
- (C) The expression "extra expense" shall mean the amount by which the actual cost of repairing a route shall exceed what the cost of repairing such route assuming the same to have been properly maintained up to the standard required by the ordinary

As to road  
maintenance  
in Tottenham.

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traffic thereon would have been if trolley vehicles had not been run thereon in exercise of the powers of this Act.

(2) The extra expense may as regards each route be agreed between the Company and the council or failing agreement shall be settled and determined by an engineer appointed for the purpose by the Company and the council or if they cannot agree appointed by the Board of Trade on the application of the Company or the council after the expiration of a period of one year from the commencement of the running of trolley vehicles on such route and the provisions of the Arbitration Act 1889 shall apply to any such reference. The extra expense agreed on or settled and determined by the arbitrator shall be payable by and shall be a debt due from the Company to the council and shall be recoverable from the Company accordingly and at the expiration of every period of three years subsequent to the said period of one year or at the expiration of any less period that may be agreed upon by the Company and the council the like provisions shall apply in settling determining and recovering the amount of any such extra expense. Provided that nothing herein contained shall prevent the Company and the council from agreeing the amount of such extra expense as may have been incurred between any agreed dates within the first year or any subsequent period of three years.

(3)—(A) The Company shall keep daily records for the purposes of this section showing in proper detail the routes traversed and the number of journeys and the mileage run by each trolley vehicle on any route whether run by the Company or by the Middlesex Council or any local authority company body or person under any agreement made in pursuance of the section of this Act the marginal note of which is "Agreements for working &c." and shall furnish statements of such journeys mileages and routes quarterly to the council and the Company shall allow any person duly authorised by the council in that behalf at all reasonable times to inspect and take copies of all such records and any accounts kept by the Company relating to the running of all such trolley vehicles.

(B) For the purposes of any arbitration or agreement under this section the council shall if required produce for inspection by the Company all books of account relating to expenditure on maintenance and repair of the said routes.



(4) Nothing in this section contained shall debar the Company from at any time hereafter applying for the rescission or modification of the provisions herein contained if in view of future legislation the Company shall think fit so to do. A.D. 1913.

**22.** For the joint and several protection of the Middlesex Council and the Tottenham Urban District Council the following provisions shall apply and have effect (that is to say):—

As to widening of bridge over Tottenham Mill Stream.

(1) Subject to the provisions of this Act the Company shall not run any trolley vehicle in Ferry Lane eastward of a point one hundred yards measured in a westerly direction along the centre of the roadway from the centre of the bridge carrying Ferry Lane over the Tottenham Mill Stream until they shall have widened the said bridge and the approaches thereto so far as such approaches are vested in the Middlesex Council so as to provide a width of at least fifty feet throughout between the parapets and shall have constructed the roadway over the said widened bridge and approaches with all footpaths drains kerbing and channelling:

(2) The widening of the said bridge and approaches and all works connected therewith shall be constructed in accordance with plans sections elevations and specifications which shall have been previously agreed between the Company and the Middlesex Council or settled by arbitration as herein-after provided and shall be carried out under the superintendence (if given) and in all respects to the reasonable satisfaction of the surveyor of the Middlesex Council and the said bridge and approaches so far as aforesaid when so widened and the roadway over the same shall be and remain the property of the Middlesex Council Provided that if the Middlesex Council shall for a period of six weeks after such plans sections elevations and specifications have been submitted to them neglect or refuse to approve the same or to state their reasonable requirements in relation thereto they shall be deemed to have disapproved thereof:

(3) Any additional cost of maintaining the structure of the said bridge by reason of such widening shall be borne by the Company and shall be repaid to the Middlesex Council on demand:

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(4) If any difference arises between the Company and the Middlesex Council under this section such difference shall be referred to and settled by an engineer to be agreed upon between the parties or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

As to erection of equipment in Middlesex.

**23.** The following provisions shall unless otherwise agreed in writing between the Middlesex Council and the Company apply and have effect (that is to say):—

Notwithstanding anything contained in this or any other Act of Parliament or any Order relating to the Company no trolley vehicle equipment shall be placed erected or laid down so as to affect any street road or bridge in the county of Middlesex other than the streets roads and bridges forming part of the trolley vehicle routes except with the previous consent of the Middlesex Council under their common seal:

Section 62 of the Act of 1911 shall not apply to any consent required under this section.

As to maintenance of Middlesex roads and bridges.

**24.** The provisions of the section of this Act the marginal note whereof is "As to road maintenance in Tottenham" shall apply for the benefit of the Middlesex Council in respect of main roads maintained by that council and any roadways over bridges and the approaches thereto so maintained over or along which any trolley vehicle shall be worked under the powers of this Act.

For protection of Wood Green Urban District Council.

**25.—(1)** Nothing in this Act shall be deemed to authorise the Company to (A) place or erect any post pole or standard in the urban district of Wood Green without the consent in writing of the Wood Green Urban District Council or (B) work or use trolley vehicles in the said urban district otherwise than for the purpose of running such trolley vehicles without passengers luggage or parcels to or from any depôts or sheds of the Company without the like consent Provided that (B) of this section shall not operate so as to affect any trolley vehicle or trolley vehicle route used constructed or acquired by the Middlesex Council under the powers of this Act.



(2) Section 62 of the Act of 1911 shall not apply to any A.D, 1913.  
consent required under this section.

**26.** For the protection of the Metropolitan Water Board (in this section called "the water board") the following provisions shall except so far as it may be otherwise agreed in writing between the Company and the water board have effect (that is to say):—

For protec-  
tion of Me-  
tropolitan  
Water Board.

(1) Before erecting any trolley vehicle equipment or shelters or waiting rooms or commencing the widening of the bridge over the Lee Navigation at the tail of Tottenham Lock or the bridge over the Tottenham Mill Stream or the approaches thereto the Company shall deliver to the water board plans and sections of such equipment shelters or waiting rooms and of so much of the widening as will interfere with any property or apparatus of the water board and of all works connected therewith together with a detailed description of the mode of executing the same:

(2) Within twenty-eight days after the receipt of such plans sections and description the water board may in writing under the hand of their clerk signify their disapproval thereof or require alterations therein but if the water board do not signify such disapproval or require such alterations within the said period the Company may (subject to the provisions of this Act) proceed to carry out the works aforesaid in accordance with such plans sections and description. If the water board do so signify their disapproval of or require alterations in the said plans sections and description and any difference of opinion shall thereupon arise as to the proposed works or the mode of executing them the matter in difference shall be referred to arbitration under this Act but no such works shall be commenced until all differences in relation thereto shall have been settled in manner aforesaid:

(3) If it should appear to the water board that the erection of trolley vehicle equipment as proposed or the working of trolley vehicles would endanger any mains pipes tubes wires or apparatus of the water

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board (herein-after in this section referred to as "apparatus") or interfere with or impede the supply of water by means thereof the water board may give notice to the Company to lower or otherwise alter the position of the said apparatus in such manner as the water board may consider necessary or as in case of difference between them and the Company may be determined by arbitration as herein-after provided and all alterations to be made under this section shall be made with as little detriment and inconvenience to the water board or to the inhabitants of the district as the circumstances will admit and under the superintendence of the water board if they think fit to attend after receiving not less than forty-eight hours' notice for that purpose which notice the Company are hereby required to give :

- (4) The water board may employ watchmen and inspectors to watch and inspect the works whereby the said Mill Stream or any other property or apparatus of the water board may be interfered with or affected during the construction of any of the works aforesaid and the reasonable wages of such watchmen and inspectors shall be borne by the Company and be paid by them to the water board on demand :
- (5) The Company shall not either during the period of construction of the works to be executed by them under the provisions of this Act (except so far as may be reasonably necessary for the purpose of erecting temporary scaffolding for such construction) or at any time after the said widenings of the said bridges have been completed do or suffer to be done anything whereby the flow of water along Tottenham Mill Stream shall in any way be interfered with :
- (6) It shall not be lawful for the Company without the consent in writing of the water board under their common seal to acquire the freehold of or any right or property in the said Mill Stream other than the right (subject to the provisions of this Act) to widen the existing bridge over the said stream up to the width of fifty feet and to erect and maintain the



trolley vehicle equipment and to work and use A.D. 1913.  
trolley vehicles over the same:

- (7) Any additional expense in the maintenance of any work or apparatus of the board occasioned by the erection or maintenance of the trolley vehicle equipment or the working or use of trolley vehicles or by or in consequence of any widening of either of the said bridges shall be borne by the Company:
- (8) The Company shall supply and erect to the reasonable satisfaction of the water board and in a position approved by them on their property unclimbable iron fencing and retaining walls along that portion of the south side of Ferry Lane upon which the property of the water board abuts:
- (9) The Company shall not remove or displace any apparatus or other works belonging to or controlled by the water board or do anything to impede the passage of water into or through such apparatus without the consent of the water board or otherwise than in such manner as the water board shall approve until good and sufficient apparatus and other works necessary or proper for continuing the supply of water as sufficiently as the same was supplied by the mains or apparatus proposed to be removed or displaced shall at the expense of the Company have been first made and laid down in place thereof and ready for use and to the reasonable satisfaction of the water board:
- (10) The Company shall not lay down any such pipes apparatus or works contrary to the provisions of any Act of Parliament relating to the water board and shall if so required by the water board lay down any water main or water pipe at a depth not less than that at which it was previously laid and (unless otherwise agreed between the Company and the water board) in every case so as to leave a covering of at least thirty inches from the surface of the road to the socket of such main or pipe:
- (11) The Company shall make good all damage done by them to property or apparatus belonging to or

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controlled by the water board and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property or apparatus or with the private service pipes of any person supplied by the water board with water:

- (12) If by any such operation as aforesaid the Company interrupt the supply of water in or through any main or main pipe they shall forfeit and pay to the water board the sum of twenty pounds for every day upon which such supply shall be so interrupted:
- (13) Not less than fourteen days before commencing to lower or alter the position of any apparatus of the water board the Company shall give to the water board notice in writing of their intention so to do and if at any time within fourteen days from the receipt of such notice the water board shall give to the Company notice of their desire themselves to carry out such lowering or alteration the works in connexion therewith shall be executed by the water board and not by the Company and in that event the water board shall (subject to the provisions of this Act) commence execute and complete such works with all reasonable despatch and upon the completion thereof the Company shall repay to the water board the cost and expenses reasonably incurred by them in so doing:
- (14) Notwithstanding anything contained in section 30 of the Act of 1908 as applied to this Act the provisions of that section shall not apply to any building belonging to or in the occupation of the water board:
- (15) Notwithstanding the stopping up temporarily of any road or street under the powers of section 19 of the Act of 1908 as applied by this Act the water board their engineer workmen and others in their employ shall at all times have all such rights of access to all or any of the apparatus of the water board situate in or under any such road or street as they had immediately before the passing of this Act and



shall be at liberty to do all such works at their own expense in and upon such road or street as may be necessary for inspecting repairing maintaining removing or extending such apparatus: A.D. 1913.

- (16) The Company shall when they carry out the widening of the said bridges herein-before referred to provide and thereafter maintain along the outside of the said bridges accommodation for two water mains (in addition to any existing mains of the water board) having each an internal diameter of thirty inches to be laid side by side and the said accommodation shall be such as to enable the servants of the water board to obtain proper access to the said mains for the purpose of repairing examining or otherwise dealing with the same and shall be provided and constructed in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the water board or in case of difference settled by arbitration as herein-after provided. Provided that if within one month after the receipt of any such plans sections and particulars the water board shall not intimate to the Company their disapproval thereof or make any requirement with respect thereto they shall be deemed to have approved the same. If the provision of such accommodation as is referred to in this subsection shall involve any increase in the cost of widening the said bridges the water board shall upon the completion of the widening of the bridge in which such accommodation shall be provided repay to the Company the amount by which such cost shall be so increased and any question as to whether such cost has been so increased or as to the amount of any such increase shall be settled by arbitration as herein-after provided:
- (17) Any difference arising under this section between the Company and the water board including any difference as to the necessity or expediency of any alteration of the position of any mains or apparatus under this section shall be referred to arbitration under this Act.

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Accommoda-  
tion for tele-  
graphic lines.

27. The Company shall when carrying out the widening of the bridges referred to in the immediately preceding section of this Act provide such reasonable accommodation as shall be sufficient for three pipes of an internal diameter not exceeding  $3\frac{1}{4}$  inches containing telegraphic lines of the Postmaster-General. The accommodation shall be provided in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the Postmaster-General. Provided that if within one month of the receipt of the said plans sections and particulars the Postmaster-General shall not have intimated to the Company his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same.

For protec-  
tion of Great  
Eastern  
Railway  
Company.

28. For the protection of the Great Eastern Railway Company (in this section referred to as "the Great Eastern Company") the following provisions shall unless otherwise agreed between the Company and the Great Eastern Company be observed and have effect (that is to say):—

- (1) The trolley vehicle equipment by this Act authorised where the same shall be constructed upon across under or over any bridge or the approaches thereto or other work or upon any premises belonging to or maintainable by the Great Eastern Company or will otherwise affect the same shall be executed so as not to damage or injure the structure of any such bridge or approaches or other work or the property of the Great Eastern Company and according to plans sections and specifications to be previously submitted to and reasonably approved by the Great Eastern Company or in case of difference between them and the Company by an arbitrator to be appointed as herein-after provided. Provided that if the Great Eastern Company do not within twenty-one days after such submission signify their disapproval of such plans sections and specifications they shall be deemed to have approved thereof. All such equipment shall be executed according to the plans sections and specifications approved as aforesaid and under the superintendence (if the same be given) and to the reasonable satisfaction of the Great Eastern Company. The Company shall so maintain and use the trolley vehicle equipment as not to injuriously affect the structure of any such bridge or approaches.



or of any other work or property of the Great Eastern Company and in the event of any such injury being occasioned to such bridge approaches or work by the construction maintenance user or removal of the trolley vehicle equipment upon across under or over the same the Great Eastern Company may make good the injury and may recover from the Company the reasonable expense of so doing: A.D. 1913.

- (2) The Company shall on demand pay to the Great Eastern Company the reasonable expense of lighting and watching the works of the Great Eastern Company during the execution or repair by the Company under this Act of the trolley vehicle equipment affecting any railway belonging to the Great Eastern Company for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Company or their contractors or any person in the employ of either of them:
- (3) The Company shall not in any manner in the execution maintenance user or repair of the trolley vehicle equipment obstruct or interfere with the free uninterrupted and safe user of any railway or other work belonging to the Great Eastern Company or any traffic thereon:
- (4) The Company shall be responsible for and make good to the Great Eastern Company all losses damages and expenses which may be occasioned to the Great Eastern Company or any of their works or property or to the traffic on their railways or to any company or person using the same by or by reason of the execution or failure of the trolley vehicle equipment or by or by reason of any act default or omission of the Company or of any person in their employ or of any contractors for the intended works or any part thereof and the Company shall effectually indemnify and hold harmless the Great Eastern Company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission:
- (5) If the Great Eastern Company shall hereafter in the exercise of their existing powers require to widen

A.D. 1913.

lengthen strengthen reconstruct alter or repair any such bridge under or upon which the trolley vehicle equipment in connexion with trolley vehicle routes Nos. 1 and 2 by this Act authorised is laid or the approaches thereto or to widen or alter any railway thereunder or thereover and it shall be necessary for such purpose that such trolley vehicle equipment be temporarily taken up diverted or removed and if the Great Eastern Company accordingly give to the Company twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up diversion or removal then the working or user of such part of the trolley vehicle equipment shall be stopped or delayed or such part of the trolley vehicle equipment shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Company and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be necessary for effecting such purposes as aforesaid and such part of the trolley vehicle equipment shall be restored with all practicable despatch but the Great Eastern Company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal:

- (6) The Company shall pay to the Great Eastern Company any additional expense which the Great Eastern Company may reasonably incur in effecting such widening lengthening strengthening reconstructing altering or repairing as is mentioned in the last preceding subsection or in the maintenance of any bridge approach or other work of the Great Eastern Company by reason of the existence of the trolley vehicle equipment:
- (7) If and when the Great Eastern Company shall in the exercise of their existing powers require to reconstruct alter repair or paint any bridge under which any electric wire of the Company has been placed under the powers of this Act or any Act incorporated



therewith the Company shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be reasonably required by the engineer of the Great Eastern Company unless the Company shall have previously adopted some other means of protection to workmen which shall have been reasonably approved by the said engineer: A.D. 1913.

- (8) If having regard to the proposed position of the trolley vehicle equipment when considered in relation to the position of the works of the Great Eastern Company at any point where any trolley vehicle equipment will be constructed upon over or under the railway or other works of the Great Eastern Company it becomes necessary in order to avoid danger from the breaking or falling of wires belonging to the Company that the electric telegraphic telephonic or signal wires or apparatus of the Great Eastern Company shall be altered the Great Eastern Company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be repaid to the Great Eastern Company by the Company:
- (9) The protection afforded to the Great Eastern Company by this section shall not extend to the case of any interference due to induction or leakage with the wires lines and apparatus of the Great Eastern Company or the currents therein to which section 26 (Special provisions as to use of electrical power) of the Act of 1908 applies but the Great Eastern Company shall not by reason of being specially protected as regards other matters under this section lose as regards any such interference any protection to which they are otherwise entitled:
- (10) The Company shall not for the purposes of this Act make attachments to any part of the said bridges without the consent in writing of the engineer of the Great Eastern Company (such consent not being unreasonably withheld) and such attachments shall be in all respects subject to the reasonable approval

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of the said engineer and shall be temporarily removed at any time when required by him in connexion with the maintenance and reconstruction or alteration of the said bridges :

- (11) No trolley vehicle shall be stopped or permitted to be stopped for the distance in front of the entrances to any passenger or goods stations of the Great Eastern Company or the approach roads to any of the said stations or for a length of ten yards at each end of such distances except only for so long as shall be reasonably necessary for the purposes of discharging and taking up passengers :
- (12) The Company shall provide reasonable access for all persons bonâ fide going to or returning from any station or other premises of the Great Eastern Company in any road stopped up under the provisions contained in any section of the Act of 1908 and by this Act made applicable to the trolley vehicles and the trolley vehicle system :
- (13) If any difference arises under this section between the Company and the Great Eastern Company or their respective engineers the same shall unless otherwise agreed be settled by arbitration under the provisions of the Arbitration Act 1889 by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers at the request of either party.

Widening of  
bridge over  
River Lee  
Navigation.

**29.** The Company shall not work trolley vehicles on or across the bridge over the Lee Navigation at the tail of Tottenham Lock or the approaches to the said bridge until the said bridge has been widened to a width of forty-two feet.

Subject as aforesaid the provisions of section 36 of the Order of 1906 shall apply to such widening save that the words "not less than ten inches nor more than one foot" shall be substituted for the words "one foot" in subsection (1) of the said section.

Any additional cost of maintaining the structure of the said bridge arising by reason of such widening shall be borne by the Company and shall be repaid by them to the Lee Conservancy Board on demand.



The Lee Conservancy Board will give up free of cost to the Company all land belonging to the said board and necessary to enable such widening to be carried out. A.D. 1913.

**30.** The Company may in addition to any lands which they are now authorised to acquire purchase take on lease or acquire by agreement and may hold for the purposes of their undertaking any lands not exceeding five acres and they may erect or construct on such lands and may purchase or take on lease by agreement and may hold and use depôts yards sheds wharves sidings offices buildings works and other conveniences in connexion with their undertaking and cottages and other buildings for persons in their employ but nothing in this Act shall authorise the Company to acquire or take on lease any lands in the administrative county of London or exonerate the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands purchased or used by them under the powers of this section. Purchase of lands &c. by agreement.

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

**32.** The Company may purchase provide and hire trolley vehicles trolley vehicle equipment motors repairing and other cars and all other apparatus and things which may be necessary for or incidental to the working of trolley vehicles and the exercise of the powers conferred upon the Company by this Act. Power to provide vehicles and equipment.

**33.—(1)** Subject to the provisions of this Act the Company on the one hand and the Middlesex Council the North Metropolitan Electric Power Supply Company and any local authority in whose district any part of the trolley vehicle routes will be situate and any local authority company or person owning or Agreements for working &c.

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A.D. 1913.      working or who may hereafter own or work any tramways light railways or trolley vehicles which can be worked with or in conjunction with the trolley vehicle system or any tramways light railways or trolley vehicles belonging or leased to or worked or run over by the Company or any one or more of them on the other hand may enter into and carry into effect contracts and agreements for all or any of the following purposes (that is to say):—

The alteration reconstruction or equipment leasing working running over use management and maintenance of the undertakings of the contracting parties or any of them or any part or parts thereof respectively :

The making of all necessary junctions to give effect to any such agreement :

The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid of rolling stock vehicles plant machinery and equipment necessary for the purposes of such agreement and the employment appointment and removal of officers servants and workmen :

The supply of electrical energy or other motive power for the purpose of working the undertakings of the contracting parties or any of them or any part or parts thereof respectively :

The payments to be made and conditions to be performed in respect of such alteration reconstruction equipment leasing working running over use management supply and maintenance and the interchange accommodation conveyance transmission and delivery of traffic coming from or destined for the respective undertakings of the contracting parties :

The payment collection division and apportionment of the tolls rates or other receipts arising upon the respective undertakings of the contracting parties :

The appointment of a joint committee or joint committees consisting of persons appointed by the contracting parties for the purpose of carrying out the provisions of any such agreement



(2) The Company the Middlesex Council and any other local authority company or person working running over or using any tramways light railways trolley vehicles or trolley vehicle equipment under the powers of this section shall be subject to all the regulations and restrictions so far as the same are applicable to which the working and user of such tramways light railways trolley vehicles and trolley vehicle equipment by or in the hands of the owners of the same is subjected by the Act or Order authorising the construction thereof or by any byelaw or regulation made under such Act or Order. A.D. 1913.

(3) Any difference or dispute as to the construction of or in any way arising out of any such contract or agreement shall be referred to arbitration and section 33 of the Tramways Act 1870 shall apply to any such arbitration.

(4) For the purpose of calculating maximum fares rates and charges any tramways light railways or trolley vehicle route worked or run over by the Company or by any authority company body or person in pursuance of an agreement made under the authority of this section and any tramways light railways or trolley vehicle route worked by the Company or any such authority company body or person in connexion therewith shall during the continuance of such agreement be deemed one undertaking.

(5) Any lease granted under the provisions of this section shall be in accordance with the provisions of sections 112 and 113 of the Railways Clauses Consolidation Act 1845 and shall imply a condition of re-entry if the lessees discontinue the working of any tramway light railway or trolley vehicle system demised by such lease or any part thereof for the space of three months (such discontinuance not being occasioned by circumstances beyond the reasonable control of the lessees for which purpose the want of sufficient funds shall not be considered a circumstance beyond their reasonable control).

(6) The Company shall not enter into any agreement (save for giving or taking a supply of electrical energy or other motive power and as to equipment and appliances therefor) under the powers of this section which may affect the Middlesex undertaking or any part thereof without the previous consent in writing of the Middlesex Council under its seal and such consent shall not be affected by section 62 of the Act of 1911.

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For pro-  
tection of  
Middlesex  
Council.

**34.** Notwithstanding anything contained in the Tramways Act 1870 or in any Act or Order relating to the Company the following provisions shall (unless otherwise agreed) have effect for the protection of the Middlesex Council:—

(1) The Company shall on receiving not less than three months' notice in writing from the Middlesex Council (which notice shall expire at any time before the expiration of eighteen months from the passing of this Act) requiring them so to do sell and transfer to the Middlesex Council and the Middlesex Council may purchase and acquire the powers conferred on the Company by this Act and exerciseable in the county of Middlesex:

(2) The consideration for such sale and transfer shall be—

(i) The actual expense to the Company of—

(a) Purchasing the lands required for the widening of Broad Lane and Ferry Lane;

(b) The construction of road widenings; and

(c) Any contribution or cost paid or incurred by the Company in connexion with the widening or reconstruction of bridges under or for the purposes of this Act including any sum paid by the Company towards the cost of the reconstruction of the bridge carrying Ferry Lane over the Great Eastern Railway:

(ii) The costs of and incidental to—

(a) The Order of 1906 and the Act of 1911 less such amount as may be agreed to represent the extra costs of the Order and Act occasioned by the inclusion therein of provisions in respect of light railways tramways and works situate elsewhere than within the county of Middlesex;

(b) The promotion of the Bill for this Act exclusive of any costs charges or expenses occasioned by the inclusion therein of Route No. 4 described in the Bill for this Act as introduced into Parliament and clause 16 of the said Bill and exclusive of any sums paid by the Company to the Tottenham Council under subsection (7) of



the section of this Act of which the marginal note is "For protection of Tottenham Urban District Council"; A.D. 1913.

Such costs may be agreed or failing agreement shall be taxed and apportioned by the taxing officer of the House of Lords:

- (3) For the purposes of this section and the section of this Act whereof the marginal note is "Power to Middlesex Council to borrow" the expression "the undertaking" shall mean and include the trolley vehicle equipment together with so much of the trolley vehicle system and any lands and buildings within the county of Middlesex necessary for the proper working of the trolley vehicle routes by this Act authorised:
- (4) The Middlesex Council if by resolution passed at a special meeting they so desire may within six months after the 31st December 1930 or within six months after any later date at which any agreement under which the Company may be then working the light railways of the Middlesex Council may terminate and within six months after the expiration of a period of seven years after such date and within six months after the expiration of every subsequent period of seven years require the Company to sell and transfer to the Middlesex Council and the Middlesex Council may purchase the undertaking upon terms of paying—
- (a) The actual expense mentioned in subsection (2) (i) of this section; and
- (b) The costs mentioned in subsection (2) (ii) of this section; and
- (c) The then value of the undertaking as a going concern such value in case of difference to be determined by arbitration Provided that in arriving at the net income of the undertaking in any one year for the purpose of ascertaining such then value there shall be deducted from such year's receipts (inter alia) interest at five per centum on the sums expended by the Company in respect of the matters mentioned in subsection (2) (i) of this section:

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- (5) On the completion of any such sale all the rights powers privileges and authorities conferred upon the Company by this Act (so far as the same relate to the undertaking so transferred) shall be vested in and all obligations of the Company in respect of the undertaking so transferred shall be transferred to and binding upon the Middlesex Council who may in their own name and under the hands of their officers and servants exercise all those rights powers privileges and authorities and shall be bound by all such obligations as aforesaid as fully and effectually in all respects as the Company might have exercised or would have been bound by the same if such transfer and vesting had not taken place :
- (6) The undertaking transferred to and vested in the Middlesex Council under the provisions of this section shall be and become part of the Middlesex undertaking and any part of such trolley vehicle system and any tramways or light railways worked by that council in connexion therewith shall for the purposes of calculating the maximum fares rates and charges be deemed to be one undertaking :
- (7) The Middlesex Council may lease the whole or any part or parts of the undertaking transferred to and vested in them under the provisions of this section to any corporation company or person in accordance with the provisions of sections 112 and 113 of the Railways Clauses Consolidation Act 1845 :
- (8) Every such lease shall imply a condition of re-entry in the event of the lessees' discontinuance of the working of any trolley vehicle route comprised in such lease or any part thereof for the space of three months (such discontinuance not being occasioned by circumstances beyond the reasonable control of the lessees for which purpose the want of sufficient funds shall not be considered a circumstance beyond their reasonable control).

Power to  
Middlesex  
Council to  
borrow.

**35.** In the event of the transfer to the Middlesex Council of any of the powers of the Company under the provisions of the section of this Act of which the marginal note is "For



protection of Middlesex Council” the following provisions shall have effect (that is to say):— A.D. 1913.

- (1) The Middlesex Council may borrow for the purposes of the exercise of any powers so transferred of which the expense is properly chargeable to capital such sum as may be required not exceeding five thousand pounds and such further sums as may from time to time be authorised by the Board of Trade:
- (2) The said powers of borrowing money shall be in addition to and independent of any other borrowing power of the Middlesex Council and shall not be restricted by any of the regulations contained in section 69 of the Local Government Act 1888 and in calculating the amount which the Middlesex Council may borrow under that Act any sums which they may borrow under this Act shall not be reckoned:
- (3) In order to secure the repayment of the moneys so to be borrowed and the payment of the interest thereon the Middlesex Council may mortgage or charge the revenue of the Middlesex undertaking and in addition thereto and as a collateral security they may mortgage or charge their county fund and county rate.

**36.** The provisions contained in sections 49 to 56 inclusive of the Act of 1911 are incorporated with and form part of this Act and shall so far as the same are applicable extend and apply mutatis mutandis to and in the case of moneys borrowed or to be borrowed by the Middlesex Council under the powers of this Act.

Application of certain provisions of Act of 1911 to borrowing powers of Middlesex Council.

**37.** All moneys received (including any penalties recovered) by the Middlesex Council in respect of the Middlesex undertaking except (A) borrowed money and (B) any other money of the nature of capital money received by them under the provisions of this Act or any other Act or Order relating to the Middlesex undertaking shall be applied by them in payment of the working and establishment expenses and cost of maintenance of the Middlesex undertaking including all costs expenses penalties and damages incurred or payable by the Middlesex Council consequent upon

Application of revenue.

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A.D. 1913.      any proceedings by or against the Middlesex Council their officers or servants in relation to the Middlesex undertaking and after such payment shall be applied as follows:—

- (1) In payment of the interest or dividend on any mortgages or other securities granted and issued by the Middlesex Council in respect of money borrowed for the purposes of the Middlesex undertaking:
- (2) In payment of any sums required to be paid for any instalments appropriations or annual repayments or sinking fund in respect of moneys borrowed for the purposes of the Middlesex undertaking:
- (3) In providing (if the Middlesex Council think fit) a reserve fund by setting aside from time to time such money as they think reasonable and investing the same and the income thereof in securities in which they are by this Act authorised to invest sinking funds until the fund so formed amounts to a sum of six thousand pounds which fund shall be applicable to answer any deficiency at any time happening in the income of the Middlesex Council from the Middlesex undertaking or to meet any extraordinary claim demand or liability at any time arising against or upon the Middlesex Council in respect thereof and so that if the fund is at any time reduced it may thereafter be again restored to the said sum and so from time to time as often as such reduction happens:
- (4) In payment by the Middlesex Council of any other expenses properly incurred by them in the execution of this Act or of any other Act or Order relating to the Middlesex undertaking (not being expenses properly chargeable to capital) including payments of such reasonable provision (if any) as the Middlesex Council may think fit to make for future renewals of works and of plant originally paid for out of capital under any such Act or Order into a depreciation fund to be invested with any income thereof in securities by this Act authorised for sinking funds and to be applicable for such renewals Provided the depreciation fund shall not be increased beyond a total amount reasonably necessary for the purposes thereof.



Any surplus income from the Middlesex undertaking in any year and the income of the reserve fund so long as that fund amounts to six thousand pounds shall be carried to the credit of the county fund. A.D. 1913.

**38.** All capital moneys received by the Middlesex Council in respect of the Middlesex undertaking shall so long as any capital moneys borrowed by them for the purposes of the Middlesex undertaking shall not have been repaid be applied by them in the repayment of such moneys but shall not be applied in the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board and thereafter shall be applied by the Middlesex Council as capital subject to the approval of that Board. Application of capital moneys.

**39.** Notwithstanding anything contained in the Act of 1911 or in the County of Middlesex Light Railways Orders 1901 to 1909 the Middlesex Council may apply as part of their capital authorised to be applied for any of the purposes of the Act of 1911 or this Act to which capital is properly applicable or for the construction and completion of the railways authorised by the said Orders of 1901 to 1909 or for the purchase of lands authorised by such Acts and Orders the sum of thirty-two thousand one hundred and ninety-one pounds fourteen shillings and twopence now in the hands of the Middlesex Council and received by them upon the resale of lands purchased under the said Acts and Orders and such further sums (not exceeding in all ten thousand six hundred and sixty-one pounds eighteen shillings and tenpence) as the Middlesex Council may hereafter receive upon the resale of lands similarly purchased: Application of moneys received by Middlesex Council on resale of lands.

Provided that no part of such sums shall be applied by the Middlesex Council so as to increase the total amount expended for the purposes of the railways authorised by any of the said Orders or for any purposes of the said Acts beyond the limit of the amounts thereby respectively authorised to be borrowed and that the Middlesex Council shall furnish to the Local Government Board all such information returns and accounts relating to such application as that Board may require.

**40.** Section 45 of the Act of 1911 is hereby repealed and the securities transferred to or deposited by the Company to the account of the Paymaster-General for and on behalf of the Supreme Court under section 78 of the Order of 1906 or any Release of deposit under Order of 1906.

[Ch. ciii.]      *Metropolitan Electric Tramways* [3 & 4 GEO. 5.]  
*(Railless Traction) Act, 1913.*

A.D, 1913.      stocks funds or securities representing such deposit may and shall at any time after the passing of this Act on the application of the depositors or the survivor of them and notwithstanding anything contained in the Order of 1906 be transferred or paid to such depositors or survivor or their or his nominee together with any dividends interest or income which shall have become due thereon on or before the date of transfer or payment.

Extension of  
time for  
purchase of  
lands under  
Company's  
Act of 1905.

**41.** The powers granted by the Metropolitan Electric Tramways Act 1905 as extended by the Act of 1911 for the compulsory purchase of the lands by the said Act of 1905 authorised to be acquired are hereby extended and may be exercised by the Company during a period of three years from the passing of this Act and on the expiration of that period those powers shall cease.

Shelters or  
waiting  
rooms.

**42.** The Company may erect and maintain shelters or waiting rooms for the accommodation of passengers and of the servants of the Company and may use for that purpose portions of any street or road in which their undertaking or any part thereof is situate provided that such powers shall only be exercised in the case of a public street or road with the consent of the local and road authority or in the case of a private street or road with the consent of the owner thereof:

Provided also that section 62 (Consents of local and road authorities) of the Act of 1911 shall not apply to any consent required under this section.

For protec-  
tion of Great  
Northern  
Railway  
Company.

**43.** Notwithstanding anything contained in the section of this Act the marginal note whereof is "Shelters or waiting rooms" no shelter or waiting room shall be erected or maintained in any street or road so as to interfere with or render less convenient the access to or exit from any station of the Great Northern Railway Company.

For protec-  
tion of cer-  
tain railway  
companies.

**44.** Notwithstanding anything contained in the section of this Act the marginal note whereof is "Shelters or waiting rooms" no shelter or waiting room shall be erected or maintained in any street or road so as to interfere with or render less convenient the access to or exit from any station of the Great Eastern Railway Company the London and North Western Railway Company the Midland Railway Company or the Tottenham and Hampstead Junction Railway Company Any difference arising under this



section shall be settled by an arbitrator to be agreed on by the parties in difference or failing such agreement by arbitration as provided by this Act. A.D. 1913.

**45.** None of the powers of this Act shall be exercised within the county of Hertford or so as to prejudice any lease or agreement between the Company and the Hertfordshire County Council. For protection of Hertfordshire County Council.

**46.** And whereas lands have been from time to time purchased or acquired by the Company but such lands are not immediately required for the purposes of the undertaking of the Company and it is expedient that further powers should be conferred upon the Company with respect to such lands Therefore notwithstanding anything contained in any Act relating to the Company the Company shall not be required to sell or dispose of such lands but may retain hold or use or may lease or otherwise dispose of the same. Power to hold and lease lands.

**47.** If any person wilfully does or causes to be done with respect to any trolley vehicle equipment of the Company anything which is calculated to obstruct or interfere with the working of their 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.

**48.** Any penalty under this Act or under any byelaws made in pursuance of this Act may be recovered in manner provided by the Summary Jurisdiction Acts. Recovery of penalties.

**49.** Proceedings for the recovery of any demand made under the authority of this Act 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 demands.

**50.** Where under this Act any question or dispute is to be referred to an arbitrator or to arbitration (other than questions or disputes to which the provisions of the Lands Clauses Acts apply) the reference shall (save so far as may be otherwise Provisions as to arbitration.

[Ch. ciii.] *Metropolitan Electric Tramways* [3 & 4 GEO. 5.]  
(*Railless Traction*) Act, 1913.

A.D. 1913. — expressly provided by this Act) be to an arbitrator appointed by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply thereto.

Form and  
delivery of  
notices.

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

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

Copy of Act  
to be regis-  
tered.

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

There shall be paid to the Registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies (Consolidation) Act 1908 on registration of any document other than the memorandum or the abstract required to be filed with the Registrar by a receiver or manager or the statement required to be sent to the Registrar by the liquidator in a winding up in England.



53. Nothing in this Act contained shall exempt the Com- A.D. 1913.  
pany or their undertaking from the provisions of any general Provisions  
Act relating to tramways or trolley vehicles passed before or as to general  
after the commencement of this Act or from any future Acts  
revision or alteration under the authority of Parliament of  
the maximum rates fares or charges authorised by this Act.

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

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Printed by EYRE and SPOTTISWOODE, Ltd.,  
FOR  
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