



# Tramways Act 1870

1870 CHAPTER 78 33 and 34 Vict

## PART III

### GENERAL PROVISIONS

#### *Licences to use Tramways*

#### [<sup>F1</sup>40] **Owners of carriages liable for damage done by their servants.**

Every licensee shall be answerable for any trespass or damage done by his carriages or horses, or by any of the servants or persons employed by him, to or upon the tramway, or to or upon the property of any other person, and, without prejudice to the right of action against the licensee or any other person, every such servant or other person may lawfully be convicted of such trespass or damage in England before two justices, and in Scotland before the sheriff or two justices, either by the confession of the party offending or by the oath of some credible witness; and upon such conviction every such licensee shall pay to the promoters, lessees, or persons injured, as the case may be, the damage, to be ascertained by such justices, so that the same do not exceed fifty pounds.]

#### Textual Amendments

- F1** Ss. 26-40 repealed (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order) (1.1.1993) by Transport and Works Act 1992 (c. 42), ss. 65(1)(b), 68(1), **Sch. 4 Pt.I**; S.I. 1992/2784, art. 2(b), **Sch. 2 Pt.I**

#### Modifications etc. (not altering text)

- C1** S. 40 excluded by London Passenger Transport Act 1933 (c. 14), s. 100

**Changes to legislation:**

There are currently no known outstanding effects for the Tramways Act 1870, Section 40.