



**CHAPTER cxxiii.**

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Baildon Urban District Council Tramway and Newcastle upon Tyne Corporation Tramways. [15th August 1913.] A.D. 1913.

**W**HEREAS under the authority of the Tramways Act 1870 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed: 33 & 34 Vict.  
c. 78.

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

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

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

1. This Act may be cited as the Tramways Orders Confirmation Act 1913. Short title.

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

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SCHEDULE.

LIST OF ORDERS.

BAILDON URBAN DISTRICT COUNCIL TRAMWAY.—Order authorising the Urban District Council of the Urban District of Baildon to construct a tramway in their district.

NEWCASTLE UPON TYNE CORPORATION TRAMWAYS.—Order authorising the Lord Mayor Aldermen and Citizens of the City and County of Newcastle upon Tyne to construct additional tramways in the said city.

BAILDON URBAN DISTRICT COUNCIL.

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*Order authorising the Urban District Council of the Urban District of Baildon to construct a Tramway in their District.*

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Urban  
District  
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*Preliminary.*

1. This Order may be cited as the Baildon Urban District Council Tramway Order 1913. Short title.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order. Incorporation of Acts.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Interpretation.

Provided that in this Order—

The expression "the district" means the urban district of Baildon in the west riding of the county of York;

The expression "the Council" means the Council of the district;

The expression "the tramway" means the tramway and works by this Order authorised or (as the case may be) any part thereof;

The expression "the undertaking" means the undertaking by this Order authorised;

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

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

5. The Promoters may— Lands.

(A) Subject to the sanction of the Local Government Board and under such conditions as they may prescribe from time to time appropriate and use for any of the purposes of this Order but subject to the provisions (if any) under which such lands were respectively acquired any lands not dedicated to public use from time to time vested in them:

(B) By agreement from time to time purchase and acquire for the purposes of the undertaking such lands as they may



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require and may from time to time sell let or dispose of any such lands which may not be necessary for such purposes. Provided that all sums received by the Promoters from the sale of such lands or from fines or premiums on leases of the same shall be applied solely in repayment of outstanding loans and that such moneys shall not be applied to 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 :

Provided that they shall not at any time hold for such purposes more than five acres of land. Provided also that nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon lands appropriated or taken under the powers of this section.

*Construction of Tramway.*

Construction  
of tramway.

6. The Promoters may subject to the provisions of this Order—

(A) Construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as “the deposited plans” and “the deposited sections”) the tramway hereinafter described with all proper rails plates sleepers junctions turntables turnouts works and conveniences connected therewith or for the purposes thereof :

(B) Erect or construct on any lands taken or appropriated under the powers of this Order any offices stables sheds workshops stores waiting-rooms or other buildings yards works and conveniences for the purposes of the undertaking :

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

The tramway authorised by this Order will be wholly situate within the district and is as follows (that is to say):—

A tramway 7 furlongs 9·80 chains in length (whereof 7 furlongs 8·80 chains will be laid as double line and 1 chain as single line) commencing in Otley Road at the boundary which divides the urban districts of Baildon and Shipley by a junction with Tramway No. 7 authorised by the Shipley Improvement Act

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1901 at its point of termination as described in the said Act and continuing thence along Otley Road and Baildon Road and terminating in the last-named road at a point opposite Station Road otherwise Low Baildon Road:

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Provided that no junction shall be made with the tramway of the Shipley Urban District Council without the consent in writing (which shall not be unreasonably withheld) of that council and any question as to whether such consent is unreasonably withheld shall be referred to the arbitration of a person nominated by the Board of Trade.

The whole of the tramway will be laid as a double line except at the following place where it will be a single line (that is to say):—

In Baildon Road for a distance of 1 chain from the termination of the tramway.

7. The tramway shall be constructed on a gauge of four feet but carriages and trucks adapted for use on railways shall not be run on the tramway. Provided always that the carriages used on the tramway shall not exceed six feet six inches in width or such other width as may be approved by the Board of Trade.

Gauge of  
tramway.

8. In addition to the requirements of section 26 of the Tramways Act 1870 the Promoters shall lay before the Board of Trade a plan showing the proposed mode of constructing laying down and renewing the tramway and a statement of the materials intended to be used therein and the Promoters shall not commence the construction laying down and renewal of the tramway or any part thereof until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the surveyor of the road authority as provided by the said section.

Provisions as  
to construc-  
tion of tram-  
way.

9. The rails of the tramway shall be such as the Board of Trade may approve.

Rails of  
tramway.

10.—(1) The Promoters shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramway and the substructure upon which the same rest and if the Promoters at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be liable to a penalty not exceeding five pounds and to a penalty not exceeding five pounds for every day on which such non-compliance continues.

Penalty for  
not maintain-  
ing rails and  
roads.

(2) In case it is represented in writing to the Board of Trade by the road authority of any district in which the tramway is situate or by twenty inhabitant ratepayers of the district that the Promoters have made default in complying with the provisions in this section contained



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or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if the officer reports that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are by this section imposed.

Tramway to  
be kept on  
level of sur-  
face of road.

11. If the Promoters or any other road authority hereafter alter the level of any road along or across which any part of the tramway is laid or authorised to be laid the Promoters may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Crossovers  
to be con-  
structed in  
certain cases.

12. Where in any road in which a double line of tramway is laid there shall be less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches the Promoters shall if and where required by the Board of Trade construct a crossover or crossovers connecting the one line of tramway with the other and by means of such crossover or crossovers the traffic shall when necessary be diverted from one tramway to the other.

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

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

(2) Notwithstanding anything shown on the deposited plans the Promoters may with the consent of the Board of Trade lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines in lieu of double or single lines on the tramway and may with the like consent at any time alter the position in the road of the tramway or any part thereof Provided that the uppermost surface thereof shall be on a level with the surface of the road.

(3) Provided that if in the construction of any works under this section any rail is intended to be so laid that for a distance of thirty feet or upwards a less space than nine feet six inches would intervene between it and the outside of the footpath on either side of the road the Promoters shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses

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shops and warehouses abutting on the place where such less space would intervene and such rail shall not be so laid if the owners or occupiers of one third of such houses shops or warehouses by writing under their hands addressed and delivered to the Promoters within three weeks after receiving the notice from the Promoters express their objection thereto.

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(4) In places where the Promoters may not be the road authority the construction of any works under this section shall be subject to the approval of that authority.

14. When by reason of the execution of any work affecting the surface or soil of any road along or across the carriageway of which the tramway is laid it is in the opinion of the Promoters necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof the Promoters may construct in the same or any adjacent road and maintain so long as occasion may require a temporary tramway or temporary tramways in lieu of the tramway or part thereof so removed or discontinued subject in places in which the Promoters may not be the road authority to the approval of the road authority and to such regulations as that authority may make.

Temporary tramways may be made when necessary.

15. The Promoters may erect and maintain shelters or waiting-rooms for the accommodation of passengers and may with the consent of the road authority use for that purpose portions of the public streets or roads Provided that no such shelters or waiting-rooms shall be erected on any part of a main road within the meaning of the Local Government Act 1888 except with the consent of the county council of the west riding of Yorkshire.

Shelters or waiting-rooms.

16. Any paving metalling or material excavated by the Promoters in the construction of the tramway from any road under their jurisdiction or control shall absolutely vest in and belong to the Promoters and may be dealt with removed and disposed of by them in such manner as they may think fit.

Application of road materials excavated in construction of works.

17. The tramway shall not be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade.

Tramway not to be opened until certified by Board of Trade.

18. The following provisions for the protection of the county council of the west riding of Yorkshire (in this section called "the county council") shall unless otherwise agreed in writing apply and have effect with respect to the construction of the tramway on the main road repaired at the cost of the county council and known as the Kirkstall Otley and Shipley Main Road (that is to say):—

For protection of West Riding County Council.

(1) The Promoters shall pave the portion of road referred to in section 28 of the Tramways Act 1870 with such granite or other sett paving material as may be reasonably approved by the surveyor of the county council:



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- (2) Before laying before the Board of Trade the plan required by the section of this Order of which the marginal note is "Provisions as to construction of tramway" the Promoters shall deliver to the county council a copy of the plan as proposed to be laid before the Board of Trade and the county council shall be at liberty within a period of one month from the receipt by them of such plan to make such representations to the Board of Trade with reference thereto as they think fit:
- (3) The Promoters shall put down at their own cost at such places along the tramway as may be necessary suitable grids or drains and drain boxes to prevent the accumulation of water on the tramway:
- (4) If in consequence of the construction of the tramway it becomes reasonably necessary within two years from the opening of the tramway for public traffic to raise strengthen or reconstruct with suitable foundations any portions of the said road whether metalled or unmetalled at the sides of the tramway or to adjust in level or otherwise any such portions of the said road or any footpath or other work or to strengthen any retaining wall such work shall forthwith be executed by and at the cost of the Promoters:
- (5) (A) Before commencing to construct the tramway on Baildon Bridge the Promoters shall deliver to the county council a plan showing the proposed position thereof and a plan section and specification showing the proposed mode of construction. If the county council have any objection to the construction of the tramway in accordance with such plan they shall give notice thereof in writing to the Promoters and any difference arising between them in regard thereto shall be determined as hereinafter provided but if the county council do not give such notice within fourteen days after receiving the said plan they shall be taken to have agreed thereto:
  - (B) The Promoters shall not without the consent in writing of the county council (which consent shall not be unreasonably withheld) execute in the construction of the tramway any works which interfere with or injuriously affect the structural works of such bridge. If with such consent as aforesaid the Promoters intend to execute such works they shall give notice in writing to the county council of such intention and such notice shall be accompanied by a plan and specification showing the nature and extent of the intended works:
  - (C) Any works under this section in so far as they interfere with or injuriously affect the structural works of such bridge shall



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if the county council so require be executed by the county council at the reasonable expense of the Promoters. The county council shall give notice accompanied in each case by sufficient plans and specifications to the Promoters of their intention so to execute such works and shall commence execute and complete the same with all reasonable despatch. Provided that unless the county council shall give the said notice to the Promoters within twenty-eight days after receiving from the Promoters the notice hereinbefore prescribed the Promoters may themselves subject to the terms of this section proceed to execute the works:

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- (D) If in consequence of the working of the tramway it becomes reasonably necessary that such bridge should be strengthened the county council shall give notice accompanied by sufficient plans and specifications of the intended works to the Promoters and may after twenty-eight days from the date of the notice (or forthwith in case of emergency) proceed with all due despatch to execute all such works as may be reasonably necessary and the county council may recover from the Promoters all moneys reasonably expended by them in the execution thereof with full costs and charges in like manner as any simple contract debt of like amount may be recovered:
- (E) If such bridge be altered widened or rebuilt by the county council the county council may require the Promoters to alter the tramway in such manner as the circumstances of the case may reasonably require and shall at the same time send sufficient specifications or other information to show the nature of the alteration required:
- (F) If the county council shall find it necessary for the purposes of strengthening altering widening or rebuilding such bridge that the working of the portion of the tramway over such bridge be wholly or in part stopped or delayed or that such portion of the tramway be wholly or in part taken up or removed and if the county council accordingly give the Promoters twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay taking up or removal the working of such portion of the tramway shall be stopped or delayed or such portion of the tramway shall be taken up or removed as stated in such notice at the expense of the Promoters and under their superintendence if they shall give such superintendence but no such working shall be stopped or delayed for a longer period than may be

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absolutely necessary for effecting such purposes as aforesaid and such portion of the tramway shall be restored with all possible despatch and in such case the county council shall not be liable to pay compensation in respect of such stoppage delay taking up or removal as aforesaid :

(g) The Promoters shall not without the consent in writing of the county council (which consent shall not be unreasonably withheld) place erect or attach any post or other support for any wire or any feeder box on or to the structure of such bridge :

(h) Any works to be executed with the consent of the county council affecting any such bridge shall be executed to the reasonable satisfaction of the county council in conformity with such plans sections and specifications as may be reasonably approved by them and which shall be submitted to them at least twenty-eight days before the commencement of such works. If the county council do not within the said twenty-eight days signify their approval or disapproval of the said plans sections and specifications or their directions in relation thereto they shall be deemed to have approved thereof and any difference between the county council and the Promoters with respect to such plans sections and specifications shall be determined by arbitration as hereinafter provided. The Promoters shall pay the reasonable costs incurred by the county council in the superintendence of such works as aforesaid :

(6) If any difference arises between the Promoters and the county council under this section such difference shall be determined by arbitration by an arbitrator to be agreed upon or failing agreement to be appointed by the Board of Trade on the application of either of the parties and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protec-  
tion of York-  
shire Electric  
Power Com-  
pany.

19. The provisions of the section of the Tramways Act 1870 of which the marginal note is "Provision as to gas and water companies" shall apply to the Yorkshire Electric Power Company (in this section called "the company") and to the supply or transmission of electricity as they apply to the owners of mains or pipes for the supply of gas and to the supply or passage of gas but all alterations of any electric lines or works of the company shall be made under section 15 of the Electric Lighting Act 1882 or the other provisions of the Electric Lighting Acts 1882 to 1909 or of the Acts or Orders applying to the company instead of under the said section of the said Tramways Act.



*Motive Power.*

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

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Provisions as  
 to motive  
 power.

(1) The mechanical power shall not be used except with the consent of and according to a system approved by the Board of Trade:

(2) The Board of Trade shall make regulations (in this Order referred to as "the Board of Trade regulations") for securing to the public all reasonable protection against danger arising from the use under this Order of mechanical power on the tramway and for regulating the use of electrical power:

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

(4) The Board of Trade if they are of opinion—

(A) that the Promoters or such person have or has made default in complying with the provisions of this Order or of the Board of Trade regulations whether a penalty in respect of such non-compliance has or has not been recovered; or

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

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

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

Mechanical  
 power works.

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

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(B) Place construct erect lay down make and maintain on above or below the surface of any street or road within the district posts (but as regards any post on the carriageway not without the express approval of the Board of Trade and subject to such conditions as to removal as that Board may impose) brackets electric conductors wires boxes apparatus subways tunnels cables tubes and openings:

(c) With the consent of the owners and occupiers of any houses or buildings within the district affix to such houses or buildings or maintain brackets wires and apparatus.

*Mechanical  
power works  
to be subject  
to Tramways  
Act 1870.*

22. All works to be executed by the Promoters or their lessees in any street or road for working the tramway by mechanical power in pursuance of the powers of this Order shall be deemed to be works of a tramway subject in all respects (save as by this Order otherwise expressly provided) to the provisions of the Tramways Act 1870 as in this Order incorporated as if they had been therein expressly mentioned Provided always that nothing in this Order contained shall authorise the opening or breaking up of any street or road outside the district and that section 30 (except subsections 1 and 5 thereof) of the Tramways Act 1870 in its application to the undertaking shall have effect as if wires or apparatus laid in a road included wires or apparatus erected or carried over a street road or footpath.

*Byelaws.*

23. Subject to the provisions of this Order the Board of Trade may make byelaws for all or any of the following purposes with regard to the tramway if mechanical power be used thereon (that is to say):—

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

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

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

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

For providing for the due publicity of all byelaws and Board of Trade regulations in force for the time being in relation to the tramway by exhibition of the same in conspicuous places on the carriages and elsewhere.



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

24. The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway shall not authorise the local authority to make any byelaws sanctioning a higher rate of speed than that authorised by the Board of Trade regulations at which engines are to be driven or propelled on the tramway under the authority of this Order but the byelaws of the local authority may restrict the rate of speed to a lower rate than that so authorised.

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

- (1) The Promoters shall employ either insulated returns or uninsulated metallic returns of low resistance:
- (2) The Promoters shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus:
- (3) The electrical power shall be used only in accordance with the Board of Trade 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:
- (4) The Promoters shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Promoters either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board

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Amendment  
of Tramways  
Act 1870 as  
to byelaws  
by local  
authority.

Special pro-  
visions as  
to use of  
electrical  
power.

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shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking:

- (5) At the expiration of two years from the passing of the Act confirming this Order the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintenance and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents:
- (6) If any difference arises between the Promoters and any other party with respect to anything hereinbefore in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be:
- (7) In this section the expression "the Promoters" includes any person owning working or running carriages over the tramway.

*Alteration of  
telegraph  
lines of Post-  
master-  
General.*

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

*For protec-  
tion of Post  
Office tele-  
graph lines.*

27. In the event of the tramway being worked by electricity the following provisions shall have effect:—

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



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lines and works or by the working of the undertaking the Promoters shall pay the expenses of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection :

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- (3) Before any electric line is laid down or any act or work for working the tramway by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Promoters as to any requirement so made shall be referred to arbitration :
- (4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works by this Order authorised is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of any such works or to the working of the undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated for the purposes of this Order at any works of the Promoters enter thereon for the purpose of inspecting the plant and the working of the same and the Promoters shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Promoters pursuant to the Board of Trade regulations :
- (5) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :
- (6) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy

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the court having cognisance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice :

- (7) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work :
- (8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Order :
- (9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882 :
- (10) Any question or difference arising under this section which is directed to be referred to arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act :
- (11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid :
- (12) In this section the expression "the Promoters" includes any person owning working or running carriages over the tramway.

*Use of tram-  
way posts by  
Postmaster-  
General.*

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



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- (A) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramway :
- (B) The Postmaster-General shall give to the Promoters not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided :
- (C) Unless otherwise agreed between the Postmaster-General and the Promoters the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expense of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramway or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Promoters or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section :
- (D) Unless otherwise agreed or in case of difference determined as herein-after provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided :
- (E) Unless otherwise agreed with the approval of the Board of Trade no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road :
- (F) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair :
- (G) The Postmaster-General shall make good to the Promoters and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence

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of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Promoters their officers or servants:

- (H) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Promoters and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Promoters or failing agreement determined as hereinafter provided:
- (I) The Promoters shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramway or by any accident arising thereon or by the authorised use by the Promoters of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Promoters their officers or servants:
- (J) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Promoters the value of the same Provided that if the Promoters object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

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



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

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(4) In this section—

The expression “the Promoters” includes their lessees;

The expression “telegraph” has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

29.—(1) The Promoters’ lessees may carry any parcels not exceeding fifty-six pounds in weight and may demand and take for the conveyance of such parcels upon the tramway any rates and charges not exceeding the rates and charges specified in the schedule to this Order annexed.

Charges for parcels.

(2) The Promoters’ lessees shall give public notice of the scale of rates and charges which they intend to charge for the conveyance of parcels and similar notice of any alterations which they may from time to time intend to make in the scale of rates and charges for the time being in force in some conspicuous place at all receiving offices established by them for the reception of parcels.

*Rates.*

30.—(1) The Promoters’ lessees may demand and take for every passenger travelling upon the tramway including every expense incidental to such conveyance any rates or charges not exceeding one penny per mile and for this purpose a fraction of a mile shall be deemed a mile.

Passengers fares.

(2) Provided that the Promoters’ lessees may appoint stages upon the tramway not less than half a mile in length and may demand and take for every passenger travelling upon the tramway including every expense incidental to the conveyance of such passenger any rates or charges not exceeding one penny for each two stages (or portion of that distance) travelled and for this purpose the fraction of a stage shall be deemed a stage.

31. The Promoters’ lessees shall not take or demand on Sunday or any public or local holiday any higher rates or charges than those levied by them on ordinary week-days.

As to fares on Sundays and holidays.

32. Every passenger travelling upon the tramway may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof. All such luggage is to be carried by hand and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers.

Passengers’ luggage.



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Cheap fares  
for labouring  
classes.

33.—(1) The Promoters' lessees at all times after the opening of the tramway for public traffic shall and they are hereby required to run a proper and sufficient service of carriages for artisans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day Good Friday and public holidays always excepted) at such hours not being later than eight in the morning or earlier than five in the evening respectively as may be most convenient for such workmen going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance On Saturdays the Promoters' lessees in lieu of running such carriages after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is made to the Board of Trade that such proper and sufficient service is not provided the Board after considering the circumstances of the locality may by order direct the Promoters' lessees to provide such service as may appear to the Board to be reasonable.

(3) The Promoters' lessees shall be liable to a penalty not exceeding five pounds for every day during which they fail to comply with any order under this section.

Payment of  
rates.

34. The rates and charges by this Order authorised shall be paid to such persons and at such places upon or near to the tramway and in such manner and under such regulations as the Promoters' lessees may by notice to be annexed to the list of rates and charges appoint.

Periodical  
revision of  
rates and  
charges.

35. If at any time after three years from the opening for public traffic of the tramway or any portion thereof or after three years from the date of any order made in pursuance of this section in respect of the tramway or any portion thereof it is represented in writing to the Board of Trade by the Promoters or by their lessees or by twenty ratepayers of the district that under the circumstances then existing all or any of the rates and charges demanded and taken in respect of the traffic on the tramway or on such portion should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if the referee reports that it has been proved to his satisfaction that all or any of the rates or charges should be revised the said Board may make an order in writing altering modifying reducing or increasing all or any of the rates and charges to be demanded and taken in respect of the traffic on the tramway or on such portion of the tramway in such manner as they think fit and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section Provided always that the rates and



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charges prescribed by any such order shall not exceed in amount the rates and charges by this Order authorised. Provided also that a copy of this section shall be annexed to every table or list of rates published or exhibited by the Promoters or their lessees.

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Urban  
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*Miscellaneous.*

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

Power to  
Promoters  
to work  
tramway.

37. The regulations authorised by the Tramways Act 1870 to be made by the Promoters of any tramway and their lessees may with respect to the tramway or portions of tramway for the time being belonging to and worked by the Promoters be made by the Promoters alone.

Regulations.

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

Working  
agreements.

(A) Enter into and carry into effect contracts and agreements with any person authorised (whether expressly or otherwise) to enter into such contracts or agreements and owning or working any tramways connecting with the tramway with respect to—

(i) the construction and equipment of the tramway ;

(ii) the formation of junctions between the tramway and the tramways belonging to such person ;

(iii) the working running over using maintaining and managing by either of the contracting parties of the tramways or any of the tramways of the other and the fixing collecting apportionment and distribution of the

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rates and profits arising therefrom or of a rent for the same ;

(iv) the supply under any agreement for the tramways of either of the contracting parties being worked and used by the other of motive power or of engines carriages and plant necessary for the purpose of such agreement Provided that no electrical energy shall be supplied or shall continue to be supplied by the Promoters under this section in any district other than the urban district of Baildon in which any local authority company or person shall be supplying energy under statutory authority without the consent in writing of such local authority company or person ;

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

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

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

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

(3) 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 of the other the tramways of the parties so contracting shall for the purposes of calculating maximum rates and charges or fares in respect of conveyance partly over the tramways of the one party and partly over those of the other be considered as one tramway and the maximum charge for conveyance over the tramways of each such party shall be calculated at the maximum rate or fare which would be applicable if the conveyance took place for the entire distance over those tramways only.

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

Mortgages to  
include rents  
and rates.

39. The Promoters may include in any mortgage of the local rate made by them under section 20 of the Tramways Act 1870 the moneys coming to them out of the rents reserved under any lease made under the authority of the Tramways Act 1870 or this Order and the rates charges and sums authorised to be taken or received by them under the provisions of this Order.



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40. All orders regulations and byelaws made and consents and certificates given by the Board of Trade under the authority of this Order shall be signed by a secretary or an assistant secretary of the Board and when purporting to be so signed the same shall be deemed to be duly made in accordance with the provisions of this Order and to be orders and regulations within the meaning of the Documentary Evidence Acts 1868 and 1882 and may be proved accordingly.

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*Baildon  
 Urban  
 District  
 Council.*

Orders &c. of  
 Board of  
 Trade.

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

Recovery of  
 penalties.

42. Sections 246 and 250 of the Public Health Act 1875 and section 58 (1) of the Local Government Act 1894 shall apply to the accounts of the receipts and expenditure of the Promoters and of their committees and officers with respect to the tramway and the undertaking and to the audit thereof as if such accounts related to receipts and expenditure under the Public Health Act 1875.

Audit of  
 accounts.

43. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 is hereby incorporated with this Order and in construing that section for the purposes of this Order the expression "this Act" where used in that section shall mean this Order.

Protection  
 of local  
 authority.

44. The Promoters may subject to the provisions of this Order (but only for the purposes of the undertaking and not so as to acquire any exclusive rights therein) acquire and hold any patent or other rights and any licences to use patent rights relating to the use of electrical power.

Power to  
 hold patent  
 rights.

45. With respect to notices and to the delivery thereof by or to the Promoters the following provisions shall have effect (that is to say):—

Form and  
 delivery of  
 notices.

(1) Every notice consent or approval shall be in writing and if given by the Promoters or by any local or road authority or company shall be signed by their clerk or secretary:

(2) Notices and other documents required or authorised to be served under this Order may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served. Provided that in the case of any authority or company any such notice or other document shall be delivered or sent by post in a prepaid letter addressed to the clerk to the authority at his office or to the secretary of the company at their registered or principal office.

46. Subject to the provisions of this Order where under the provisions of the Tramways Act 1870 and this Order any matter in

Provisions as  
 to arbitra-  
 tion.

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A.D. 1913. difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Arbitration Act 1889 shall apply to every such arbitration as if the arbitration were pursuant to a submission.

*Baildon Urban District Council.*  
 Saving for general Acts. 47. Nothing in this Order contained shall exempt the Promoters or any person using the tramway from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates and charges authorised by this Order.

SCHEDULE.

MAXIMUM RATES AND CHARGES FOR SMALL PARCELS.

	Per mile.	
	<i>s.</i>	<i>d.</i>
For any parcel not exceeding seven pounds in weight	- 0	3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight	- 0	4
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight	- 0	6
For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight	- 0	9
For any parcel exceeding fifty-six pounds in weight such sum as the Promoters may think fit:		

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed small parcels but that term shall apply only to single parcels in separate packages.

NEWCASTLE UPON TYNE CORPORATION.

*Newcastle upon Tyne Corporation.*

*Order authorising the Lord Mayor Aldermen and Citizens of the City and County of Newcastle upon Tyne to construct additional Tramways in the said City.*

Short title. 1. This Order may be cited as the Newcastle upon Tyne Corporation Tramways Order 1913.

Incorporation of Acts. 2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the under-



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taking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order.

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*Newcastle upon Tyne Corporation.*

Interpretation.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings :

Provided that in this Order—

The expression “the Act of 1899” “the Act of 1902” and “the Act of 1911” mean respectively the Newcastle upon Tyne Tramways and Improvement Act 1899 the Newcastle upon Tyne Corporation Tramways Extensions Act 1902 and the Newcastle upon Tyne Corporation Act 1911;

The expression “the tramways” means the tramways and works by this Order authorised ;

The expression “the Corporation tramways” has the meaning assigned thereto by the Act of 1911 ;

The expression “the city” means the city and county of Newcastle upon Tyne ;

The expression “mechanical power” includes steam electrical and every other motive power not being animal power and the word “engine” includes motor.

4. The lord mayor aldermen and citizens of the city acting by the council shall be the Promoters for the purposes of this Order and are in this Order referred to as “the Promoters.”

Promoters.

5. The Promoters may subject to the provisions of this Order construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as “the deposited plans” and “the deposited sections”) the tramways hereinafter described with all necessary and proper rails plates sleepers channels tubes cables mains wires and electric lines junctions turntables turnouts crossings passing-places poles posts conduits section boxes tramway plant machinery apparatus appliances works and conveniences connected therewith or as may be necessary or proper therefor and for connecting and using the same with the Corporation tramways :

Construction of tramways

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

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—  
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The tramways will be wholly situated within the city and are as follows:—

A tramway (No. 1) (1 furlong 2·60 chains or thereabouts in length) commencing in the parish of Saint John by a junction with the existing tramway in Westgate Road at a point 1·50 chains or thereabouts westward from the centre of Pudding Chare passing thence along Westgate Road and thence into and terminating in Saint Nicholas Street in the parish of Saint Nicholas by a junction with Tramway No. 2 hereinafter described at a point ·20 chain or thereabouts south-eastward of the north-western side of the bridge carrying the North Eastern Railway over Saint Nicholas Street :

A junction tramway (No. 1A) (2·20 chains or thereabouts in length) wholly in the parish of Saint John commencing in Neville Street by a junction with the existing tramway therein at a point 1·20 chains or thereabouts south-west from the centre of Pudding Chare and passing into and terminating in Westgate Road by a junction with the said Tramway No. 1 at a point ·80 chain or thereabouts north-west from Denton Chare :

A junction tramway (No. 1B) (1·40 chains or thereabouts in length) wholly in the parish of Saint John commencing in Westgate Road by a junction with the said Tramway No. 1 at a point 1 chain or thereabouts westward of Saint Nicholas Street and passing into and terminating in Saint Nicholas Street by a junction with Tramway No. 2 hereinafter described at a point ·90 chain or thereabouts north-west from Westgate Road :

A tramway (No. 2) (9·25 chains or thereabouts in length) partly in the said parish of Saint John and partly in the said parish of Saint Nicholas commencing in the said parish of Saint John by a junction with the existing tramway in Collingwood Street at a point ·60 chain or thereabouts south-westward of the centre of Groat Market passing thence into and along Saint Nicholas Square and thence into and along Saint Nicholas Street and under the said bridge carrying the North Eastern Railway over that street to and terminating in the parish of Saint Nicholas at a point ·10 chain or thereabouts south-east of the south-eastern side of the said bridge :

A junction tramway (No. 2A) (1·50 chains or thereabouts in length) partly in the said parish of Saint Nicholas and partly in the said parish of Saint John commencing in the said parish of Saint Nicholas by a junction with the existing tramway in Saint Nicholas Square at a point 1·20 chains or thereabouts north-eastward of the centre of Groat Market and terminating in the said parishes of Saint Nicholas and Saint John or one of them



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by a junction with Tramway No. 2 hereinbefore described in Saint Nicholas Street at a point 1 chain or thereabouts southward of the centre of the said existing tramway in Saint Nicholas Square:

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A junction tramway (No. 2B) (2·66 chains or thereabouts in length) wholly in the said parish of Saint Nicholas commencing by a junction with the said Tramway No. 2 in Saint Nicholas Street at the point hereinbefore described as the termination of the said Tramway No. 2 passing thence into and terminating in Castle Garth at a point opposite or nearly opposite the south-eastern corner of the Old Castle:

A tramway (No. 3) (2 furlongs 6·80 chains or thereabouts in length) wholly in the parish of Heaton commencing by a junction with the existing tramway in Heaton Road at or near the termination of that tramway 1·90 chains or thereabouts northward from the centre of Simonside Terrace passing thence along the said Heaton Road into and terminating in Stephenson Road by a junction with Tramway No. 3 authorised by the Act of 1911 at a point 1·10 chains or thereabouts westward from the junction of Heaton Road and Stephenson Road:

A junction tramway (No. 3A) (1·60 chains or thereabouts in length) wholly in the parish of Heaton commencing in Heaton Road by a junction with Tramway No. 3 hereinbefore described at a point 1 chain or thereabouts south-eastward from Stephenson Road and passing thence into and terminating in Stephenson Road by a junction with Tramway No. 3 authorised by the Act of 1911 at a point ·80 chain or thereabouts eastward from Heaton Road:

The said tramways will be laid as double lines throughout:

Provided that notwithstanding anything contained in this Order or shown upon the deposited plans and sections Tramway No. 1 by this Order authorised shall where it passes along Westgate Road be laid in the position indicated in red colour on a plan signed by William Jones Steele on behalf of the Promoters and by Charles Augustus Harrison on behalf of the North Eastern Railway Company which plan has been deposited with the Board of Trade.

6. Subject to the provisions of this Order the tramways shall for all purposes form part of the Corporation tramways and the Promoters and their lessees and licencees may in respect of the tramways exercise and enjoy all and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are subject and liable to with respect to the Corporation tramways and may demand take and recover in respect

Tramways to  
form part of  
Corporation  
tramways.

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A.D. 1913. of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds and for the use of carriages placed and run thereon by them as they are authorised to demand and take in respect of the tramways authorised by the Act of 1902 Provided that nothing in this Order shall authorise the attachment of brackets wires and apparatus to any house bridge or building without the consent of the owner and occupier thereof or authorise the taking of any lands except by agreement.

*Newcastle upon Tyne Corporation.*

For protection of Postmaster-General.

7. The following sections of the Act of 1911 (viz.) :—

Section 21 For protection of Post Office telegraph lines ;

Section 22 Use of tramway posts by Postmaster-General ; and

Section 34 Alteration of telegraph lines of Postmaster-General,

shall extend and apply to the tramways and to the Promoters in respect thereof.

Mortgage may include tramway rate and tramway revenue.

8. The Promoters may include in any mortgage of the local rate made under section 20 of the Tramways Act 1870 the tramway rate authorised by section 93 of the Act of 1899 and the revenue of their tramway undertaking.

Application of provisions of section 91 of Act of 1911.

9. The expression " tramway undertaking " where used in section 91 (Tramway undertaking accounts and revenue) of the Act of 1911 shall be deemed to include the tramways and the provisions of that section shall be read and have effect accordingly.

Saving for general Acts.

10. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates tolls or charges authorised by this Order.

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FOR

FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

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