



Tramways Act 1870

CHAPTER 78

TRAMWAYS ACT 1870

Preliminary

- 1 Short title.
- 2 Limitation of Act.
- 3 Interpretation of terms.

PART I

Provisional Orders authorising the Construction of Tramways

- 4 By whom Provisional Orders authorising the construction of tramways may be obtained.
- 5 The Board of Trade may in certain cases dispense with the consent of local or road authority.
- 6 Notices and deposit of documents by promoters as in schedule.
- 7 Power for Board of Trade to determine on application and on objection.
- 8 Power for Board of Trade to make Provisional Order. Form and contents of Provisional Order.
- 9 Regulations as to construction of tramways in towns.
- 10 Nature of traffic on tramway and tolls to be specified in Provisional Order.
- 11 Costs of Order.
- 12 Promoters to deposit 4l per cent. on estimate in prescribed bank.
- 13 Publication of Provisional Order as in schedule.
- 14 Confirmation of Provisional Order by Act of Parliament.
- 15 Incorporation of general Acts in Provisional Order.
- 16 Power of Board of Trade to revoke, amend, extend, or vary Provisional Order.
- 17 Power to authorise joint work.

Status: This is the original version (as it was originally enacted).

- 18 Cesser of powers at expiration of prescribed time.
- 19 Local authority may lease or take tolls.
- 20 How expenses to be defrayed.
- 21 Metropolitan Board may, for carrying Provisional Order into effect, create stock under Loans Act of 1869.

PART II

Construction of Tramways

- 22 As to incorporation of Parts II and III of this Act with Provisional Order and special Acts.
- 23 " Special Act".
- 24 " Promoters".
- 25 Mode of formation of tramways.
- 26 Power to break up streets, &c.
- 27 Completion of works and reinstatement of road.
- 28 Repair of part of road where tramway is laid.
- 29 Road authority and promoters may contract for paving roads on which tramways are laid.
- 30 Provision as to gas and water companies.
- 31 For protection of sewers, &c.
- 32 Rights of authorities and companies, &c. to open roads.
- 33 Difference between promoters and road authority, &c.

PART III

GENERAL PROVISIONS

Carriages

- 34 Power for promoters to use tramways with flange-wheeled carriages, &c.

Licenses to use Tramways

- 35 Licenses to use the tramway may in certain events be granted to third parties by the Board of Trade.
- 36 In default of payment of tolls licensee's carriages may be detained and sold.
- 37 Licensees to give account of passengers carried by them.
- 38 Licensees not giving account of passengers carried liable to penalty.
- 39 Disputes as to amount of toll to be settled by justice.
- 40 Owners of carriages liable for damage done by their servants.

Discontinuance of Tramways

- 41 Tramways to be removed in certain cases.

Insolvency of Promoters

- 42 Proceedings in case of insolvency of promoters.

Purchase of Tramways

- 43 Future purchase of undertaking by local authority.
- 44 Power of sale.

Tolls

- 45 Tolls, &c.

Byelaws

- 46 Byelaws by local authority.
47 Penalties may be imposed in byelaws.
48 Power to local authority to license drivers, conductors, &c.

Offences

- 49 Penalty for obstruction of promoters in laying out tramway.
50 Penalties for wilful injury or obstruction to tramways, &c.
51 Penalty on passengers practising frauds on the promoters.
52 Transient offenders.
53 Penalty for bringing dangerous goods on the tramway.
54 Penalty for persons using tramways with carriages with flange wheels, &c.

Miscellaneous

- 55 Promoters or lessees to be responsible for all damages.
56 Recovery of tolls, penalties, &c.
57 Right of user only.
58 Arrangements between turnpike road trustees and promoters.
59 Reservation of rights of owners, &c. of mines.
60 Reserving powers of street authorities to widen, &c. roads.
61 Power for local or police authorities to regulate traffic in roads.
62 Reservation of right of public to use roads.
63 Regulating inquiries before referee appointed by the Board of Trade.
64 Rules for carrying Act into effect.

SCHEDULE A —
PART I
PART II
PART III

Approval of Application by Local Authority for a Provisional Order

SCHEDULE B — Provisional Orders
PART I

Advertisement in October or November of intended application

- 1 Every advertisement is to contain the following particulars : The...
2 The whole notice is to be included in one advertisement,...
3 The advertisement is to be inserted once at least in...
4 The advertisement is also, in every case, to be inserted...

PART II

Deposit on or before 30th November

- 1 The promoters are to deposit— A copy of the advertisement...

Status: This is the original version (as it was originally enacted).

- 2 The documents aforesaid are to be deposited for public inspection—...
- 3 The documents aforesaid are also to be deposited at the...

PART III

Deposit on or before 23rd December

- 1 The promoters are to deposit at the office of the...
- 2 They are also to deposit a sufficient number of such...
- 3 The memorial of the promoters (to be written on foolscap...

PART IV

Deposit and advertisement of Provisional Order when made

- 1 The promoters are to deposit printed copies of the Provisional...
- 2 They are also to deposit a sufficient number of such...
- 3 They are also to publish the Provisional Order as an...

SCHEDULE C —

PART I

Notice and Deposit of Lease by Local Authority

Deposit

PART II

Notice of Byelaws