



CHAPTER ccxlvii.

An Act for conferring further powers on the London United Tramways (1901) Limited for constructing tramways and widening and altering roads in the counties of London and Surrey and for other purposes. A.D. 1902.

[8th August 1902.]

WHEREAS by the London United Tramways Acts 1873 to 1901 and by the London United Tramways Limited (Light Railway Extensions) Order 1898 (in this Act referred to as "the Order of 1898") powers for the construction of tramways and light railways and the execution of other works in the counties of London Middlesex and Surrey were conferred upon the London United Tramways Limited (in this Act called "the Old Company"):

And whereas by section 45 of the London United Tramways Act 1901 (in this Act referred to as "the Act of 1901") it was enacted to the effect that in the event of the Old Company being reconstituted or of a new company being incorporated under the Companies Acts 1862 to 1900 for the purpose of carrying on the undertaking and business of the Old Company the Old Company might sell and transfer to such reconstituted or new company the undertakings tramways and light railways authorised by the London United Tramways Acts 1873 to 1901 and by the Order of 1898 and the rights powers and authorities thereunder and that in such event the provisions of section 44 of the Tramways Act 1870 and section 68 of the Order of 1898 should not apply but the reconstituted or new company should be under and subject to all the obligations and liabilities of the Old Company whether to local or road authorities or otherwise howsoever under that or any existing Act Order or agreement:

And whereas in the month of November one thousand nine hundred and one the London United Tramways (1901) Limited (in this Act called "the Company") were incorporated under the

A.D. 1902. Companies Acts 1862 to 1890 for the purpose (amongst other things) of carrying on the undertaking and business of the Old Company and of purchasing acquiring and taking over as a going concern the undertakings tramways and light railways authorised by the London United Tramways Acts 1873 to 1901 and by the Order of 1898 and the rights powers and authorities thereunder as provided for and contemplated by the said section 45 of the Act of 1901 or as otherwise authorised and all or any other undertaking property or assets of the Old Company and accordingly the said undertakings tramways light railways rights powers authorities property and assets have been transferred to and are now vested in the Company :

And whereas it is expedient that the Company should be empowered to construct the tramways in this Act described and in connexion therewith and with the authorised tramways of the Company to widen and alter the roads in this Act mentioned in that behalf and to work the said intended tramways by mechanical power and that the other powers in this Act mentioned or referred to should be conferred upon the Company :

And whereas plans and sections showing the lines and levels of the tramways and other works by this Act authorised such plans showing the lands to be taken compulsorily under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of those lands have been deposited with the clerks of the peace for the counties of London and Surrey respectively and are in this Act referred to respectively as the deposited plans sections and book of reference :

And whereas it is expedient that the powers conferred by the London United Tramways Act 1899 (in this Act called "the Act of 1899") for the compulsory purchase of lands for the purpose of the widenings by that Act authorised should be revived :

And whereas it is expedient that provision should be made for preventing injury to and obstruction of the light railways of the Company :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 (that is to say) :—

Short title.

1. This Act may be cited for all purposes as the London United Tramways Act 1902 and the London United Tramways

Acts 1873 to 1901 and this Act may be referred to as the London United Tramways Acts 1873 to 1902. A.D. 1902.

2. The following Acts and parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say):— Incorporation of general Acts.

The Lands Clauses Acts ;

Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870 :

Provided that the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any alteration of or interference with any telegraphic line belonging to or used by the Postmaster-General. The expression "telegraphic line" in this Act has the same meaning as in the Telegraph Act 1878.

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

The expression "the tramways" means the tramways by this Act authorised.

4. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown upon the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county in which such lands are situate for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the said county and a duplicate thereof shall also be deposited with the town clerk of the city or borough or the clerk to the district council of the urban or rural district in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate. Correction of errors &c. in deposited plans and book of reference.

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Power to
make tram-
ways.

5. Subject to the provisions of this Act the Company may make form lay down work use and maintain in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections the tramways herein-after described with all proper rails plates sleepers works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for that purpose.

The tramways herein-before referred to and authorised by this Act will be situate in the counties of London and Surrey and are—

Tramway No. 4 commencing in Glenthorne Road by a junction with the existing tramway at a point 4 yards eastward from Studland Street passing thence along Glenthorne Road (across Studland Street) Dalling Road Paddenswick Road and Goldhawk Road and terminating in the last-named road by a junction with the existing tramway at a point 4 yards eastward from Greenside Road :

Tramway No. 4 will be 3 furlongs and 7·10 chains in length all double line :

Tramway No. 4A commencing in King Street West by a junction with the existing tramway at a point 6 yards eastward from Studland Street and passing thence into and terminating in Studland Street by a junction with the existing tramway at a point 6 yards from King Street West :

Tramway No. 4A will be 1 chain in length all single line :

Tramway No. 4B commencing in Studland Street by a junction with the existing tramway at a point 17 yards from Glenthorne Road and passing thence into and terminating in Glenthorne Road by a junction with Tramway No. 4 at a point 10 yards westward from Studland Street :

Tramway No. 4B will be 1·45 chains in length all single line :

Tramway No. 5 commencing in Goldhawk Road by a junction with the existing tramway at a point 28 yards westward from the east side of Greenside Road passing thence into and along Askew Road and into and terminating in Uxbridge Road by a junction with the existing tramway at a point 28 yards north-westward from the Askew Arms Tavern :

Tramway No. 5 will be 4 furlongs and 7·60 chains in length of which 4 furlongs and 4·10 chains will be double line and 3·50 chains single line :

Tramway No. 6 commencing in Kew Road by a junction with Tramway No. 7 hereafter described at a point 21 yards north-

westward from St. John's Road and passing thence into and along Lower Mortlake Road the open space between that road and Lower Richmond Road Lower Richmond Road High Street (Mortlake) White Hart Lane the Terrace (Barnes) Lonsdale Road Bridge Road (otherwise Castlenau) and terminating in Bridge Road at the southern end of the approach to Hammer-smith Bridge: A.D. 1902.

Tramway No. 6 will be 3 miles 5 furlongs and 8·50 chains in length of which 3 miles 5 furlongs and 3 chains will be double line and 5·50 chains single line:

Tramway No. 7 wholly in the Kew Road (being a tramway to be laid partly as double line in substitution for the existing line with passing loops and partly as an extension of the existing line) commencing at the point marked "Termination of Section No. 1" on the deposited plans referred to in the Kew Bridge Act 1898 and terminating at a point in or nearly in line with the south side of the Station Hotel:

Tramway No. 7 will be 1 mile 5 furlongs and 4 chains in length of which 1 mile 5 furlongs and 2 chains will be double line and 2 chains single line:

Tramway No. 9 commencing in the Kingston Road by a junction with the authorised tramway at a point 54 yards from the Norbiton Park Hotel and passing thence along Kingston Road Malden Road Burlington Road West Barnes Lane Coombe Lane Pepys Road and Worple Road and terminating in the last-named road 4 yards south-westward from Raymond Road:

Tramway No. 9 will be 2 miles 6 furlongs and 6·65 chains in length of which 2 miles 3 furlongs and 1·65 chains will be double line and 3 furlongs and 5 chains single line:

Tramway No. 10 commencing in Wimbledon Hill Road at a point 6 yards south-eastward from Worple Road and passing thence along Wimbledon Hill Road the bridge over the main line of the London and South Western Railway the Broadway Merton Road High Street (Merton) High Street (Colliers Wood) and Merton Road and terminating in the last-named road at the boundary of the county of London at or near the north side of Longley Road:

Tramway No. 10 will be 2 miles and 5·50 chains in length of which 1 mile 5 furlongs and 0·50 chain will be double line and 3 furlongs and 5 chains single line:

Tramway No. 10A commencing in the Wimbledon Hill Road by a junction with Tramway No. 10 at a point 8 yards northward from St. George's Road and passing thence into and

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terminating in St. George's Road by a junction with Tramway No. 12 herein-after described at a point 7 yards south-westward from Wimbledon Hill Road :

Tramway No. 10A will be 1 chain in length all single line :

Tramway No. 11 commencing in Worple Road by a junction with Tramway No. 9 at the termination of that tramway and passing thence along Worple Road and into and terminating in Wimbledon Hill Road by a junction with Tramway No. 10 at the commencement of that tramway :

Tramway No. 11 will be 1 furlong and 1·15 chains in length all single line :

Tramway No. 12 commencing in Worple Road by a junction with Tramway No. 9 at the termination of that tramway passing thence into and along Francis Grove and St. George's Road and into and terminating in Wimbledon Hill Road by a junction with Tramway No. 10 at a point 3 yards southward from St. George's Road :

Tramway No. 12 will be 1 furlong and 3·10 chains in length all single line :

Tramway No. 13 commencing in High Street (Merton) by a junction with Tramway No. 10 at a point 5 yards westward from Haydon's Road passing thence into and along Haydon's Road and Plough Lane and terminating in the last-named road at the boundary of the county of London at a point 33 yards north-eastward from the Plough public house :

Tramway No. 13 will be 1 mile 1 furlong and 9·80 chains in length all double line :

Tramway No. 14 commencing in Wimbledon Hill Road at its junction with Mansell Road and Woodside Road and passing thence along Wimbledon Hill Road and terminating in the last-named road by a junction with Tramway No. 10 at the commencement of that tramway :

Tramway No. 14 will be 8 chains in length all double line :

Tramway No. 14A commencing in Wimbledon Hill Road by a junction with Tramway No. 14 at a point 8 yards northward from Worple Road and passing thence into and terminating in Worple Road by a junction with Tramway No. 11 at a point 7 yards westward from Wimbledon Hill Road :

Tramway No. 14A will be 1 chain in length all single line.

Power to
take up and
use existing
tramways.

6. Subject to the provisions of this Act the Company may for the purposes of and in connexion with the tramways take up and remove and appropriate to and use in the construction thereof

so much of the existing tramways in the streets along which the tramways are intended to be laid as may be convenient or desirable. A.D. 1902.

7. Subject to the provisions of this Act the Company may in the lines and according to the levels shown on the deposited plans and sections relating thereto make the widenings of streets or roads and of bridges described or mentioned in the First Schedule to this Act and may enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference relating thereto as may be required for those purposes and may also at the places mentioned or described in the said schedule as carriageways widen the carriageway of the several streets or roads therein mentioned to such extent as may be necessary to leave a space of nine feet six inches between the outside of the footpath and the nearest rail of the tramway on the side of the street or road on which such widening is to be made but the Company shall not in widening the carriageway of any street or road under the powers of this section reduce the width of any footpath to less than six feet. Power to widen streets and roads &c.

8. Where any part of any street or road or the carriageway thereof is by this Act authorised to be widened the Company shall not lay down or construct any tramway under the powers of this Act in the part of the street or road or carriageway to be so widened unless and until the street or road or carriageway shall have been widened to such extent as may be necessary to leave a space of nine feet six inches between the outside of the footpath and the nearest rail of the tramway on the side of the street or road or carriageway on which such widening is to be made or unless the tramways are in such part of the street or road or carriageway shown on the deposited plans as intended to be so constructed that a less space than nine feet six inches will intervene between the outside of the footpath and the nearest rail of the tramway. Certain parts of tramways not to be made until streets or carriageways widened.

9. Subject to the provisions of this Act the Company may for the purposes of the tramways alter in the manner shown on the deposited sections the levels of the under-mentioned streets or roads (that is to say):— Power to alter levels of roads.

(a) The Terrace (Barnes) in Barnes Urban District under and on either side of the bridge carrying the London and South Western Railway over that road:

(b) Burlington Road in Croydon Rural District on the eastern side of Beverley Brook:

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(c) West Barnes Lane in Croydon Rural District under and on either side of the bridge carrying the London and South Western Railway over that road.

Power to
acquire
additional
lands.

10. Subject to the provisions of this Act and in addition to any other lands which they are by this Act authorised to acquire the Company may enter upon take hold and use for the purposes of street widenings all or any of the lands houses and premises hereinafter described and delineated on the deposited plans and described in the deposited book of reference relating thereto and the Company may sell or may use for the general purposes of their undertaking (other than for a station for generating electrical power) any portions of any lands acquired under this section which may not be required for the purposes of street widenings.

The lands and houses herein-before referred to are as follows:—

Certain lands and houses in the borough of Hammersmith on the south side of Glenthorne Road between Dalling Road and Studland Street :

Certain lands and houses in the borough of Richmond on the south side of Lower Mortlake Road between St. John's Road and Larkfield Road :

Land and house in the borough of Richmond on the south side of Lower Mortlake Road between Larkfield Road and a point 28 yards eastward from that road :

Certain lands and houses in the borough of Richmond on the south side of Lower Mortlake Road between Twenty Row and a point 47 yards south-westward therefrom :

Certain lands and houses in the borough of Richmond on the south side of Lower Mortlake Road between a point 20 yards westward from West Sheen Vale and West Sheen Vale :

Certain lands and houses in Barnes Urban District on the south side of Lower Richmond Road between West End House and a point in line with the eastern side of Ship Lane :

Certain lands and houses in Barnes Urban District on the south side of High Street Mortlake between points respectively 83 yards from the west side of Sheen Lane and 12 yards eastward from Tinderbox Alley :

Certain lands and houses in Barnes Urban District on the south-east side of White Hart Lane and the Terrace Barnes between a point in White Hart Lane 38 yards northward from Thorne Passage and a point in the Terrace 43 yards north-eastward from the Bungalow :

Certain lands and houses in Barnes Urban District on the south-east side of the Terrace Barnes between points respectively 5 yards and 21 yards northward from the bridge over the London and South Western Railway over the road :

Certain lands and houses in the borough of Richmond on the west side of Kew Road and the south side of Kew Green between a point in the road on the south side of Kew Green 20 yards from Kew Road and a point in Kew Road 13 yards southward from the road on the south side of Kew Green :

Certain lands and houses in the borough of Richmond on the east side of Kew Road between points respectively 250 yards and 147 yards northward from Kew Gardens Road :

Certain lands and buildings in Wimbledon Urban District on the north side of Worple Road between a point 47 yards south-westward from Wimbledon Hill Road and Wimbledon Hill Road :

Certain lands and houses in Wimbledon Urban District on the south-west side of Wimbledon Hill Road between Worple Road and St. George's Road :

Certain lands and houses in Wimbledon Urban District on the north-east side of Wimbledon Hill Road for a distance of 37 yards southward from Alexandra Road :

Certain lands in the urban district of Surbiton on the north side of the Brighton Road between points respectively 50 yards and 200 yards north-westward from Maple Road :

Certain lands in the urban district of Surbiton on the east side of the Brighton Road between Epsom Road and Ditton Road :

Certain lands in the urban district of East and West Molesey on the north-west side of Bridge Road between River Bank and a point 80 yards south-west from River Bank :

Certain lands in the urban district of East and West Molesey on the south-east side of Bridge Road between points respectively 87 yards and 177 yards southward from Creek Road :

Certain lands in the urban district of East and West Molesey on the west side of Bridge Road between Arnison Road and a point 83 yards southward from that road :

Certain lands in the urban district of East and West Molesey on the east side of Bridge Road between points respectively 70 yards and 95 yards southward from Arnison Road :

Certain lands and buildings in the urban district of East and West Molesey at the corner of Bridge Road and Ember

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Lane on the west side of Ember Lane for a distance of 67 yards north of the River Mole :

Certain lands in the urban district of East and West Molesey on the west side of Ember Lane between points respectively 100 yards northward and 47 yards southward from the bridge carrying the road over the River Ember :

Certain lands and buildings in the urban district of East and West Molesey on the east side of Ember Lane between points respectively 15 yards and 270 yards south of the bridge carrying the road over the River Ember :

Certain lands in the borough of Kingston-upon-Thames on the east side of Surbiton Road for a distance of 154 yards northward from Beaufort Road :

Certain lands in the borough of Kingston-upon-Thames on the west side of Penrhyn Road for a distance of 40 yards south of Oakley Passage :

Certain lands in the borough of Kingston-upon-Thames on the west side of St. James's Road for a distance of 22 yards northward from Kingston Hill Road :

Certain lands in the borough of Kingston-upon-Thames on the west side of Eden Street between points respectively 16 yards and 131 yards southward from Clarence Street :

Certain lands in the borough of Kingston-upon-Thames on the east side of Eden Street between points respectively 37 yards and 140 yards southward from London Road :

Certain lands in the borough of Kingston-upon-Thames on the east side of Richmond Road for a distance of 15 yards southward from Acre Road :

Certain lands in the borough of Kingston-upon-Thames on the east side of Richmond Road for a distance of 36 yards northward from Cowleaze Road :

Certain lands and buildings in the borough of Kingston-upon-Thames on the east side of Richmond Road for a distance of 60 yards northward from Canbury Park Road :

Certain lands in the borough of Kingston-upon-Thames on the north side of London Road between points respectively 20 yards and 39 yards eastward from Richmond Road :

Certain lands and buildings in the borough of Kingston-upon-Thames on the north side of London Road between points respectively 61 yards and 88 yards eastward from Richmond Road :

Certain lands in the borough of Kingston-upon-Thames on the north side of Cambridge Road between points respectively

53 yards westward and 305 yards eastward from Gloucester Road. A.D. 1902.

11. In addition to any lands they now hold or are authorised to purchase or acquire and to the other lands which by this Act the Company are authorised to purchase and acquire they may purchase or acquire by agreement for the purposes of their undertaking and may hold any lands not exceeding five acres and they may on such lands and on any lands purchased or acquired under the authority of this Act erect or construct and hold carriage and engine houses sub-stations engines machinery shelters stables offices buildings and other conveniences in connexion with their undertaking but nothing in this Act shall exonerate the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any land purchased or acquired by agreement under the powers of this section.

Purchase of lands by agreement.

12. Where any tramway constructed under this Act shall pass any land or building vested in or under the control of the Secretary of State for the War Department no crossing passing-place siding junction or other work opposite to such land or building shall be constructed until it shall have been approved by the said Secretary of State or by an officer acting on his behalf and if at any time it shall in the opinion of the said Secretary of State be desirable that such crossing passing-place siding junction or other work shall be altered or removed the Company shall alter or remove it to the satisfaction of the Secretary of State within twenty-eight days from the time at which they are called upon to do so.

For protection of War Department.

The Company shall not permit any of their engines or carriages to stop or stand upon their tramway opposite or near to the entrance to any lands or buildings vested in or under the control of His Majesty's Principal Secretary of State for the War Department in such manner as to interfere with access to or from such lands or buildings.

13. Notwithstanding anything shown on the deposited plans or contained in the book of reference nothing in this Act shall authorise the Company to acquire otherwise than by agreement with the Receiver for the Metropolitan Police District the estate and interest of the said Receiver in any part of the premises in the metropolitan borough of Hammersmith known as the She herd's Bush Police Station (such premises being in whole or in part distinguished by the No. 90 in the deposited plans relating to the said borough).

For protection of Receiver for Metropolitan Police District.

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For protection of
Conservators
of River
Thames.

14. For the protection of the Conservators of the River Thames (in this section called "the Conservators") the following provisions shall have effect (that is to say):—

- (1) Nothing in this Act contained shall authorise or empower the Company to embank encroach upon or interfere with any part of the River Thames or the bed or shore thereof except according to plans elevations and sections approved by the Conservators :
- (2) All or any temporary or permanent works by this Act authorised or required to be made including any embankment or retaining wall which may be constructed at Barnes so far as the same affect the River Thames (all of which are hereinafter referred to as "the said works") shall if constructed be executed according to plans elevations and sections approved in writing by the Conservators and deposited at their office and the works affecting the River Thames shall be executed and performed and thereafter maintained by the Company to the satisfaction of the engineer for the time being of the Conservators and the traffic of the said river and towing on the bank thereof shall not be interfered with more than may be absolutely necessary in the construction of the said works and the Company shall not make or commence any work in the River Thames or on or under the bed or shore thereof until such plans elevations and sections have been approved by the Conservators :
- (3) Notwithstanding anything contained in the incorporated Acts or otherwise the compensation payable to the Conservators in respect of the said works and for the land taken for the purposes thereof shall be assessed in accordance with the provisions of section 116 of the Thames Conservancy Act 1894 or any statutory provision in lieu thereof for the time being in force :
- (4) The Company shall not (except so far as shall be necessary in the construction of the said works) take any gravel soil or other material from the bed or shore of the river without the previous consent of the Conservators signified in writing under the hand of their secretary :
- (5) The Company shall during the construction of the said works hang out and exhibit at or near to the said works every night from sunset to sunrise lights to be kept burning by and at the expense of the Company and proper and sufficient for the navigation and safe guidance of vessels and the lights shall from time to time be altered by the Company in such

manner and be of such kind and number and be so placed and used as the Conservators by writing under the hand of their secretary or other authorised officer shall approve or direct and in case the Company fail so to exhibit and keep burning the lights they shall for every such offence forfeit to the Conservators ten pounds :

- (6) The Company shall with all reasonable expedition proceed with and complete the said works and in the event of their failing so to do the Conservators may by notice in writing under the hand of their secretary require the Company to remove all such works and the materials for the same forthwith and the Company shall within fourteen days after the receipt of such notice remove such works and materials accordingly and on their failing so to do the Conservators may remove the same charging the Company with the expense of so doing and the Company shall forthwith repay to the Conservators all expenses so incurred :
- (7) The Company shall within fourteen days after notice from the Conservators so to do remove any temporary works and materials for temporary works which may have been placed in the river by the Company and which shall no longer be required for the purposes of constructing the said embankment and works and on their failing so to do the Conservators may remove the same charging the Company with the expense of so doing and the Company shall forthwith repay to the Conservators all expenses so incurred :
- (8) All rights of towing on the existing bank of the River Thames shall extend and apply to the proposed embankment when constructed and during the construction thereof the Company shall make such arrangements for towing as shall be required or approved by the Conservators :
- (9) The Company shall not without the consent of the Conservators remove or interfere with any of the trees on the towing-path other than the two trees nearest to the White Hart Inn :
- (10) In the event of the said embankment or retaining wall being constructed—
 - (a) The Company shall at the same time and before opening for public traffic their adjoining tramway reconstruct Small Profit Dock according to plans and sections to be submitted to and approved in writing by the Conservators and so that the accommodation now afforded by the said dock shall not be decreased ; and

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(b) The Company shall not without the consent of the Conservators interfere with the facilities at the Bull's Head Dock; and

(c) The Company shall form a connexion by means of a slope between the upper end of the said embankment and the towpath:

(11) Nothing contained in this Act shall extend to or be construed to extend to prejudice or derogate from the estates rights interests privileges liberties or franchises of the Conservators or to prohibit defeat alter or diminish any powers authority or jurisdiction which at the time of the passing of this Act the Conservators did or might lawfully claim use or exercise under and by virtue of the Thames Conservancy Act 1894 or otherwise.

For protection of
Richmond
Main
Sewerage
Board.

15. For the protection of the Richmond Main Sewerage Board (in this section called "the board") the following provisions shall have effect unless otherwise agreed between the Company and the board (that is to say):—

(1) Where in the district of the board any of the tramways to be constructed or any work connected therewith to be done by the Company interferes with any of the sewers or works of the board or in any way affects the sewerage or drainage of the district of the board the Company shall not commence any tramway or work until they shall have given to the board thirty days previous notice in writing of their intention to commence the same by leaving such notice at the office of the board with all necessary particulars relating thereto nor until the board shall have signified their approval of the same unless the board do not signify their approval disapproval or other directions within thirty days after service of the notice and particulars as aforesaid:

(2) The Company shall comply with and conform to all reasonable directions and regulations of the board in the execution of the said works and shall provide by new altered or substituted works in such manner as the board shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the tramways:

(3) The Company shall pay all expenses of and incidental to the construction by the board of all such side shafts and side entrances clear of the tramway line including the acquisition of any land requisite for the purpose as in the opinion of the

board may be necessary to give convenient and proper access to the manholes ventilating shafts penstock chambers sewers and works of the board and all such works as shall be required by the board shall be done at their option either by the board themselves or their contractors or by the Company or their contractors under the direction superintendence or control of the engineer of the board at the reasonable costs charges and expenses in all respects of the Company :

(4) The Company shall at all times maintain the surface of the roadway hitherto kept up by the board namely the surface pitched with granite round each manhole top and ventilator top where within that portion of the roadway which is repairable by the Company :

(5) The provisions contained in section 32 of the Tramways Act 1870 shall be applicable to any of the tramways or any works connected therewith which interfere with the sewers or works of the board or affect the sewerage or drainage of the district of the board (in this section called "the said works") in relation to any sewer or drain of or under the control of the board as if the same were a pipe for the supply of gas or water :

(6) Should it be necessary at any time for the board to open any road in which any of the said works are situate and make excavation down to their sewers and other works for the purposes of cleansing repair or reconstruction or for laying new sewers and if thereby interference with the said works is absolutely unavoidable the Company shall at their own expense make such arrangements for the temporary deviation of their lines and otherwise as may be reasonably necessary to enable the work to be carried out with reasonable convenience and despatch :

(7) The Company shall indemnify and make good to the board and their constituent authorities all losses damages and expenses which may be occasioned to them or any of their works or property or during the construction of the said works through any wrongful act default or omission of the Company or of any person in their employ or of their contractors :

(8) If any difference shall arise between the board and the Company concerning any matter or thing herein contained or as to the reasonableness of any requirement of the board then and in every such case the difference shall be referred to a single arbitrator to be agreed upon between the parties or in default to be nominated by the Board of Trade and the arbitration

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shall be under and subject to the provisions of the Arbitration Act 1889.

For protection of Chelsea Waterworks Company.

16. For the protection of the governor and company of Chelsea Waterworks (in this section referred to as "the Chelsea Company") the following provisions shall apply and have effect:—

- (a) Whenever the construction of the works by this Act authorised necessitates the removal deviation alteration or support of any pipe or main of the Chelsea Company the work of removal deviation alteration or support so necessitated shall if they so desire be done by the Chelsea Company or their authorised contractors under the superintendence of the Chelsea Company or an engineer to be nominated by them at such time of the year as the Chelsea Company may reasonably select but so as not to unduly delay the construction of the works by this Act authorised and the reasonable expenses of the Chelsea Company in connexion therewith shall be paid by the Company:
- (b) The foregoing provisions of this section shall be in addition to and not in substitution for or derogation from any other powers rights or privileges whether statutory or otherwise of the Chelsea Company:
- (c) The Company shall not take any lands or construct any works between the north-east bank of the River Mole and the north-east side of the Summer Road nor on the east side of the existing bridge crossing the River Mole in the Ember Road beyond the eastern limit of such bridge:
- (d) The Company shall not at the western side of the Ember Bridge between the north and south ends of such bridge take any land or construct any works within the distance of seven feet from the existing main of the Chelsea Company:
- (e) Any difference which may arise between the Chelsea Company and the Company touching any of the matters referred to in this section shall be decided by a single arbitrator to be agreed on between the parties or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

For protection of Lambeth Waterworks Company.

17. For the protection of the Company of Proprietors of Lambeth Waterworks (in this section referred to as "the water company") the following provisions shall apply and have effect:—

- (a) Whenever the construction of the works by this Act authorised necessitates the removal deviation alteration or support of any pipe or main of the water company the work of removal

deviation alteration or support so necessitated shall if they so desire be done by the water company or their authorised contractors under the superintendence of the water company or an engineer to be nominated by them at such time of the year as the water company may reasonably select but so as not to unduly delay the construction of the works by this Act authorised and the reasonable expenses of the water company in connexion therewith shall be paid by the Company :

- (b) The foregoing provisions of this section shall be in addition to and not in substitution for or derogation from any other powers rights or privileges whether statutory or otherwise of the water company :
- (c) Any difference which may arise between the water company and the Company touching any of the matters referred to in this section shall be decided by a single arbitrator to be agreed on between the parties or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

18. For the protection of the London and South Western Railway Company (in this section referred to as "the railway company") and of the London and South Western Railway Company and the London Brighton and South Coast Railway Company in respect of their joint railways (in this section referred to as "the railway companies") the following provisions shall unless otherwise agreed apply and have effect (that is to say):—

For protection of railway companies.

- (a) Before constructing any works by this Act authorised passing over or under the railways of the railway company or railway companies or within ten yards thereof (herein-after referred to as "the said works") the Company shall deliver to the railway company for approval by their engineer plans drawings and specifications (in this section referred to as "the said plans") showing the manner in which the said works are intended to be carried out and the materials to be used and in the event of his failing to approve the said plans for one month after the delivery thereof the same shall be referred for settlement to an engineer to be appointed by the Board of Trade and the said works shall be executed in accordance with the said plans and subsequently maintained by the Company at their sole expense and under the superintendence and to the satisfaction of the engineer of the railway company :

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- (b) The Company shall as from the date when they exercise any powers conferred upon them by this Act with reference to roads passing over the railways of the railway company or railway companies assume and discharge whatever liability the railway company or railway companies are now under with reference to the maintenance of the surface of such roads together with the footpaths and drains in connexion therewith :
- (c) The Company shall reconstruct the bridge passing over the railway at Lower Mortlake Road and shall in such reconstruction leave sufficient space beneath such bridge to allow four lines of way to be laid thereunder for the purposes of the railway company and shall thereafter maintain the roadway over the said bridge :
- (d) Before laying down the tramways in West Barnes Lane under the bridge carrying the main line of the railway company over that lane the Company shall at their own cost reconstruct the said bridge to a width of at least forty feet between the abutments and shall so construct the bridge as to enable the railway company to carry six lines of way over the said lane. The Company shall also pay to the railway company from and after the reconstruction of the said bridge the sum of ten pounds annually towards the cost of maintaining the same and shall relieve the railway company in respect of any liability under which the railway company may be as frontagers in respect of the making up of such lane :
- (e) In the event of the railway company reconstructing the Wimbledon Station with a frontage to the existing bridge over the railway the Company shall pay to the railway company by way of contribution towards the extra costs to which they may be put by reason of the laying down of the tramways on the bridge such a sum as shall be agreed as representing the cost of providing a space twelve feet wide or equal thereto on the level of the roadway between the roadway on the existing bridge and the railway company's proposed station extending along the whole distance between the centres of the abutments of the existing bridge or in case they cannot agree then such a sum as may be determined by an arbitrator to be appointed as herein-after provided :
- (f) The Company shall not acquire any portion of the railway companies' approach road at Haydons Road unless and until they shall have acquired and shall have conveyed to the railway companies sufficient land to enable the former to widen and they have widened such approach road to a width

at least equal to the existing width of such road and shall maintain the said approach road so widened for a period of twelve months after completion but the adjoining owners shall have no rights of frontage on the said altered approach road belonging to the railway companies :

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Provided always that if the Company are unable to purchase by agreement the land required to widen the approach road as aforesaid they shall from the point at which Haydons Road as widened will intersect the western side of the said approach road raise the approach road to meet the level of the widened road with all necessary retaining walls or other works and make the gradients of the approach road from that point in a south-easterly direction not steeper than 1 in 100 and in a north-westerly direction as far as the northern side of Kohat Road not steeper than 1 in 40 and shall thereafter pay to the railway companies the sum of fifteen pounds annually towards the cost of maintaining the approach road :

Provided further that the railway companies shall convey to the Company free of cost the land required for the widening of Haydons Road :

- (g) The Company shall bear and on demand pay to the railway company or railway companies as the case may be all reasonable costs of the superintendence by them of the construction of the said works and repairs thereof and all reasonable costs of watching lighting and protection of the railways of the railway company or railway companies with reference to and during such construction and repairs but such superintendence by the railway company or railway companies shall not relieve the Company from liability for any accident which may be occasioned by or through the operations of the Company or their contractors agents or workmen :
- (h) The Company shall indemnify the railway company or railway companies against all claims and compensate them for any damage or injury occasioned to the railways property or works of the railway company or railway companies or to any persons using their railways in consequence of or arising from the construction of the said works and the appointment by the railway company or railway companies of any inspector or the superintendence of the said works by the railway company or railway companies shall not relieve the Company from any liability in connexion therewith :
- (i) Any additional expense of the maintenance of the structure of any of the bridges except those referred to in subsections (c)

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and (d) arising from the construction of the said works and the cost of any underpinning or other works rendered necessary to secure the safety and stability of such bridges where the existing levels are lowered shall be borne and paid by the Company :

(j) If by reason of the construction of the tramways any extra cost shall be occasioned to the railway company or railway companies in widening or altering their existing railways or works on lands now belonging to them such extra cost shall be borne and paid by the Company :

(k) The railway company or railway companies shall be at liberty at their own expense to divert or stop (but only for so long as may be absolutely necessary for the purposes in this subsection mentioned) any of the tramways passing over or under the railways of the railway company or railway companies if required for the purpose of executing repairs alterations extensions or widenings of any of the bridges carrying the railways of the railway company or railway companies over such tramways or the tramways over the said railways and the railway company or railway companies shall not be liable for any compensation claim demand damages costs or expenses for or in respect of such diversion or stoppage :

(l) Any difference which may arise between the railway company or railway companies as the case may be and the Company touching any of the matters referred to in this section shall be decided by a single arbitrator to be agreed by the parties or failing agreement to be appointed on the application of either party by the Board of Trade and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

19. For the protection of the trustees and managers of Holy Trinity Schools South Wimbledon the following provisions shall unless otherwise agreed between the Company and the said trustees apply and have effect :—

(1) Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not take otherwise than by agreement any portion of the property numbered 160 on the deposited plans in the parish of Wimbledon known as Holy Trinity School and belonging or reputed to belong to the said trustees :

(2) So long as the said property is used as a public elementary school no tramcar passing in front of the said property shall be moved at a higher speed than four miles an hour at any time

For protection of
Wimbledon
Public
Elementary
Schools.

within a quarter of an hour before and a quarter of an hour after the times appointed for the admission and departure of the children attending the school.

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20.—(1) The Company shall not under the powers of this Act or under the powers of any former Act revived or extended by this Act purchase or acquire in any metropolitan borough or in the city of London (which metropolitan boroughs and city are in this section referred to as "London") twenty or more houses or sites of houses or in any borough or other urban district outside London and elsewhere than in any borough or urban district in any parish ten or more houses which on the fifteenth day of December next before the passing of this Act or of the former Act by which the purchase or acquisition was originally authorised were or have been since that day or shall hereafter be occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

Restrictions on displacing persons of labouring class.

(A) Shall have obtained the approval in the case of London of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Secretary of State or the Local Government Board (as the case may be) shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) Shall have given security to the satisfaction of the Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme.

(2) The approval of the Secretary of State or the Local Government Board (as the case may be) to any scheme under this section may be given either absolutely or conditionally and after the Secretary of State or the Local Government Board (as the case may be) have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under

A.D 1902. — the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Secretary of State or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Secretary of State or the Local Government Board (as the case may be) may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Secretary of State or the Local Government Board (as the case may be) out of the High Court.

(5) If the Company acquire or appropriate any house or site for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house or site which penalty shall be recoverable by the Secretary of State or the Local Government Board (as the case may be) by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of such purchase sections 176 (Regulations as to purchase of land) and 297 (As to Provisional Orders) of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act and as if (in the case of a scheme approved by the Secretary of State) the Secretary of State were substituted for the Local Government Board.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or under any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose

of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the date of such scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the Secretary of State or the Local Government Board (as the case may be) may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he or they may see fit.

(8) All buildings erected or provided by the Company in London for the purpose of any scheme under this section shall be subject to the provisions of the London Building Act 1894 (Local) and any other Act or Acts relating to buildings in the county of London.

(9) Notwithstanding anything to the contrary in section 157 of the Public Health Act 1875 the provisions of that section and of sections 155 and 156 of the same Act shall apply to buildings outside London erected or provided by the Company for the purpose of any scheme under this section.

(10) The Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held by any persons appointed or employed by him or them as inspectors which he or they may deem necessary in relation to any scheme under this section or to the carrying out thereof and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(11) The Company shall pay to the Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the Secretary of State for the services of such inspector.

(12) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any

A.D. 1902. expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(13) Any houses purchased or acquired by the Company for or in connexion with any of the purposes of this Act whether purchased or acquired in exercise of the powers conferred by this Act or otherwise and whether before or after the passing of this Act which may have been occupied by persons of the labouring class within five years before the passing of this Act and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Secretary of State or the Local Government Board (as the case may be) under any previous Act relating to the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the Secretary of State or the Local Government Board (as the case may be) is or are unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Secretary of State or the Local Government Board (as the case may be) they might have been sufficient to accommodate.

(14) For the purposes of this section the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them and the expression "house" means any house or part of a house occupied as a separate dwelling.

Power to
owners to
grant ease-
ments &c.

21. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege required for the purposes of this Act (not being an easement right or privilege of water in which any persons other than parties to the agreement have an interest) in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this

behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively. A.D. 1902.

22. And whereas in the exercise by the Company of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Company and that such portions or some other greater or less portions thereof can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect :—

Owners may be required to sell parts only of certain properties.

(1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of the Company or each or any of them are herein-after included in the term "the owner" and the said properties are herein-after referred to as "the scheduled properties" :

(2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Company that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

(3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the jury arbitrator or other authority to whom the question of disputed compensation shall be submitted (herein-after referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other greater or less portions thereof (but not exceeding the portion over which the Company have compulsory powers of purchase) can be so severed :

(4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder

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without material detriment thereto the owner may be required to sell and convey to the Company the portion which the tribunal shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :

- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

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23. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

24. If the tramways are not completed within four years from the passing of this Act then on the expiration of such period the powers by this Act granted to the Company for constructing the same or otherwise in relation thereto shall cease except as to so much thereof respectively as shall be then completed.

Period for completion of tramways.

25. If the Company fail within the period limited by this Act to complete the tramways or any of them and open the same for public traffic the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the said tramways are completed and opened for public traffic or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the uncompleted tramway or tramways and the said penalty may be applied for by any road authority landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act 1854 Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening any tramway by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Penalty imposed unless tramways opened within limited time.

26. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the tramways or any portion thereof in respect of the non-completion of which the same was recovered and also in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed

Application of penalty.

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Incorporating provisions of Acts of 1898 1899 and 1901.

27. The sections herein-after referred to of the London United Tramways Act 1898 and the Act of 1899 and the Act of 1901 respectively are hereby incorporated with this Act and shall extend and apply to the tramways and to the Company in respect thereof as fully and effectually as if those sections had been re-enacted in this Act with reference thereto (that is to say) :—

Act of 1898—

- Section 23 Gauge and mode of formation of tramways ;
- Section 24 Inspection by Board of Trade ;
- Section 25 As to rails of tramways ;
- Section 26 Further provisions as to construction of tramways ;
- Section 27 Penalty for not maintaining rails and roads in proper order ;
- Section 28 Tramways to be kept on level of surface of roads ;
- Section 29 Application of road materials excavated in construction of tramways ;
- Section 30 Power to make additional crossings &c. ;
- Section 31 Temporary tramways may be made when necessary ;
- Section 32 Local authority to have access to sewers ;
- Section 38 Provisions as to motive power ;
- Section 40 Byelaws ;

- Section 41 Recovery of penalties ;
 Section 42 Amendment of the Tramways Act 1870 as to
 byelaws by local authority ;
 Section 43 Orders &c. of the Board of Trade ;
 Section 47 Tolls on tramways ;
 Section 48 Agreements with local and road authorities ;
 Section 50 Provisions as to arbitration :

Act of 1899—

- Section 12 Special provisions as to use of electrical power :

Act of 1901—

- Section 24 As to powers of Board of Trade in respect of use
 of mechanical power ;
 Section 25 For protection of Postmaster-General ;
 Section 27 Power to erect posts &c. ;
 Section 28 Alteration of tramways ;
 Section 29 Cheap fares for labouring classes ;
 Section 30 As to fares on Sundays and holidays :

And in construing the said sections for the purposes of this Act the expressions “ the tramways ” and “ the Middlesex tramways ” shall mean the tramways by this Act authorised and the expression “ local authority ” in section 32 of the Act of 1898 shall include a rural district council.

28. For the purposes of this Act so far as regards Tramways Nos. 4 4A 4B and 5 by this Act authorised section 43 of the Tramways Act 1870 shall be read and have effect as if the period of seven years had been substituted in the said section for the period of twenty-one years.

As to purchase of tramways Nos. 4 4A 4B and 5 by London County Council.

29. Section 43 of the Tramways Act 1870 shall not apply to such of the tramways as are situate in the urban district of Wimbledon and the parishes of Merton and Mitcham in the county of Surrey and in lieu thereof the following provisions shall have effect with regard to those tramways (that is to say):—

Future purchase of undertaking by local authorities.

The local authorities in whose districts those tramways are situate may if each local authority respectively by resolution passed in manner prescribed by section 43 of the Tramways Act 1870 so decide within six months after the expiration of a period of twenty-five years from the passing of this Act or within six months after the expiration of every subsequent period of seven years by notice in writing require the Company to sell and thereupon the Company shall sell to them their undertaking in respect of those tramways upon terms of paying the

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fair market value thereof as a going concern but without any allowance for compulsory purchase such value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party and the expenses of the reference to be borne and paid as the referee directs :

Provided that any such notice shall not be valid or effectual unless within three months after service thereof on the Company or such further period as may be allowed by the Board of Trade a contract for sale containing provisions for vesting in each local authority the portion of the said undertaking situate in their district and a scheme or schemes for the future maintenance management and working of those tramways shall have been approved by the Board of Trade :

The local authorities may pay the purchase money and all expenses incurred by them under the authority of this section out of the like rate and shall have the like powers to borrow on the security of the same as if such expenses were incurred in applying for obtaining and carrying into effect a Provisional Order obtained by them under the Tramways Act 1870.

For protection of
Surrey
County
Council.

30. For the protection of the council of the administrative county of Surrey (herein-after called "the Surrey council") the following provisions shall notwithstanding anything contained in this Act or shown on the deposited plans or sections have effect (that is to say) :—

- (1) Tramway No. 7 shall not commence at the point shown on the deposited plans but in lieu thereof shall commence at the foot of the approach to be made by the Surrey council to the new Kew Bridge being the point marked on the deposited plan referred to in the Kew Bridge Act 1898 as "termination of section No. 1" :
- (2) Save as herein-after otherwise expressed the following provisions shall only apply and extend to Tramways No. 6 and No. 10 so far as the same respectively are to be made on main roads or county bridges in Surrey but subsections (3) (7) and (13) hereof shall not apply to any tramways or roads situate within the urban district of Wimbledon :
- (3) Where in any case any contract or agreement at variance with the provisions of this section has been or may be made between the Company and the local authority in respect of matters to be done by the Company on any main road to

which this section applies the provisions herein contained shall so far as practicable prevail and be binding upon the Company and carried into effect unless the Surrey council shall by writing under their common seal waive or modify any of such provisions :

- (4) The portions of the roadways repairable or to be paved by the Company under this Act shall be paved with hard wood blocks of such character and quality as shall be approved by the Surrey county surveyor (in this section called "the surveyor") subject to any agreement with the local authority with respect to any main road which the local authority has claimed to retain under the provisions of section 11 of the Local Government Act 1888 and shall be based on a sufficient bed of concrete and grouted and be maintained renewed and made good when required by the surveyor and all such work shall be executed to the satisfaction of the surveyor :
- (5) Where either of the outer rails of the tramway is within three feet of the existing kerb or footpath the Company shall pave the entire width of roadway and maintain and renew and make good the same as aforesaid :
- (6) Opposite and for a distance of ten yards on either side of the road frontage of all churches chapels public schools and buildings habitually used for public meetings and public assemblies the entire width of the roadway shall be paved by the Company in manner aforesaid :
- (7) Concurrently with the laying of the tramway and if in any case the Surrey council so desire the portion of roadway not repairable by the Company shall be paved by the Company at the expense of the Surrey council or (if so agreed) by the local authority :
- (8) The Company shall execute the street improvements next herein-after described (that is to say) :--

TRAMWAY No. 6.

- (a) The Terrace and Lonsdale Road from the White Hart Hotel to Small Profit Dock the road to be widened to at least sixty feet and for the purpose of such widening and for the protection of the road a substantial retaining wall to be constructed on the river side of the said road the top of such wall to be not less than eighteen feet above ordnance datum and to be surmounted by a suitable iron railing the space between the existing road and the wall to be made up and a proper carriage road and footpath to

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be constructed and special means of drainage to be provided so as to obviate as far as reasonably possible the flooding of the roadways at spring tides. Provided always that in any case where provision is made both in this section and in the First Schedule to this Act for a widening of the road at the same point the provision in this section shall be deemed to be in substitution for the provision in the First Schedule to this Act ;

- (b) Between White Hart Lane and Tinderbox Alley The Company shall acquire the house known as "The Bungalow" and set the boundary of the road back 12 feet at the bend and widen the road to 50 feet between the fences for the whole length of this portion of the line ;
- (c) From Tinderbox Alley to the north boundary of No. 14 High Street Mortlake The Company shall widen the road to a minimum width of 46 feet 6 inches ;
- (d) From the north boundary of No. 14 High Street Mortlake to Sheen Lane The Company shall acquire the property on the south side and widen the road to 50 feet between the fences :

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- (e) From Byegrove House to Church Road The Company shall widen the road to a clear width of not less than 46 feet 6 inches so as to admit of a double line of tramway with 9 feet 6 inch margins ;
 - (f) Opposite the "Six Bells" public house The Company shall widen the road to 48 feet from the River Wandle for 250 feet or thereabouts in an easterly direction ;
 - (g) From Wandle Road to a point 50 feet or thereabouts west thereof The Company shall widen the road so that the width thereof immediately to the west of the said Wandle Road shall be 44 feet 4 inches and shall increase as shown on the signed plan till it measures 45 feet 7 inches at the point 50 feet from Wandle Road aforesaid ;
 - (h) From Nelson Road to the "Horse and Groom" public house the Company shall acquire forecourts on both sides of the road as shown on the signed plan and widen the road to a minimum width of 46 feet 6 inches and to as great a width not exceeding 50 feet as is possible without acquiring house property :
- (9) The street widenings and improvements of main roads on the tramways mentioned in subsection (2) of this section set forth

in the First Schedule to this Act and the further street improvements on those tramways in the last preceding subsection described to the extent and as indicated on plans signed by James Clifton Robinson and Francis Grinham Howell the surveyor shall (subject as herein-after provided) be executed by the Company at their own expense in accordance with plans and specifications to be approved by the surveyor and to his reasonable satisfaction in all things before any of the lines where such widenings and improvements are to be made shall be opened for public traffic save to such extent as the Surrey council may agree :

(10) The Company shall use their best endeavours to obtain in the next session of Parliament all necessary powers for effecting the said widenings including powers for the compulsory acquisition of any necessary lands but the construction of the Tramways No. 6 and No. 10 respectively may in the meantime if the Surrey council so agree and consent be proceeded with to the extent of such agreement and consent but not further or otherwise :

(11) The following provisions of the London United Tramways Act 1900 shall mutatis mutandis apply to the tramways to which this section applies as if the same were incorporated herewith and the authorities or persons for whose protection they enure were the Surrey council (that is to say) viz. section 35 subsection (2) section 36 subsections (5) (13) (14) (15) (16) section 37 subsection (4) section 39 subsections (5) (a) (b) (c) (d) section 40 subsection (2) :

(12) All works shall be proceeded with continuously and completed with all reasonable despatch :

(13) All posts standards brackets and other works erected by the Company on any road or bridge to which this section applies and of a character usually painted shall be painted by the Company with good oil paint of a colour or colours approved by the surveyor at least once in every three years and no advertisements shall be placed on such posts standards brackets or other works except notices relating to the tramways :

(14) If any difference shall arise between the Surrey council and the Company concerning any matter or thing herein contained or as to the reasonableness of any requirements of the Surrey council or the surveyor then and in every such case the difference shall be referred to a single arbitrator to be agreed on between the parties or in default to be nominated by the

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For protection of corporation of Richmond.

31. Notwithstanding anything in this Act contained or shown on the deposited plans the following provisions shall have effect for the benefit and protection of the mayor aldermen and burgesses of the borough of Richmond (Surrey) (that is to say) :—

(1) In this section the expression “the borough” means the borough of Richmond (Surrey) and the expression “the corporation” means the mayor aldermen and burgesses of the borough the expression “the surveyor” means the borough surveyor for the borough and the expressions “tramway” or “the tramways” mean such of the tramways as are within the borough :

(2) The provisions of section 43 of the Tramways Act 1870 shall apply to the tramways save and except that the time at which the corporation shall be entitled to first exercise their power under the said section 43 to purchase the tramways including the existing tramway in Kew Road shall be six months after the expiration of a period of thirty years from the passing of this Act or six months after the expiration of every subsequent period of seven years :

(3) In consideration of the extension of the period for purchase contained in the last preceding subsection the Company shall pay to the corporation until the purchase of the tramways the sum of one thousand two hundred and fifty pounds per annum by equal quarterly payments on the usual quarter days the first of such quarterly payments or a due proportion thereof to be made on the quarter day next following either the opening of the tramways or any portion thereof for public traffic or the expiration of two years from the passing of this Act whichever shall be earlier All sums of money paid by the Company to the corporation under this subsection shall be carried to the credit of the district fund of the borough :

(4) The tramways shall be constructed as double lines and no part of Tramway No. 7 shall be constructed northward of the point marked “Termination of Section No. 1” on the deposited plans referred to in the Kew Bridge Act 1898 The Company shall not adopt any overhead system of electric traction in any part of the Kew Road but shall adopt such other system of electric traction for working such of the tramways as will be situate in the Kew Road as the corporation shall before the actual commencement of any of the works approve in writing under their corporate seal :

- (5) The Company shall meet the reasonable requirements of the corporation with respect to stopping places which shall be subject to the approval of the corporation and such changes shall be made in the position of stopping places as the corporation may from time to time reasonably require :
- (6) The Company shall not without the consent of the corporation supply or seek powers to supply electric current for purposes of lighting or traction or power within the borough except for their own tramway purposes nor shall they without such consent erect within the borough a generating station :
- (7) The car gongs to be used in the borough shall be subject to the approval of the corporation before adoption and the Company shall arrange with the corporation as to making regulations for controlling the sounding of the car gongs while passing places of worship during hours of Divine service :
- (8) The Company shall not commence to lay down any tramway in any road in the borough until such road shall have been widened by and at the expense of the Company so as to leave a space of not less than nine feet six inches between the outer rail of the tramway and the kerb or edge of the footpath on both sides of the road and where for the purposes of any such widening any interference with any footpath is necessary the Company shall (unless otherwise agreed between the Company and the corporation) provide a new footpath of a width not less than that of the existing footpath so interfered with. Provided that where land sufficient to allow for more than such space of nine feet six inches is given by the corporation the Company shall at the request of the corporation widen the road to the full extent of the land so given :
- (9) In the event of any footway in Kew Road or Lower Mortlake Road within the borough being disturbed by the Company for the purpose of widening the roadway the Company shall in making such widening make provision for a footway to be of a width of not less than seven feet six inches :
- (10) All property required by the Company for any such widening as is obligatory on them under this section shall be provided by and at the expense of the Company and no commencement of the works of laying any tramway preliminary or otherwise shall under any circumstances be made unless and until possession of all the necessary property for carrying out the widening necessary for that tramway has been actually acquired by the Company and all such widenings shall in all respects be made and completed by the Company to the

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satisfaction of the corporation testified under their corporate seal :

- (11) Opposite and for a distance of ten yards on both sides of the road frontage of all churches chapels public schools and buildings habitually used for public meetings and public assemblies on any of the roads along which the tramways are laid the entire width of the roadway shall be paved maintained and repaired by the Company :
- (12) The Company shall pave with hard wood blocks the whole of the roadway which the Company are under the provisions of the Tramways Act 1870 or of this section liable to maintain and repair (except the outer edges of the portion of roadway maintainable and repairable by the Company under the said Act of 1870 which outer edges shall be paved with a course of granite setts) Such wood blocks shall be of such character and quality as shall be approved by the corporation and be laid on a sufficient bed of concrete and grouted and be maintained renewed and made good by and at the expense of the Company when required by the corporation and all such work shall be executed to the satisfaction of the corporation :
- (13) Concurrently with the laying of any tramway and if in any case the corporation so desire the portion of roadway not repairable by the Company shall be paved by the Company at the expense of the corporation as the corporation direct :
- (14) In addition to the requirements of section 26 of the Tramways Act 1870 and of the section of this Act of which the marginal note is " Incorporating provisions of Acts of 1898 1899 and 1901 " the Company shall before commencing any works within the borough lay before the corporation in duplicate a similar plan and statement to that which they are required to lay before the Board of Trade and also a description with proper plans and drawings of the cars (which cars if intended to be used in the Kew Road shall be of a similar size to the four-wheel cars now used by the Company in Bristol) and rolling stock proposed to be used by the Company and also a statement with plans drawings and specifications showing the method of using electric motive power proposed to be adopted and the Company shall not commence any works within the borough until such plans statements and specifications have been approved by the corporation but such approval shall not be unreasonably withheld and notice of such approval or disapproval shall be given within thirty days after receipt of the said plans statements and specifications failing which the

approval shall be assumed and after such approval all the works therein referred to shall be executed in accordance in all respects with such plans statements and specifications and under the superintendence and to the reasonable satisfaction of the engineer and surveyor No rolling stock other than such as is approved by the Board of Trade and shown in the plans statements and specifications so approved shall be used on the tramways without the previous consent of the corporation The Company shall not without the previous consent of the corporation at any time break up any road or street or interrupt the traffic thereon for more than half the width of the roadway of such road or street at any one time :

- (15) The corporation may by notice delivered to the Company condemn any rolling stock or any part of the tramways or any wires poles or constructions connected therewith which in the opinion of the corporation are unfit for use or dangerous to the public or in a bad state of repair and no rolling stock or part of the tramways wire pole or other erection or construction so condemned shall after such notice be used by the Company until the same has been renewed reinstated or repaired to the satisfaction of the corporation or until any question arising under this section has been settled by arbitration as herein-after provided :
- (16) When the Company have opened or broken up any portion of any road within the borough they shall in addition to the obligations imposed upon them by section 27 of the Tramways Act 1870 restore the same to a good and proper condition to the satisfaction of the corporation without reference to its previous condition and shall pay all expenses of the repairs of such portion of the road necessitated by such opening or breaking up for six months after the same is restored :
- (17) If any of the tramways shall pass over or interfere with any manhole surface or foul-water sewer or pipe which in the opinion of the surveyor it would be dangerous or inconvenient to retain in its position under the tramways the Company shall at their own expense take up such manhole surface or foul-water sewer or pipe and relay or replace the same in the part of the road not occupied by the tramways to the satisfaction of the surveyor :
- (18) If the corporation in order to gain access to their sewers or otherwise in exercise of the powers given to them by the Tramways Act 1870 or this Act shall at any time take up any

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part of any roadway which the Company are required to maintain then and in such case any paving or concrete laid down by the Company in the said portion of roadway and which the Company are required to maintain shall be restored by the Company at their own expense :

- (19) Any kerb channel setts or footpath or the materials thereof or any gully surface-box water-pipe fire-alarm cable or post which by or in consequence of the execution of the works of constructing the tramway shall be disturbed shall be forthwith reinstated at the expense of the Company to the reasonable satisfaction of the surveyor :
- (20) In addition to the provisions of this Act and of the Tramways Act 1870 if the Company shall fail to fulfil the obligation to repair any portion of any roadway within the borough repairable by them the corporation may if they think fit at any time after seven days' notice to the Company open and break up the road and do the works necessary for the proper repair of the portion of the roadway within the borough repairable by the Company and the expenses incurred in so doing shall be repaid to them by the Company :
- (21) Section 29 of the London United Tramways Act 1898 shall not apply within the borough but instead thereof the following provisions shall apply (that is to say) :—

Any granite setts paving metalling or other material of any road vested in or repairable by the corporation as road authority (other than any setts paving metalling or material laid down by the Company or their predecessors in the Kew Road) and excavated or displaced by the Company in the construction of any of the tramways from any road in the borough under the jurisdiction and control of the corporation shall so far as the corporation require forthwith be delivered by the Company to the surveyor or to such other person as the corporation may appoint to receive the same or at such depôt road street or place within the borough not being more than two miles from the said tramway as the surveyor may direct and if within seven days after the surveyor shall have given notice in writing to the Company of such depôt road street or place any such paving metalling or material be not delivered to the surveyor or other person or at such depôt road street or place as aforesaid the Company shall forfeit and pay to the corporation a sum not exceeding five pounds for every

day during which the said paving metalling or material is not so delivered:

(22) If the Company at any time find it necessary or desirable to remove snow or other matter impeding the traffic on the tramways the Company shall at their own cost remove the snow or other matter to the side of the road but so as not to impede or obstruct the drainage or the ordinary traffic on the road: and the Company shall not use salt or other unsuitable material for thawing the snow on any road: Provided that any snow or other matter so removed by the Company from the tramways shall not be allowed to remain on the road but shall at once be taken away by the Company and in default the corporation shall be at liberty to remove the same and recover the cost from the Company:

(23) As security to the corporation for the due completion to their satisfaction of the tramways and for the repair maintenance and restoration of roads rails paving and substructure as provided by any statute and by this Act the deposit of five hundred pounds which has been made by the Company shall be held by the corporation and in the event of any expense being incurred by the corporation in the repair maintenance or restoration of the roads rails paving or substructure such expense shall be paid out of the moneys so deposited until the amount of such expenses shall have been recovered from the Company in manner herein provided and upon recovery of the same from the Company the corporation shall hold the same upon the same terms and for the same purposes as they held the moneys applied in payment of the said expenses and as if such amount so recovered had formed part of the original deposit: Provided that during the continuance of the deposit the corporation shall pay to the Company on the first day of April in each year interest on the said sum of five hundred pounds or such part thereof as shall from time to time remain in their hands after deduction of all outgoings in respect of expenses as aforesaid or any penalties recoverable by or moneys payable to the corporation under this Act at such rate as the corporation may receive for the same:

(24) The corporation may with their own carriages or trucks at any time between the hours of twelve at night and six in the morning use all or any of the tramways free of toll for sanitary purposes and for the conveyance of scavenging refuse road material and nightsoil and the corporation may make such junctions sidings and works as they may think necessary or

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convenient for making communications to the tramways from their depôts and yards or other place provided for the disposal of the same. Provided that the corporation shall not under or by virtue of this section acquire any right to convey scavenging refuse or nightsoil on any of the tramways within the district of any other local authority without the consent of such local authority but such consent shall not be withheld if upon application of either the Company or the corporation the Board of Trade shall after enquiry be of opinion that the consent should be given subject to the insertion therein of such terms and conditions for the protection of such local authority as to the Board of Trade shall seem reasonable. The corporation may themselves provide and use horse power upon the tramways for the purpose of this subsection or if they so require the Company shall supply them at a reasonable charge with electric or other motive power for the purposes aforesaid the corporation at their own expense providing carriages or trucks suitable to be used on the tramways with the motive power for the time being used by the Company :

(25) If in the judgment of the corporation at any time after the opening of the tramways any part thereof or of any road upon which any of the tramways is laid and which is repairable by the Company is out of repair the corporation may with the consent of the Board of Trade stop the passing of the tramcars and carriages of the Company along such part of the tramways and road until the same shall have been put into good condition and repair to the satisfaction of the corporation :

(26) All moneys which may become due or payable by the Company to the corporation under the provisions of this Act as well as all penalties damages costs charges and expenses under this Act or any provisions incorporated with this Act or any byelaw made by the local authority under this Act or the Tramways Act 1870 may without prejudice to any right of the corporation to recover the same in any other way be enforced and recovered in manner provided by section 56 of the Tramways Act 1870 :

(27) The Company shall not use the tramways for the conveyance of animals minerals or goods except under regulations to be approved by the corporation :

(28) Advertisements shall not be displayed upon any posts standards wires structures or brackets erected by the Company within the borough :

(29) The Company shall pay the costs charges and expenses of the corporation in respect of the preparation examination and approval of any plans drawings estimates and specifications to be submitted to them or the surveyor and also for the superintendence of the construction widening and other works authorised by this Act in connexion with the tramways and incidental works :

(30) (a) Where the Company under the powers of this Act widen any street or road or the carriageway thereof in which any electric lines works or apparatus have been laid down under the powers conferred by the Richmond (Surrey) Electric Lighting Order 1883 (in this subsection called "the Order of 1883") as extended by the Borough of Richmond (Surrey) Order 1892 (in this subsection called "the Order of 1892") or either of them the corporation or their contractors under the said Orders may make such alteration in the position of such electric lines works or apparatus as may be reasonably necessary or convenient in consequence of such widening and the Company shall repay to the corporation or to their said contractors (as the case may be) the reasonable costs incurred by them in carrying out such alterations ;

(b) For the purpose of section 13 of the Electric Lighting Act 1882 and section 13 of the Order of 1883 the Tramways shall be deemed to have been specified in schedule D of the Order of 1883 and the provisions of section 32 of the Tramways Act 1870 shall extend and apply to the corporation and their said contractors in respect of the laying down repairing altering or removing of any electric lines works or apparatus which have been or may be laid down by the corporation or their said contractors under the powers conferred by the said Orders ;

(c) The Company shall be responsible for any interference which may be caused to the current supplied by the corporation or their contractors under the Order of 1883 and the Order of 1892 or either of them and for any damage caused to any of the machinery or apparatus of the corporation or of their contractors in connexion therewith by reason of the working of the tramways or of the electric current provided for the working of the same and the provisions of this subsection shall apply to the fire-alarm apparatus of the corporation :

(31) (a) The fare to be charged by the Company between any two points in the borough or between Richmond railway

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station and Kew Bridge or between Richmond (junction of Lower Mortlake Road and Kew Road) and the White Hart public house Mortlake shall not exceed one halfpenny per mile with a minimum fare of one penny. The fare between Richmond (junction of Lower Mortlake Road and Kew Road) and Hammersmith shall not exceed twopence for ordinary passengers and half that fare for artisans mechanics and daily labourers travelling by the workmen's cars which run in pursuance of section 29 of the Act of 1901;

(b) The Company shall issue return tickets at one penny each available at any time on the same day between the Gas Works Bridge on the Lower Mortlake Road line and the Richmond terminus of that line (at the junction of Lower Mortlake Road and Kew Road) or any intermediate point;

(c) Workmen's tickets shall be issued by all cars running before 7.30 a.m. in the months from April to October and before 8 a.m. in the months from November to March and all passengers using the workmen's cars shall be entitled to return tickets at a single fare available for return by any car during the day;

(d) The service of cars in the Kew Road shall not without the written consent of the corporation be more frequent than once in every three minutes and shall not without the like consent commence earlier than 7 a.m. nor continue after midnight:

(32) All consents approvals requisitions certificates and notices by this section required to be given by or obtained from the corporation shall (except where otherwise provided by this section) be in writing signed by the town clerk of the borough and all notices by this section required to be given by the corporation to the Company shall be sufficiently served and given if left at the principal office for the time being of the Company or posted in a letter addressed to the Company at such office:

(33) If any dispute or difference shall arise between the corporation and the Company as to the reasonableness of any requirement of the corporation or of any byelaw proposed to be made by the corporation or concerning the construction of this section or any subsection or matter herein contained or the rights duties or liabilities of either party hereunder or as to any other matter or thing herein-before contained or referred to or between the Company on the one hand and the

corporation or their contractors named in subsection (30) of this section on the other hand as to any matter or thing in such subsection contained or referred to then and in every such case the dispute or difference shall be referred to an arbitrator to be agreed on between the parties or in default of agreement to be appointed by the Board of Trade on the application of either party and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

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32. For the protection of the urban district council of Barnes (in this section referred to as "the council") the following provisions shall unless otherwise agreed between the Company and the council have effect (that is to say) :—

For protection of Barnes Urban District Council.

- (1) Before opening for public traffic any part of the tramways within the urban district of Barnes (in this section referred to as "the district") the Company shall at their own cost carry out the widenings of roads streets and bridges and of carriage-ways of roads and streets within the district described in the First Schedule to this Act and shown upon the deposited plans and shall also at the like cost and in accordance with the plans signed by George Bruce Tomes on behalf of the council and James Clifton Robinson on behalf of the Company carry out and complete to the reasonable satisfaction of the council the following further street and road widenings and improvements (that is to say) :—

In the Lower Richmond Road—

- (a) From the Richmond boundary in the Lower Richmond Road to Kew Lane the road to be widened to forty-three feet ;
- (b) From Kew Lane to Williams Lane the road to be widened to forty-four feet ;
- (c) From Williams Lane to Aynscombe Lane in addition to the widenings shown on the deposited plans the footpath on the south side to be widened to seven feet ;
- (d) From Waldeck Terrace to the west side of Mortlake Green the road to be widened to forty-five feet ;
- (e) From the west side of Mortlake Green to Sheen Lane the road to be widened to forty-five feet and the north-east corner of the Green to be further rounded off so as to allow for a double set of rails :

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In the High Street Mortlake—

- (f) From Sheen Lane through the High Street to the White Hart Lane the road to be widened to forty-five feet;
- (g) At the junction of the White Hart Lane and the Terrace the south-east corner of the Bungalow to be rounded off:

In the Terrace and Lonsdale Road—

- (h) From the White Hart Hotel to Small Profit Dock the road to be widened to at least sixty feet and for the purpose of such widening and for the protection of the road a substantial retaining wall to be constructed on the river side of the said road the top of such wall to be not less than eighteen feet above ordnance datum and to be surmounted by a suitable iron railing the space between the existing road and the wall to be made up and a proper carriage road and footpath to be constructed and special means of drainage to be provided so as to obviate as far as reasonably possible the flooding of the roadways at spring tides During and after construction of the tram lines the Company shall only interfere with such trees adjoining the White Hart Hotel as must necessarily be interfered with in order to lay the line from the river front to the main road;
- (i) From Small Profit Dock to the west entrance to "Mill Lodge" the road to be widened to thirty-eight feet:

Provided always that in any case where provision is made both in this section and in the First Schedule to this Act for a widening of the road at the same point the provision in this section shall be deemed to be in substitution for the provision in the First Schedule to this Act:

- (2) The Company shall at their own costs at all times properly maintain and keep maintained and repaired to the reasonable satisfaction of the surveyor to the council (herein-after called "the surveyor") the river wall to be constructed by them under the provisions of this section:
- (3) In constructing the tramways where the same pass round the north-east corner of Mortlake Green in the Lower Richmond Road and at the junction of the Lower Richmond Road Sheen Lane and High Street a double line of rails shall be laid by the Company in lieu of the single line shown on the deposited plans:

(4) (a) The Company shall deliver to the surveyor plans drawn to a scale of not less than forty-four feet to an inch together with drawings and specifications of the works comprised in or connected with any street and road widenings and improvements to be executed within the district under the provisions of this Act and such works shall not be proceeded with until such plans drawings and specifications have been approved by the surveyor in writing under his hand but such approval shall not be unreasonably withheld and notice of his approval or disapproval shall be given to the Company within a reasonable time not exceeding twenty-one days after receipt of such plans drawings and specifications and in default of notice within the time aforesaid the same shall be deemed to have been approved by him ;

(b) The Company shall carry out and complete all such works as are referred to in paragraph (a) of this subsection according to the plans drawings and specifications approved by the surveyor in manner aforesaid and under his superintendence and to his reasonable satisfaction :

(5) The Company at the time of giving notice to the council of their intention to open or break up the roads for the purpose of laying down any of the tramways within the district shall submit to the council a plan and section showing the proposed mode of constructing laying down and maintaining such tramways and a statement of the materials intended to be used therein and the Company shall not commence such works or any of them until such last-mentioned plan section and statement have been approved of by the surveyor in writing which approval shall not be unreasonably withheld and notice of his approval or disapproval shall be given within a reasonable time not exceeding twenty-one days and in default such approval shall be deemed to have been given and thereafter the works shall be executed in accordance with such plan section and statement as so approved All notices plans and other documents referred to in this subsection shall be deposited twenty-one days at least before the commencement of the works specified or shown therein and all plans shall be deposited in duplicate :

(6) The Company shall deliver to the council a plan showing the position in which they propose to lay any underground cableways or cables within the district and no work shall be commenced in connexion with the laying of any such cableways or cables until such plan has been approved by the

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surveyor in writing under his hand but such approval shall not be unreasonably withheld and notice of his approval or disapproval shall be given within a reasonable time not exceeding twenty-one days and in default such approval shall be deemed to have been given :

- (7) The Company shall before commencing to execute any works within the district under the authority of this Act lay before the council a description with proper plans and drawings of the cars and other rolling stock proposed to be used and a statement with plans and specifications showing the method of using electric motive power proposed to be adopted by the Company upon the tramways within the district :
- (8) The Company shall erect all posts and standards which are required for the purpose of carrying their overhead wires within the district in such positions and of such heights and of such design as shall be reasonably approved by the surveyor of the council and if in any case the said surveyor considers that for the convenience or safety of the public or of the frontagers to any road rosettes or wall plates should be fixed in lieu of posts or standards the Company shall use their best endeavours to obtain the requisite permission to affix instead of posts or standards such rosettes or wall plates as shall be suitable for carrying electric or other lamps for the proper lighting of the roads. The Company shall at all times allow the council to use the said standards and posts and to attach thereto the necessary wires and apparatus for electric or other lighting free of all charges to the council. Provided that such user by the council shall not in any way hinder the efficient working of the tramways by electric traction and if at any time in consequence of the discontinuance or abandonment of any of the tramways within the district the overhead wires in connexion therewith shall be removed the posts and standards so used by the council shall thereupon become the absolute property of the council free of any payment :
- (9) If the tramways shall pass over or interfere with any manhole surface or foul-water sewer or pipe within the district which in the opinion of the surveyor it would be dangerous or inconvenient to retain in its position under the tramways the Company shall at their own expense take up such manhole surface or foul-water sewer or pipe and relay or replace the same to the reasonable satisfaction of the surveyor in the part of the road not occupied by the tramways :

(10) If the council shall at any time take up any part of the track of the tramways in the district in order to gain access to any manhole surface or foul-water sewer or pipe or for the purpose of constructing any new manhole surface or foul-water sewer or pipe the tramway track shall be restored and replaced by the council at their expense but any additional expense imposed upon the council by reason of the existence of the tramways in the road shall be borne by the Company and this shall be in addition to and not in derogation from the provisions of sections 32 and 33 of the Tramways Act 1870 :

(11) The Company shall pave with such materials as the council shall reasonably approve the portions repairable by the Company of the roadways within the district :

(12) The Company shall indemnify the council against any loss which the council may sustain by reason of any non-payment of county contributions towards the maintenance of roads within the district during the financial years or parts of years in which the tramways and the works connected therewith shall be in course of construction but the council shall use their best endeavours to obtain payment of the full amount of such contributions during the said period The indemnity provided for by this section shall extend to and include not only the amount of county contributions unpaid but also all costs charges and expenses of the council of and incidental to the recovery or attempted recovery by the council by legal proceedings or otherwise of such county contributions or any part thereof :

(13) Subject to the provisions of this Act and of any requirements made by the Board of Trade and of any byelaws for the time being in force with respect to the tramways the council may at such times and in such manner as they think fit between the hours of twelve at night and five in the morning but so as not unduly to impede obstruct or interfere with the ordinary traffic on the tramways use the tramways by carriages moved by horses or otherwise for the removal of nightsoil and house refuse and snow and for the conveyance of scavenging stuff road metal and other materials required by the works of the council free of all tolls and charges in respect of such use Subject as aforesaid the council may enter into agreements with the Company for the purposes of this section and the council shall have power to form connexions between the tramways and any yards or works belonging to the council Provided that in the construction of any such connexion no

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damage shall be done to the tramways and that the council shall have first submitted to the Company plans showing such connexions or works and the mode of constructing the same Provided that the council shall not save by agreement with the Company be entitled to use or employ for such purposes any carriages trucks horses electric current or other motive power or officers or servants of the Company Provided also that the council shall indemnify the Company against any damage done to the permanent way by such use :

- (14) If the Company at any time find it necessary or desirable to remove snow or other matter impeding the traffic on the tramways within the district the Company shall at their own cost remove the snow or other matter to the side of the road but so as not to impede or obstruct the drainage or the ordinary traffic on the road and the Company shall not use salt or other unsuitable material for thawing the snow on any road within the district Provided that any snow or other matter so removed by the Company from the said tramways shall not be allowed to remain on the road but shall at once be taken away by the Company and in default the council shall be at liberty to remove the same and recover the cost of so doing from the Company :
- (15) The maximum fare per passenger over the whole route of the tramways within the district shall not exceed two pence and the fare per passenger between the White Hart Hotel and the district boundary on either side thereof shall not exceed one penny in the case of ordinary passengers and half that amount in the case of artisans mechanics and daily labourers travelling by the workmen's cars which the Company are required to run by section 29 (Cheap fares for labouring classes) of the Act of 1901 :
- (16) The Company shall comply with the reasonable requirements of the council with respect to the stopping places for cars running within the district :
- (17) Save with the previous consent in writing of the council under the hand of their clerk the Company shall not within the district erect any station for generating electricity nor shall they save with such consent as aforesaid supply electric current within the district except for their own purposes for lighting or power :
- (18) The council shall be at liberty to select two places on the line of route of the tramways within the district at which to

place an electric light standard with suitable lamps thereon and on either of such standards and lamp being so placed the Company shall supply free of charge from the trolley wire the electric current for the lighting of such lamp during the hours when the cars shall be running on the tramways :

(19) Notwithstanding anything in this Act contained subsection (5) of section 12 (Special provisions as to use of electrical power) of the Act of 1899 shall not apply to any electric wire line or apparatus of the council :

(20) The Company shall be responsible to the council in respect of any interference with the electric current from time to time being supplied by the council and any damage to any of the machinery or apparatus of the council or in connexion therewith resulting from the working of the tramways or caused by the electric current provided for the working thereof :

(21) Notwithstanding anything to the contrary in this Act contained the provisions of section 43 of the Tramways Act 1870 shall not apply to the portion of the tramways within the district and in lieu thereof the following provisions shall have effect with regard to those tramways (that is to say) :—

(a) The council may if they by resolution passed in manner prescribed by section 43 of the Tramways Act 1870 so decide within six months after the expiration of a period of thirty years from the passing of this Act or within six months after the expiration of every subsequent period of seven years by notice in writing require the Company to sell to them their undertaking in respect of those tramways upon the terms of paying to the Company the fair market value thereof as a going concern but without any allowance for compulsory purchase such value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party and the expenses of the reference shall be borne and paid as the referee directs ;

(b) The council may pay the purchase money and all expenses incurred by them in any purchase under the authority of this subsection out of the like rate and shall have the like powers to borrow on the security of the same as if such purchase money and expenses were expenses incurred in applying for obtaining and carrying into effect a Provisional Order obtained by them under the Tramways Act 1870 :

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(22) If any dispute or difference shall arise between the council and the Company concerning any matter or thing in this section contained or referred to or as to the reasonableness of any requirements of the council or of the surveyor or as to the rights duties or liabilities of either party under this section then and in every such case the dispute or difference shall be referred to an arbitrator to be agreed on between the parties or failing agreement to be appointed by the Board of Trade on the application of either party and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

For protection of
Wimbledon
Urban
District
Council.

33. Notwithstanding anything in this Act contained or shown on the deposited plans the following provisions shall have effect for the benefit and protection of the urban district council of Wimbledon unless otherwise agreed between the Company and the council (that is to say) :—

- (1) In this section the expressions "the council" means the urban district council of Wimbledon "the district" means the urban district of Wimbledon "the clerk" means the clerk of the council "the surveyor" means the surveyor of the council and "the said tramways" means such and such parts of the tramways as are within the district :
- (2) The Company shall within the period for construction limited by this Act make form and lay down maintain work and use such of the said tramways as are numbered 9 10 11 13 14 and 14A :
- (3) The street widenings and improvements within the district described or mentioned in the First Schedule to this Act and as shown and indicated on the deposited plans shall to the fullest extent shown and indicated upon the deposited plans be made and completed by the Company and to the reasonable satisfaction of the council before any of the said tramways are opened for public traffic :
- (4) Tramway No. 10 from its commencement opposite the junction of Worple Road with Wimbledon Hill Road down to the Railway Station Bridge shall be laid maintained and worked as a double line and the Company shall before opening the same for public traffic widen Wimbledon Hill Road between the points aforesaid to a width of fifty feet including footways by carrying out the street widenings and improvements between such points as described or mentioned in the First Schedule to this Act and shown upon the deposited plans and shall

complete the same to the reasonable satisfaction of the council : A.D. 1902.

- (5) When constructing Tramway No. 10 in Merton High Street the Company shall as far as their powers will allow lay the said tramway so that a less space than nine feet six inches shall not save with the previous written consent of the council under the hand of the clerk intervene between the outside of the footpath on the Wimbledon side of that street and the outer rail of the tramway :
- (6) The Company shall pave the portions of the roadways within the district repairable by them with wood or other materials of such character and quality as shall be approved by the council and shall renew and make good the same when required by the council. Concurrently with the laying of the said tramways in any road or street and if in any case the council desire the remainder of the roadway of such road or street to be paved by the Company at the expense of the council the Company shall so pave such roadway and charge the council with the net cost of such paving :
- (7) The Company shall not save with the consent of the council which shall not be unreasonably withheld reduce any footpath within the district to a less width than eight feet :
- (8) The Company at the time of giving notice to the council of their intention to open or break up the roads for the purpose of laying down any of the said tramways shall also submit to the council plans and sections in duplicate showing the proposed mode of constructing laying down and maintaining the same and plans and sections showing the proposed mode of carrying out the street widenings and a statement of the materials intended to be used in constructing the said tramways and making up the widened streets and the Company shall not commence such works or any of them until such last-named plans sections and statement have been approved in writing by the council under the hand of the clerk which approval shall not be unreasonably withheld and notice of approval or disapproval shall be given within one month from the date of submission of such plans and sections and statement failing which the approval shall be deemed to have been given and after such approval the works shall be executed in accordance with such plans sections and statement as so approved :
- (9) All cars used within the district shall be of the best modern type and they and all wires poles and other constructions shall

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be maintained by the Company in a state of efficient repair to the reasonable satisfaction of the council :

- (10) If the said tramways shall pass over or interfere with any manhole surface or foul-water sewer or pipe which in the opinion of the surveyor it would be dangerous or inconvenient to retain in its position under the said tramways the Company shall at their own expense take up such manhole surface or foul-water sewer or pipe and relay or replace the same in the part of the road not occupied by the said tramways to the reasonable satisfaction of the surveyor :
- (11) All work in the district in connexion with the said tramways and works shall be proceeded with continuously and completed with all reasonable despatch :
- (12) The size position design and construction of all posts standards brackets and attachments erected in the district shall be such as the council shall reasonably approve or as in case of difference between the council and the Company shall be determined by the Board of Trade Provided that if before the erection of any such posts standards brackets and attachments in the district the Company deliver to the council a drawing and a description of the same and a plan showing the proposed position thereof and the council do not within twenty-eight days give to the Company notice of any objection they shall be taken to have agreed to the size position design and construction of such posts standards brackets and attachments as shown by the said drawing description and plan And provided also that if any post or overhead wire becomes owing to the construction of any new road or street or otherwise in the opinion of the council an obstruction the Company shall alter the position thereof in such manner as the council decide but the Company may appeal against such decision to the Board of Trade whose decision shall be final and binding :
- (13) The council shall upon giving not less than fourteen days' notice to the Company of their desire so to do have the right to use any posts standards and brackets erected in the streets or roads within the district for the support of any electric lamps or wires for the lighting of street lamps or for the support of any fire-alarms name-plates or street indicators Provided that in the exercise of the powers of this subsection no avoidable damage shall be caused to such posts standards or brackets and no obstruction or interference shall be caused to or with the working by the Company of their undertaking and if the

council occasion any damage in the exercise of the powers of this clause they shall pay compensation to the Company the amount thereof to be determined in default of agreement by arbitration as herein-after provided :

- (14) All such posts standards brackets attachments and other works erected by the Company in any street or road within the district as are usually painted or as are suitable to be painted shall be painted by the Company with good oil paint of a colour or colours to be approved by the council at least once in every three years :
- (15) No advertisement shall be displayed upon any such posts standards brackets attachments or other works or other fixed property of the Company in any street within the district except advertisements relating to the working and use of the said tramways :
- (16) In consideration of the variation in the terms of purchase contained in the Tramways Act 1870 effected by the section of this Act whereof the marginal note is "Future purchase of undertaking by local authorities" and until purchase of the said tramways the Company shall as from the opening of the said tramways for public traffic pay to the council by equal quarterly payments on the usual quarter days a yearly sum calculated after the rate of one hundred pounds for every mile of road within the district upon which the said tramways are constructed and all moneys so paid to the council shall be carried by them to the credit of the district fund of the district :
- (17) Except in cases of emergency trailer cars shall not be run by the Company within the district and the Company shall not work the said tramways within the district otherwise than by electrical power except that in the case of emergency animal power may be used :
- (18) All alterations of levels of roads and any alterations of sewers consequent thereon shall be done and executed to the reasonable satisfaction of the council :
- (19) The Company shall deliver to the council plans and descriptions showing the positions in which it is proposed to lay any underground cableways or cables and the design thereof and no work shall be commenced in connexion with the laying of any such cableways or cables until such plans have been approved by the council in writing under the hand of the surveyor which approval shall not be unreasonably withheld

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and notice of such approval or disapproval shall be given within twenty-eight days from the delivery of the said plans and descriptions failing which the approval shall be deemed to have been given :

- (20) The Company shall not without the previous consent of the council under the hand of the clerk first had and obtained erect within the district a station for generating electrical energy or power or supply electricity within the district or within any other district or parish within which the council are or may be authorised to supply electricity except for the purposes of the tramway undertaking :
- (21) Subject to the provisions of this Act and of any requirements made by the Board of Trade and of any byelaws for the time being in force with respect to the said tramways the council may at such times and in such manner as they think fit between the hours of twelve at night and five in the morning but so as not to unduly impede obstruct or interfere with the ordinary traffic on the tramways use the said tramways by carriages moved by horses or otherwise for the removal of nightsoil and house refuse and snow and for the conveyance of scavenging stuff road metal and other materials required by the council for the purpose of any of their works free of all tolls and charges in respect of such use and for the purposes aforesaid the council shall have power to form connexions between the said tramways and any yard or works belonging to the council Provided nevertheless that in the construction of any such connexion no damage shall be done to the said tramways and that the council shall not save by agreement with the Company be entitled to use or employ for such purposes any carriages trucks horses electric current or other motive power or officers or servants of the Company and also that the council shall indemnify the Company against any damage done to the permanent way by such use :
- (22) If the Company at any time find it necessary or desirable to remove snow or other matter impeding the traffic on the said tramways the Company shall at their own cost remove the snow or other matter to the side of the road but so as not to impede or obstruct the drainage or ordinary traffic on the road and the Company shall not use salt or other unsuitable material for thawing the snow on any road Provided that any snow or other matter so removed by the Company from the said tramways shall not be allowed to remain on the road but shall at once be taken away by the Company and in default the

council shall be at liberty to remove the same and recover the cost of such removal from the Company : A.D. 1902.

(23) The Company shall deliver any such surplus paving metalling or material as is referred to in section 29 of the London United Tramways Act 1898 incorporated with this Act excavated from any roads within the district under the jurisdiction of the council at such places within the district as the surveyor may from time to time require and the said section 29 in its application to the paving metalling and material of roads within the district shall be read and have effect accordingly :

(24) The Company in addition to the obligations imposed by section 29 (of which the marginal note is "Cheap fares for labouring classes") of the Act of 1901 incorporated with this Act shall run within the district a proper and sufficient service of carriages for artisans mechanics and daily labourers each way every morning and every evening (Sundays Christmas day Good Friday and Bank holidays always excepted) between the hours of twenty minutes past four o'clock in the morning and eight o'clock in the morning and between the hours of five o'clock in the afternoon and six o'clock in the afternoon at fares not exceeding one penny for any distance within the district and in no case exceeding one halfpenny per mile or fraction of a mile On Saturdays except as aforesaid the Company in lieu of running such carriages after five o'clock in the evening shall run the same between the hours of half-past twelve o'clock in the afternoon and two o'clock in the afternoon except on the days aforesaid The Company shall if requested issue return tickets at a charge not exceeding twice the amount of the single fare and any workman holding such return ticket shall be at liberty to travel on any car after three o'clock in the afternoon :

(25) Any expenses incurred by the council for the purposes of this section shall be deemed to be and may be defrayed in the same manner as the expenses of a local authority under the Public Health Act 1875 :

(26) If any dispute or difference shall arise between the council and the Company concerning any matter or thing herein contained or referred to or as to the reasonableness of any requirement of the council or the surveyor or as to the rights duties and liabilities of either party under this section then and in every such case the dispute or difference shall be referred to an arbitrator to be agreed upon between the parties or failing such agreement to be appointed on the application of either

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party by the Board of Trade and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

For protection of
Maldens
and Coombe
Urban
District
Council.

34. Notwithstanding anything in this Act contained or shown on the deposited plans the following provisions shall have effect for the benefit and protection of the urban district council of the Maldens and Coombe (that is to say) :—

- (1) In this section the expression “the district council” means the urban district council of the Maldens and Coombe the expression “the district” means the urban district of the district council the expression “the surveyor” means the surveyor for the district and the expression “the tramway” or “the tramways” means such of the tramways as are within the district :
- (2) The tramways shall be constructed as double lines :
- (3) The Company shall comply with the reasonable requirements of the district council with respect to the stopping places for cars running within the district and such stopping places shall be subject to the approval of the district council and changes shall be made in the position thereof as the district council may from time to time reasonably require :
- (4) Except for the purposes of their own undertaking the Company shall not without the consent of the district council supply or seek powers to supply within the district electricity for purposes of lighting traction or power nor shall they without such consent erect any generating station within the district :
- (5) The Company shall not open for public traffic such portion of Tramway No. 9 as lies within the district unless and until they have constructed the street improvements at the corners of Kingston Road and Malden Road and Burlington Road and Malden Road in manner shown on the plan signed by the clerk to the council and the managing director of the Company on behalf of the district council and the Company respectively ;

The Company shall use their best endeavours to obtain in the next available session of Parliament all powers which may be necessary for effecting the said improvement including powers for the compulsory acquisition of any necessary lands but the construction of the tramway may in the meantime if the district council so agree and consent be proceeded with to the extent of such agreement and consent but not further or otherwise :

- (6) If any of the tramways shall pass over or interfere with any manhole surface or foul-water sewer or pipe which in the

opinion of the surveyor it would be dangerous or inconvenient to retain in its position under the tramways the Company shall at their own expense take up such manhole surface or foul-water sewer or pipe and relay or replace the same in the part of the road not occupied by the tramways to the satisfaction of the surveyor :

- (7) Any kerb channel setts or footpath or the materials thereof or any gully surface-box water-pipe fire-alarm cable or post which by or in consequence of the execution of the works of constructing the tramway shall be disturbed shall be forthwith reinstated at the expense of the Company to the reasonable satisfaction of the surveyor :
- (8) In addition to any other provisions of this Act and of the Tramways Act 1870 if the Company shall fail to fulfil the obligation to repair any portion of any roadway within the district repairable by them the district council may if they think fit at any time after seven days' notice to the Company open and break up the road and do the works necessary for the proper repair of the portion of the roadway repairable by the Company and the expenses incurred in so doing shall be repaid to them by the Company :
- (9) If the Company at any time find it necessary or desirable to remove snow or other matter impeding the traffic on the tramways the Company shall at their own expense remove such snow or other matter to the side of the road but so as not to impede or obstruct the drainage or the ordinary traffic on the road and the Company shall not use salt or other unsuitable material for thawing the snow on any road Provided that any snow or other matter so removed by the Company from the tramways shall not be allowed to remain on the road but shall at once be taken away by the Company and in default the district council shall be at liberty to remove the same and recover the cost from the Company :
- (10) All moneys which may become due or payable by the Company to the district council under the provisions of this Act as well as all penalties damages costs charges and expenses under this Act or any provisions incorporated with this Act or any byelaw made by the local authority under this Act or the Tramways Act 1870 may without prejudice to any right of the district council to recover the same in any other way be enforced and recovered in manner provided by section 56 of the Tramways Act 1870 :

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(11) No advertisements shall be displayed upon any posts standards brackets or attachments of the Company in any street within the district except advertisements relating to the working and use of the tramways but subject to the approval of the Company the district council shall be at liberty to attach to any such posts standards or attachments such street directing boards hydrants or fire-plug indicators as they may reasonably require :

(12) All consents approvals requisitions certificates and notices by this section required to be given by or obtained from the district council shall (except where otherwise provided by this section) be in writing signed by the clerk of the district council and all notices by this section required to be given by the district council to the Company shall be sufficiently served and given if left at the principal office for the time being of the Company or posted in a letter addressed to the Company at such office :

(13) Section 31 of the Act of 1901 so far as it relates to tramways in the district is hereby repealed and notwithstanding anything contained in that Act or in this Act the provisions of section 43 of the Tramways Act 1870 shall not apply to the tramways within the district authorised by the Act of 1901 and this Act but in lieu thereof the following provisions shall have effect with regard to those tramways (that is to say) :—

(a) The district council may if they by resolution passed in manner prescribed by section 43 of the Tramways Act 1870 so decide within six months after the expiration of a period of thirty years from the passing of this Act or within six months after the expiration of every subsequent period of seven years by notice in writing require the Company to sell to them their undertaking in respect of those tramways upon the terms of paying to the Company the fair market value thereof as a going concern but without any allowance for compulsory purchase such value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade on the application of either party and the expenses of the reference shall be borne and paid as the referee directs ;

(b) The district council may pay the purchase money and all expenses incurred by them in any purchase under the authority of this subsection out of the like rate and shall have the like powers to borrow on the security of

the same as if such purchase money and expenses were expenses incurred in applying for obtaining and carrying into effect a Provisional Order obtained by them under the Tramways Act 1870 : A.D. 1902.

(14) In consideration of the variation in the terms of purchase contained in the Tramways Act 1870 and in the Act of 1901 effected by subsection (13) of this section the Company shall as from the opening of any of the tramways within the district for public traffic and until purchase thereof pay to the district council by equal quarterly payments on the usual quarter days the yearly sum of one hundred and fifty pounds and all moneys so paid to the district council shall be carried by them to the credit of the district fund of the district :

(15) If any dispute or difference shall arise between the district council and the Company concerning any matter or thing in this section contained or referred to or as to the reasonableness of any requirement of the district council or of the surveyor or as to the rights duties or liabilities of either party under this section then and in every such case the dispute or difference shall be referred to an arbitrator to be agreed on between the parties or failing agreement to be appointed by the Board of Trade on the application of either party and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889.

35. The following provisions shall have effect for the protection of the Croydon Rural District Council (herein-after called "the district council") the Mitcham Parish Council (herein-after called "the Mitcham Council") and the Merton Parish Council (herein-after called "the Merton Council") unless otherwise agreed between the said councils and the Company (that is to say) :—

(1) The Company shall before opening Tramway No. 9 for public traffic widen the road between the Waterfall Bridge and the Grove Hotel in the parishes of Mitcham and Merton and make up kerb and channel pathways on each side of the road throughout the entire length of such road so as to give a width of forty-six feet six inches between the fences of which forty-six feet six inches fourteen feet shall be occupied by two pathways of a width of not less than seven feet each and the remainder by a carriageway on which may be constructed a double line of tramway with a space of not less than nine feet six inches intervening between the outer rail of the tramway

For protection of Croydon Rural District Council Mitcham Parish Council and Merton Parish Council.

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on each side of the kerb save in the following place (that is to say) :—

For a distance of fifty feet measured south-west from Wandle Road High Street Merton the width between fences shall not be less than forty-four feet four inches with a footway on either side of not less than five feet six inches and the tramway shall be a double line :

- (2) The Company shall before constructing the line thereunder widen the railway bridge at West Barnes Lane and shall make up the roadway so as to give a highway between the parapets not less than twenty-two feet in width of which seven feet shall be a footway properly kerbed :
- (3) The Company shall complete the several widenings aforesaid and shall make up the widened highway according to plans and sections to be approved by the district council and to their reasonable satisfaction before the respective tramways are respectively opened for public traffic and if the powers of the Company under this Act are not sufficient to enable them to carry out such widenings the Company shall promote a Bill in the next ensuing session available for that purpose :
- (4) Subsections 9 (a) and (c) 10 11 12 and 13 of section 38 (For protection of Molesey Urban District Council) of the London United Tramways Act 1901 and subsection 17 (b) and (d) of section 35 of the same Act (For protection of corporation of Kingston-upon-Thames) and subsection 6 of section 35 (For the protection of the Heston and Isleworth Urban District Council) of the London United Tramways Act 1900 shall apply to the tramways in the district for the protection of the district council and the said parish councils and in applying the said subsections "the council" shall mean district council save as to lighting and as to lighting "the council" shall mean the parish council :
- (5) After the expiration of twenty-one years from the passing of this Act and until purchase of so much of the tramways as lies within the Croydon Rural District the Company shall in consideration of the said parish councils consenting to the modification of section 43 of the Tramways Act 1870 effected by the section of this Act whereof the marginal note is "future purchase of undertaking by local authorities" pay to the Mitcham Council and the Merton Council respectively by equal quarterly payments on the usual quarter days the annual sum of one hundred pounds in respect of each mile of the tramways

in each of the said respective parishes and the sums so paid shall be applied by the respective councils in payment of their expenses other than expenses under the adoptive Acts as defined by the Local Government Act 1894. A.D. 1902.

36. The powers granted by the Act of 1899 for the compulsory purchase of lands for the purpose of the widenings by that Act authorised are hereby revived and may be exercised by the Company during a period of two years from the passing of this Act and on the expiration of that period those powers shall cease. Revival of powers for purchase of certain lands.

37. And whereas by section 8 of the Act of 1899 it was provided that the Brentford Urban District Council (in this section called "the Brentford Council") should pay the contribution therein mentioned towards the cost incurred by the Company in carrying out the widenings at Brentford by that Act authorised and for which widenings the lands referred to in the last preceding section are required: Arrangement with Brentford Urban District Council.

And whereas it has been agreed between the Company and the Brentford Council that the Company should release the Brentford Council from the obligations imposed upon them by the said section 8 in consideration of the Brentford Council agreeing to a postponement until the first day of August one thousand nine hundred and twenty-eight of the date at which the Brentford Council are entitled to purchase so much of the Company's tramways as are situate within the district of the said council Therefore be it enacted pursuant to such agreement as follows (that is to say) :—

- (1) Section 8 of the Act of 1899 is hereby repealed but nothing herein contained shall relieve the Company from any of the obligations imposed on them by section 13 of the Act of 1898 as varied by section 5 of the Act of 1899 :
- (2) The powers of the Brentford Council to purchase any tramways of the Company within the district of that council under section 43 of the Tramways Act 1870 or any other Act relating to the said tramways shall not be exercised at any time prior to the first day of August one thousand nine hundred and twenty-eight.

38. The Company on the one hand and any of the local authorities in or through whose districts the tramways will be laid on the other hand may enter into and carry into effect agreements with respect to the widening and improvement of roads along which the tramways will be laid and the acquisition of land for or in Agreements with local authorities as to street improvements.

A.D. 1902. connexion therewith and any such agreement may provide either for the acquisition of the land and the execution of the works by the Company and for contributions to the expenses thereof by the local authority or on the other hand for the acquisition of the land and the execution of the works by the local authority and for the Company defraying or contributing to the expenses thereof Any expenses incurred by a local authority for the purposes of any agreement under this section shall be deemed to be and may be defrayed in the same manner as expenses of a local authority under the Public Health Act 1875.

Scale of
passenger
fares.

39. From and after the opening for public traffic of the tramways the tolls and charges to be taken by the Company for passengers shall (subject to any special provisions with respect to fares contained in this Act) be as follows (that is to say):—

The Company may (subject to the provisions herein contained as to passengers being persons of the labouring class or being children under three years of age) demand and take from passengers travelling on the routes mentioned in the first column of the Third Schedule to this Act any tolls or charges not exceeding those set opposite such routes respectively in the second column of the said Third Schedule:

The Company may demand and take from persons belonging to the labouring class travelling in carriages provided for the labouring class on the routes mentioned in the first column of the said Third Schedule any tolls or charges not exceeding for the return journey the fare for the single journey set opposite such routes respectively in the second column of the said Third Schedule:

The Company shall not demand or take any toll or charge for children under the age of three years provided any such child does not occupy a seat to the exclusion of a passenger.

Penalties
for wilful
injury or
obstruction
to light
railways of
Company.

40. If any person without lawful excuse (the proof whereof shall be on him) wilfully does any of the following things (namely):—

Interferes with removes or alters any part of any light railway of the Company or of the works connected therewith;

Places or throws any stones dirt wood refuse or other material on any part of any such light railway;

Does or causes to be done anything in such manner as to obstruct any carriage using any such light railway or to endanger the lives of persons therein or thereon;

Or knowingly aids or assists in the doing of any such thing;

he shall for every such offence be liable (in addition to any proceedings by way of indictment or otherwise to which he may be subject) to a penalty not exceeding five pounds.

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41. The Company on the one hand and any railway company having stations on or near to any of the Company's tramways or light railways or any company body or person owning or working any tramways or light railways in the counties of London Middlesex and Surrey on the other hand may enter into and carry into effect agreements for and with respect to through booking and the issue of through tickets and the fixing of through fares tolls and charges to be demanded and recovered in respect of traffic coming from or destined for or passing over the respective tramways railways and works of the contracting companies and the division and apportionment of the receipts arising from such traffic.

Agreements
as to through
booking &c.

42. The Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty Every penalty under this section shall be recoverable summarily.

Copy of Act
to be regis-
tered.

There shall be paid to the Registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies Act 1862 on registration of any document other than a memorandum of association.

43. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the King's most Excellent Majesty in right of His Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of His Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the King's Majesty.

Saving
rights of
Crown.

44. Nothing in this Act contained shall exempt the Company from the provisions of any general Act relating to tramways now in force or which may hereafter pass during this or any future session

Provision as
to general
Tramway
Acts.

[Ch. ccxlvii.] *London United Tramways Act, 1902.* [2 Edw. 7.]

A.D. 1902. — of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates or charges authorised by this Act.

Costs of Act. 45. All costs, charges and expenses of and preliminary and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

SCHEDULES referred to in the foregoing Act.

A.D. 1902.

FIRST SCHEDULE.

WIDENINGS OF ROADS STREETS AND BRIDGES AND OF
CARRIAGEWAYS OF ROADS AND STREETS.

No. of Tramway.	Name of Road or Street.	Borough Urban District or Rural District.	Side or Sides of Road or Street.	Description.
4	Glenthorne Road -	Borough of Hammersmith.	South -	Between Studland Street and Dalling Road.
4	Dalling Road (carriageway).	Borough of Hammersmith.	West -	Between Albion Gardens and a point 25 yards northward from that road.
4	Paddenswick Road	Borough of Hammersmith.	(a) West	Between points respectively 25 yards and 73 yards northward from Albion Gardens.
			(b) East	Between points respectively 93 yards and 10 yards southward from Holy Innocents' Church.
5	Askew Road -	Borough of Hammersmith.	West -	Between a point opposite to the centre of Percy Road and Station Road.
5	Askew Road (carriageway).	Borough of Hammersmith.	(a) West	Between Ashchurch Terrace and Bassein Park Road.
			(b) West	Between points respectively 43 yards and 113 yards north-westward from Bassein Park Road.
			(c) East	Between points respectively 70 yards and 6 yards southward from the Traveller's Rest public-house.
	(Road widening)		(d) East	Between the south side of the Traveller's Rest public-house and a point 40 yards northward from Haydons Park Road.
			(e) West	Between Rankin Street and a point 53 yards northward from that street.
			(f) East	Between a point 57 yards southward from Askew Crescent and Clifton Road.
6	Lower Mortlake Road.	Borough of Richmond.	(a) South	Between Kew Road and the bridge over the London and South Western Railway.
			(b) North	Between points respectively 47 yards westward and 110 yards eastward from the east side of Pagoda Avenue.
6	The open space between Lower Mortlake Road and Lower Richmond Road and in Lower Richmond Road.	Borough of Richmond.	North -	Between a point 11 yards westward from North Road and a point 123 yards eastward from a point in line with the east side of Market Road.

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No. of Tramway.	Name of Road or Street.	Borough Urban District or Rural District.	Side or Sides of Road or Street.	Description.
6	Lower Richmond Road.	Barnes Urban District.	(a) South (b) North	Between points respectively 70 yards eastward from Market Road and 40 yards eastward from the west side of Kew Lane. Between Kew Lane and 30 yards eastward from Cromwell Lane.
6	Lower Richmond Road and Sheen Lane.	Barnes Urban District.	South and west.	Between a point in Lower Richmond Road 11 yards westward from a point in line with the eastern side of Cromwell Lane and a point in Sheen Lane opposite to the centre of High Street Mortlake.
6	High Street Mortlake.	Barnes Urban District.	South	Between points respectively 57 yards eastward from the west side of Sheen Lane and a point 80 yards eastward from St. Mary's Church.
6	White Hart Lane and The Terrace Barnes.	Barnes Urban District.	South-east	Between a point in White Hart Lane 31 yards northward from Thorne Passage and a point in The Terrace 167 yards westward from the bridge carrying the London and South Western Railway over the said road.
6	The Terrace	Barnes Urban District.	(a) South-east. (b) South (c) South-east.	Between points respectively 107 yards and 7 yards south-westward from the bridge carrying the London and South Western Railway over the said road. Between points respectively 4 yards and 20 yards north-eastward from the bridge carrying the London and South Western Railway over the said road. Between a point 45 yards south-westward from High Street and High Street Barnes.
6	Lonsdale Road (carriageway).	Barnes Urban District and Borough of Wandsworth.	West	Between a point 45 yards southward from the southern entrance to Mill Lodge and Ferry Lane.
7	Kew Road	Borough of Richmond.	(a) West (b) East	Between the roadway on the south side of The Green and a point 13 yards southward from that road. Between points respectively 30 yards southward from Mortlake Road and 63 yards northward from Kew Gardens Road.
7	Kew Road (carriageway).	-	(a) East (b) East (c) East (d) East (e) West	Between Broomfield Road and Eversfield Road. Between points respectively 30 yards southward from Eversfield Road and 97 feet northward from Lion Gate Gardens. Between a point 37 yards northward from Stanmore Road and Pagoda Avenue. Between a point 40 yards northward from Selwyn Avenue and Evelyn Gardens. For a distance of 33 yards northward from Queen's Gate.

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No. of Tramway.	Name of Road or Street.	Borough Urban District or Rural District.	Side or Sides of Road or Street.	Description.
7	Kew Road - -	Borough of Richmond.	West -	Between Queen's Gate and a point in line with the north side of Stanmore Road.
9	Malden Road -	The Maldens and Coombe Urban District.	East -	Between a point 15 yards southward from Burlington Road and Burlington Road.
9	Burlington Road -	The Maldens and Coombe Urban District.	South -	Between Malden Road and a point 30 yards westward from Queen's Road.
9	Burlington Road -	The Maldens and Coombe Urban District and Croydon Rural District.	Both -	For the length of the bridge and approaches carrying the road over Beverley Brook.
9	Burlington Road and West Barnes Lane.	Croydon Rural District.	West -	Between the Occupation Road leading to Blagdon Farm and the southern boundary of the grounds of West Barnes House.
9	West Barnes Lane	Croydon Rural District.	(a) East (b) West (c) East (d) East	Between points respectively 106 yards and 282 yards northward from Pyl Brook. From the south side of the entrance to West Barnes House for a distance of 320 yards northward. Between points respectively 210 yards and 30 yards southward from the centre of the bridge carrying the London and South Western Railway over the road. Between a point 33 yards northward from the centre of the bridge carrying the London and South Western Railway over the road and Coombe Lane.
9	Coombe Lane -	Croydon Rural District and Wimbledon Urban District.	North -	Between a point opposite the east side of West Barnes Lane and a point 123 yards eastward from Lampton Road.
9	Coombe Lane (carriageway).	Croydon Rural District.	South -	Between Raynes Park Station and Kingston Road.
9	Pepys Road and Worple Road.	Wimbledon Urban District.	South -	Between Kingston Road and a point 24 yards westward from Delamere Road.
9	Worple Road -	Wimbledon Urban District.	(a) South-east. (b) North-west. (c) South-east. (d) North-west. (e) South-east. (f) North-west.	Between Albert Road and a point 110 yards north-eastward from the road. Between a point 67 yards south-westward from Edge Hill and Edge Hill. Between points respectively 120 yards south-westward and 70 yards north-eastward from Elm Grove. For a distance of 70 yards north-eastward from Thornton Hill. Between Cranbrook Road and Salisbury Road. Between a point 50 yards north-eastward from Spencer Hill and Raymond Road.

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No. of Tramway.	Name of Road or Street.	Borough Urban District or Rural District.	Side or Sides of Road or Street.	Description.
10	Wimbledon Hill Road.	Wimbledon Urban District.	(a) West (b) East	Between Worple Road and St. George's Road. For a distance of 37 yards southward from Alexandra Road.
10	The Broadway and Merton Road.	Wimbledon Urban District.	(a) North (b) South	Between a point in Broadway 17 yards northward from a point in line with the north side of Victoria Crescent and Stanley Road. For a distance of 93 yards north-westward from Gladstone Road.
10	Merton Road	Wimbledon Urban District.	(a) South (b) South (c) South (d) North (e) East (f) East	For a distance of 12 yards westward from Russell Street. Between Russell Road and Palmerston Road. Between the Freemans Arms public-house and a point 30 yards southward from Latimer Road. Between a point 22 yards eastward from Stanley Road and Latimer Road. Between Latimer Road and a point 27 yards southward from that road. Between a point 57 yards southward from Quick's Road and a point 30 yards northward from High Street Merton.
10	High Street (Merton).	Wimbledon Urban District and Croydon Rural District.	North -	Between Nelson Road and Haydon's Road.
10	High Street (Merton) (carriage-way).	Wimbledon Urban District and Croydon Rural District.	North -	Between points respectively 17 yards and 113 yards eastward from Haydon's Road.
10	High Street (Merton).	Wimbledon Urban District and Croydon Rural District.	North	Between a point 113 yards eastward from Haydon's Road and a point 20 yards westward from Leyton Road.
10	High Street (Merton) (carriage-way).	Wimbledon Urban District and Croydon Rural District.	North -	Between Wandie Road and Wandle Bank.
10	High Street, Collier's Wood.	Croydon Rural District.	(a) North-west. (b) South-east. (c) South-east. (d) South-east.	Between points respectively 80 yards north-eastward from Wandle Bank and 43 yards north-eastward from Church Road. Between a point 112 yards south-westward from Church Road and Church Road. Between a point 107 yards north-eastward from Cavendish Road and Robinsen Road. Between a point 73 yards southward from Longley Road and Longley Road.
11	Worple Road	Wimbledon Urban District.	North-west.	Between a point 47 yards south-westward from Wimbledon Hill Road and Wimbledon Hill Road.

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No. of Tramway.	Name of Road or Street.	Borough Urban District or Rural District.	Side or Sides of Road or Street.	Description.
13	Haydon's Road -	Wimbledon Urban District.	(a) East (b) West (c) East (d) West (e) West (f) East (g) East	Between a point 30 yards northward from High Street Merton and Gilbert Road. Between a point 30 yards northward from High Street Merton and the north side of the recreation ground. Between the south side of the Horse and Groom public-house and Dryden Road. Between a point 80 yards southward from South Park Road and South Park Road. Between York Road and a point 7 yards south-eastward from Queen's Road. Between points respectively 72 yards south-eastward and 60 yards north-westward from Caxton Road. Between a point 93 yards south-eastward from Kohat Road and Plough Lane.
13	Plough Lane -	Wimbledon Urban District.	(a) South (b) North-west.	Between Haydon's Road and a point 68 yards eastward from the centre of the bridge carrying the road over the Wandle River. Between the bridge carrying the road over the Wandle River and the termination of the tramway.
14	Wimbledon Hill Road (carriageway). Authorised tramway: Claremont Road (carriageway). Authorised tramway: Ember Bridge - Authorised tramway: Mole Bridge - Authorised tramway: Bridge over Hogg's Mill River.	Wimbledon Urban District. Surbiton Urban District. East and West Molesey Urban District. East and West Molesey Urban District. Borough of Kingston.	North-east West - Both - Both - Both -	Between Woodside and St. Mark's Place. Between the Crescent and Maple Road. Between points respectively 15 yards north and 15 yards south from the centre of the bridge. Between points respectively 15 yards north and 15 yards south from the centre of the bridge. Between points respectively 16 yards north and 16 yards south from the centre of the bridge.

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SECOND SCHEDULE.

PROPERTIES OF WHICH PARTS ONLY ARE REQUIRED TO BE TAKEN.

Borough or District.	Numbers on deposited Plans.
Metropolitan borough of Hammersmith -	68 to 79 86 to 89 91 to 126.
Borough of Richmond - - -	5 to 9 10A 13 to 32 44 49 to 134 136 to 138 143 to 146 171 to 188.
Urban district of Barnes - - -	9 to 13 15 17 19 to 22 39 40 97A 109 113 116 to 118 123 to 125 128.
Urban district of the Maldens and Coombe	9 to 39.
Rural district of Croydon - - -	6 to 21 23 25 to 27 33 to 47 52 to 69.
Urban district of Wimbledon - - -	14 to 28 32 to 44 53 54 58 59 63 64 70 78 to 84 123 128 to 130 133 135 to 138 141 143 to 148 150 to 154 156 to 163 176 185 187 to 197 200 201 203 205 207 208 212 to 221 223 225 to 240 242 245 246 250 to 254 256 to 263 265 271 to 273 275 to 277 281 to 291 296 297 299 to 384 386 to 520 523.

THIRD SCHEDULE.

SCHEDULE OF FARES.

First Column.	Second Column.
HAMMERSMITH BROADWAY AND ACTON.	
Either way for any distance between the following points:— Hammersmith Broadway viâ Paddenswick Road and Askew Road and Acton and Ealing Boundary.	1d.
HAMMERSMITH BRIDGE (SOUTH SIDE) AND RICHMOND.	
Hammersmith Bridge (South Side) and the White Hart Hotel Barnes -	1d.
White Hart Hotel Barnes and Richmond at the junction of Lower Mortlake Road and Kew Road.	1d.
Hammersmith Bridge (South Side) and Richmond at junction of Lower Mortlake Road with Kew Road.	2d.

First Column.	Second Column.	A.D. 1902.
KEW BRIDGE AND RICHMOND.		
Kew Bridge and the London and South Western Railway Station at Richmond.	1 <i>d.</i>	
WIMBLEDON AND NEW MALDEN.		
The London County Boundary at Footing and Wimbledon Hill (Mansell Road).	1 <i>d.</i>	
The London County Boundary at Summerstown and Wimbledon Hill (Mansell Road).	1 <i>d.</i>	
Wimbledon Station (London and South Western Railway) and junction of Kingston Road New Malden.	1 <i>d.</i>	
New Malden (junction of Kingston Road) and Wimbledon Hill (Mansell Road).	1 <i>d.</i>	

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