



CHAPTER lxiv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Barrow-in-Furness Tramways, Birmingham and Western Districts Tramways, Bradford Corporation Tramways, Leeds Corporation Tramways, Newbury and Lamborne Tramway, Pontypridd and Rhondda Valley Tramways, and Stratford, Ilford, and Romford Tramways.

A.D. 1888.

[28th June 1888.]

WHEREAS 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 Tramways Act, 1870, 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 Queen'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 (No. 1) Act, 1888.

Short title.

2. The several Orders as amended 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.

A.D. 1888.

Protection of
houses of the
labouring
classes.

3. The Promoters mentioned in the said Orders shall not under the powers of this Act, or of the said Orders, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish, or part of a parish not being within an urban sanitary district, ten or more houses which, after the passing of this Act, have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

SCHEDULE.

A.D. 1888.

LIST OF ORDERS.

BARROW-IN-FURNESS TRAMWAYS. Order authorising the release of the balance of the deposit fund paid into court on the application for the Barrow-in-Furness Tramways Order, 1884.

BIRMINGHAM AND WESTERN DISTRICTS TRAMWAYS.—Order authorising the abandonment of certain of the tramways authorised by the Birmingham and Western Districts Tramways Order, 1882, the Birmingham and Western Districts Tramways Order, 1883, and the Birmingham and Western Districts Tramways Order, 1885, respectively, and the release of part of the deposit funds paid into court on the applications for the said Orders respectively.

BRADFORD CORPORATION TRAMWAYS.—Order authorising the mayor aldermen and burgesses of the borough of Bradford to construct additional tramways in the said borough.

LEEDS CORPORATION TRAMWAYS.—Order authorising the mayor aldermen and burgesses of the borough of Leeds to construct tramways in and near the said borough.

NEWBURY AND LAMBORNE TRAMWAY.—Order authorising the release of the balance of the deposit fund paid into court on the application for the Newbury and Lamborne Tramway Order, 1874.

PONTYPRIDD AND RHONDDA VALLEY TRAMWAYS.—Order amending the Pontypridd and Rhondda Valley Tramways Order, 1882, with respect to the opening for public traffic of certain of the tramways thereby authorised and authorising the release of the deposit fund paid into court on the application for the said Order.

STRATFORD, ILFORD, AND ROMFORD TRAMWAYS.—Order authorising the abandonment of the tramways authorised by the Stratford, Ilford, and Romford Tramways Order, 1886, and the release of the deposit fund paid into court on the application for the said Order.

A.D. 1888.

BARROW-IN-FURNESS TRAMWAYS.

Barrow-in-Furness.

Order authorising the release of the balance of the deposit fund paid into Court on the application for the Barrow-in-Furness Tramways Order, 1884.

Short title.

1. This Order may be cited as the Barrow-in-Furness Tramways (Release of Deposit) Order 1888.

Release of the balance of the deposit under the Barrow-in-Furness Tramways Order 1884.

2. Whereas by the Barrow-in-Furness Tramways Order 1884 the Promoters of the said Order were authorised to construct the tramways therein described and whereas certain of the said tramways were duly completed and opened for public traffic within the prescribed period and out of the total sum of one thousand three hundred and fifty pounds which pursuant to the provisions of the Tramways Act 1870 and of the rules made by the Board of Trade under the authority of the said Act was paid or transferred in relation to the said tramways into the Chancery Division of the High Court of Justice to the credit of "Ex parte the Barrow-in-Furness Tramways 1884" the sum of eleven hundred pounds in respect of the tramways so completed and opened has been paid out or transferred pursuant to the said rules and whereas the period prescribed for the completion and opening for public traffic of the remainder of the said tramways has expired and the construction thereof has been abandoned and there now remains deposited in relation to the tramways so abandoned the sum of two hundred and fifty pounds being the balance remaining of the said sum of one thousand three hundred and fifty pounds and it is expedient that the said balance should be released in manner herein-after provided Therefore the High Court of Justice may and shall subject to the provisions of the said rules relating to compensation to road authorities and for the protection of creditors on the application of the person named in the warrant of the Board of Trade authorising such payment or transfer his executors administrators or assigns order the said sum of two hundred and fifty pounds together with any dividends or interest due and payable thereon to be paid out or transferred to the person or persons so applying or to any other person or persons whom he or they may appoint in that behalf and thereupon such sum together with any such dividends or interest shall be so paid out or transferred as aforesaid.

For protection of the Postmaster-General.

3. In the event of the tramways of the Promoters of the Order of 1884 being worked by electricity, the following provisions shall have effect:—

(1.) It shall not be lawful for the said Promoters to lay down any line or rail or to do any act or work for working the said tramways by electricity whereby any telegraphic line of the Postmaster-General is or may be injuriously affected and before any such line or rail is laid down or any such act or work is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such

point) the said Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing such work shall give written notice to the Postmaster-General specifying the course of the line or rail and the nature of the work including the gauge of any wire and the said Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

A.D. 1888.

Barrow-in-Furness.

- (2.) Any difference which arises between the Postmaster-General and the said Promoters or their agents with respect to any requirements so made shall be determined by the Board of Trade whose decision shall be final and sections thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the said Promoters or their agents were a company within the meaning of that Act.
- (3.) In the event of any contravention of or wilful non-compliance with this section by the said Promoters or their agents the said 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.
- (4.) Provided that nothing in this section shall subject the said Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work 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.
- (5.) 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.
- (6.) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Order as if the said Promoters were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted.

A.D. 1888. BIRMINGHAM AND WESTERN DISTRICTS TRAMWAYS.

*Birmingham
and Western
Districts.*

Order authorising the abandonment of certain of the Tramways authorised by the Birmingham and Western Districts Tramways Order, 1882, the Birmingham and Western Districts Tramways Order, 1883, and the Birmingham and Western Districts Tramways Order, 1885, respectively, and the release of part of the Deposit funds paid into Court on the applications for the said Orders respectively.

Short title.

1. This Order may be cited as the Birmingham and Western Districts Tramways (Release of Deposits) Order, 1888.

The Promoters.

2. The Birmingham and Western Districts Tramways Company, Limited, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Abandonment
of tramways.

3. The Promoters shall abandon the construction of the tramways following that is to say,

Tramways Nos. 14, 15, 16 and 19, authorised by the Birmingham and Western Districts Tramways Order, 1882 (herein-after referred to as "the Order of 1882").

Tramway No. 23, authorised by the Birmingham and Western Districts Tramways Order, 1883 (herein-after referred to as "the Order of 1883"), and so much of Tramways Nos. 21 and 22 by the said Order authorised as is not by the Birmingham and Western Districts Tramways Order, 1886, required to be abandoned.

Tramways Nos. 5, 6, 6A, 6B, and 7 authorised by the Birmingham and Western Districts Tramways Order, 1885 (herein-after referred to as "the Order of 1885").

Release in part
of deposits in
respect of
Order of 1882
and Order of
1885.

4. On the production of a certificate signed by a Secretary or an Assistant Secretary of the Board of Trade, specifying the respective lengths of the said tramways by the Order of 1882 and the Order of 1885 respectively authorised which by this Order are required to be abandoned, and the portions of the sums which in pursuance of the Tramways Act, 1870, and of the rules made by the Board of Trade under the authority of the said Act, were paid or transferred into the Chancery Division of the High Court of Justice in respect of the applications for the said Orders respectively, to the credit of "Ex parte the Birmingham and Western Districts Tramways, 1882," and "Ex parte the Birmingham and Western Districts Tramways, 1885," respectively, which bear to the whole of such sums respectively, the same proportions as the lengths of the tramways by the said Orders respectively authorised and by this Order required to be abandoned bear to the entire lengths of the tramways authorised by the said Orders respectively; the High Court of Justice shall, subject to the provisions of the said rules relating to compensation to road authorities and for the protection of creditors on the application of the persons named in the

warrants of the Board of Trade authorising such payments or transfers or of the majority or survivors of such persons respectively, their executors, administrators or assigns, order such portions of the deposits so specified in such certificate as aforesaid, together with any interest or dividends due and payable thereon respectively to be paid out or transferred to the persons so applying or to any other person or persons whom they may appoint in that behalf, and thereupon such portions of such deposits, together with any such dividends or interest, shall be so paid out or transferred as aforesaid.

A.D. 1888.

*Birmingham
and Western
Districts.*

5. Subject to the provisions of the rules made by the Board of Trade under the authority of the Tramways Act, 1870, relating to compensation to road authorities and for the protection of creditors, the High Court of Justice shall, on the application of the persons named in the warrant of the Board of Trade authorising the payment or transfer of the deposit made in respect of the application for the Order of 1883 or of the majority or survivors of such persons respectively, their executors, administrators, or assigns, order the sum of three hundred and thirty-nine pounds, being a portion of the said deposit now standing to the credit of "Ex parte the Birmingham and Western District Tramways, 1883," together with any interest or dividends due and payable thereon, to be paid out or transferred to the persons so applying or to any other person or persons whom they may appoint in that behalf, and thereupon the said sum of three hundred and thirty-nine pounds, together with any such dividends or interest, shall be so paid out or transferred as aforesaid.

Release of
balance of
deposit in
respect of
Order of 1883

BRADFORD CORPORATION TRAMWAYS.

¶ *Bradford
Corporation.*

*Order authorising the Mayor Aldermen and Burgesses of the
Borough of Bradford to construct additional Tramways in the
said Borough.*

1. This Order may be cited as the Bradford Corporation Tramways Order 1888. 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 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 Provided that in this Order— Interpretation

The expressions "the tramways" and "the undertaking" mean respectively the tramways and works and the undertaking by this Order authorised:

The expression "the Corporation" means the mayor aldermen and burgesses of the borough of Bradford in the West Riding of the county of York acting by the council or any committee thereof duly authorised for that purpose:

The expression "the borough" means the said borough of Bradford:

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(No. 1) Act, 1888.

A.D. 1888. The expression "the Order of 1883" means the Bradford Corporation Tramways Order 1883 and the expression "the Order of 1886" means the Bradford Corporation Tramways Order 1886 and
Bradford Corporation. The term "person" includes a corporation.

Promoters.

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

Lands by agreement. 5. The Promoters may by agreement from time to time purchase take on lease and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell or dispose of any such lands which may not be necessary for such purposes Provided that they shall not at any time hold for such purposes more than three acres of land but 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 by them upon lands taken under the powers of this section.

Construction of Tramways.

Construction of tramways. 6. The Promoters may construct and maintain subject to the provisions of this Order and 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 respectively referred to as "the deposited plans" and "the deposited sections") the tramways herein-after described with all proper rails plates offices weigh-bridges stables carriage houses warehouses works and conveniences connected therewith or for the purposes thereof:

The tramways authorised by this Order are—

Tramway No. 1, 1 furlong 5·61 chains in length in the township of Bradford in the borough of Bradford aforesaid commencing by a junction with the existing tramway in Leeds Road in the said township at a point ninety-three feet west of the centre of Vicar Lane in the said township and passing thence in an easterly direction along Leeds Road aforesaid to and terminating by a junction with the existing tramway in Leeds Road aforesaid at a point thirty-three feet west of the centre of Richard Street in the said township :

Tramway No. 1A 3·27 chains in length in the said township commencing by a junction with a tramway authorised to be laid in Well Street in the said township by the Order of 1883 and extended by the Order of 1886 at a point eighty-three feet west of the centre of Vicar Lane aforesaid and passing thence in an easterly direction along Well Street and Leeds Road aforesaid to and terminating by a junction with Tramway No. 1 at a point seventy feet west of the centre of George Street in the said township :

The said Tramways No. 1 and No. 1A shall be laid as single lines throughout :

The total length of the said Tramways No. 1 and No. 1A both inclusive will be 1 furlong 8·88 chains :

In constructing the said Tramways No. 1 and No. 1A the Promoters shall alter the position of the existing line of tramway in the centre of Leeds Road aforesaid between Vicar Lane and Richard Street aforesaid by relaying the

same at the southern side of such road in accordance with the deposited plans and sections : A.D. 1888.

The tramways and alteration of existing tramways herein-before mentioned will be situate wholly in the township of Bradford in the parish and borough of Bradford in the West Riding of the county of York. *Bradford Corporation.*

7. The following provisions of the Order of 1886 that is to say sections eight to twenty-three (both inclusive) sections thirty-six to forty-four (both inclusive) and sections forty-seven to fifty (both inclusive) and the Schedule A to the said Order annexed shall as far as the same are applicable extend and apply to the tramways and undertaking by this Order authorised in like manner in every respect as if the tramways and undertaking by this Order authorised were the tramways and undertaking authorised by the Order of 1886 and for the purposes of such application the expressions "the tramways" "the undertaking" "the Promoters" and "this Order" in the said provisions shall be construed to mean respectively the tramways and the undertaking as defined respectively by this Order the Promoters of this Order and this Order. Extending provisions of Order of 1886.

8. The Corporation may under and according to the provisions contained in section twenty of the Tramways Act 1870 borrow for the purposes of this Order in addition to any sum or sums of money they are already authorised to borrow any sum or sums of money not exceeding in the whole one thousand one hundred pounds and the time for which any of such moneys may be borrowed shall be thirty years from the date of borrowing the same and for the purpose of such borrowing the Corporation may include in any mortgage of the local rate the moneys coming to them out of the rents reserved under any lease made under the authority of this Order and the tolls charges and sums authorised to be taken or received by them under the provisions of this Order. The Corporation may borrow one thousand one hundred pounds to be repaid in thirty years.

Traffic and Tolls.

9. From and after the passing of the Act confirming this Order section thirty-one (with respect to tolls and charges) of the Order of 1886 shall be read and construed as though the words "exceeding one mile and" were omitted therefrom and as though any sum not exceeding twopence were by the said section authorised to be charged for passengers for any distance not exceeding two miles. Amending section thirty-one of Order of 1886.

10. The tramways by this Order authorised shall for the purposes of traffic thereon and of the tolls and charges to be demanded and taken thereon be subject to the provisions in that behalf of the Order of 1886 as amended by this Order and sections twenty-four to thirty-five (both inclusive) of the Order of 1886 as amended by this Order and the Schedule B to that Order annexed shall as far as applicable apply to the tramways by this Order authorised and to the traffic thereon and to the tolls and charges authorised to be demanded and taken in respect of such traffic in like manner in every respect as if the tramways by this Order authorised had been authorised by the Order of 1886 and for the purposes of such application the expressions "the tramways" "the Promoters" and "this Order" in the said provisions shall be construed to mean respectively the tramways as defined by this Order the Promoters of this Order and this Order. Tolls and charges.

A.D. 1888.

LEEDS CORPORATION TRAMWAYS.

Leeds Corporation Order authorising the Mayor Aldermen and Burgesses of the Borough of Leeds to construct Tramways in and near the said Borough.

Short title.

1. This Order may be cited as the Leeds Corporation Tramways Order 1888.

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

Interpretation.

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

The expressions “the tramways” and “the undertaking” mean respectively the tramways and works and the undertaking by this Order authorised ;

The expression “the Corporation” means the mayor aldermen and burgesses of the borough of Leeds in the West Riding of the county of York acting by the council :

The expression “the borough” means the said borough of Leeds ; and

The term “person” includes a corporation.

Promoters.

The Promoters.

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

Lands by
agreement.

5. The Promoters may appropriate and use for the purposes of the undertaking any lands not dedicated to the public use now vested in them and forming part of their corporate estates and they may also by agreement from time to time purchase take on lease and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell or dispose of any such lands which may not be necessary for such purposes provided that they shall not at any time hold for such purposes more than five acres of land ; but 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 by them upon lands taken under the powers of this section.

*Construction of Tramways.*Construction
of tramways.

6. The Promoters may construct and maintain subject to the provisions of this Order and 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 respectively referred to as “the deposited plans” and “the deposited sections”) the tramways hereinafter described with all proper rails

plates curves points offices weigh-bridges carriage-houses engine-sheds ware-
houses works and conveniences connected therewith or for the purposes thereof.

A.D. 1888.

Leeds
Corporation.

The tramways authorised by this Order are—

(No. 1.) A Tramway No. 1 1 mile 6 furlongs 7·55 chains in length com-
mencing in North Street in the township and parish of Leeds by a junc-
tion with the existing lines of the Leeds Tramways Company at a point
in that street 1·75 chains or thereabouts measured in a southwardly
direction from the south-western corner of the Sheepscar Police Station
at the junction of Chapeltown Road and Roundhay Road thence pro-
ceeding along Roundhay Road into and through the township of Potter-
newton in the parish of Leeds and terminating in the township of
Roundhay in the parish of Barwick-in-Elmet at a point in that road 0·30
of a chain or thereabouts measured south-east from the western side of
Gledhow Lane at its junction with Roundhay Road ;

Tramway No. 1 shall be laid as a double line throughout ;

Tramway No. 1 will be situate in the townships of Leeds and Potternewton
in the parish of Leeds and in the township of Roundhay in the parish of
Barwick-in-Elmet ;

(No. 1A.) A Tramway No. 1A (a loop line) 1 furlong 0·82 chains in length
situate wholly in the township of Roundhay in the parish of Barwick-in-
Elmet commencing in the Roundhay Road at or near the point herein-
before described as the termination of Tramway No. 1 thence con-
tinuing in a north-easterly direction along the said road thence proceeding
by a curve into and through the open place or square in front of the new
entrance to Roundhay Park and terminating in the Roundhay Road by a
junction with Tramway No. 1 at or near the point herein-before described
as the termination of that tramway ;

Tramway No. 1A shall be laid as a single line throughout ;

(No. 2.) A Tramway No. 2 4 furlongs 2·33 chains in length consisting of
1 furlong 1·40 chains of double line and 3 furlongs 0·93 chains of single
line commencing by a junction with the existing lines of the Leeds
Tramways Company at the junction of Kirkgate and Call Lane at a
point in Kirkgate 0·30 of a chain or thereabouts measured in a north-
wardly direction from the north corner of the public-house known as
the Scotsman Stores thence proceeding into along and through York
Street along Marsh Lane and terminating in Marsh Lane by a junction
with the existing lines of the Leeds Tramways Company at a point one
chain or thereabouts measured in a south-westward direction from the
south side of Quarry Hill at its junction with Marsh Lane ;

Tramway No. 2 shall be laid as a single line except at the following places
where it shall be laid as a double line :

In York Street from a point 1·50 chains or thereabouts measured in an
eastward direction from the west corner of the premises known as
the Central Cocoa House for a distance of three chains or there-
abouts eastward ;

In York Street from a point 1·50 chains or thereabouts measured in an
eastward direction from the east side of Church Lane at its junction
with York Street for a distance of three chains or thereabouts
eastward ;

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In York Street from a point 0·38 of a chain or thereabouts measured in a north-eastward direction from the west side of the street known as Harrison's Buildings at its junction with York Street for a distance of three chains or thereabouts north-eastward ;

In York Street and Marsh Lane from a point one chain eastward of the west side of Carver Street at its junction with York Street to the point herein-before described as the termination of Tramway No. 2 in Marsh Lane ;

Tramway No. 2 will be situate wholly in the township and parish of Leeds ;

(No. 3.) A Tramway No. 3 1 mile 3 furlongs 2·65 chains in length consisting of 2 furlongs 6·37 chains of double line and 1 mile 6·28 chains of single line commencing in Marsh Lane in the township of Leeds by a junction with Tramway No. 2 at the point herein-before described as the termination of that tramway thence proceeding in a north-eastward direction along Marsh Lane Burmantofts Street Beckett Street and northward along Harehills Road and Roundhay Road and terminating in Roundhay Road in the township of Potternewton by a junction with Tramway No. 1 at a point in that road 0·53 of a chain or thereabouts measured in a northward direction from the north-eastern corner of Harehills Road at its junction with Roundhay Road ;

Tramway No. 3 shall be laid as a single line except at the following places where it shall be laid as a double line :

In Marsh Lane and Burmantofts Street from the point in Marsh Lane herein-before described as the commencement of Tramway No. 3 to a point in Burmantofts Street 0·76 of a chain or thereabouts measured in a north-eastward direction from the north-east side of Quarry Hill at its junction with Marsh Lane ;

In Burmantofts Street from a point 0·33 of a chain or thereabouts measured in an eastward direction from the west side of Old Hall Street at its junction with Burmantofts Street for a distance of three chains or thereabouts north-eastward ;

In Beckett Street from a point 1·25 chains or thereabouts measured in a north-eastward direction from the north side of Nippet Lane at its junction with Beckett Street for a distance of three chains or thereabouts north-eastward ;

In Beckett Street from a point 0·36 of a chain or thereabouts measured in an eastward direction from the south side of Markham Place at its junction with Beckett Street for a distance of three chains or thereabouts north-eastward ;

In Beckett Street from a point 0·27 of a chain or thereabouts measured in a north-westward direction from the north-east side of Museum Terrace at its junction with Beckett Street for a distance of three chains or thereabouts north-eastward ;

In Beckett Street and Harehills Road from a point in Beckett Street 1·16 chains or thereabouts measured in a south-westward direction from the south-east corner of the boundary wall of the grounds attached to the Leeds Workhouse for a distance of three chains or thereabouts north-eastward ;

In Harehills Road from a point twelve chains or thereabouts measured in a northward direction from the said south-east corner of the boundary wall of the workhouse grounds for a distance of three chains or thereabouts northward ;

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Leeds Corporation.

In Harehills Road from a point twenty-seven chains or thereabouts measured in a northward direction from the said south-east corner of the boundary wall of the workhouse grounds for a distance of three chains or thereabouts northward ;

In Harehills Road and Roundhay Road from a point 2·50 chains or thereabouts measured in a southward direction from the north-east corner of Harehills Road at its junction with Roundhay Road for a distance of three chains or thereabouts northward there forming a junction with Tramway No. 1 at the point herein-before described as the termination of Tramway No. 3 ;

Tramway No. 3 will be situate in the townships of Leeds and Potternewton in the parish of Leeds ;

The tramways herein-before described will be made in or pass from in through or into the townships of Leeds and Potternewton in the borough and parish of Leeds and the township of Roundhay in the parish of Barwick-in-Elmet all in the West Riding of the county of York.

7. In addition to the requirements of section twenty-six of the Tramways Act 1870 the Promoters shall before they proceed to open or break up any road for the purpose of constructing laying down maintaining or renewing any of the tramways lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining and renewing such tramways and a statement of the materials intended to be used therein and the Promoters shall not commence the construction laying down maintenance or renewal of any of the tramways or part of any of the tramways respectively except for the purpose of necessary repairs 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.

Provisions as to construction of tramways.

8. The Promoters shall not construct such portion of Tramway No. 1 as extends from the commencement of that tramway to Spencer Place until the carriageway of that portion of Roundhay Road is so widened as that a space of not less than nine feet six inches shall intervene between the outside of the footpath on either side of the said road and the nearest rail of the tramway Provided that as regards that portion of the said tramway between Spencer Place and the termination of the said tramway the tramway shall be so laid as that on the north-west side of Roundhay Road a space of not less than nine feet six inches and on the south-east side of that road a space of not less than nineteen feet shall intervene between the outside of the footpath and the nearest rail of the tramway Provided further that if the Promoters are unable to widen any portion of Roundhay Road between the last-mentioned points so as to admit of the said space of nineteen feet being left on the south-east side of the said road they shall not lay down the line of rails nearest to that side of Roundhay Road which has not been so widened as aforesaid Provided also that if the Promoters at any time after the passing of the Act confirming this Order proceed to carry out and complete the widening of Roundhay Road as herein-before

Special provisions as to construction of tramways.

A.D. 1888.

*Leeds
Corporation.*

mentioned within the borough they may by agreement purchase and acquire lands (such lands being deemed to be part of the lands authorised to be purchased under this Order) for widening that portion of the said road situate outside the borough and co-extensive with the tramway laid thereon.

Tramway No. 3 shall notwithstanding anything shown on the deposited plans be constructed as a double single line between the two portions of double line firstly and secondly herein-before described in connection with that tramway unless the roadway between the said portions of double line has previously been widened to a width of not less than twenty-four feet.

Tramway No. 2 and Tramway No. 3 shall notwithstanding anything shown on the deposited plans be laid respectively along the centre of the road In the event of the Promoters at any time widening York Street Marsh Lane Burman-tofts Street Beckett Street Harehills Road or any part of such roads respectively they may construct and lay down or (if previously constructed and laid down) remove and reconstruct with a double line of rails the whole or any part of Tramways Nos. 2 and 3 which will be situate in those roads or any of them when so widened. Provided always that in the construction of any such works no rail shall be laid so that a less space than nine feet six inches will intervene between the said rail and the outside of the footpath on either side of the road if any owner or occupier of premises abutting on the place where such rail is proposed to be laid by notice in writing under his hand addressed to the Promoters express his objection thereto.

As to rails of
tramways.

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

Penalty for not
maintaining
rails and roads
in good con-
dition.

10. 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 which any of the tramways for the time being consist and the substructure upon which the same rest and if the Promoters at any time make default in complying with this provision or with any of the requirements of section 28 of the Tramways Act 1870 they shall for every such offence be subject on information laid or complaint made to a penalty not exceeding five pounds and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues and such penalty may be recovered as by section 56 of the said Act is provided:

In any case in which it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the borough that the Promoters have made any such default as aforesaid the Board of Trade may if they think fit direct an inquiry by an officer to be appointed by the said Board such inquiry to be conducted in the manner provided by section 63 of the Tramways Act 1870 and if the Board of Trade certify under the hand of a secretary or an assistant secretary of the said Board that the default mentioned in such representation has been proved to the satisfaction of the said Board the Promoters shall make good such default in the manner and within the time specified in such certificate and if they fail to do so shall be subject to such penalty or penalties in respect of such failure as is or are herein-before imposed with respect to offences.

Passing places
to be con-
structed where
less than a
certain width
left between
footpath and
tramway.

11. Where in any road in which a double line of tramway is laid there is 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 and they are hereby required to construct a passing place or passing places

connecting the one tramway with the other and by means of such passing place or passing places the traffic shall when necessary be diverted from one tramway to the other.

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12. The Promoters may from time to time hereafter make maintain alter and remove all such crossings passing-places sidings junctions and other works in addition to those particularly specified in and authorised by this Order as may from time to time be necessary or convenient for the efficient working of the tramways or any of them or for providing access to any stables carriage-houses sheds or works of the Promoters or their lessees or licensees or for or in connection with standing places in any street contiguous to the tramways or any of them. Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches will intervene between the said rail and the outside of the footpath on either side of the road if any owner or occupier of premises abutting on the place where such rail is proposed to be laid by notice in writing under his hand addressed to the Promoters express his objection thereto :

Additional crossings &c. may be made where necessary.

13. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways is laid it is in the opinion of the Promoters necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Promoters may from time to time 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 of a tramway so removed or discontinued.

Temporary tramways may be made when necessary.

14. Any paving metalling or material excavated by the Promoters in the construction of any works under the authority of this Order 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 a manner as they may think fit.

Application of road materials excavated in construction of works.

15. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic in accordance with the Tramways Act 1870 and the Board of Trade have by an order signed by a secretary or an assistant secretary of the said Board authorised the same to be opened for such traffic.

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

Motive Power.

16. The carriages used on the tramways may subject to the provisions of this Order be moved by animal power and with the consent of the Board of Trade to be signified in writing during a period of seven years after the opening of the same for public traffic by means of haulage with wire ropes or other appliances placed underground or by means of electrical power pneumatic power steam power or any mechanical power and with the like consent during such further periods of seven years as the said Board may from time to time specify in any Order to be signed by a secretary or an assistant secretary of the said Board by means of any such motive drawing or propelling power as aforesaid.

Carriages may be moved by animal electrical pneumatic steam or mechanical power.

Provided always that the exercise of the powers hereby conferred with respect to the use of any such power as aforesaid other than animal power shall be subject to the regulations set forth in the Schedule A to this Order annexed and

A.D. 1888. *Leeds Corporation.* to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use on the tramways of any such power as aforesaid other than animal power.

Provided further that no power other than animal power shall be used on Tramway No. 2 or on Tramway No. 3 until the carriage-way of the roads along which those tramways are respectively authorised to be laid has been made of the width of not less than twenty-four feet.

Provided also that the lessees under any lease made by the Promoters shall not use any power other than animal power on the tramways or any part thereof unless they are authorised to do so by special permission in such lease and the Promoters may with the consent of the Board of Trade and subject to the provisions of this Order attach to such special permission such conditions and restrictions not being inconsistent with the provisions of this Order as they may think fit.

Penalty for using other than animal power contrary to Order or regulations.

17. The lessees or any person using any power other than animal power on any of the tramways contrary to the provisions of this Order or to any of the regulations set forth in the Schedule A to this Order annexed or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues. Provided always that whether any such penalty has been recovered or not the Board of Trade in case in their opinion the lessees or any person using any power other than animal power on the tramways under the authority of this Order have or has made default in complying with the provisions of this Order or with any of the regulations set forth in the Schedule A to this Order annexed or with any regulation which may have been added thereto or substituted therefor as aforesaid may by order direct the lessees or such person to cease to exercise the powers aforesaid and thereupon the lessees or such person shall cease to exercise the powers aforesaid and shall not again exercise the same or any of the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws by Board of Trade.

18. Subject to the provisions of this Order the Board of Trade may from time to time make and when made may rescind annul or add to byelaws with regard to any of the tramways upon which any power other than animal power may be used under the authority of this Order for all or any of the following purposes (that is to say) :—

For regulating the use of the bell whistle or other warning apparatus fixed to the engine ;

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

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

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

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For providing for the due publicity of all regulations and byelaws in force for the time being in relation to such tramways by exhibition of the same in conspicuous places on the carriages and elsewhere ;

For making any other provision which the Board of Trade may deem necessary for the protection of the public ;

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.

19. The Corporation in addition to any other regulations and byelaws which they are authorised to make under the Tramways Act 1870 or under this Order may subject to the provisions of the Tramways Act 1870 with respect to byelaws by the local authority and to penalties in respect of offences against such byelaws from time to time make alter vary and rescind byelaws for the better regulation and control of enginemen drivers conductors and other persons of a like character employed in and about the tramways or any of them and for the licensing of the same and as to the penalties which may be enforced for any breach of such byelaws.

Further powers
to Corporation
as to byelaws.

Provided always that until any such byelaws are in force all such enginemen drivers conductors and other persons shall be subject to the same laws and byelaws as may be in force in the borough for the licensing and regulation of drivers and conductors of omnibuses plying for hire in the borough.

20. The provisions of the Tramways Act 1870 with respect to the recovery of penalties shall apply to any penalty under this Order and to any penalty for non-observance of any byelaw made under the authority of this Order.

As to recovery
of penalties.

21. 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 Corporation to make any byelaw sanctioning a higher rate of speed than that authorised by this Order or by any regulation made by the Board of Trade under the authority of this Order at which engines and carriages are to be driven or propelled on the tramways under the authority of this Order but the Corporation may if they think fit make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

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

22. All orders and byelaws made 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 of Trade and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Order and the production of a written or printed copy of any such order byelaw or certificate purporting to be signed as aforesaid shall be *prima facie* evidence of such order byelaw or certificate in all courts of justice and in all legal proceedings.

Orders and
byelaws to
be signed &c.

Traffic upon Tramways.

23. The tramways may be used for the purpose of conveying passengers animals goods minerals and parcels.

Traffic upon
tramways.

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Lessees not bound to carry animals goods &c.

Provisions as to carriage of animals goods &c.

Railway carriages not to be used on tramways.

Heavy traffic between eight a.m. and eight p.m.

Corporation may use tramways for sanitary purposes.

Regulations &c. by Corporation as to level crossings &c.

24. The lessees shall not be bound to carry unless they think fit any animals goods minerals or parcels other than passengers' luggage not exceeding twenty-eight pounds in weight.

25. In case the lessees carry animals goods minerals or parcels they may and when required by the Corporation shall carry the same in separate carriages or separate parts of carriages set apart for that purpose provided that this provision shall not apply to the carriage of passengers' luggage.

26. No carriages or trucks adapted for use upon railways shall be used upon the tramways.

27. Only passengers and passengers' luggage not exceeding fifty-six pounds in weight and no animals goods minerals or parcels shall be conveyed on the tramways between the hours of eight in the morning and eight in the evening without the previous consent of the Corporation.

28. The Corporation may at such times and in such manner as they think fit (but subject to the provisions of this Order and to any byelaws for the time being in force with respect to the tramways) use the tramways for sanitary purposes and for the conveyance of scavenging stuffs road metal and other materials required for the works of the Corporation free of all tolls and charges in respect of such use.

29. The powers of the Corporation as the local authority under section 46 of the Tramways Act 1870 with respect to regulations and byelaws as to the matters and for the purposes therein mentioned and with respect to the repeal and alteration of such byelaws and the making of new byelaws shall subject as herein-after provided extend and apply to the following matters and purposes (that is to say) :—

(A) For regulating the time manner and other conditions of any kind at under and subject to which any tramways of the Corporation shall be worked or managed at any place where any tramway now or hereafter to be laid down by the Corporation or the Leeds Tramways Company within the borough crosses or intersects on the level any other tramway now or hereafter to be laid down by the Corporation or the Leeds Tramways Company within the borough ;

(B) For regulating the working of tramcars carriages and engines on any tramway of the Corporation or the Leeds Tramways Company where by reason of any curve in the line of tramway or the proximity of another line of tramway or from any other cause the Corporation deem it necessary for the protection of the public that such regulations should be made.

No tramway laid down by the Corporation under the authority of this Order shall be worked or used at any such place of crossing or intersection as aforesaid unless and until regulations under this section with respect to such crossing or intersection are made and in force.

Provided always that any regulations under this section shall be made only at a meeting of the Town Council duly convened and shall be of no force or effect until the same have been agreed upon or settled in manner herein-after mentioned and that fourteen days at least prior to such meeting notice in writing of the intention to make such regulations shall be given under the hand of the town clerk to every company or person working any tramways to whom or to whose servants such regulations would apply and that it shall be lawful for

any such company or person within such period of fourteen days to give notice in writing to the town clerk of any objection to such intended regulations specifying the grounds of such objection and any such company or person who after receiving such notice from the town clerk as aforesaid does not within such period of fourteen days give such notice of objection as aforesaid shall be deemed to have agreed to the making of such regulations In the event of the Corporation and any such company or person not being able to agree as to any of such regulations the same shall be settled by the Board of Trade who may thereupon make such order in relation thereto as the said Board may think fit.

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Tolls.

30. The tolls and charges authorised by this Order to be demanded and taken are as follows (viz.)—

Tolls and charges.

For every passenger travelling upon the tramways or any part thereof any tolls or charges not exceeding the sum of one penny per mile (and for this purpose a fraction of a mile beyond an integral number of miles shall be deemed a mile) but for any less distance than two miles any sum not exceeding twopence may be charged;

For all animals goods minerals and parcels conveyed upon the tramways or any part thereof any tolls or charges not exceeding the tolls and charges specified in Schedule B to this Order annexed subject to the regulations in that behalf therein contained ;

Such tolls and charges shall include all tolls and charges which may be demanded and taken for the use of the tramways carriages waggons or trucks and for motive power and for every other expense incidental to such conveyance.

31. Every passenger travelling upon the tramways 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 personal luggage to be carried by hand and at the responsibility of the passenger 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.

32. The lessees shall at all times during the continuance of the demise of the tramways run at least one carriage each way every morning in the week and every evening in the week (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than seven in the morning or earlier than half-past five in the evening as the Promoters think most convenient for artisans mechanics and daily labourers at tolls or charges not exceeding one halfpenny per mile (and for this purpose a fraction of a mile shall be deemed a mile) but the lessees shall not be required to take any toll or charge less than one penny Provided always that the Board of Trade may from time to time for good cause shown either authorise the lessees to discontinue the running of such carriage or may order the lessees to run an extra carriage at such hours as aforesaid and may from time to time revoke alter or modify such Order and in case of any complaint made to the Board of Trade as to the hours appointed by the Promoters for the running of such carriage or carriages the said Board shall have power to fix and regulate the same from time to time Every lease to be granted by the Promoters shall imply a condition of re-entry if the lessees at any time after the expiration of twenty-one days' notice requiring them to run

Cheap fares for labouring classes.

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revision of
tolls.

such carriage or carriages at such times and at such tolls or charges as hereinbefore mentioned make default in complying with such notice unless such default be occasioned by unavoidable accident.

33. The tolls and charges by this Order authorised shall be paid to such persons and at such places upon or near to the tramways and in such manner and under such regulations as the persons entitled to demand and take such tolls and charges may by notice to be annexed to the list of tolls and charges appoint.

34. If at any time after three years from the opening for public traffic of the tramways or any portion of the tramways or after three years from the date of any order made in pursuance of this section in respect of the tramways or any portion of the tramways it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the borough or by the lessees that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramways or on such portion of the tramways 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 such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised the said Board may make an order in writing altering modifying reducing or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways 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 tolls and charges prescribed by any such order shall not exceed in amount the tolls and charges by this Order authorised Provided also that a copy of this section shall be annexed to every table or list of tolls published or exhibited by the Promoters.

Opening of Tramways to the Public.

As to user of
tramways and
tolls thereon
when open to
be used by the
public.

35. Subject to any lease or agreement for a lease the Promoters may from time to time by resolution declare the tramways or any part thereof to be open to be used by the public and for such periods and subject to such conditions and restrictions as to motive power and otherwise as the Promoters may subject to the provisions of this Order and the approval of the Board of Trade think fit and such user may be either concurrently with the lessees or otherwise and so soon as the Promoters have passed such resolution and the same has been approved by the Board of Trade by writing signed by a secretary or an assistant secretary of the Board of Trade any person may use the tramways or any part thereof in accordance with the terms of such resolution and subject to the provisions of this Order with carriages having flanged wheels or other wheels suitable only to run on the rail of the tramways and may demand and take for the like purposes for which tolls or charges are authorised to be demanded and taken by this Order any tolls or charges not exceeding the tolls and charges by this Order authorised to be demanded and taken for such purposes.

Tolls if tram-
ways opened
to be used by
the public.

36. If the tramways or any part thereof be declared to be open to be used by the public the Promoters may demand and take from any person so using the tramways or any part thereof the following tolls and charges in respect of such user (namely :

For every passenger travelling in or upon any of the carriages of such person any tolls or charges not exceeding one half of the tolls and charges by this Order authorised to be demanded and taken by such person for such passenger; A.D. 1888.
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For any animal goods minerals and parcels conveyed in or upon the carriages of such person any tolls or charges not exceeding one-half of the tolls and charges specified in the Schedule B to this Order annexed in respect of such animals goods minerals and parcels so conveyed subject to the regulations in that behalf therein contained :

And the Promoters may if they think fit commute such tolls or charges so that the commuted sum may be as near as possible an equivalent of such tolls or charges.

37. Any person so using the tramways or any part thereof declared to be open to be used by the public and the officers and servants of such person shall permit any person duly authorised for that purpose by the Promoters to ride free of charge for the whole or any part of the journey in or upon each carriage waggon truck or vehicle in or upon which any passengers animals goods minerals or parcels are conveyed upon the tramways or such part thereof. Servants of the Promoters &c. to ride in carriages &c. free of charge.

38. The provisions contained in the following sections of the Tramways Act 1870 (namely)— Certain provisions of the Tramways Act 1870 as to licensees extended to persons using the tramways when opened to the public.

Section 36. (In default of payment of tolls licensees' carriages may be detained and sold) ;

Section 37. (Licensees to give account of passengers carried by them) ;

Section 38. (Licensees not giving account of passengers carried liable to penalty) ;

Section 39. (Disputes as to amount of tolls to be settled by justices) ; and

Section 40. (Owners of carriages liable for damages done by their servants) ; shall so far as the same are applicable in this behalf extend and apply mutatis mutandis to the person or persons so using the tramways or any part thereof declared to be open to be used by the public and in construing those sections for the purposes aforesaid :

The expression "licensee" or "licensees" shall mean the person or persons so using the tramways or any part thereof ;

The expression "passengers" shall include animals goods minerals and parcels ;

The expression "number of passengers" shall include the number or quantity (as the case may require) of the animals goods minerals or parcels conveyed ; and

The expression "carriage" shall include any waggon truck or vehicle in or upon which such animals goods minerals or parcels are conveyed.

Miscellaneous.

39. The Corporation or any committee of the council or any officer of the Corporation appointed for the purpose may cause to be removed from the tramways any engine car carriage or horse which is certified by any officer appointed by the Corporation to be unfit for use upon the tramways provided that every certificate made by the said officer to the Corporation shall be in writing and shall state fully the particulars in which in the opinion of the said officer the engine car carriage or horse (as the case may be) is unfit for use and notice of Carriages or horses unfit for use may be removed.

A.D. 1888. every such certificate setting forth the particulars contained in the said certificate shall be served upon the lessee or other company or person owning or using such engine car carriage or horse prior to any action being taken thereon by the Corporation. Provided always that if any dispute arise between the Corporation and such lessee company or person as to the fitness or unfitness of any such engine car carriage or horse the same shall be settled by two justices.

Engines &c. to
be approved by
Corporation.

40. No engine carriage or car differing in construction size or weight from any engine carriage or car previously sanctioned or in use on any tramways in the borough shall be used in the borough unless the same shall have been previously approved by the Corporation. If any difference arises thereon between the Corporation and any company or person using such engine carriage or car the same shall be determined by the Board of Trade whose decision shall be final and conclusive.

Powers to run
over Leeds
Tramways.

41. The lessees or licensees of the Promoters may with the consent in writing of the Leeds Tramways Company and of the Corporation but not otherwise and subject to the provisions of this Order run over and use with their engines horses carriages officers and servants so much of the tramways of the Leeds Tramways Company as are constructed and laid over and along Duncan Street Call Lane Kirkgate and Marsh Lane to the termination of such tramways in Marsh Lane and over and along Briggate from its junction with Duncan Street New Briggate and North Street to the junction of the said tramways with the commencement of Tramway No. 1 by this Order authorised and also over and along the lines crossing Briggate and connecting the tramways of the said Company in Duncan Street and Boar Lane respectively all within the borough together with all stables carriages sheds offices warehouses sidings junctions machinery works and conveniences of or connected with the said tramways or such portions thereof respectively.

Terms of such
user.

42. The terms conditions and regulations to which the lessees or licensees of the Promoters shall be subject in respect of running over and using the said tramways and the tolls or other consideration to be paid by them for the same shall be such as may be mutually agreed upon between the lessees or licensees of the Promoters and the Leeds Tramways Company. Provided always that such terms conditions and regulations shall in every case be subject to the approval of the Board of Trade.

Provisions and
byelaws to be
observed.

43. The lessees or licensees of the Promoters in running over or using the said tramways in accordance with the provisions herein-before contained shall at all times comply with the provisions regulations and byelaws for the time being in force on the said tramways so used so far as the same may be applicable to such lessees and licensees and shall for their own acts and defaults in respect of such user be subject to the same liabilities as the owners of the said tramways.

Power to
lessees to enter
into working
agreements
with the Leeds
Tramways
Company.

44. The lessees or licensees of the Promoters on the one hand and the Leeds Tramways Company on the other hand may from time to time enter into and carry into effect and rescind contracts agreements and arrangements with respect to the following purposes or any of them (that is to say):—

The working use and management by the contracting parties or either of them of the respective tramways and works of the Promoters and of the Leeds

Tramways Company or any part or parts thereof respectively and the employment of officers and servants in connection therewith ;
The supply and maintenance under and during the continuance of any agreement for the tramways and works of the Promoters and of the Leeds Tramways Company or any part or parts thereof respectively being worked and used as aforesaid of stock and plant necessary for the purposes of such agreement ;
The payments to be made and the conditions to be performed with respect to the matters aforesaid ;
The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways of the Promoters and the Leeds Tramways Company respectively or either of them ;
The fixing collection payment appropriation apportionment and distribution between the lessees or licensees of the Promoters and the Leeds Tramways Company of the tolls rates income and profits levied or taken upon or arising from the tramways and works of the Promoters and of the said Company respectively or either of them or any part thereof ;
And all incidental matters :
Provided always that no contract agreement or arrangement under this section shall have any effect until the same has been approved by the Board of Trade.

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45. Where under the provisions of the Tramways Act 1870 and this Order any matter in difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Common Law Procedure Act 1854 shall apply to every such arbitration and the decision of the arbitrator shall be final and conclusive and binding on all parties and the costs of and incidental to the arbitration and award shall if either party so require be taxed and settled as between the parties by any one of the taxing masters of the High Court of Justice and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters and all those enactments including the enactments relating to the taking of fees by means of stamps shall extend to the fees in respect of the said taxation.

Provisions as to arbitration.

46. 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 shall be in writing or print or partly in writing and partly in print and shall be signed by the town clerk if given by the Promoters and by their clerk or secretary if given by any company local authority or any road authority ;
- (2) Any notice to be delivered by or to the Promoters to or by any local authority or any road authority or other body or any company may be delivered by being left at the principal office of that authority body or company or at the town hall in the borough as the case may be or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office or to the town clerk at the town hall.

47. The Corporation may under and according to the provisions contained in section 20 of the Tramways Act 1870 borrow for the purposes of this Order in addition to any sum or sums of money they are already authorised to borrow any sum or sums of money not exceeding in the whole twenty-one thousand

Corporation may borrow 21,000*l.* to be repaid in thirty years.

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Corporation.

pounds and the time for which such sum of twenty-one thousand pounds may be borrowed shall be thirty years and for the purpose of such borrowing the Corporation may include in any mortgage of the local rate the moneys coming to them out of the rents reserved under any lease made under the authority of this Order and the tolls charges and sums authorised to be taken or received by them under the provisions of this Order.

Corporation
may create and
issue stock.

48. For the purpose of raising the moneys authorised to be borrowed for the purposes of this Order the Corporation may from time to time create and issue Leeds Corporation Debenture Stock to an amount not exceeding in the whole twenty-one thousand pounds in nominal amount under the Provisional Order included in and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1883.

Audit
accounts.

49. Sections 246 and 250 of the Public Health Act 1875 shall apply to the audit of the accounts of the receipts and expenditure of the Corporation and their officers with respect to all tramways constructed by the Corporation within the borough as if such accounts related to receipts and expenditure under that Act.

Carrying of
mails by
lessees.

50. (1.) The lessees or persons by whom any of the tramways are worked (all of whom are in this section included in the expression "the lessees") if required by the Postmaster-General shall perform with respect to any tramway owned or worked by them all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires provided as follows:—

(A) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the lessees in or upon any carriage (that is to say):—

(i.) If the carriage is conveying or intended to convey passengers and not goods or parcels then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers; and

(ii.) If the carriage is conveying or intended to convey parcels only then in excess of such maximum weight as is for the time being fixed for ordinary parcels or if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage then as is for the time being fixed by agreement or in default of agreement by a referee to be appointed at the request of of either party by the Lord Chief Justice of England; and

(iii.) If the carriage is conveying or intended to convey both parcels and passengers but not goods then in excess of the maximum weight for the time being fixed for ordinary parcels or for the luggage of ordinary passengers whichever is the greater;

(B) Mails when carried in or upon a carriage conveying passengers shall be so carried as not to inconvenience the passengers but so nevertheless that the custody of the mails by any officer of the Post Office in charge thereof shall not be interfered with;

(C) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the lessees in or upon a carriage conveying or intended to convey passengers but not goods or parcels except in the charge of an officer of the Post Office travelling as a passenger;

(D) If the lessees carry goods as well as passengers and parcels the enactments relating to the conveyance of mails by railway shall subject to the provisions of this section apply in like manner as if the lessees were a railway company and the tramway were a railway.

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(2.) The remuneration for any services which have been performed by the lessees in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the lessees or in default of agreement by a referee to be appointed by the Lord Chief Justice of England at the request of either party and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(3.) For the purposes of this section the expression "mails" has the same meaning as in the Regulation of Railways Act 1873 and includes parcels within the meaning of the Post Office (Parcels) Act 1882.

(4.) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General or a secretary or assistant secretary of the Post Office or the Inspector-General of Mails and any document purporting to be signed by any such person as aforesaid shall until the contrary is proved be deemed without proof of the official character of such person to have been duly signed as required by this section.

51. In the event of any tramways of the Promoters being worked by electricity the following provisions shall have effect :—

For protection
of the Post-
master-
General.

(1.) It shall not be lawful for the Promoters to lay down any line or rail or to do any act or work for working such tramways by electricity whereby any telegraphic line of the Postmaster-General is or may be injuriously affected and before any such line or rail is laid down or any such act or work is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing such work shall give written notice to the Postmaster-General specifying the course of the line or rail and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work ;

(2.) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by the Board of Trade whose decision shall be final and sections thirty to thirty-two 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 ;

(3.) 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

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—
Leeds
Corporation.

or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues ;

(4.) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work 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 ;

(5.) 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 ;

(6.) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Order as if the Promoters were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted.

Saving for
general Acts.

52. Notwithstanding anything in this Order contained the Promoters lessees and any person using the tramways shall be subject and liable to the provisions of any general Act now in force or which may hereafter be passed during this or any future session of Parliament relating to tramways or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon and to any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by this Order and to any condition regulation or restriction which may be imposed upon the use of tramways or upon the use on tramways of animal power electrical power pneumatic power steam power or any mechanical power by any such general Act as aforesaid.

SCHEDULE A.

Break power
of engines.

Every engine used on the tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating and for bringing such engine and any carriage drawn or propelled by such engine to a stand as the Board of Trade may from time to time think sufficient.

As to fittings
of engines &c.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof and shall be fitted—

With an indicator by means of which the speed shall be shown ;

With a suitable fender to push aside obstructions ;

With a special bell whistle or other apparatus to be sounded as a warning when necessary ; and

With a seat for the driver of such engine so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery and the machinery shall be concealed from view at all points above four inches from the level of the rails and all fire used on such engine shall be concealed from view. A.D. 1888.
Leeds
Corporation.

Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers and for their safe entrance to exit from and accommodation in such carriage and their protection from the machinery of any engine used for drawing or propelling such carriage. As to
carriages.

The Board of Trade shall on the application of the Corporation and may on complaint made by any person from time to time inspect any engine or carriage used on the tramways and the machinery therein and may whenever they think fit prohibit the use on the tramways of any such engine or carriage which in their opinion may not be safe for use on the tramways. Inspection of
engines and
carriages.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour. As to speed.

The speed at which engines and carriages may pass through moveable facing points shall not exceed the rate of four miles an hour.

SCHEDULE B.

TOLLS AND CHARGES FOR THE CONVEYANCE OF ANIMALS GOODS &c.

Animals.

	Per Mile.
	s. d.
For every horse mule or other beast of draught or burthen per head	- 0 4
For every ox cow bull or head of cattle per head	- 0 3
For every calf pig sheep or other small animal per head	- 0 1½

Goods and Minerals.

For all coals coke culm charcoal cannel limestone chalk lime salt sand fireclay cinders dung compost and all sorts of manure and all undressed materials for the repair of public roads or highways per ton	- 0 3
For all iron ironstone iron ore pig iron bar iron rod iron sheet iron hoop iron plates of iron slabs billets and rolled iron bricks slag and stone and stones for building pitching and paving tiles slates and clay (except fireclay) and for wrought iron not otherwise specifically classed herein and for heavy iron castings including railway chairs per ton	- 0 2½
For all sugar grain corn flour hides dye-woods earthenware timber staves deals and metals (except iron) nails anvils vices and chains and for light iron castings per ton	- 0 3
For cotton and other wools drugs and manufactured goods and all other wares merchandise fish articles matters or things per ton	- 0 4
For every carriage of whatever description under one ton in weight tenpence with the additional charge of twopence per quarter of a ton over one ton in weight.	

A.D. 1888.	Single Articles of Great Weight.	Per Mile.
		s. d.
Leeds Corporation.	For the carriage of any iron boiler cylinder or single piece of machinery or single piece of timber or stone or other single article the weight of which including the carriage does not exceed four tons per ton	- 0 8
	For the carriage of any single piece of timber stone machinery or other single article the weight of which with the carriage exceeds four tons such sum as the person or persons entitled to demand and take tolls and charges in respect of the same may think fit.	

	Parcels.	Any distance.
		s. d.
	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 5
	For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight	- - - - - 0 7
	For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight	- - - - - 0 9
	For any parcel exceeding fifty-six pounds in weight such sum as the person or persons entitled to demand and take tolls and charges in respect of the same 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.

Regulations as to Tolls.

For a fraction of a ton tolls or charges may be demanded and taken according to the number of the quarters of a ton in such fraction and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber the weight shall be determined according to the Imperial avoirdupois weight.

With respect to stone and timber fourteen cubic feet of stone forty cubic feet of oak mahogany teak beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

NEWBURY AND LAMBORNE TRAMWAY.

A.D. 1888.

Order authorising the release of the Balance of the Deposit Fund paid into Court on the application for the Newbury and Lamborne Tramway Order 1874.

*Newbury
and Lam-
borne.*

1. This Order may be cited as the Newbury and Lamborne Tramway (Release of Deposit) Order, 1888. Short title.

2. Whereas the period prescribed for the completion and opening for public traffic of the tramways mentioned in section six of the Newbury and Lamborne Tramway Order 1874 has expired and the said tramways have not been constructed and the construction thereof has been abandoned And whereas pursuant to the provisions of the Tramways Act 1870 and of the rules made by the Board of Trade under the authority of the said Act the sum of one thousand pounds New Three pounds per Centum Annuities was paid or transferred in relation to the said tramways into the Chancery Division of the High Court of Justice to the credit of "Ex parte the Newbury and Lamborne Tramway Company Limited" and whereas a portion of the said sum has been applied in pursuance of the said rules and of an order of the Supreme Court of Judicature towards compensating the road authority for certain expenses incurred by them in relation to the said tramways and the balance of the said sum amounting to seven hundred and forty pounds seventeen shillings and fivepence New Three pounds per Centum Annuities still remains standing to the credit of the account aforesaid and it is expedient that the said balance should be released in manner herein-after provided Therefore the High Court of Justice may and shall subject to the provisions of the said rules relating to compensation to road authorities and for the protection of creditors on the application of the persons named in the warrant of the Board of Trade authorising such payment or transfer or of the majority or survivors of such persons their executors administrators or assigns order the said balance of seven hundred and forty pounds seventeen shillings and fivepence New Three pounds per Centum Annuities together with any dividends or interest due and payable thereon to be paid out or transferred to the persons so applying or to any other person or persons whom they may appoint in that behalf and thereupon such sum together with any such dividends or interest shall be so paid out or transferred as aforesaid.

Release of the
balance of the
deposit under
the Newbury
and Lamborne
Tramway
Order 1874.

A.D. 1888. PONTYPRIDD AND RHONDDA VALLEY TRAMWAYS.

*Pontypridd
and
Rhondda
Valley.**Order amending the Pontypridd and Rhondda Valley Tramways Order 1882 with respect to the opening for public traffic of certain of the tramways thereby authorised and authorising the release of the deposit fund paid into Court on the application for the said Order.*

Short title.

1. This Order may be cited as the Pontypridd and Rhondda Valley Tramways (Release of Deposit) Order 1888.

Amendment
of Pontypridd
and Rhondda
Valley Tram-
ways Order
1882 with
respect to
opening of
certain tram-
ways and
release of
deposit fund.

2. Whereas the tramways authorised by the Pontypridd and Rhondda Valley Tramways Order 1882 (herein-after referred to as "the Order of 1882") were not completed and opened for public traffic within the period prescribed for the completion and opening for public traffic of the same as from time to time prolonged by the special direction of the Board of Trade and shortly after the expiration of the period so prolonged as aforesaid certain of the said tramways were completed and have been certified by the Board of Trade and opened for public traffic and the same are now open for public traffic And whereas the remaining portions of the said tramways have not been commenced and the construction thereof has been abandoned and it is expedient that in relation to the said tramways so opened for public traffic the Order of 1882 should be amended and that the provisions following should be in force and have effect. Therefore

(1.) The powers conferred by the Order of 1882 upon the Promoters of the said Order shall be deemed to have been and to be unaffected by the failure to open for public traffic the tramways thereby authorised within the time so prolonged as aforesaid and the said Order shall have effect in all respects as though the opening for public traffic of such of the said tramways as have not been abandoned had taken place within the time so prolonged as aforesaid.

(2.) Subject to the provisions of the rules made by the Board of Trade under the authority of the Tramways Act 1870 relating to compensation to road authorities and for the protection of creditors the High Court of Justice may and shall on the application of the person named in the warrant of the Board of Trade dated the twenty-fourth day of April one thousand eight hundred and eighty-two his executors administrators or assigns order the sum of one thousand four hundred and seventy-three pounds five shillings and elevenpence Consolidated Three pounds per Centum Annuities which pursuant to the provisions of the Tramways Act 1870 and of the said rules of the Board of Trade was paid or transferred in relation to the tramways authorised by the Order of 1882 into the Chancery Division of the High Court of Justice to the credit of "Ex parte the Pontypridd and Rhondda Valley Tramways 1882" together with any dividends or interest due or payable thereon to be paid out or transferred to the person or persons so applying or to any other person or persons whom he or they may appoint in that behalf and thereupon such sum together with any such dividends or interest shall be so paid out or transferred as aforesaid.

3.—(1.) The Promoters of the Order of 1882 if required by the Postmaster-General shall perform with respect to any tramway owned or worked by them all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires provided as follows:—

A.D. 1888.
—
*Pontypridd
and
Rhondda
Valley.*
Carrying of
mails by Pro-
moters.

(a.) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the said Promoters in or upon any carriage that is to say—

(i.) If the carriage is conveying or intended to convey passengers and not goods or parcels then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers and

(ii.) If the carriage is conveying or intended to convey parcels only then in excess of such maximum weight as is for the time being fixed for ordinary parcels or if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage then as is for the time being fixed by agreement or in default of agreement by a referee to be appointed at the request of either party by the Lord Chief Justice of England and

(iii.) If the carriage is conveying or intended to convey both parcels and passengers but not goods then in excess of the maximum weight for the time being fixed for ordinary parcels or for the luggage of ordinary passengers whichever is the greater.

(b.) Mails when carried in or upon a carriage conveying passengers shall be so carried as not to inconvenience the passengers but so nevertheless that the custody of the mails by any officer of the Post Office in charge thereof shall not be interfered with.

(c.) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the said Promoters in or upon a carriage conveying or intended to convey passengers but not goods or parcels except in charge of an officer of the Post Office travelling as a passenger.

(d.) If the said Promoters carry goods as well as passengers and parcels the enactments relating to the conveyance of mails by railway shall subject to the provisions of this section apply in like manner as if the said Promoters were a railway company and the tramway were a railway.

(2.) The remuneration for any services which have been performed by the said Promoters in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the said Promoters or in default of agreement by a referee to be appointed by the Lord Chief Justice of England at the request of either party and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(3.) For the purposes of this section the expression "mails" has the same meaning as in the Regulation of Railways Act 1873 and includes parcels within the meaning of the Post Office (Parcels) Act 1882.

(4.) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General or a secretary or assistant secretary of the Post Office or the Inspector-General of Mails and any document purporting to be signed by any such person as aforesaid shall until the contrary

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*Pontypridd
and
Rhondda
Valley.*For protection
of the Post-
master-
General.

is proved be deemed without proof of the official character of such person to have been duly signed as required by this section.

4. In the event of the tramways of the Promoters of the Order of 1882 being worked by electricity the following provisions shall have effect :

(1.) It shall not be lawful for the said Promoters to lay any line or rail or to do any act or work for working the said tramways by electricity whereby any telegraphic line of the Postmaster-General is or may be injuriously affected and before any such line or rail is laid down or any such act or work is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the said Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing such work shall give written notice to the Postmaster-General specifying the course of the line or rail and the nature of the work including the gauge of any wire and the said Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(2.) Any difference which arises between the Postmaster-General and the said Promoters or their agents with respect to any requirements so made shall be determined by the Board of Trade whose decision shall be final and sections thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the said Promoters or their agents were a company within the meaning of that Act.

(3.) In the event of any contravention of or wilful non-compliance with this section by the said Promoters or their agents the said 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.

(4.) Provided that nothing in this section shall subject the said Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work 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.

(5.) 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.

(6.) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Order as if the said Promoters were

undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted.

A.D. 1888.

Pontypridd
and
Rhondda
Valley.

Saving for
general Acts

5. Notwithstanding anything in this Order contained the Promoters of the Order of 1882 and any person using the tramways by the said Order authorised shall be subject and liable to the provisions of any general Act now in force or which may hereafter be passed during this or any future session of Parliament relating to tramways or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon and to any future revision or alteration under the authority of Parliament of the maximum rates of tolls and charges authorised by the Order of 1882 and to any condition regulation or restriction which may be imposed upon the use of tramways or upon the use on tramways of animal power steam power electrical power or any mechanical power by any such general Act as aforesaid.

STRATFORD ILFORD AND ROMFORD TRAMWAYS.

Stratford
Ilford and
Romford.

Order authorising the abandonment of the Tramways authorised by the Stratford Ilford and Romford Tramways Order 1886 and the release of the Deposit Fund paid into Court on the application for the said Order.

1. This Order may be cited as the Stratford Ilford and Romford Tramways (Abandonment of Tramways and Release of Deposit) Order 1888. Short title.

2. The Promoters of the Stratford Ilford and Romford Tramways Order 1886 shall abandon the construction of the tramways by the said Order authorised.

Abandonment
tramways
authorised by
the Stratford
Ilford and Rom-
ford Tramways
Order 1886.
Release of
deposit under
the Stratford
Ilford and
Romford
Tramways
Order 1886.

3. Whereas pursuant to the provisions of the Tramways Act 1870 and of the rules made by the Board of Trade under the authority of the said Act the sum of one thousand two hundred and fifty pounds was paid in relation to the tramways authorised by the Stratford Ilford and Romford Tramways Order 1886 into the Chancery Division of the High Court of Justice to the credit of "Ex parte the Stratford Ilford and Romford Tramways 1886" and whereas it is expedient that the said sum should be released in manner herein-after provided Therefore the High Court of Justice may and shall subject to the provisions of the said rules relating to compensation to road authorities and for the protection of creditors on the application of the persons named in the warrant of the Board of Trade authorising such payment or of the majority or survivors of such persons their executors administrators or assigns order the said sum of one thousand two hundred and fifty pounds together with any interest due and payable thereon to be paid out or delivered to the persons so applying or to any other person or persons whom they may appoint in that behalf and thereupon such sum together with any such interest shall be so paid out or delivered as aforesaid.

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