



CHAPTER ccxi.

An Act to authorise the construction of tramways in or near A.D. 1879.
Ramsgate, Margate, and other places in the county of
Kent; and for other purposes. [11th August 1879.]

WHEREAS the laying down of tramways in certain streets and roads in the parishes of Saint Lawrence, Saint Peter's, and Saint John the Baptist, in the county of Kent, to be worked by animal power only, would be of local and public advantage:

And whereas the several persons herein-after named in that behalf are, with others, willing at their own expense to construct and maintain the tramways herein-after mentioned:

And whereas plans and sections of the proposed tramways showing the lines and levels thereof, and also books of reference containing the names of the owners and lessees, or reputed owners or lessees, and of the occupiers of the lands required or which may be taken for the purposes of this Act, have been deposited with the clerk of the peace for the county of Kent, and are herein-after respectively referred to as the deposited plans, sections, and books of reference:

And whereas the objects aforesaid 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 Queen's most Excellent Majesty, and 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; (that is to say,)

1. This Act may be cited for all purposes as the Ramsgate and Margate Tramways Act, 1879. Short title.

2. The Companies Clauses Consolidation Act, 1845, and Part I. (relating to cancellation and surrender of shares) of the Companies Clauses Act, 1863, as amended by the Companies Clauses Act, 1869, the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, provided that the Company shall not otherwise than by agreement

Incorporation of general Acts.

8 & 9 Vict. c. 16.
26 & 27 Vict. c. 118.
32 & 33 Vict. c. 43.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.

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A.D. 1879. — enter upon, purchase, or take any lands or houses other than those specified in the schedule to this Act, and section three (interpretation of terms) and section nineteen (local authority may lease and take tolls) and Parts II. and III. of the Tramways Act, 1870, so far as the same respectively are applicable to and not varied or excepted by or inconsistent with the provisions of this Act, are hereby incorporated with and form part of this Act, and shall apply to the undertaking of the Company.

33 & 34 Vict.
c. 78.

Interpreta-
tion of terms.

3. 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 or inconsistent with such construction, or unless herein otherwise provided :

The expression "the Company" means the Company incorporated by this Act :

The expressions "the tramways," except when the tramways by this Act authorised, any or either of them, are expressly mentioned, and "the undertaking" shall respectively mean and include the tramways and works connected therewith by this Act authorised to be made :

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

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

Incorpora-
tion of Com-
pany.

4. William Fox Hawes, Robert Charles Anwyl, Charles Daubeny Tudball, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and they are hereby united into a company for the purpose of making and maintaining the tramways, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of The Ramsgate and Margate Tramways Company, and by that name shall be a body corporate,

with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act. A.D. 1879.

5. Subject to the provisions of this Act, the Company may make, form, lay down, work, use, and maintain the tramways herein-after described in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, and in all respects in accordance with those plans and sections, with all proper rails, plates, works, and conveniences connected therewith. The tramways herein-before referred to and authorised by this Act are—

Power to
make tram-
ways ac-
cording to
deposited
plans.

Tramway No. 1, commencing in the parish of Saint Lawrence, in the Hereson Road, near the south-westerly end thereof, and opposite the north-easterly side of Victoria Road, where that road intersects the Hereson Road, and terminating at a point one chain or thereabouts from the junction of the above-mentioned road or street with the road leading from Saint Peter's to Broadstairs, measured in a westerly direction :

Tramway No. 2, commencing at the termination of Tramway No. 1 and forming a junction therewith, proceeding along the road from Saint Peter's to Broadstairs, and terminating at a point two and a half chains or thereabouts from the Crampton Tower, measured in a southerly direction :

Tramway No. 3, commencing at the termination of Tramway No. 1, and thence proceeding along the public road leading from Broadstairs to Saint Peter's High Street and the road leading from Saint Peter's to Margate, by the Draper's Arms, and terminating at a point twenty-five yards or thereabouts from the guide post at the railway bridge, measured in a northerly direction :

Tramway No. 4, commencing at a point on Tramway No. 1 at Fairfield one chain or thereabouts from the junction of the footpath leading to Saint Peter's with the road from Saint Peter's to Ramsgate, forming a junction with Tramway No. 1, and thence proceeding by the edge of the footway in a north-westerly direction, and terminating and forming a junction with Tramway No. 3 at a point two chains and a half or thereabouts from the junction of the aforesaid road from Saint Peter's to Margate and the road from Saint Peter's to Rumfield's Cottage :

Tramway No. 5, commencing at the termination of Tramway No. 3, and thence proceeding along Saint Peter's Road, Ramsgate Road, Princess Crescent, Saint John's Road, Churchfield

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Place, Cecil Street, Cecil Square, and terminating at a point half a chain or thereabouts from the south-west corner of Cecil Square, measured in a southerly direction :

Tramway No. 6, commencing at the termination of Tramway No. 5, and thence proceeding along Queen Street, Marine Terrace, and terminating at a point five yards or thereabouts from the drinking fountain situate on Marine Terrace, measured in a southerly direction.

All the tramways and works hereby authorised shall consist of a single line of tramway, and will be situate in the parishes or places of Margate, Saint Lawrence, Saint Peter's, and Saint John the Baptist, in the county of Kent: Provided that before commencing to make, form, or lay down any part of Tramway No. 1 by this Act authorised within the parish of Saint Lawrence, the Company shall, at their expense and cost in all things, permanently widen the roads in and through which such tramway is authorised to be made or laid down within such parish to a width of not less than thirty-five feet, including footways, co-extensive with the said tramway in such parish, and such widening shall be executed and completed to the satisfaction of the Ramsgate Improvement Commissioners, to be expressed in writing under their common seal before the Company shall commence to make or lay down any part of such tramway in such parish.

As to construction of tramways beyond Victoria Road.

6. Nothing in this Act contained shall authorise the Company to construct any portion of their line of tramways beyond the Victoria Road in a southerly direction without the consent of the Ramsgate Improvement Commissioners first had and obtained.

As to widening certain roads.

7. During the construction and before the completion of the tramways by this Act authorised, the Company shall widen the public roads or streets along which it is proposed to construct the Tramways Nos. 1, 2, and 3, in the parishes of Saint Peter and Saint John the Baptist, so that so much of such public roads or streets as are traversed by the said tramways shall when widened measure not less than thirty-five feet from frontage to frontage, and they shall also widen Queen Street aforesaid so that the said street when widened shall measure forty feet from frontage to frontage, and the Company may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited book of reference and in the schedule to this Act as may be required for that purpose.

Further provisions as to construction of tramways.

8. In addition to the requirements of section twenty-six of the Tramways Act, 1870, the Company shall, at the same time as they give notice to the road authority of their intention to open or break

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up any road for the purpose of constructing, laying down, maintaining, and renewing any of the tramways, lay before the Board of Trade a plan showing the proposed mode of constructing, laying down, maintaining, and renewing such tramways, and a statement of the materials intended to be used therein, and the Company shall not commence the construction, laying down, maintenance, and renewal of any of the tramways or part of any of the tramways respectively until such plan and statement have been approved by the Board of Trade, and after such approval the works shall be executed in accordance in all respects with such plan and statement, subject nevertheless to the provisions of this Act, and under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the road authority, as provided by section twenty-six of the said Act: Provided always, that the word "materials" in this enactment does not include materials used for paving any part of any street under the provisions of the Tramways Act, 1870, or this Act.

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

10. The capital of the Company shall be forty-five thousand pounds, in four thousand five hundred shares of ten pounds each. Capital.

11. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person or corporation accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof. Shares not to issue until one-fifth part paid up.

12. One fifth of the amount of a share shall be the greatest amount of a call, and two months at the least shall intervene between successive calls. Calls.

13. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or the committee of his estate shall be a sufficient discharge to the Company. Receipt in case of persons not sui juris.

14. The Company may from time to time borrow on mortgage any sum not exceeding in the whole eleven thousand pounds, but no part thereof shall be borrowed until the whole capital of forty-five thousand pounds is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before

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As to appointment of receiver.

15. 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 one thousand pounds in the whole.

Mortgages to comprise purchase money paid on compulsory sale.

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

Indorsement on deed as to future purchase of tramways by local authority.

17. Every mortgage deed to be granted by the Company under this Act shall be indorsed with notice that such mortgage will not be a charge upon the tramways in the event of their being purchased by the local authority under section forty-three of the Tramways Act, 1870.

Company not to create debenture stock.

18. The Company shall not create debenture stock.

Moneys borrowed on mortgage to have priority.

19. All moneys to be borrowed on mortgage under this Act, from the time when the same shall be advanced, and the interest for the time being due thereon, shall have priority against the Company, and all the property from time to time of the Company, over all other claims on account of any debts incurred or to be incurred, or engagements entered into or to be entered into, by them; but nothing in this section shall affect any claim in respect of land acquired by the Company for the purposes of this Act, or injuriously affected by the exercise of any of the powers conferred upon the Company.

Application of moneys.

20. All moneys raised under this Act, whether by shares or borrowing, shall be applied to the purposes of this Act only.

First ordinary meeting.

21. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

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22. The number of directors shall be three.

Number of directors.

23. The qualification of a director shall be the possession in his own right of not less than twenty-five shares.

Qualification of directors.

24. The quorum of a meeting of directors shall be two.

Quorum of directors.

25. William Fox Hawes, Robert Charles Anwyl, and Charles Daubeny Tudball shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present in person or by proxy shall elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of the Companies Clauses Consolidation Act, 1845, and the several persons elected at any such meeting, being neither removed or disqualified, nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

First directors.

Election of directors.

26. The Company may purchase and acquire by agreement such lands as they may require for their undertaking, not exceeding in the whole two acres.

Purchase of lands by agreement.

27. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, the sum of one thousand one hundred and fifty-five pounds ten shillings, being five per centum upon the amount of the estimate in respect of the tramways, has been deposited with the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act: Be it enacted, that that sum of money shall not be paid or transferred to or on the application of the person or persons, or the majority of the persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them (which persons, survivors, or survivor are or is in this Act referred to as the depositors), unless the Company shall previously to the expiration of the period limited by this Act for completion of the tramways open the tramways for the public conveyance of passengers; provided that if within such period as aforesaid the Company open any portion of the tramways for the public conveyance of passengers, then, on the production of a certificate of the

Deposit money not to be repaid except so far as tramways opened.

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A.D. 1879. Board of Trade specifying the length of the portion of the tramways opened as aforesaid, and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the tramways so opened bears to the entire length of the tramways hereby authorised, the Court shall, on the application of the depositors, order the portion of the deposit fund specified in the certificate to be paid or transferred to them, or as they shall direct, and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Application
of deposit.

28. If the Company do not previously to the expiration of the period limited for the completion of the tramways complete the same and open them for the public conveyance of passengers, then and in every such case the deposit fund, or so much thereof as shall not have been paid to the depositors, shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the tramways or any portion thereof, and also in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively, and in making good all damage caused to such roads by the construction or abandonment of such tramway, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit; and if no such compensation is payable, or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation, then the deposit fund, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly paid or transferred to or for the account of Her Majesty's Exchequer, in such manner as the Chancery Division thinks fit to order, on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Chancery Division, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors

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thereof; provided that until the deposit fund has been repaid to the depositors, or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the depositors.

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

Period for completion of tramways.

30. Subject to the provisions of this Act, every tramway to be made or laid down under this Act shall be constructed with two grooved rails, or with improved rails if required by the Board of Trade, on a gauge of two feet six inches and a half, and shall be laid and maintained in such a manner that the uppermost surface of the rail shall be on a level with the surface of the street or road.

Mode of formation of tramways.

31. The Board of Trade may from time to time, upon the application of the road authority, require the Company to adopt and apply such improvements in the tramways, including the rails thereof, as experience may from time to time suggest, having regard to the greater security of the public and advantage to the ordinary traffic, and the Company shall with all reasonable despatch comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Board of Trade may require Company to adopt improvements in tramways.

32. For the protection of the Ramsgate Improvement Commissioners or urban sanitary authority for the district of Ramsgate (herein-after called the commissioners), the following provisions, in addition to the other provisions of this Act, shall have effect and be applicable in the case of every tramway or part of a tramway by this Act authorised, so far as the same is to be laid upon, along, or across any public street, road, or place within the district of the commissioners; (that is to say,)

Protecting the Ramsgate Improvement Commissioners.

The whole space between the rails, and for a distance of eighteen inches beyond each external rail, and the whole space between the two lines where the tramway is double, shall be paved by the Company, to the satisfaction of the commissioners, with wood or other paving to be approved of by the commissioners in writing, and shall at all times be kept in repair by the Company or at their expense.

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Justices may stop traffic in certain cases.

The justices for the county in petty sessions assembled may, if and when they think that the interests of the public safety require it, by notice in writing direct the Company, at any time after the expiration of twenty-four hours from the service of such notice, to stop, delay, or suspend the working of the tramways in any of the roads and streets within the district of the commissioners for the purpose of facilitating traffic during the holding of any markets or fairs, or during the time of any public meeting, procession, or demonstration, or during such time as in the opinion of the said justices the said roads or streets are likely to be more than usually thronged or crowded: Provided always, that such stoppage, delay, or suspension shall continue so long only as may be reasonably necessary for the purposes aforesaid or any of them.

Inspection of tramways by Board of Trade.

33. The tramways shall not be opened for public traffic until they have been inspected and certified to be fit for such traffic by the Board of Trade.

Tramways to be kept level with surface of roads.

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

Penalty for not maintaining rails and road in good condition.

35. The Company shall at all times maintain and keep in good condition and repair, and so as not to be a danger or annoyance to the ordinary traffic, the rails of which any of the tramways for the time being consist, and the substructure upon which the same rest, and if the Company at any time make default in complying with this provision or with any of the requirements of section twenty-eight of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section fifty-six of the said Act is provided.

Board of Trade may make inquiries as to condition of roads.

36. In any case in which it is represented in writing to the Board of Trade by the road authority of any district in which the tramways or any portion thereof are or is situate, or by twenty inhabitant ratepayers of such district, that the Company have made default in complying with the provisions in the preceding section contained, or with any of the requirements of section twenty-eight of the Tramways Act, 1870, the Board of Trade may, if they think

fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in the manner provided by section sixty-three of the Tramways Act, 1870; and if the Board of Trade shall certify, under the hand of a secretary or assistant secretary of the Board, that the default mentioned in such representation has been proved to the satisfaction of the Board, the Company shall make good such default in the manner and within the time specified in such certificate, and if they fail to do so shall be subject to such penalty or penalties in respect thereof as is or are by the preceding section imposed.

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

Sewer authority to have access to sewers.

38. If any omission, mis-statement, or erroneous description shall have been made of any lands, or of the owners, lessees, or occupiers of any lands, described on the deposited plans or books of reference, it shall be lawful for the Company, after giving ten days notice to the owners of the lands affected by such proposed correction, to apply to two justices for the correction thereof; and if it shall appear to such justices that such omission, mis-statement, or erroneous description arose from mistake, they shall certify the same accordingly, and they shall in such certificate state the particulars of any such omission and in what respect any such matter shall have been mis-stated or erroneously described, and such certificate shall be deposited with the clerk of the peace for the county of Kent, and such certificate shall be kept by such clerk of the peace along with the other documents to which they relate, and thereupon the deposited plan or book of reference shall be deemed to be corrected according to such certificate, and it shall be lawful for the Company to make the works in accordance with such certificate.

Errors and omissions in plans, &c. may be corrected.

39. The Company may, subject to the provisions of this Act, with the consent of the local authority and road authority, from time to time make, maintain, alter, and remove such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Act, as they find necessary or convenient for the efficient working of the tramways or for providing access to any warehouses, stables, engine

Power to make additional crossings, passing-places, &c. where necessary.

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— in the construction of any such works no rail shall be so laid that
a less space than nine feet six inches shall intervene between it
and the outside of the footpath on either side of the road if the
owner or owners, or occupier or occupiers, of the premises abutting
on the place where such rail is proposed to be laid shall, by writing
under their hand addressed to the Company, express their objection
thereto.

Application
of road mate-
rials exca-
vated in
construction
of works.

40. Any paving, metalling, or material excavated by the Com-
pany in the construction of the undertaking from any road under
the jurisdiction or control of any road] authority may be applied
by the Company, so far as may be necessary, in or towards the re-
instating of the road and the maintenance for six months after
completion of any of the tramways within the district of such road
authority of so much of the roadway on either side of such tram-
ways as the Company are by section twenty-eight of the Tramways
Act, 1870, required to maintain, and the Company shall, if so
required, deliver the surplus paving, metalling, or material not used
or required to be retained for the purposes aforesaid to the surveyor
for the time being of the road authority, or to such person or
persons as he may appoint to receive the same; provided that if
within seven days after the setting aside of the surplus arising from
the excavation of any such paving, metalling, or material, and
notice duly given, such surplus is not removed by such surveyor, or
by some other person or persons named by him for that purpose,
such surplus paving, metalling, or material shall absolutely vest
in and belong to the Company, and may be dealt with, removed,
and disposed of by them in such manner as they may think fit.
Any difference between the Company and any road authority or
surveyor or other person with reference to any of the matters
aforesaid shall be determined in manner provided by the Tramways
Act, 1870, with respect to differences between the promoters and
any road authority.

Temporary
tramways.

41. Where by reason of the execution of any work affecting the
surface or soil of the road along which any tramway is laid it shall
in the opinion of the road authority be necessary or expedient
temporarily to remove or discontinue the use of such tramway or
any part thereof, the Company shall, within fourteen days of
receiving an order in writing from any road authority under the
hand of their clerk or secretary, discontinue or take up such
tramway for such term as may be necessary for the execution of
the said work; provided that the Company may, with the sanction
of the road authority, and subject to such conditions and in accord-

ance in all respects with such regulations as the said road authority may from time to time make or prescribe, construct on the same or any adjacent road, and, with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued to be used.

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42. The Company may build upon any lands to be purchased or acquired by them for their undertaking such offices, stables, sheds, carriage houses, and other buildings as may be considered necessary or expedient for their undertaking, and the Company may sell the lands to be purchased or acquired by them for their undertaking or any part thereof in such manner, for such price, and at such rent as they may think fit, and again purchase or acquire other lands for their undertaking, and afterwards sell the same, and so from time to time, but nevertheless the total quantity of land to be held at any one time by the Company for their undertaking shall not exceed two acres.

Power for the Company to build offices, &c. and to sell or let and re-purchase lands.

43. The Company may demand and take for every passenger travelling upon any of the tramways or any part or parts thereof respectively, including tolls for the use of the tramways and of carriages, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile, and in computing the said tolls and charges the fraction of a mile shall be deemed a mile, but in no case shall the Company be bound to charge a less sum than twopence.

Tolls for passengers.

44. Every passenger travelling upon any of the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof; provided that such luggage be carried by hand and at the responsibility of the passenger, and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

Passengers luggage.

45. The Company may demand and take for every parcel conveyed by them on the tramways any sums not exceeding the following :

Tolls for parcels.

For every parcel not exceeding seven pounds in weight, threepence ;

For every parcel exceeding seven pounds but not exceeding fourteen pounds in weight, fivepence ;

For every parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight, sevenpence ;

For every parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight, ninepence.

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Cheap fares
for labouring
classes.

46. The Company at all times after the opening of the tramways for public traffic shall and they are hereby required to run at least two carriages each way every morning in the week and every evening in the week (Sundays, Christmas Day, and Good Friday always excepted), at such hours, not being later than seven in the morning or earlier than six in the evening respectively, as the Company think most convenient for artizans, mechanics, and daily labourers, at fares not exceeding one halfpenny per mile (the Company nevertheless not being required to take any fare less than one penny); provided that in case of any complaint made to the Board of Trade of the hours appointed by the Company for the running of such carriages, the Board shall have power to fix and regulate the same from time to time.

Periodical
revision of
tolls.

47. If at any time after three years from the opening for public traffic of the tramways or any portion of the tramways, or after three years from the date of any order made in pursuance of this section in respect of the tramways or any portion of the tramways, it is represented in writing to the Board of Trade by the local authority of any district in which the tramways or such portion of the tramways are or is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Company, that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramways or on such portion of the tramways should be revised, the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act, 1870; and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit, and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section: Provided always, that the tolls and charges prescribed by any such order shall not exceed in amount the tolls and charges by this Act authorised.

Gauge of
tramways.

48. The tramways shall be constructed on a gauge of two feet six inches and a half: Provided always, that so much of section thirty-four of the Tramways Act, 1870, as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramways.

[42 & 43 VICT.] *Ramsgate and Margate Tramways* [Ch. ccxi.]
Act, 1879.

49. The Company shall not be bound, unless they think fit, to carry passengers luggage exceeding fifty-six pounds in weight, nor any goods: Provided always, that the Company shall have power to attach to their carriages trucks for the purpose of conveying passengers luggage.

A.D. 1879.
Company
not bound
to carry
goods.

50. No goods, animals, articles, or things, other than the passengers and passengers luggage, and parcels not exceeding fifty-six pounds in weight, shall be conveyed on the tramways, nor shall any carriages, trucks, or waggons constructed for use upon a railroad be permitted to pass along the tramways.

Heavy traffic
prohibited.

51. With respect to the notices to be given by or to the Company, and to the delivery thereof by or to the Company, the following provisions shall have effect; (namely,)

Form and
delivery of
notices.

(1.) Every notice shall be in writing or print, or partly in writing and partly in print, and if given by any local authority or any road authority shall be sufficiently authenticated by being signed by their clerk or secretary:

(2.) Any notice to be delivered by or to the Company to or by any local authority or any road authority or other body, or any company, may be delivered by being left at the principal office of that authority, body, or company, or of the Company (as the case may be), or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office.

52. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him, but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act, 1845.

Interest not
to be paid on
calls paid up.

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

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

54. Nothing in this Act contained shall exempt the Company or the tramways from the provisions of any general Act relating to

Tramways
not exempt
from pro-

[Ch. ccxi.] *Ramsgate and Margate Tramways* [42 & 43 Vict.]
Act, 1879.

A.D. 1879.

visions of
present
and future
general
Tramway
Acts.

Expenses of
Act.

tramways, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Act.

55. 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.

SCHEDULE referred to in the foregoing Act.

HIGH STREET, in the Parish of SAINT PETER'S, in the County of KENT.

No. on the deposited Plans.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	House - -	A. Pointer.		
2	House - -	John Kidd.		
3	Arable - -	Sherwood Mockett - -	- - - -	J. N. Hewitt.
4	Arable - -	Mr. Daniels - -	- - - -	S. Fright.

QUEEN STREET, in the Parish of SAINT JOHN THE BAPTIST in the Isle of Thanet, in the County of KENT.

No. on the deposited Plans.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	House - -	Messrs. Pickering and Williams, trustees of the estate of George Sturges, deceased.	- - - -	John Bristed.
2	House - -	Frederic Smeed - -	- - - -	Frederic Smeed.
3	House - -	George Lawrence and Harriet his wife.	- - - -	William Henry Snow.
4	House - -	Stephen Tring - -	- - - -	Richard Robinson.
5	Passage - -	Stephen Tring, William Chapman, senior, and Henry Green, some or one of them.	- - - -	Richard Robinson, George William Chapman, jun., and Walter Green, or some or one of them.
6	House - -	George William Chapman, senior.	- - - -	George William Chapman, senior.
7	House - -	Rose Ellen Woodyer Yeomanson.	- - - -	Rose Ellen Woodyer Yeomanson.
8	House - -	Thomas Hunter - -	- - - -	Thomas Hunter.
9	House - -	R. Chadwick - -	- - - -	Thomas Hunter.
10	House - -	Samuel Pointer - -	- - - -	W. Snow.

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