



CHAPTER cxlviii.

An Act for empowering the Southwark and Deptford
Tramways Company to construct New Tramways and
for other purposes. [12th August 1889.]

A.D. 1889.

WHEREAS it is expedient that the Southwark and Deptford
Tramways Company (herein-after called "the Company")
should be authorised to lay down and maintain the new tramways
in this Act described in connexion with their existing tramways
in the counties of Surrey and Kent and to raise additional capital
for that and other purposes :

And whereas it is expedient that further provision should be
made with reference to the motive power to be used by the Company
on their existing tramways and on the tramways authorised by
this Act :

And whereas plans and sections showing the lines and levels
and indicating the position in the streets along which they are to be
laid down of the tramways and works authorised by this Act and
books of reference to those plans were deposited with the clerks of
the peace for the counties of Surrey and Kent respectively and
those plans sections and books of reference are in this Act re-
ferred to as the deposited plans sections and books of reference
respectively :

And whereas a sum of three thousand and twenty-five pounds
was deposited with the Chancery Division of the High Court of
Justice in England in respect of the application to Parliament for
the Southwark and Deptford Tramways Act 1879 (in this Act
referred to as "the Act of 1879") of which sum the sum of two
thousand two hundred pounds was deposited as security for the
completion of the tramways by that Act authorised :

And whereas a sum of one thousand nine hundred and eight
pounds consolidated three pounds per centum annuities was deposited
with the said Chancery Division as security for the completion of

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A.D. 1889. — the tramways authorised by the Southwark and Deptford Tramways Act 1881 (in this Act referred to as "the Act of 1881"):

And whereas some of the tramways authorised by those Acts were duly completed and opened for the public conveyance of passengers within the times respectively limited by those Acts for the completion thereof and thereupon in pursuance of the provisions of those Acts a due proportion of each of the said sums was paid or transferred to the depositors and there are now standing in the name of the Paymaster-General for and on behalf of the Supreme Court of Judicature in England the sum of seventy-seven pounds fifteen shillings and sixpence part of the said sum of two thousand two hundred pounds and the sum of thirty-one pounds two and three quarters per centum consolidated stock representing the portion not so transferred to the depositors of the said sum of one thousand nine hundred and eight pounds three pounds per centum annuities and it is expedient that such sums of seventy-seven pounds fifteen shillings and sixpence and thirty-one pounds respectively should subject to the provisions of this Act be released as herein-after provided:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it 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:

Short title.

1. This Act may be cited for all purposes as the Southwark and Deptford Tramways Act 1889.

Incorporation of general Acts.

2. The following Acts and parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act that is to say the Lands Clauses Consolidation Act 1845 (except the provisions thereof with respect to the purchase of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) the Lands Clauses Consolidation Acts Amendment Act 1860 section 3 (interpretation of terms) section 19 (local authority may lease or take tolls) and Part II. (construction of tramways) and Part III. (general provisions) of the Tramways Act 1870 the provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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The payment of subscriptions and the means of enforcing the payment of calls; A.D. 1889.

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The conversion of borrowed money into capital;

The consolidation of shares into stock; and

The provision to be made for affording access to the special Act: and

Part I. (relating to cancellation and surrender of shares) and Part II. (relating to additional capital) of the Companies Clauses Act 1863.

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

The expression "the tramways" shall mean the tramways and works by this Act authorised;

The expression "the undertaking" shall mean the undertaking of the Company as authorised by any other Acts relating to the Company and this Act;

The expression "mechanical power" shall mean electrical or other mechanical power including ropes cables or wires laid below the surface of the ground but excluding steam locomotives;

For the purposes of this Act the word "contingencies" in section one hundred and twenty-two of the Companies Clauses Consolidation Act 1845 shall be construed to include the contingency of the undertaking being sold to the local authority under section forty-three of the Tramways Act 1870 at a sum less than the aggregate amount of the capital and debts of the Company;

The expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act and in any Act wholly or in part incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

4. Subject to the provisions of this Act and of Parts II. and III. of the Tramways Act 1870 the Company may make form lay down Power to make tramways.

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work use and maintain the tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails plates works and conveniences connected therewith. The tramways herein-before referred to and authorised by this Act are as follows and are respectively distinguished on the deposited plans and sections by the numbers herein-after set forth (that is to say):—

Tramway No. 4 commencing in Jamaica Road at a point twenty-five yards or thereabouts east of the centre of Farncombe Street passing into and along St. James' Road and terminating in that road at or near the end of Rotherhithe New Road by a junction with the existing tramways of the Company ten yards or thereabouts south of the urinal:

Tramway No. 4 will be 7 furlongs 1·71 chains in length of which 4 furlongs 3·85 chains will be double line and 2 furlongs and 7·86 chains will be single line:

Tramway or passing place No. 8 (a single line 2·05 chains in length) commencing by a junction with the existing tramway of the Company in Union Road at a point opposite to the eastern side of Prospect Place and terminating by a junction with the same tramway at a point forty-five yards or thereabouts east of that centre:

Tramway or passing place No. 9 (a double line 2·00 chains in length) commencing by a junction with the existing tramway of the Company in Union Road opposite the western side of the house No. 90 in that road and terminating by a junction with the same tramway opposite the house No. 80 Union Road or thereabouts:

Tramway or passing place No. 10 (a single line 2·27 chains in length) commencing by a junction with the existing tramway of the Company in Lower Road Rotherhithe opposite the principal entrance to the Wesleyan Chapel in that road and terminating by a junction with the same tramway at a point fifty yards or thereabouts measured in a southerly direction from such commencement:

Tramway or passing place No. 11 (a single line 2·25 chains in length) commencing by a junction with the existing tramway of the Company in Lower Road Rotherhithe opposite the division between the houses Nos. 117 and 119 in that road and terminating by a junction with the same tramway at a point fifty yards or thereabouts measured in a south-easterly direction from such commencement:

Tramway or passing place No. 12 (a double line 5 chains in length) commencing by a junction with the existing tramway of the Company in Lower Road Rotherhithe opposite the entrance to the house No. 173 Lower Road Rotherhithe and terminating by a junction with the same tramway opposite the eastern entrance to the East London Railway Station:

Tramway or passing place No. 13 (a double line 2·25 chains in length) commencing by a junction with the existing tramway of the Company in Lower Road Rotherhithe opposite the house No. 287 Lower Road Rotherhithe and terminating by a junction with the same tramway at a point fifty yards or thereabouts measured in a south-easterly direction from such commencement:

Tramway or passing place No. 14 (a single line 2·88 chains in length) commencing by a junction with the existing tramway of the Company in Lower Road Rotherhithe opposite the centre of Alpha Villas and terminating by a junction with the same tramway at a point sixty-three yards or thereabouts measured in a south-easterly direction from such commencement:

Tramway or passing place No. 15 (a single line 2·12 chains in length) commencing by a junction with the existing tramway of the Company in Evelyn Street opposite the house No. 177 in that street and terminating by a junction with the same tramway opposite the house No. 84 in the same street:

Tramway No. 16 (a double line 3·20 chains in length) commencing by a junction with the existing tramway of the Company in Evelyn Street opposite the division between the houses Nos. 206 and 207 in that street and terminating by a junction with the existing tramways of the Company in Evelyn Street opposite the house No. 220 in that street:

Tramway No. 17 (a double line 3·48 chains in length) commencing by a junction with the existing tramway of the Company in Evelyn Street opposite the house No. 231 in that street and terminating by a junction with the same tramway at a point twenty-two yards or thereabouts measured in a south-easterly direction from a point opposite the centre of Czar Street:

Tramway or passing place No. 18 (a double line 2·20 chains in length) commencing by a junction with the existing tramway of the Company in Southwark Park Road opposite the division between the houses Nos. 20 and 22 in that road and

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Tramways to be always kept on level with surface of roads.

11. If and whenever after the passing of this Act any road authority shall alter the level of any road along or across which any part of the tramways is laid or authorised to be laid the Company may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Further provisions as to construction of tramways.

12. In addition to the requirements of section twenty-six of the Tramways Act 1870 the Company shall at the same time as they give notice to the road authority of their intention to open or break up any road for the purpose of making forming and laying down maintaining and renewing any of the tramways lay before the Board of Trade a plan showing the proposed mode of construction and a statement of the materials intended to be used therein and the Company shall not commence the construction of any of the tramways or part of any of the tramways respectively until such plan and statement have been approved by the said Board and after such approval the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the road authority as provided by section twenty-six of the said Act.

Power to make additional crossings, &c.

13. The Company may subject to the provisions of this Act with the consent of the local authority and road authority from time to time make maintain alter and remove such crossings passing places sidings junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the tramways or for providing access to any warehouses stables or carriage-houses or works of the Company Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if the owner or owners or occupier or occupiers of the premises abutting on the place where such rail is proposed to be laid shall by writing under their hand addressed to the Company express their objection thereto.

Appeal to the Board of Trade.

14. In case it is represented in writing to the Board of Trade by the road authority of any district in which the tramways or

any portion thereof are or is situate or by twenty inhabitant rate-payers of such district that the Company have made default in complying with the provisions of this Act as to maintaining and keeping in good condition and repair the rails of the tramways and the substructure upon which the same rest or with any of the requirements of section twenty-eight of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Company to such penalty or penalties in respect thereof as is or are by this Act imposed.

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15. Every local or sewer authority shall at all times have free access to and communication with all their sewers and drains and power to lay lateral and private drains to communicate therewith without the consent or concurrence of the Company and the provisions contained in the thirty-second and thirty-third sections of the Tramways Act 1870 shall be applicable in the case of any sewer or private drain of or under the control of the local or sewer authority as if the same were a pipe for the supply of gas or water.

Local or sewer authority to have access to sewers.

16. Where by reason of the execution of any work affecting the surface or soil of any road along which any tramway authorised by this Act is laid it shall in the opinion of the road authority be necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Company may with the consent of the local authority and subject to such conditions and in accordance in all respects with such regulations as the road authority may from time to time make construct in the same or any adjacent road and with the like consent subject to the like conditions and in accordance with the like regulations 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.

If any difference arise between the Company and any road authority under this section the same shall be settled in the manner specified in section thirty-three of the Tramways Act 1870 for the settlement of the differences in the said section mentioned.

17. If and whenever the London County Council shall require to alter or widen any part of a street in which any tramway of the Company is laid the said Council may if they think fit (having

As to altering and widening part of street

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A.D. 1889. capital have been issued and accepted and that one half of such portion has been paid up and that not less than one fifth part of the amount of each separate share in such portion has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of such portion of the additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also so far as the said capital is raised by shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

For appointment of a receiver.

25. Every provision in any Act passed before the passing of this Act whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provision. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of principal the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less than five thousand pounds in the whole.

Existing mortgages to have priority.

26. All mortgages granted by the Company before the passing of this Act which shall be subsisting at the passing of this Act shall during the continuance thereof have priority over all mortgages granted under the authority of this Act.

Future mortgages to rank equally.

27. All mortgages granted by the Company after the passing of this Act whether under any previous Act or this Act or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the mortgages were authorised. All mortgages shall have notice of the effect of this enactment clearly stated thereon.

Company not to create debenture stock.

28. The Company shall not create debenture stock.

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29. Every mortgage of the Company's undertaking shall be deemed to comprise all purchase money which may be paid to the Company in the event of a compulsory sale to the local authority under section forty-three of the Tramways Act 1870 and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage.

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Mortgage to comprise purchase money paid on compulsory sale.

30. Every mortgage deed granted by the Company under this Act shall be endorsed with notice that such mortgage will not be a charge upon the tramways or the tramway undertaking in the event of their being purchased by the local authority under the forty-third section of the Tramways Act 1870.

Endorsement of notice of power of future purchase by the local authority.

31. If any money be payable to any shareholder stockholder or mortgagee being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company for the same.

Receipts on behalf of incapacitated persons.

32. All moneys raised under this Act whether by shares stock or borrowing shall be applied only for the purposes of this Act and for the general purposes of the Company's undertaking being in every case purposes to which capital is properly applicable.

Application of moneys.

33. The Company may from time to time apply towards any of the purposes of this Act to which capital is properly applicable any moneys which they may have raised or may hereafter raise under the Act of 1879 or the Act of 1881 and which may not be required for the purposes to which by those Acts those moneys were respectively made applicable.

Power to apply funds.

34. The tramways shall be completed within two years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Company for executing the tramways or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Period for completion of works.

35. If the Company fail within the period limited by this Act to complete the tramways or any of them the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the said tramways are completed and opened for public traffic or until the sums received in respect of such penalty shall amount to five per centum on the estimated cost of the uncompleted tramway or tramways and the said penalty may be applied for by any road authority landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the Solicitor to Her Majesty's Treasury and in the same

Penalty imposed unless tramways opened within limited period.

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A.D. 1889. — local authority of any district in which the tramways or such portion of the tramways are or is wholly or partially situate or by twenty inhabitant ratepayers of any such district or by the Company 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 Act authorised Provided also that a copy of this section shall be annexed to every table or list of tolls published or exhibited by the Company.

A
of

Carrying of
mails by
Company.

40.—(1.) The Company 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 Company 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 : A.D. 1889.

(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 Company 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 Company 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 Company were a railway company and the tramway were a railway.

(2.) The remuneration for any services which have been performed by the Company 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 Company 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. 36 & 37 Vict.
c. 48.
45 & 46 Vict.
c. 74.

(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.

41. Subject to the provisions of section thirty-five of the Act of 1879 relating to compensation to landowners and other persons Providing
for release of
balance of

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deposit under
Act of 1879. injured and road authorities and for the protection of creditors the High Court of Justice in England may and shall at any time after the passing of this Act on application by the depositors mentioned in section thirty-four of the Act of 1879 order that the sum of seventy-seven pounds fifteen shillings and sixpence now standing in the name of the Paymaster-General for and on behalf of the Supreme Court of Judicature in England in the matter of *ex parte* the undertaking of the Southwark and Deptford Tramways Bill and the interest thereon shall be repaid to the said depositors and upon such order being made the said sum and the interest thereon shall be repaid accordingly.

Providing
for release of
balance of
deposit under
Act of 1881. **42.** Subject to the provisions of section twenty of the Act of 1881 relating to compensation to landowners and other persons injured and road authorities and for the protection of creditors the High Court of Justice in England may and shall at any time after the passing of this Act on application by the depositors mentioned in section nineteen of the Act of 1881 order that the sum of thirty-one pounds two and three-quarters per centum consolidated stock now standing in the name of the Paymaster-General for and on behalf of the Supreme Court of Judicature in England in the matter of *ex parte* the undertaking of the Southwark and Deptford Tramways Bill 1881 and the interest or dividends thereon shall be transferred and paid to the said depositors and upon such order being made the said sum and the interest or dividends thereon shall be transferred and paid accordingly.

License for
use of
mechanical
power. **43.** The Board of Trade may by a license granted to the Company containing such restrictions requirements conditions and regulations as they may think fit authorise for a limited period not exceeding one year and as an experiment only the use of mechanical power other than steam power either in addition to or in substitution for animal power for moving carriages on the tramways authorised by this Act and upon the existing tramways of the Company or some part or parts thereof and thereupon such mechanical power may be used thereon accordingly Any license under this section may provide for enforcing any restriction requirement condition or regulation thereof by means of penalties not exceeding ten pounds for each offence and the Board of Trade may if they think fit from time to time renew any license under this section for any periods not exceeding one year Provided that no license and no renewal of a license under this section authorising the use of mechanical power in any district shall be granted unless with the consent of the local and road authority of such district and on such terms and conditions as they may require.

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

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Provisions
for the pro-
tection of the
Postmaster-
General.

1. It shall not be lawful for the Company to lay down any line or rail or to do any act or work for working the 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 Company 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 Company 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 Company 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 Company or their agents were a Company within the meaning of that Act ;

31 & 32 Vict.
c. 119.

3. In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company 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 Company 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

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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 Act as if the Company 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.

41 & 42 Vict.
c. 76.

As to re-
covery of
penalties.

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

Authentica-
tion of
orders and
byelaws.

46. All orders and byelaws made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant secretary of the Board.

Interest not
to be paid on
calls paid up.

47. No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him Provided always that this Act shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Deposits for
future Bills
not to be
paid out of
capital.

48. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which by any standing order of either House of Parliament now or hereafter in force may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other tramway or to execute any other work or undertaking.

Provision as
to general
tramway
Acts.

49. Nothing in this Act contained shall exempt the tramways from the provisions of any general Act relating to tramways now in

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force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised to be taken by the Company. A.D. 1889.

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

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