



CHAPTER lxxxiii.

An Act to authorise the South Lancashire Tramways Company to provide and run trolley vehicles and omnibuses to change the name of the Company and for other purposes. A.D. 1929.

[10th May 1929.]

WHEREAS the South Lancashire Tramways Company (in this Act called "the Company") were incorporated by the South Lancashire Tramways Act 1900 and under the powers contained in the South Lancashire Tramways Acts 1900 to 1911 have constructed and work a system of tramways in the county palatine of Lancaster :

And whereas the tramways of the Farnworth Urban District Council and the Kearsley Urban District Council and the light railways of the Barton-upon-Irwell Rural District Council are leased to and worked by the Company as part of their tramway system :

And whereas it is expedient that the Company be authorised to provide and run trolley vehicles along the routes of the tramways of the Company and along other routes and that the provisions contained in this Act with respect to trolley vehicles be enacted :

And whereas it is expedient that the Company be authorised to run omnibuses and that the provisions contained in this Act with respect thereto be enacted :

And whereas the Company are empowered to raise share capital to the amount of one million four hundred and fifty thousand pounds and to borrow on mortgage

[Ch. lxxxiii.] *South Lancashire* [19 & 20 GEO. 5.]
Transport Act, 1929.

A.D. 1929. — the sum of four hundred and eighty-two thousand six hundred pounds :

And whereas the Company have created and issued one hundred and ten thousand shares of ten pounds each upon which there has been called up and paid—

£10 per share on 12,123 shares ;

£7 per share on 48,552 shares ;

£5 per share on 19,535 shares ;

£2 per share on 29,790 shares ;

and the Company have raised on mortgage of their undertaking the sum of one hundred and eighty-three thousand and seventeen pounds :

And whereas it is expedient that the name of the Company be changed as provided by this Act that the borrowing powers of the Company be amended and that such other powers be conferred upon the Company and such other provisions be made as are in this Act more particularly set forth :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

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

PRELIMINARY.

Short title. 1. This Act may be cited as the South Lancashire Transport Act 1929.

Citation of Acts. 2. The South Lancashire Tramways Acts 1900 to 1911 and this Act may be cited together as the South Lancashire Transport Acts 1900 to 1929.

Incorporation of Act. 3. Part IV (relating to change of name) of the Companies Clauses Act 1863 as amended by subsequent Acts is incorporated with and forms part of this Act.

Interpretation. 4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or

context repugnant to such construction And in this A.D. 1929.
Act unless the context otherwise requires—

“The Company” means the South Lancashire Tramways Company;

“The Act of 1900” “the Act of 1901” “the Act of 1903” “the Act of 1906” and “the Act of 1911” mean respectively the South Lancashire Tramways Act 1900 the South Lancashire Tramways Act 1901 the South Lancashire Tramways Act 1903 the South Lancashire Tramways Act 1906 and the South Lancashire Tramways Act 1911;

“The existing Acts” means the South Lancashire Tramways Acts 1900 to 1911;

“The Company’s tramways” means the tramways of the Company constructed under the powers of the existing Acts;

“The Farnworth Council” “the Kearsley Council” and “the Barton Council” mean respectively the Farnworth Urban District Council the Kearsley Urban District Council and the Barton-upon-Irwell Rural District Council;

“The Farnworth tramways” means the tramways of the Farnworth Council;

“The Kearsley tramways” means the tramways of the Kearsley Council;

“The Barton light railways” means the light railways of the Barton Council;

“The existing tramways” means the Company’s tramways the Farnworth tramways the Kearsley tramways and the Barton light railways;

“Trolley vehicle” means a mechanically propelled vehicle adapted for use upon roads and moved by electrical power transmitted thereto from some external source;

“The trolley vehicles” means the trolley vehicles provided worked and run by the Company under the powers of this Act;

“Apparatus” includes all posts poles standards brackets cables conductors tubes mains transformers feeders wires and other apparatus and equipment for the purpose of working and lighting trolley vehicles;

A.D. 1929.

“Trolley vehicle routes” means the routes upon which the Company are by this Act or by an Order under the section of this Act the marginal note whereof is “Minister may authorise new routes” authorised to work and use trolley vehicles;

“Omnibus” shall have the meaning assigned to that expression in section 14 of the Roads Act 1920;

“Omnibus routes” means any routes upon which the Company work and run omnibuses under the section of this Act the marginal note whereof is “Power to run omnibuses”;

“Specified routes” means the routes of the Company’s tramways and the new routes described in and authorised by the section of this Act the marginal note whereof is “Power to use trolley vehicles”;

“Road authority” means with reference to any road or part of a road over which any proposed trolley vehicle service or omnibus service will pass the authority company or person charged with or liable to contribute to the maintenance of such road or part of a road;

“The Minister” means the Minister of Transport;

“The directors” and “the secretary” mean respectively the directors and the secretary of the Company.

TRAMWAYS TROLLEY VEHICLES AND OMNIBUSES.

Power to
use trolley
vehicles.

5. The Company may subject to the provisions of this Act provide maintain and equip trolley vehicles and work and run the same along the routes of the following tramways and light railways (that is to say):—

- (1) The Company’s tramways in the borough of Leigh (except that portion of such tramways which is laid along King Street and St. Helens Road from Twist Lane to the boundary of the said borough at Lowton) the urban districts of Atherton Westhoughton Hindley Abram Ince-in-Makerfield Ashton-in-Makerfield Haydock Tyldesley-with-Shakerley Worsley Swinton and Pendlebury and Little Hulton and the rural district of Leigh :

(2) The Farnworth tramways the Kearsley tramways and the Barton light railways. A.D. 1929.

And also along the following routes (namely):—

- (i) In the parish of Lowton in the rural district of Leigh commencing at the termination of the existing tramways in Newton Road thence along that road to Lane Head to its junction with Church Lane and Kenyon Lane;
- (ii) Commencing in the parish of Clifton in the rural district of Barton-upon-Irwell at the termination of the existing tramways in Manchester Road thence along that road to and terminating in that road in the urban district of Swinton and Pendlebury at the junction of that road with Station Road:

Provided that before equipping any route for working trolley vehicles to include a turning point or before arranging for a new turning point on any route the Company shall submit plans of the turning point to the Minister for approval and shall also submit a copy of such plans to the road authority and that before approving any such plans the Minister shall give to the local authority and the road authority an opportunity of making representations with reference thereto and shall consider any such representations which may be made to him.

6.—(1) The Company may abandon and discontinue the whole or any part of any of the Company's tramways if and when they have provided along the route thereof apparatus and equipment for the working of trolley vehicles in pursuance of the powers of the section of this Act the marginal note whereof is "As to electrical works" and have given to the road authority not less than one month's previous notice of their intention to abandon and discontinue such tramways or any of them or any part thereof.

As to
abandon-
ment of
Company's
tramways.

(2) When the Company have in pursuance of the foregoing provisions of this section abandoned and discontinued the whole or part of any of the Company's tramways they may and if required by the road authority shall forthwith take up and remove the rails and paving setts of the tramway or part thereof so abandoned and discontinued and such of the apparatus and equipment provided or used for the purposes thereof or in connection

[Ch. lxxxiii.] *South Lancashire* [19 & 20 GEO. 5.]
Transport Act, 1929.

A.D. 1929. — therewith (hereinafter in this section called "tramway apparatus") as shall not be adapted altered or reconstructed for the purpose of working the trolley vehicles:

Provided that the removal of any such rails paving setts and tramway apparatus shall (unless the road authority otherwise consent in writing) be carried out in sections each having a maximum length of one-half of a mile (the Company being at liberty to proceed simultaneously with any two or more sections not being contiguous sections) and that until the road upon any such section shall have been restored under the provisions of subsection (3) of this section the removal of any such rails paving setts and tramway apparatus on any other section within one-half of a mile shall not be commenced.

(3) On the taking up and removal of any such rails paving setts or tramway apparatus the Company shall (except where the rails paving setts or apparatus are not situate in a road dedicated to public use) with all convenient speed and in all cases within six weeks (unless the road authority otherwise consent in writing) fill in the ground and make good the surface and to the satisfaction of the road authority restore the portion of road upon which such rails paving setts and tramway apparatus were laid or placed to as good a condition as that in which it was before the rails paving setts and tramway apparatus were laid or placed thereon and shall clear away all surplus paving or metalling material or rubbish occasioned by such work and they shall cause the place where the road is opened or broken up to be fenced and watched and to be properly lighted at night until such filling in making good restoration and clearing away as aforesaid has been completed or (in cases where the works necessary for the restoration are done by the road authority under the provisions of the proviso to this subsection) until the removal of such rails paving setts and tramway apparatus has been completed:

Provided that the road authority (if they think fit) may within one month after the service upon them of the notice referred to in subsection (1) of this section give notice to the Company that they desire to reconstruct the road and the Company shall in lieu of carrying out the works necessary for the reconstruction of the road pay to the road authority in respect of the tramway or part thereof to be abandoned by the Company such sum

as would have represented the cost to which the Company would have been put in restoring the portion of the road on which the rails paving setts and tramway apparatus were laid or placed to as good a condition as that in which it was before the rails paving setts and tramway apparatus were laid or placed thereon. Provided further that the Company shall not be required to bear any part of any additional cost which the road authority may incur in putting the road into a condition better than it was at the time when the rails paving setts and tramway apparatus were laid or placed thereon.

A.D. 1929.
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(4) If any difference arises under this section between the Company and the road authority the same shall be settled by an engineer to be appointed at the request of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

(5) As from the date on which the Company abandon and discontinue the whole or any part of any of the Company's tramways in pursuance of the foregoing provisions of this section they shall cease to be under any obligation to use the same or to run carriages thereon or to maintain or repair any part of the roadway or land or to make any payments to any local or road authority towards the cost of widening or improvement of any street or road or for loss caused in consequence of the occupation of any land in which any such tramway or part thereof is situate :

Provided however that notwithstanding any such abandonment or discontinuance the obligations of the Company to light any street in which the Company's tramways are situate shall continue and any provisions in the existing Acts with respect thereto shall be construed and have effect as if the words " trolley vehicles " were substituted for the word " tramways."

7. For the protection of the Farnworth Council the following provisions shall apply and have effect (that is to say) :—

For protec-
tion of
Farnworth
Council.

The Company shall not exercise any of the powers of the sections of this Act of which the respective marginal notes are " Power to use trolley vehicles " and " As to electrical works " along

A.D. 1929.
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the route of the Farnworth tramways except with the previous consent in writing of the Farnworth Council under their common seal and nothing contained in this Act shall in any way prejudice or affect the agreement dated the sixteenth day of February one thousand nine hundred and twenty-six and made between the Farnworth Council of the one part and the Company of the other part or the agreement dated the eighteenth day of October one thousand nine hundred and twenty-seven and made between the Kearsley Council of the first part the Farnworth Council of the second part and the Company of the third part or in any way vary or alter the powers rights duties and obligations of the Farnworth Council or the Company under the first-mentioned agreement or of the Farnworth Council the Kearsley Council or the Company under the last-mentioned agreement.

For pro-
tection of
Kearsley
Council.

8. For the protection of the Kearsley Council the following provisions shall apply and have effect (that is to say) :—

The Company shall not exercise any of the powers of the sections of this Act of which the respective marginal notes are "Power to use trolley vehicles" and "As to electrical works" along the route of the Kearsley tramways except with the previous consent in writing of the Kearsley Council under their common seal and nothing contained in this Act shall in any way prejudice or affect the agreement dated the twelfth day of August one thousand nine hundred and twenty-six and made between the Kearsley Council of the one part and the Company of the other part or the agreement dated the eighteenth day of October one thousand nine hundred and twenty-seven and made between the Kearsley Council of the first part the Farnworth Council of the second part and the Company of the third part or in any way vary or alter the powers rights duties and obligations of the Kearsley Council or the Company under the first-mentioned agreement

or of the Kearsley Council the Farnworth Council or the Company under the last-mentioned agreement. A.D. 1929

9. For the protection of the Barton Council the following provisions shall apply and have effect (that is to say) :— For protection of Barton Council.

The Company shall not exercise any of the powers of the sections of this Act of which the respective marginal notes are "Power to use trolley vehicles" and "As to electrical works" along the route of the Barton light railways except with the previous consent in writing of the Barton Council under their common seal and nothing contained in this Act shall in any way prejudice or affect the indentures of lease dated respectively the fifth day of July one thousand nine hundred and seven or the twenty-third day of June one thousand nine hundred and twenty-eight each of which indentures is made between the Barton Council of the one part and the Company of the other part or in any way vary or alter the powers rights duties and obligations of the Barton Council and the Company thereunder.

10. Notwithstanding anything contained in this Act the following provisions shall unless otherwise agreed in writing between the Company and the Farnworth Council or the Kearsley Council or the Barton Council as the case may be (each of which councils is in this section referred to as "the council") apply and have effect (that is to say) :— As to tramways and light railways leased to Company.

(1) The council may in pursuance of a resolution passed in manner provided by Part III of Schedule A to the Tramways Act 1870 elect to erect apparatus and equipment for the working of trolley vehicles along the routes of the Farnworth tramways the Kearsley tramways or the Barton light railways (as the case may be) and in such event all the rights powers duties obligations and liabilities conferred or imposed upon the Company by this Act in relation to the provision maintenance equipment working and running of trolley vehicles along

[Ch. lxxxiii.] *South Lancashire* [19 & 20 GEO. 5.]
Transport Act, 1929.

A.D. 1929.

the roads in the district of the council shall be transferred to and vested in and imposed upon and may be exercised by the council :

- (2) In the event of the council erecting the necessary apparatus for the use of trolley vehicles upon the roads in the district of the council such apparatus shall be erected to the reasonable satisfaction of the Company and the council shall (so long as the Company shall run a trolley vehicle system connecting with the system of the council) either (a) lease the trolley vehicle undertaking of the council to the Company or (b) enter into an agreement with the Company for the working and running of trolley vehicles along the routes provided by the council and in either case upon such terms and conditions as may be agreed between the Company and the council or failing agreement as may be determined by arbitration :
- (3) The council may pay any expenses incurred by them in pursuance of this section out of the like rate and for defraying any such expenses shall have the like powers to borrow on the security of the same rate as if such expenses were incurred in applying for obtaining and carrying into effect a Provisional Order under the Tramways Act 1870 for the construction by the council of a tramway within their district :
- (4) If any difference shall arise between the Company and the council under this section such difference shall be determined by arbitration.

Agreements
with
councils.

11. The Company on the one hand and the Farnworth Council the Kearsley Council and the Barton Council or any one or two of them on the other hand may enter into and carry into effect agreements for and with respect to the abandonment or discontinuance of any of the tramways or light railways within the districts of such councils and the removal of the rails paving setts apparatus and equipment provided or used for the purpose thereof or in connection therewith and the reinstatement of the roadway or footpath in

which any such tramway light railway works apparatus or equipment is situate and for and with respect to the erection of the apparatus and equipment for the use of trolley vehicles upon the roads in the districts of such councils or the adaptation and use for the purposes of the working of trolley vehicles of any apparatus or equipment provided and used for the purposes of working any such tramway or light railway. A.D. 1929.

12.—(1) If at any time hereafter the Company desire to provide maintain equip and use trolley vehicles upon any road as defined by the Tramways Act 1870 (other than the roads along which they are authorised to use trolley vehicles under the foregoing provisions of this Act) they may make application to the Minister and the Minister is hereby empowered to make a Provisional Order authorising the use by the Company of trolley vehicles subject to such conditions and restrictions (if any) as he may think fit upon any road to which such application relates and containing such incidental provisions as the Minister may deem expedient and subject to the terms of the Provisional Order the provisions of this Act shall apply as if the use of trolley vehicles upon such road were authorised by this Act. Minister may authorise new routes.

(2) No application under this section shall be entertained by the Minister unless the Company shall—

(a) have published once in each of two successive weeks in the months of October or November in some newspaper or newspapers circulating in the borough or district to which the application relates notice of their intention to make such application and have published the like notice once in one or other of the same months in the London Gazette;

(b) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads along which it is proposed to run trolley vehicles a notice of their intention to make such application;

and each such notice shall state the time and method for bringing before the Minister any objections to the grant of such application.

A.D. 1929.

(3) The Minister may and he is hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section.

(4) The Minister shall consider any such application and may if he thinks fit direct an inquiry in relation thereto to be held or may otherwise inquire as to the propriety of proceeding upon such application and he shall consider any objection to such application that may be lodged with him in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) No Provisional Order shall be made without the consent of the local authority of the district in which the route is situate and (where the local authority are not the road authority) without the consent of the road authority.

(6) In any case where it shall appear to the Minister expedient that the application be granted he may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this section shall not have any operation.

(7) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a select committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

(8) The Act of Parliament confirming a Provisional Order under this section shall be deemed a public general Act.

(9) The making of a Provisional Order under this section shall be *primâ facie* evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(10) Any expenses incurred by the Minister in connection with the preparation and making of any such Provisional Order and any expenses incurred by the Minister in connection with any inquiry under this section shall be paid by the Company. A.D. 1929.

13.—(1) Subject to the provisions of this Act the Company may in under or over the surface of the streets or roads along or adjoining those along which they are or may be authorised to run trolley vehicles or in which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station place erect and maintain all necessary and proper standards brackets conductors mains cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power and may for that purpose subject to the provisions of Part II of the Tramways Act 1870 as incorporated with this Act and the provisions of this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electricity for the purpose of working the trolley vehicles: As to electrical works.

Provided that—

- (a) No apparatus shall be erected on the carriage-way of any public street or road except with the consent of the Minister;
- (b) All posts and apparatus erected by the Company under this section in any street or road shall be of such design as the local authority may approve and shall be placed in such position as the local authority and road authority may approve;
- (c) The route in which any apparatus is to be placed or erected for the purposes of connecting the trolley vehicle routes or any of them with a generating station shall be approved by the local authority and (if the local authority are not the road authority) the road authority;
- (d) Any approval of a local or road authority under the aforesaid provisos (b) and (c) shall not be unreasonably withheld.

A.D. 1929.

(2) The Company may also adapt and use for the purpose of working trolley vehicles any apparatus and equipment already provided for working the existing tramways and may for such purpose supply electricity from any generating station of the Company.

(3) If any post or overhead wire erected or used for the purposes of the trolley vehicles becomes owing to the construction of any new road or any road widening or improvement in the opinion of the road authority an obstruction the Company shall alter the position thereof in such manner as the road authority may direct but the Company may appeal against the direction to the Minister and the decision of the Minister shall be final.

(4) No advertisement (other than notices relating to the Company's undertaking) shall be displayed on any apparatus erected or used upon any road or bridge under the powers of this Act without the consent of the local and road authority.

(5) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1928 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

(6) In this section the expression "generating station" has the meaning assigned to it by section 25 of the Electric Lighting Act 1909.

Period for completion of trolley vehicle equipment.

14. If within five years from the passing of this Act the Company shall not have commenced to run trolley vehicles along any of the specified routes the powers conferred by this Act with reference to the running of trolley vehicles along the route or routes along which the Company have not commenced to run trolley vehicles shall cease to be exerciseable as from the expiration of that period.

Company to have exclusive right of using trolley vehicle apparatus.

15. Subject to the provisions of this Act the Company shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working the trolley vehicles and any person (except by agreement with the Company) using the said apparatus

shall for every offence be liable to a penalty not exceeding twenty pounds. A.D. 1929.

16.—(1) The trolley vehicles shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 nor shall they be deemed to be motor cars within the meaning of any of the provisions of the Motor Car Act 1903 (except subsection (1) of section 1 and the provisions necessary for enforcing that subsection section 6 and the provisions as amended by the Roads Act 1920 relating to the licensing and licences of drivers) and subject to that exception neither the Motor Car Acts 1896 and 1903 nor any byelaws or regulations made thereunder nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to the trolley vehicles.

Trolley vehicles not to be deemed light locomotives or motor cars.

(2) The trolley vehicles shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Acts 1847 and 1889.

17. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley vehicles as hackney carriages.

Licence duties on trolley vehicles.

18.—(1) The trolley vehicles and the electrical equipment thereof used under the authority of this Act shall be of such form construction weight and dimensions as the Minister may approve and no trolley vehicle shall be used by the Company which does not comply with the requirements of the Minister.

Approval of vehicles and equipment by Minister.

(2) The Company shall not (unless the Minister otherwise approves) use on any trolley vehicle run by them any tyres other than pneumatic tyres.

(3) The Minister before giving any approval under subsection (1) of this section shall give to the road authority an opportunity of making representations with reference to the matter in question and shall consider any such representations which may be made to him.

(4) Before applying to the Minister for his approval of the weight of any trolley vehicle to be used upon any road which crosses a bridge belonging to and repairable by a railway or canal company the Company

A.D. 1929. — shall give to the railway or canal company notice of the weight of the trolley vehicles proposed to be used by them upon such road and the Minister shall consider and determine after such inquiry as he may think fit any objections which may be submitted by the railway or canal company to him on the ground that the strength of the bridge is insufficient to carry trolley vehicles of such weight. Provided that a copy of the objections shall be sent by the railway or canal company to the Company at the same time as they are sent to the Minister.

Inspection by Minister. **19.** No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for traffic by an officer appointed by the Minister.

Company to provide reasonable service. **20.** The Company shall at all times after the opening of any of the trolley vehicle routes for public traffic provide such service of trolley vehicles thereon (including through services) as may together with any omnibus services provided by the Company in accordance with the provisions of this Act be reasonably required in the public interests and the Company shall be liable to a penalty not exceeding five pounds for every day on which they shall fail (unless for reasons beyond their control) to comply with the provisions of this section. Any question which may arise as to the service of trolley vehicles required in the public interests shall be determined on the application of the Company or of a local authority by the Minister whose decision shall be final.

Application of certain provisions of Tramways Act 1870 to trolley vehicles. **21.—(1)** The following provisions of the Tramways Act 1870 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) shall apply to the trolley vehicles and the apparatus used under the authority of this Act and for the purpose of such application such provisions shall be read and have effect as if the apparatus to be constructed or used in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the trolley vehicles were carriages used on tramways:—

Part II (Relating to the construction of tramways) except sections 22 25 28 and 29;

- Section 41 (Tramways to be removed in certain cases); A.D. 1929.
- Section 42 (Proceedings in case of insolvency of promoters);
- Section 44 (Power of sale);
- Section 46 (Byelaws by local authority Promoters may make certain regulations);
- Section 47 (Penalties may be imposed in byelaws);
- Section 48 (Power to local authority to license drivers conductors &c.);
- Section 49 (Penalty for obstruction of promoters in laying out tramway);
- Section 51 (Penalty on passengers practising frauds on the promoters);
- Section 53 (Penalty for bringing dangerous goods on the tramway);
- Section 55 (Promoters or lessees to be responsible for all damages);
- Section 56 (Recovery of tolls penalties &c.);
- Section 57 (Right of user only);
- Section 60 (Reserving powers of street authorities to widen &c. roads); and
- Section 61 (Power for local or police authorities to regulate traffic in roads).

(2) Nothing in this Act shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

22. In the application of section 30 of the Tramways Act 1870 to the trolley vehicles and the apparatus used under the authority of this Act the provisions of that section shall be read and have effect as if "local authority" were mentioned in that section in addition to "company persons or person" Provided that any penalty to be recovered under subsection (5) of that section shall be appropriated to that fund of the local authority to which their revenues in respect of gas or water (as the case may be) are appropriated

For protection of gas and water mains of local authorities.

A.D. 1929.

Provisions
as to
motive
power.

23. The trolley vehicles may be moved subject to the following provisions by mechanical power (that is to say) :—

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

(2) The Minister shall make regulations (in this Act referred to as "the mechanical power regulations") for securing to the public all reasonable protection against danger arising from the use under this Act of mechanical power for the trolley vehicles and for regulating the use of electrical power :

(3) The Company or any other company or person using any mechanical power for the trolley vehicles contrary to the provisions of this Act or of the mechanical power regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also if a continuing offence to a further penalty not exceeding five pounds for every day during which the offence is continued after conviction thereof :

(4) The Minister if he is of opinion—

(a) that the Company or such other company or person have or has made default in complying with the provisions of this Act or of the mechanical power regulations whether a penalty in respect of such non-compliance has or has not been recovered; or

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

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

24. The following provisions shall apply to the use of electrical power under this Act unless such power is entirely contained in and carried along with the trolley vehicles :—

A.D. 1929.
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Provisions
as to use of
electrical
power.

- (1) The Company shall employ either insulated returns or uninsulated metallic returns of low resistance :
- (2) The Company shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their trolley vehicle undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus :
- (3) The electrical power shall be used only in accordance with the mechanical power regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :
- (4) The Company shall be deemed to take all reasonable and proper precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Company either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the mechanical power regulations and in prescribing such means the Minister shall have regard to the expense

A.D. 1929.

involved and to the effect thereof upon the commercial prospects of the undertaking :

- (5) The provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents :
- (6) If any difference arises between the Company and any other party with respect to anything in this section such difference shall unless the parties otherwise agree be determined by the Minister or at his option by an arbitrator to be appointed by him and the costs of such determination shall be in the discretion of the Minister or of the arbitrator as the case may be :
- (7) The Company using electrical power contrary to the provisions of this Act or of the mechanical power regulations shall for every such offence be subject to a penalty not exceeding ten pounds and also if a continuing offence to a further penalty not exceeding five pounds for every day during which the offence continues after conviction thereof. Provided always that whether any such penalty has been recovered or not the Minister if in his opinion the Company in the use of electrical power under the authority of this Act have made default in complying with the provisions of this Act or the mechanical power regulations may by order direct the Company to cease to use electrical power and thereupon the Company shall cease to use electrical power and shall not again use the same unless with the authority of the Minister and in every such case the Minister shall make a special report to Parliament notifying the making of such order.:

(8) The expression "Company" in this section shall include any person owning working or running trolley vehicles on any of the trolley vehicle routes. A.D. 1929.

25. Subject to the provisions of this Act the Minister may make byelaws with regard to any of the trolley vehicles for all or any of the following purposes (that is to say):— Byelaws.

For regulating the use of any bell whistle or other warning apparatus fixed to the trolley vehicles;

For providing that the trolley vehicles 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 Minister may deem proper for securing safety;

For regulating the entrance to exit from and accommodation in the trolley vehicles and the protection of passengers from the machinery of any of the trolley vehicles;

For providing for the due publicity of all byelaws and mechanical power regulations in force for the time being in relation to the trolley vehicles by exhibition of the same in conspicuous places on the trolley vehicles and elsewhere.

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

26. The following sections of the existing Acts shall so far as the same are applicable extend and apply to the trolley vehicles and the apparatus used under the authority of this Act and to the Company in respect thereto in as full and complete a manner as if the said sections (with all necessary alterations and with the substitution of the words "Minister of Transport" for the words "Board of Trade") were re-enacted in this Act. (that is to say):— Application to trolley vehicles of certain provisions of existing Acts.

The Act of 1900—

Section 38 (Agreements with adjoining owners &c.).

A.D. 1929.

The Act of 1901—

Section 5 (Attachment of brackets to buildings);

Section 23 (Running powers).

The Act of 1903—

Section 6 (For protection of Postmaster-General) as amended by this Act;

Section 43 (Power to enter into agreements with respect to traffic);

Section 44 (Agreements with local authorities and others as to supply of electricity);

Section 45 (Penalty for wilful damage and power to remove obstructions).

The Act of 1911—

Section 16 (Use of tramway posts by Postmaster-General).

For protection of Postmaster-General.

27. Subsection (B) (4) of section 6 (For protection of Postmaster-General) of the Act of 1903 shall be read and have effect as if the words "generated or used by or supplied to" were substituted in that subsection for the words "generated by."

For protection of road authorities.

28. The following provisions for the protection of the Lancashire County Council and the urban district councils of Swinton and Pendlebury Worsley Little Hulton Tyldesley-with-Shakerley Atherton West-houghton Hindley Abram Ince-in-Makerfield Ashton-in-Makerfield and Haydock and the rural district councils of Leigh and Barton-upon-Irwell (each of whom is in this section referred to as "the road authority") shall notwithstanding anything in this Act and unless otherwise agreed in writing apply and have effect with respect to the use of the trolley vehicles on and the execution of any works affecting any road vested in or maintained by or at the expense of the road authority forming part of the specified routes, (that is to say) :—

(1) If the Company in the execution of any works in or affecting any such road shall cause any damage injury or disturbance to such roads or any road bridge culvert drain or other work and shall fail properly to make good

all such damage injury or disturbance then it shall be lawful for the road authority after reasonable notice to the Company of the alleged failure and of the works which they propose to execute to do all works necessary for making good all damage injury or disturbance and the Company shall repay to the road authority all costs charges and expenses which the road authority shall reasonably and properly incur in carrying out such works including all reasonable expense of superintendence :

- (2) The provisions of section 28 of the Town Police Clauses Act 1847 with respect to the side of the road at which a carriage or other vehicle is to be kept when meeting or passing any other carriage or vehicle shall apply to the driver of the trolley car :
- (3) If it becomes necessary that the working of the trolley vehicles over any road bridge be wholly or in part stopped or delayed for the purpose of any repairs to or alteration of such bridge and if the road authority give the Company twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage or delay the working of the trolley vehicles shall be stopped or delayed as reasonably required by such notice but no such working shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purposes as aforesaid and in such case the road authority shall not be liable to pay compensation in respect of such stoppage or delay as aforesaid :
- (4) The Company shall not without the consent in writing of the road authority (which consent shall not be unreasonably withheld) place erect or attach any post or other support for any wire or any feeder box on or to the structure of any bridge as aforesaid and any such post support or box which shall with such consent have been so placed erected or attached shall be temporarily removed at any time when

A.D. 1929.

required by the road authority in connection with the maintenance reconstruction or alteration of any such bridge :

- (5) If any difference arises under this section between the Company and the road authority the same shall be settled by an engineer to be appointed at the request of either party by the Minister and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protection of railway companies.

29. The following provisions for the protection of the London and North Eastern Railway Company and the London Midland and Scottish Railway Company (each of whom are hereinafter in this section respectively referred to as "the railway company") shall unless otherwise agreed in writing between the Company and the railway company apply and have effect in relation to the trolley vehicles (that is to say) :—

- (1) All apparatus authorised by or in pursuance of this Act where the same shall be erected or placed upon across under or over any bridge or the approaches thereto or other work belonging to or maintainable by the railway company or which will otherwise affect the same shall be erected or placed and maintained according to plans and particulars to be previously submitted to and approved by the railway company or in case of difference between them and the Company by an arbitrator to be appointed as hereinafter provided Provided that if the railway company do not within twenty-eight days after such submission signify their disapproval of such plans and particulars they shall be deemed to have approved thereof :

- (2) All such apparatus shall be erected or placed under the superintendence (if such superintendence be given) and to the reasonable satisfaction of the railway company The Company shall so construct maintain and use the apparatus as not to affect injuriously any such bridge or approaches or other work and in the event of any injury being occasioned to such bridge or approaches or work by the construction maintenance user or removal of

the apparatus upon across under or over the same the railway company may make good the injury and may recover from the Company the reasonable expenses of so doing :

- (3) The Company shall bear and on demand pay to the railway company the reasonable expense (if any) incurred by the railway company of and in connection with the employment by the railway company during the execution or repair by the Company under or in pursuance of this Act of any apparatus affecting any railway bridge or other work belonging to or maintainable by the railway company of such inspectors signalmen and watchmen as may be necessary for inspecting watching and protecting the said railways and works and the conduct of the traffic thereon with reference to and during the execution or repair of any apparatus of the Company and for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Company or their contractors or any person in the employ of either of them or otherwise :
- (4) The Company shall not in any manner in the execution maintenance or repair of any apparatus obstruct or interfere with the free uninterrupted and safe user of any railway belonging to or maintainable by the railway company or any traffic thereon :
- (5) The Company shall be responsible for and make good to the railway company all losses damages and expenses which may be occasioned to the railway company or any of their works or property or to any works or property which they may be liable to maintain or to the traffic on their railways or to any company or person using the same by or by reason of the execution or failure of any of the said apparatus or by or by reason of any act default or omission of the Company or of any person in their employ or of their contractors and the Company shall effectually indemnify and hold harmless the railway company from all claims and demands upon or

A.D. 1929.

against them by reason of such execution or failure or of any such act default or omission :

- (6) If the railway company shall hereafter require to widen lengthen strengthen reconstruct alter or repair any of their bridges approaches or other works under or upon which the apparatus is laid or to widen or alter any railway thereunder or thereover the Company shall afford to the railway company all reasonable and proper facilities for the purpose and if it shall be necessary for such purpose that such apparatus be taken up diverted or removed and if the railway company accordingly give to the company twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up diversion or removal then the working or user of such part of the apparatus shall be stopped or delayed or such part of the apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Company and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purpose as aforesaid and such part of the apparatus shall be restored with all practicable dispatch and the railway company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal :
- (7) If and when the railway company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Company has been placed the Company shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be agreed between the Company and the engineer of the railway company or failing agreement as shall be determined by arbitration under this section unless the Company shall have previously adopted some other means of pro-

tection to workmen which shall have been approved by the said engineer Provided that the Company shall not be required to cut off the electric current at any time for a longer period than shall be absolutely necessary for effecting the purpose of the railway company: A.D. 1929.

- (8) If having regard to the proposed position of any apparatus of the Company when considered in relation to the position of the works of the railway company at any point where any apparatus will be constructed over or under any railway or other works of the railway company it becomes necessary in order to avoid danger from the breaking or falling of wires that any electric telegraphic telephonic or signal wires or apparatus or electrical works or apparatus for traction purposes of the railway company shall be altered the railway company may execute any works reasonably necessary for such alteration and the reasonable expense of so doing shall be repaid to the railway company by the Company:
- (9) The Company shall not make any additional attachments to any part of any bridge station depôt or other property forming part of the railway of the railway company without the consent in writing of the engineer of the railway company which consent shall not be unreasonably withheld and such attachments if allowed shall be temporarily removed at any time when reasonably required by the said engineer in connection with the maintenance and reconstruction or alteration of any such bridge station depôt or other property:
- (10) If any difference arises under this section between the Company and the railway company the same shall be settled by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

30. Notwithstanding anything in the existing Acts or this Act or any provisions of the Tramways Act 1870 Power to local

A.D. 1929.
—
authorities
to purchase
under-
taking.

incorporated with those Acts or this Act or any of them the following provisions shall (unless otherwise agreed between the Company and the local authority of any district in which any of the trolley vehicles or tramways of the Company are situate) have effect with reference to the purchase by the local authorities of the undertaking of the Company (other than the generating station and the omnibus undertaking of the Company) authorised by the existing Acts and this Act (hereinafter in this section referred to as "the undertaking") :—

- (1) Subject as hereinafter provided it shall be lawful for the local authorities if by resolution passed at a special meeting of each of the local authorities they so decide to purchase on the thirty-first day of December one thousand nine hundred and fifty-nine or the thirty-first day of December in every subsequent tenth year (but at no other date) so much of the undertaking as is situate within their respective districts upon terms of paying the fair market value of such portion of the undertaking as a going concern but without any addition in respect of compulsory purchase which value shall be determined in case of difference by arbitration in manner provided by section 43 of the Tramways Act 1870:
- (2) The powers of compulsory purchase conferred on the local authorities by this section shall be exercisable only upon and subject to the following terms and conditions (that is to say) :—
 - (a) The Company shall not be required to sell any part of the undertaking unless each of the local authorities in whose districts the undertaking is situate purchases at one and the same time the portion of the undertaking in their district;
 - (b) if the local authorities decide to purchase the undertaking they shall give to the Company notice in writing of such their decision not later than the thirty-first day of December in the year preceding the date of purchase;
 - (c) the sum to be paid to the Company in respect of such purchase shall if not agreed be determined by one and the same referee nominated under the said section 43 of the

Tramways Act 1870 and in one and the same proceeding but the said referee shall by his award determine separately as respects each of the local authorities the value of the undertaking situate in the district of that local authority including all lands buildings works materials and plant of the Company suitable to and used by them for the purposes of the undertaking within such district; A.D. 1929.

(d) the respective sums to be paid to the Company by each of the local authorities shall together be equal to the fair market value of the undertaking as a going concern :

- (3) Subject to the foregoing provisions of this section the said section 43 of the Tramways Act 1870 shall apply to the purchase of the undertaking by the local authorities under this section as if the said section 43 with any necessary modifications were re-enacted in this Act :
- (4) On any sale to the local authorities such arrangements as may be approved by the Minister shall be made for vesting in each local authority the portion of the undertaking situate in their district and for a scheme or schemes for the future maintenance management and working of the undertaking and the scale shall not take effect until an instrument has been properly executed in a form approved by the Minister for carrying into effect such arrangements.

31.—(1) The Company may provide maintain work and run omnibuses along the specified routes and along any other route within a radius of fifteen miles from the Town Hall Leigh in prolongation of or in connection with any trolley vehicle route omnibus route or tramways operated by the Company : Power to run omnibuses.

Provided that the Company shall not run omnibuses under the powers of this Act on any route in the county of Chester without the consent of the road authority for such route but such consent shall not be unreasonably withheld.

(2) The Town Police Clauses Acts 1847 and 1889 shall subject to the provisions of this Act apply to any omnibus supplied or used under this section.

[Ch. lxxxiii.] *South Lancashire* [19 & 20 GEO. 5.]
Transport Act, 1929.

A.D. 1929.

(3) The powers of this section shall be exercisable by the Company subject to such byelaws as the licensing authority or licensing authorities as the case may be of the borough district or districts in which such omnibuses may be run are now or may hereafter be empowered to make and enforce with reference to omnibuses.

(4) The Company may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running maintenance and equipment of the omnibuses provided by the Company under this Act.

(5) The Company may make byelaws for regulating the travelling in or upon such omnibuses and for the prevention of nuisances in or upon the same or in or against any premises held by the Company in connection therewith.

(6) Any omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphic line (as defined by the Telegraph Act 1878) of the Postmaster-General.

(7) The provisions of section 51 (Penalty on passengers practising frauds on the promoters) and section 56 (Recovery of tolls penalties &c.) of the Tramways Act 1870 shall apply to and in relation to the omnibuses of the Company as if they were carriages used on tramways.

(8) (a) If the local authorities of the districts in which the undertaking of the Company (other than the omnibus undertaking) is situate decide to purchase the undertaking in manner provided by the section of this Act whereof the marginal note is "Power to local authorities to purchase undertaking" such authorities may and shall also purchase so much of the omnibus undertaking as is carried on in their respective districts and the provisions of the said section of this Act shall extend and apply to the purchase by such local authorities of the said portion of the omnibus undertaking and any question arising as to the portion of the omnibus undertaking so purchaseable by such local authorities shall be determined by the referee.

(b) After the completion of the purchase of the said portion of the omnibus undertaking by such local authorities the powers of the Company under this Act to provide

maintain work or run omnibuses in the districts of such local authorities shall cease to such extent as the Minister may after inquiry by order determine. A.D. 1929.

32. The Company may demand and take for every passenger conveyed on the trolley vehicles or omnibuses including every expense incidental to such conveyance a fare or charge not exceeding one penny half-penny per mile and in computing the said fare or charge any fraction of a mile shall be deemed a mile. Provided that the Company may appoint stages each of not less than half a mile in length and may demand and take for every passenger travelling on the trolley vehicles or omnibuses including every expense incidental to the conveyance of such passenger any fares or charges not exceeding one penny half-penny for each two stages (or portion of that distance) travelled and for this purpose the fraction of a stage shall be deemed to be a stage. Fares and charges for passengers.

33. Every passenger conveyed on the trolley vehicles or omnibuses may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat required for a passenger nor be of a form or description to annoy or inconvenience other passengers. Passengers' luggage.

34.—(1) The Company may if they think fit convey on the trolley vehicles and omnibuses parcels not exceeding fifty-six pounds in weight and dogs whether in the care of passengers or otherwise. Parcels &c.

(2) The Company may demand and take for the conveyance of any dog a sum not exceeding the fare payable by a passenger travelling between the same stage points and for parcels (other than passengers' luggage referred to in the immediately preceding section of this Act) carried in the trolley vehicles or omnibuses charges not exceeding such maximum charges as may from time to time be approved by the Minister.

35.—(1) If at any time after three years from the opening for public traffic of the trolley vehicle routes or any portion thereof or of any omnibus route or after three years from the date of any order made in pursuance of this section in respect of the trolley vehicle routes or omnibus routes or any portion thereof it is represented Periodical revision of fares and charges.

A.D. 1929. — in writing to the Minister by the local authority of the district in which the trolley vehicle routes or omnibus routes or such portion is wholly or partly situate or by twenty inhabitant ratepayers of that district or by the Company that all or any of the fares or other charges demanded and taken in respect of the traffic on the trolley vehicle routes or omnibus routes or on such portion should be revised the Minister may (if he thinks fit) direct an inquiry and if the person holding the inquiry reports that it has been proved to his satisfaction that all or any of the fares or charges should be revised the Minister may by order in writing alter modify reduce or increase all or any of the fares or charges to be taken in respect of the trolley vehicle routes or omnibus routes or on any portion thereof and thenceforth such order shall be observed until the same is revoked or modified by an order of the Minister made in pursuance of this section.

(2) In considering any representation under this section the Minister shall have regard to the capital of the Company and the provision of a reasonable return thereon subject to such adjustment as the Minister may think fit in respect of any capital expended upon works which by reason of the exercise of the powers of this Act have been superseded.

Service for
labouring
classes.

36.—(1) The Company after the opening of any of the trolley vehicle routes or any omnibus route shall and they are hereby required to run a proper and sufficient service of trolley vehicles or omnibuses thereon for artisans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than eight in the morning or earlier than five in the evening respectively as may be most convenient for such workmen going to and returning from their work at fares not exceeding one penny for every mile or fraction of that distance On Saturdays the Company in lieu of running such trolley vehicles or omnibuses after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is made to the Minister that such proper and sufficient service is not provided the Minister after considering the circumstances of the locality may

by order direct the Company to provide such service as may appear to him to be reasonable. A.D. 1929.

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

37. A list of the fares and charges by this Act authorised to be demanded and taken in respect of traffic on the trolley vehicles and omnibuses shall be exhibited in a conspicuous place inside each of the trolley vehicles and omnibuses. List of fares &c. to be exhibited.

38. It shall not be lawful for the Company or any company or person working or running trolley vehicles on any of the trolley vehicle routes or for the Company in respect of any omnibus route to take or demand on Sunday or any public holiday any higher fares or charges than those levied by them on ordinary week-days. As to fares on Sundays or holidays.

39. The following sections of the Act of 1900 shall so far as the same are applicable and except as otherwise provided extend and apply to the purposes of this Act in as full and complete a manner as if the said sections (with all necessary alterations and with the substitution of the words "Minister of Transport" for the words "Board of Trade") were re-enacted in this Act (that is to say) :— Application of certain provisions of Act of 1900.

Section 86 (Form and delivery of notices);

Section 87 (Arbitration).

40. The Company shall not allow advertisements (save notices relating to the Company's business or to announcements of bands fêtes and other occasional entertainments which may contribute to increase the Company's traffic) to be placed on the outside of the windows of any of the trolley vehicles nor on the inside of such windows save on the upper portion thereof and then so as not to obstruct the view of passengers seated in the trolley vehicles nor on the outside of the trolley vehicles save above the level of the roof of the lower deck of the vehicles and then of a depth not exceeding eighteen inches and all advertisements shall be so fixed as not to cause any noise or rattling when the trolley vehicle is moving. Restricting advertisements on trolley vehicles.

A.D. 1929.

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Power to
purchase
lands.

41. The Company may purchase by agreement take on lease and hold lands and buildings and may erect on any such lands depôts buildings and sheds for the purposes of their trolley vehicles and omnibuses Provided that the Company shall not create or permit any nuisance on any such lands.

Conveyance
of mails.

42. The Company shall perform in respect of their trolley vehicles and omnibuses such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act relates.

Shelters or
waiting-
rooms.

43. The Company may erect and maintain sheds shelters or waiting-rooms and gangways for the accommodation of passengers on any trolley vehicle or omnibus route established under the authority of this Act and may with the consent of the local authority and road authority use for that purpose portions of the public streets or roads.

Stopping or
starting
places.

44. The Company may appoint the stations and places from which the trolley vehicles or omnibuses of the Company shall start or at which they may stop for the purposes of taking up or setting down passengers and may make regulations for fixing the time during which such trolley vehicles or omnibuses shall be allowed to remain at any such place :

Provided that any starting or stopping station or place appointed by the Company under this section and any regulations made by the Company thereunder for fixing the time during which trolley vehicles or omnibuses shall be allowed to remain at any starting or stopping station or place shall be subject to the previous approval of the road authority which approval shall not be unreasonably withheld.

Through
trolley
vehicles
and
omnibuses.

45. The Company may run through trolley vehicles or omnibuses along any route on which the Company are for the time being authorised to run trolley vehicles or omnibuses and such trolley vehicles or omnibuses shall be distinguished from other trolley vehicles or omnibuses in such manner as may be directed by the Company and they may demand and take for every passenger by such trolley vehicles or omnibuses a fare or charge not exceeding the maximum fare or charge authorised or

chargeable for and in respect of the whole of such route or the whole of the portion thereof traversed by any such trolley vehicle or omnibus Provided that during the running of such through trolley vehicles or omnibuses the Company shall maintain a reasonably sufficient ordinary service of trolley vehicles or omnibuses. A.D. 1929.

46.—(1) Notwithstanding anything contained in this or any other Act to the contrary the Company may on any occasion run and reserve trolley vehicles or omnibuses on any route on which the Company are for the time being authorised to run trolley vehicles or omnibuses for any special purpose which the Company may consider necessary or desirable Provided that such special trolley vehicles or omnibuses shall be distinguished from other trolley vehicles or omnibuses in such manner as may be directed by the Company and that during the running of such special trolley vehicles or omnibuses the Company shall maintain a reasonably sufficient ordinary service of trolley vehicles or omnibuses. Power to reserve trolley vehicles and omnibuses for special purposes.

(2) The Company may make byelaws for prohibiting the use of any such trolley vehicles or omnibuses by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions contained in this or any other Act as to fares or charges for passengers shall not extend to any trolley vehicle or omnibus run for special purposes and in respect thereof the Company may demand and take such fares or charges as they shall think fit.

47.—(1) The Company may attach to any lamp-post pole standard or similar erection erected on or in the highway of or near to any of the trolley vehicle routes or omnibus routes signs or directions indicating the position of stopping places for trolley vehicles and omnibuses Provided that in cases where the Company are not the owners of such lamp-post pole standard or similar erection they shall give notice in writing of their intention to attach thereto any such sign or direction and shall make compensation to the owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Company shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment. Attachment of signs indicating stopping places.

A.D. 1929.

(2) Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(3) The Company shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing.

(4) The Company shall not attach any such sign or direction to any lamp-post pole standard or similar erection belonging to any local authority county council or railway or canal company without the consent in writing of the authority council or company.

Cloak-rooms
&c.

48. The Company may provide cloak-rooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depôt or building used by them in connection with their trolley vehicle undertaking and omnibus undertaking and at suitable places on any of the trolley vehicle routes or omnibus routes and the Company may make charges for the use of such cloak-rooms rooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein but shall not use for the purpose any part of the highway without the consent of the local authority and the road authority.

Lost
property.

49. Any property found in any trolley vehicle or omnibus of the Company or in any shelter or waiting-room in connection with their trolley vehicle undertaking or omnibus undertaking shall forthwith be handed to the conductor of the vehicle or be taken to the head office of the Company and if not claimed within six months after the finding thereof the property may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks.

For protec-
tion of
Leigh Cor-
poration.

50. For the protection of the mayor aldermen and burgesses of the borough of Leigh (in this section referred to as "the corporation") the following provisions shall apply and have effect (that is to say):—

Nothing contained in this Act shall in any way prejudice or affect the agreement dated the fifteenth day of June one thousand nine hundred and twenty-eight and made between the corporation of the first part the Company of the

second part and the Lancashire United Transport and Power Company Limited of the third part or in any way vary or alter the powers rights duties and obligations of the parties to the said agreement.

A.D. 1929.

51. For the protection of the mayor aldermen and burgesses of the county borough of Bolton (in this section respectively referred to as "the corporation" and "the borough") the following provisions shall unless otherwise agreed in writing between the corporation and the Company apply and have effect (that is to say):—

For protection of Bolton Corporation.

- (1) Notwithstanding anything contained in this Act the Company shall not except with the consent of the corporation under their common seal or except as provided by the agreement hereinafter referred to run omnibuses along any route in the borough:
- (2) If and so long as the corporation run an efficient service or services of tramcars trolley vehicles or omnibuses along any route outside the borough upon which the corporation are running the same on the first day of January one thousand nine hundred and twenty-nine in pursuance of powers conferred upon them by Parliament or upon any of the routes in respect of which the local authorities are under the provisions of subsection (2) of section 28 of the Bolton Corporation Act 1926 deemed to have consented to the running by the corporation of omnibuses the Company shall not under the powers of this Act without the consent of the corporation under their common seal or except as provided by the agreement hereinafter referred to run omnibuses along any continuous length exceeding half a mile of that route so as to compete with such service or services of the corporation. Provided that the corporation shall not for the purposes of this subsection be deemed to have failed to provide an adequate service in any case in which any inadequacy of the service is due to strikes or unforeseen accidents or circumstances beyond the control of the corporation:

A.D. 1929.

- (3) Any difference at any time arising between the corporation and the Company as to whether or not the corporation are providing an adequate service within the meaning of subsection (2) of this section or as to whether any such competition as is referred to in that subsection exists or would exist shall be determined by an arbitrator to be agreed upon between the parties or (failing such agreement) to be nominated by the Minister on the application of either party after notice in writing to the other of them and the provisions of the Arbitration Act 1889 shall subject as aforesaid apply to the determination of any such question :
- (4) Nothing in this Act contained or anything done thereunder shall in any way prejudicially affect the rights of the corporation under the agreement dated the eighth day of June one thousand nine hundred and twenty-six and made between the corporation of the one part and the Lancashire United Transport and Power Company Limited (hereinafter referred to as "the limited company") of the other part and the said agreement shall be construed and have effect as if the Company had been a party thereto in addition to the limited company to the intent that the rights powers duties obligations and restrictions to be enjoyed and observed by the limited company under the said agreement may be exercised and enjoyed and shall be performed and observed by the Company as well as by the limited company :
- (5) Any regulations made under the powers of the section of this Act whereof the marginal note is "Stopping or starting places" in relation to the borough and any stopping and starting place within the borough shall notwithstanding any other provision of this Act be subject to the previous approval of the Corporation.

For protec-
tion of St.
Helens
Corpora-
tion.

52. Notwithstanding anything contained in this Act the following provisions for the protection of the mayor aldermen and burgesses of the borough of St. Helens (hereinafter referred to as "the St. Helens Corporation") shall unless otherwise agreed between the Company

and the St. Helens Corporation apply and have effect A.D. 1929.
(that is to say):—

- (1) So long as the St. Helens Corporation run an efficient service of tramcars trolley vehicles or omnibuses along any of the routes specified in section 20 (Power to provide and run omnibuses) of the St. Helens Corporation Act 1921 or upon any other route on which they are running the same on the first day of January one thousand nine hundred and twenty-nine in pursuance of powers conferred upon them by Parliament the Company shall not under the provisions of this Act run omnibuses in competition with any service so provided by the St. Helens Corporation Provided that failure by the St. Helens Corporation to afford an efficient service which is due to strikes or unforeseen circumstances or circumstances beyond the control of the St. Helens Corporation shall not entitle the Company to run omnibuses in competition therewith :
- (2) Any question at any time arising between the Company and the St. Helens Corporation as to whether or not the St. Helens Corporation are providing an efficient service as aforesaid within the meaning of this section or as to whether any such competition as is referred to in subsection (1) hereof exists or would exist shall be determined by the Minister on the application of either party in dispute after notice in writing to the other and the provisions of the Arbitration Act 1889 shall subject as aforesaid apply to the determination of any such question :
- (3) The Company shall not except with the consent of the St. Helens Corporation under their common seal run omnibuses along any route in the borough of St. Helens :
- (4) The Company shall not apply for a Provisional Order authorising the use by the Company of trolley vehicles upon any of the routes specified in section 20 (Power to provide and run omnibuses) of the St. Helens Corporation Act 1921 or upon any other route on which the St. Helens Corporation are on the first day of January

A.D. 1929.

one thousand nine hundred and twenty-nine running tramcars trolley vehicles or omnibuses in pursuance of powers conferred upon them by Parliament without the consent of the St. Helens Corporation.

For protec-
tion of
Wigan Cor-
poration.

53. Notwithstanding anything contained in this Act the following provisions for the protection of the mayor aldermen and burgesses of the borough of Wigan (hereinafter referred to as "the Wigan Corporation") shall unless otherwise agreed between the Company and the Wigan Corporation apply and have effect (that is to say) :—

- (1) So long as the Wigan Corporation run an efficient service of tramcars trolley vehicles or omnibuses (or two of those classes of vehicles) along any road on which they are running the same on the first day of January one thousand nine hundred and twenty-nine in pursuance of powers conferred by Parliament the Company shall not under the provisions of this Act run omnibuses in competition with any service so provided by the Wigan Corporation but the provisions of this subsection shall not prevent the Company from running omnibuses along the roads leading from Bickershaw Lane End (Platt Bridge) to Dover Lock (Abram) and to Bolton House Road (Bickershaw) respectively. Provided that failure by the Wigan Corporation to afford an efficient service which is due to strikes or unforeseen circumstances or circumstances beyond the control of the Wigan Corporation shall not entitle the Company to run omnibuses in competition therewith :
- (2) Any question at any time arising between the Company and the Wigan Corporation as to whether or not the Wigan Corporation are providing an efficient service as aforesaid within the meaning of this section or as to whether any such competition as is referred to in subsection (1) hereof exists or would exist shall be determined by the Minister on the application of either party in dispute after notice in writing to the other and the provisions of the Arbitration

Act 1889 shall subject as aforesaid apply to the determination of any such question : A.D. 1929.

- (3) The Company shall not except with the consent of the Wigan Corporation under their common seal run omnibuses along any route in the borough of Wigan
- (4) The Company shall not without the consent of the Wigan Corporation apply for a Provisional Order authorising the use by the Company of trolley vehicles upon any road upon which the Wigan Corporation were on the first day of January one thousand nine hundred and twenty-nine running tramcars trolley vehicles or omnibuses in pursuance of powers conferred by Parliament but this prohibition shall not apply in respect of the roads leading from Bickershaw Lane End (Platt Bridge) to Dover Lock (Abram) and to Bolton House Road (Bickershaw) respectively.

54. Notwithstanding anything contained in this Act the Company shall not except with the consent of the mayor aldermen and burgesses of the borough of Warrington under their common seal run omnibuses along any route in the borough of Warrington. For protection of Warrington Corporation.

55. For the protection of the urban district council of Stretford (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the council and the Company apply and have effect (that is to say) :— For protection of Stretford Urban District Council.

Notwithstanding anything contained in this Act the Company shall not except with the consent of the council under their common seal run omnibuses along any route in the urban district of Stretford Provided that the consent of the council shall not be unreasonably withheld in the case of the route along Ashburton Road from the boundary of the parish of Davyhulme for a distance of approximately one hundred and forty yards.

56.—(1) Notwithstanding anything contained in this or any other Act the Company shall not— For protection of Manchester Corporation.

- (a) run any omnibuses in the city of Manchester or along the route of any tramway which is owned

A.D. 1929.

or leased by the lord mayor aldermen and citizens of the said city (in this section called "the corporation") or any route along which the corporation run trolley vehicles or in competition with any such route as aforesaid;

- (b) apply for an Order authorising the Company to use trolley vehicles in the said city or along or in competition with any such route as aforesaid;

except with the consent in writing of the corporation which may be given for such a period and upon and subject to such terms and conditions as may be agreed.

(2) Any question arising between the corporation and the Company as to whether any route proposed to be used by the Company is in competition with any tramway owned or leased by the corporation or with the route of any trolley vehicles run by them shall be determined by the Minister.

For protection of
Trafford Park
Estates
Limited.

57. For the protection of the Trafford Park Estates Limited (hereinafter referred to as "the Trafford Park Company") the following provisions shall unless otherwise agreed between the Company and the Trafford Park Company apply and have effect (that is to say):—

- (1) The Company shall not without the consent in writing of the Trafford Park Company run (except as provided by the agreement hereinafter referred to) omnibuses under the provisions of this Act within Trafford Park as defined in section 4 (Interpretation) of the Trafford Park Act 1904 or enter into any agreement with any local authority body or person for the working or using of omnibuses within Trafford Park aforesaid:
- (2) Nothing in this Act contained shall in any way prejudice or affect the agreement dated the twenty-ninth day of June one thousand nine hundred and twenty-five and made between the Trafford Park Company of the one part and the Lancashire United Tramways Limited (hereinafter referred to as "the limited company") of the other part or in any way vary or alter the powers rights duties and obligations of the parties to the said agreement except

that the said agreement shall be construed and have effect as if the Company had been a party thereto in addition to the limited company to the intent that the powers rights duties and obligations to be enjoyed and observed by the limited company under the said agreement may be exercised and enjoyed and shall be performed and observed by the Company as well as by the limited company :

A.D. 1929.

- (3) No Provisional Order shall be made under the section of this Act the marginal note of which is " Minister may authorise new routes " authorising the use by the Company of trolley vehicles upon any road within Trafford Park as so defined as aforesaid.

58. No shed or shelter or waiting-room or barrier or post shall be erected or maintained and no cloak-room room or shed shall be provided by the Company so as to cause interference with or to render less convenient the access to or exit from any station or depôt belonging to a railway company nor shall any such shed shelter waiting-room cloak-room or barrier or post be erected or maintained on any bridge carrying any street or road over the railways of a railway company or over the Leeds and Liverpool Canal.

For protection of railway and canal companies.

59. Nothing contained in this Act shall impose any obligation upon or enlarge any existing obligation of a railway company or of the Leeds and Liverpool Canal Company to strengthen adapt alter or reconstruct any bridge or road maintainable by them.

Saving for railway and canal companies.

60.—(1) The Company on the one hand and any local authority company body or person owning or working any tramways trolley vehicles or omnibuses which may be worked with any tramways trolley vehicles or omnibuses of the Company on the other hand may enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say) :—

Working and other agreements.

(a) The formation of junctions between the tramways or trolley vehicle systems of the contracting parties ;

(b) The leasing (with the consent of the Minister) working running over using maintaining and

A.D. 1929.

- managing by either of the contracting parties of the tramways trolley vehicle or omnibus systems or any of the tramways trolley vehicle or omnibus systems of the other and the fixing collecting apportionment and distribution of the rates and profits arising therefrom;
- (c) The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working of the tramways trolley vehicle or omnibus systems of rolling stock necessary for the purposes of such agreement and the employment of officers and servants;
 - (d) The supply of motive power;
 - (e) The payments to be made and the conditions to be performed with respect to the matters aforesaid;
 - (f) The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways trolley vehicle or omnibus systems of the contracting parties.

(2) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the tramways trolley vehicle or omnibus systems of the other the tramways trolley vehicle or omnibus systems of the parties so contracting shall for the purposes of calculating maximum fares and charges in respect of conveyance partly over the tramways trolley vehicle or omnibus system of the one party and partly over those of the other be considered as one tramway trolley vehicle or omnibus system as the case may be and the maximum charge for each portion of the entire distance shall be calculated at the maximum rate which according to the scale applicable to such portion would be chargeable for the entire distance.

(3) Nothing in this section or in any agreement made in pursuance of this section shall authorise any local authority to run omnibuses except—

- (a) upon routes along which the local authority have powers under or in pursuance of an Act or Order to provide omnibus services; and

(b) subject to any statutory limitations restrictions or obligations imposed on the local authority in respect of the exercise of such powers. A.D. 1929.

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

61. The Company may manufacture purchase provide and hire trolley vehicles omnibuses repairing cars and all apparatus and things which may be necessary for or incidental to the working of trolley vehicles and omnibuses and the exercise of the powers conferred on the Company by this Act but nothing in this Act shall entitle the Company to manufacture chassis or empower any local authority in the event of their purchasing the undertaking or any part thereof to manufacture omnibuses or any such apparatus or things. Power to provide vehicles and equipment.

62. The Company may acquire and hold patent and other rights and licences (not being exclusive) in relation to the manufacture of trolley vehicles omnibuses and apparatus and the use of electrical power for the purposes of this Act. Power to hold patent rights.

CHANGE OF NAME.

63. The name of the Company shall be the South Lancashire Transport Company. Change of name.

CAPITAL.

64. The Company may apply to the purposes of this Act being purposes to which capital is properly applicable any moneys which they have already raised or are authorised to raise and which may not be required by them for the purposes for which the same were authorised to be raised. Application of moneys.

65.—(1) The directors may without any further or other authority than is given by this section in respect of the capital already raised or created by the issue of shares under the existing Acts and upon which not less than one-half part thereof has been paid up borrow on mortgage of the undertaking any sum or sums not exceeding in the whole (inclusive of the sum of one hundred and eighty-three thousand and seventeen Borrowing powers in respect of authorised capital.

A.D. 1929 — pounds raised up to the thirty-first day of December one thousand nine hundred and twenty-eight) the sum of two hundred and sixty-seven thousand three hundred and sixty-six pounds.

(2) The Company may also in respect of the capital already raised or created by the issue of shares under the existing Acts upon which at the passing of this Act less than one-half part has been paid up and in respect of the capital authorised by the existing Acts not already raised by the issue of shares borrow on mortgage of the undertaking any sum or sums not exceeding one-third of the nominal amount of such capital for the time being raised and upon which not less than one-half part thereof has been paid up but no sum shall be borrowed or raised in respect of any such capital until the Company have proved to the justice before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that not less than one-half of the amount of each of the shares in respect of which the Company propose to borrow or raise money has been paid on account thereof and that such shares were issued bonâ fide and are held by the persons to whom the same were issued or their executors administrators successors or assigns and that such persons their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company or 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.

(3) Section 26 (Moneys borrowed on mortgage to rank equally and to have priority) of the Act of 1903 shall extend and apply to moneys borrowed by the Company under the powers of this Act as if the said section were re-enacted in this Act.

Appoint-
ment of
receiver.

66. 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. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

MEETINGS DIRECTORS &C.

.A.D. 1929.

67. The number of directors shall be five but the Company may vary the number provided that the number be not at any time less than three or more than ten. Number of directors.

68. The quorum of a meeting of directors shall be two when the total number of directors does not exceed five and three when the total number of directors exceeds five. Quorum of directors.

69. The continuing directors may act notwithstanding any vacancy in their body but so that if at any time the number of the directors shall be less than the minimum number prescribed by the Act of 1900 the directors shall not act as such except for the purpose of filling vacancies among the directors and allotting shares to any proposed director or directors. Continuing directors.

70. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined or if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity. As to qualification of directors.

71. The ordinary meeting of the Company shall be held in each year at such time and place as the directors may from time to time appoint. Annual meeting.

A.D. 1929.

—
Interim
dividends
and annual
accounts.

72. If and so long as the ordinary meetings of the Company shall be held once in each year the following provisions shall have effect:—

(a) It shall be lawful for the directors to declare and pay in any year an interim dividend half-yearly out of the profits of the Company without the sanction or direction of a general meeting;

(b) The Company and the directors shall not be required to make up a half-yearly balance sheet and accounts and the balance sheet and accounts made up by them in accordance with section 116 of the Companies Clauses Consolidation Act 1845 shall relate to the transactions of the Company in the course of the preceding year.

Closing
of transfer
books.

73.—(1) The directors may close the register of transfers of shares for a period not exceeding fourteen days previous to the payment of any dividend and they may close the register of transfers of mortgages for a period not exceeding fourteen days previous to each date at which the interest thereon shall be payable and in the case of any such register they may fix a day for closing the same of which seven days' notice shall be given either by circular to each proprietor or by advertisement in a newspaper published in the county palatine of Lancaster.

(2) Any transfer of shares or mortgages made during the time when the register of transfers of such security is so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the payment of any such dividend or the payment of any such interest as the case may be.

As to share-
holders
register.

74. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 it shall not be necessary to authenticate the register of the shareholders of the Company by affixing the common seal of the Company to such register.

As to
contracts.

75. Notwithstanding anything in any Act relating to the Company any contract or agreement required to be in writing and not under seal may be signed on behalf

of the Company by the secretary or other person appointed in that behalf by the directors. A.D. 1929.

76. In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1889 they may determine the remuneration of the secretary and auditors of the Company. Remuneration of secretary and auditors.

MISCELLANEOUS.

77. The High Court may and shall at any time after the passing of this Act on application by or on behalf of the Company order the three hundred and twenty-six pounds and four shillings two and a half per centum consolidated stock being the balance of the deposit fund mentioned in section 26 (New tramways deposit fund not to be repaid until new tramways opened) of the Act of 1911 and the interest or dividends thereon to be paid or transferred to the Company or as they may appoint and upon such order being made the said amount of consolidated stock and the interest or dividends thereon shall be transferred and paid accordingly. Release of balance of deposit fund.

78. Where the consent or approval of any local or road authority is by this Act required before the exercise of any powers by the Company and it is provided that such consent or approval shall not be unreasonably withheld any difference as to whether such consent or approval is unreasonably withheld shall be determined by the Minister. Consents of local or road authority.

79. All orders regulations and byelaws made by the Minister under the authority of this Act shall be signed by a secretary or an assistant secretary of the Ministry of Transport. Orders &c. of Minister.

80. Any byelaws made by the Company under this Act shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws. As to making of byelaws.

81. In respect of the exercise of any powers or duties conferred on the Minister or the giving by him of any consents under the existing Acts or this Act the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister were referred Inquiries by Minister.

[Ch. lxxxiii.] *South Lancashire* [19 & 20 GEO. 5.]
Transport Act, 1929.

A.D. 1929. — to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

Accounts to be distinguished.

82. In the accounts of the Company relative to their undertaking the receipts and expenditure upon and in connection with trolley vehicles and omnibuses shall (so far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connection with the remainder of such undertaking and from each other and in such accounts capital shall be distinguished from revenue.

Accounts to be furnished to Minister.

83. The Company shall in every year within three months after the close of their financial year or such longer period as the Minister may allow furnish to the Minister a copy of their annual accounts.

Recovery of demands.

84. Proceedings for the recovery of any demand made under the authority of this Act or the existing Acts or any subsequent Act relating to the Company or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Recovery of penalties &c.

85. Save as otherwise by the existing Acts or this Act expressly provided all offences against the existing Acts and this Act or any incorporated enactment and all penalties forfeitures costs and expenses imposed or recoverable under the existing Acts or this Act or any incorporated enactment or under any byelaw made thereunder respectively may be prosecuted and recovered in a summary manner. Provided that costs or expenses (except such as are recoverable along with a penalty) shall not be recovered as penalties but may be recovered summarily as civil debts.

Repeal.

86.—(1) The following provisions of the existing Acts are hereby repealed (namely):—

The Act of 1900—

Section 9 (Power to borrow);

Section 16 (Number of directors);

Section 18 (Quorum);

Section 71 (Future purchase by local authority);

Subsection (3) of section 93 (For protection of the corporation of Leigh);

Subsection (7) of section 94 (For protection of the urban district councils of Abram Golborne Haydock Ince-in-Makerfield and Newton-in-Makerfield);

Subsection (3) of section 103 (For protection of Swinton and Pendlebury Urban District Council);

Subsection (4) of section 104 (For protection of Worsley Urban District Council);

Subsection (10) of section 105 (For protection of Ashton-in-Makerfield Urban District Council).

The Act of 1901—

Section 14 (Power to borrow);

Subsection (1) of section 30 (For protection of Worsley Urban District Council) so far as it applies subsection (4) of section 104 of the Act of 1900;

Subsection (1) of section 31 (For protection of Little Hulton Urban District Council) so far as it applies subsection (7) of section 104 of the Act of 1900.

The Act of 1903—

Section 25 (Power to borrow);

Section 27 (For appointment of a receiver).

The Act of 1911—

Subsection (9) of section 18 (For protection of Little Hulton Urban District Council);

Section 20 (For protection of Worsley Urban District Council) so far as it applies subsection (4) of section 104 of the Act of 1900.

(2) As from the date when any of the existing tramways is abandoned and discontinued under the provisions of the section of this Act of which the marginal note is "As to abandonment of Company's

[Ch. lxxxiii.] *South Lancashire* [19 & 20 GEO. 5.]
Transport Act, 1929.

A.D. 1929. — tramways” section 27 (Penalty for not maintaining rails and roads) of the Act of 1900 shall cease to apply to and in respect of the tramway so abandoned and discontinued and as from the date when all the existing tramways have been so abandoned and discontinued the said section 27 and any reference to that section in the existing Acts shall be repealed.

Costs of
Act.

87. 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.

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