



CHAPTER cxcii.

An Act for empowering the Ramsgate and Margate Tramways Company to construct additional Tramways, to raise further Capital, to use Steam or other Mechanical Power; and for other purposes. [26th August 1880.] A.D. 1880.

WHEREAS the Ramsgate and Margate Tramways Company (herein-after referred to as "the Company") were incorporated by the Ramsgate and Margate Tramways Act, 1879, (herein-after referred to as "the recited Act,") with a share capital of forty-five thousand pounds, and with power to borrow on mortgage any sum not exceeding eleven thousand pounds, and were authorised to construct certain tramways in the parishes or places of Margate, Saint Lawrence, Saint Peter's, and Saint John the Baptist, in the county of Kent, to be worked by animal power only: 42 & 43 Vict.
c. cxi.

And whereas it is expedient that the Company should be empowered to lay down and maintain the additional tramways in the county of Kent in this Act particularly described:

And whereas it is expedient that the Company should be empowered to use steam or other mechanical or motive power, in addition to or in substitution for animal power, for the purpose of working the tramways authorised by the recited Act and by this Act:

And whereas it is expedient that the Company should be empowered to raise additional capital for the purposes of this Act and for the general purposes of their undertaking:

And whereas it is expedient that some of the provisions of the recited Act with respect to the construction, working, and user of the tramways by that Act authorised should be altered, amended, extended, or repealed, and that other provisions should be enacted

A.D. 1880. with respect thereto, and for the protection of the local and road authorities, and otherwise as in this Act provided :

And whereas plans and sections showing the lines and levels of the tramways and other works by this Act authorised, and the lands to be taken for the purposes thereof, and a book of reference to those plans containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of those lands, have been deposited with the clerk of the peace for the county of Kent, and those plans, sections, and book of reference are in this Act referred to respectively as the deposited plans, sections, and book of reference :

And whereas the objects of this Act 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 Queen'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 Ramsgate and Margate Tramways Act, 1880.

Construction of Act. 2. This Act and the recited Act, as varied or amended by this Act, shall be read together as one Act.

Incorporation of general Acts. 33 & 34 Vict. c. 78.
26 & 27 Vict. c. 118.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.
8 & 9 Vict. c. 20.

3. Section three (interpretation of terms), section nineteen (local authority may lease or take tolls), and Parts II. and III. of the Tramways Act, 1870, Part II. (relating to additional capital) of the Companies Clauses Act, 1863, the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, and the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the temporary occupation of lands near the railway during the construction thereof, so far as the same respectively are applicable to and not varied or excepted by or inconsistent with the provisions of this Act, are hereby incorporated with and form part of this Act: Provided that in construing the said provisions of the last-named Act, the expressions "the railway" and "the centre of the railway" shall respectively be construed to mean the tramways and the respective centre lines of the tramways by this Act authorised, and the prescribed limits shall be twenty yards from any such centre line, and the word "land" shall not include houses or other buildings.

Interpretation of terms. 4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or in part incorporated with this Act have the same respective meanings, unless there be

something in the subject or context repugnant to such construction : A.D. 1880.

The expressions "the tramways" and "the undertaking" mean the tramways and works authorised by this Act;

For the purposes of this Act the word "contingencies," in section one hundred and twenty-two of the Companies Clauses Consolidation Act, 1845, shall be construed to include the contingency of the undertaking being sold to the local authority, under section forty-three of the Tramways Act, 1870, at a sum less than the aggregate amount of the capital and debts of the Company; and 8 & 9 Vict.
c. 16.

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

5. So much of section 5 of the recited Act as provides that before commencing to make, form, or lay down any part of Tramway No. 1, by that Act authorised, within the parish of Saint Lawrence, the Company shall permanently widen the roads in and through which such tramway is authorised to be made or laid down within such parish, is hereby repealed. Repeal of
part of s. 5 of
42 & 43 Vict.
c. cxxi.

6. Sections 6, 7 (except the power to enter upon, take, and use the lands therein specified), 26, 30, 33, 42, 48, and 50 of the recited Act are hereby repealed. Certain
sections of
recited Act
repealed.

7. The tramways shall be deemed to form part of the undertaking authorised by the recited Act, and all the provisions of that Act, except so far as they are varied, amended, or repealed by this Act, shall, as far as applicable, apply to the tramways in like manner in every respect as if the tramways formed part of the tramways authorised by the recited Act. Tramways to
form part of
authorised
undertaking
of Company.

8. Subject to the provisions of this Act, the Company may make, form, lay down, work, use, and maintain the tramways herein-after described, in the lines and according to the levels and (except where the tramways are constructed along any public road) within the limits of deviation shown on the deposited plans and sections, and in all respects in accordance with those plans and sections, with all proper rails, plates, chairs, sleepers, roadways, roads, road-widenings, footways, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the deposited plans and described in the deposited Power to
make tram-
ways.

A.D. 1880. book of reference, as are required for the purposes of this Act: Provided always, that the compulsory powers of entering upon, taking, and using land hereby conferred shall be exercised only in respect of such of the said lands as are specified in the First Schedule to this Act annexed. The tramways herein-before referred to and authorised by this Act are—

Tramway No. 1. A double line, being an extension of the authorised tramways, 2 furlongs 6·65 chains in length, commencing at a point in Hereson Road, in the parish of Saint Lawrence, near the junction of the said road with Victoria Road, passing thence through King Street, and terminating at the junction of that street with the High Street opposite the Town Hall, in the parish of Ramsgate :

Tramway No. 2. A single line, 1 furlong 4·65 chains in length, commencing at a point in King Street on Tramway No. 1 in the parish of Ramsgate twenty yards from the Bench mark on the store house opposite Newcastle Hill, measured in a southerly direction, and proceeding in a westerly direction into Turner Street, then turning southwards along that street into and along Broad Street, and terminating by a double junction with Tramway No. 1 in King Street at points respectively seven yards, measured in a south-easterly direction, and eleven yards, measured in an easterly direction, from the Bench mark on the south side of and near the easterly end of Broad Street, in the parish of Ramsgate :

Tramway No. 3. A single line, one furlong seven chains in length, in Hereson Road, in the parish of Saint Lawrence, commencing at a point on the authorised tramway opposite Mr. Farley's entrance gate in the said road, forming a double line with the authorised tramway, and terminating by a junction with and at the point of commencement of the easternmost line of Tramway No. 1 :

Tramway No. 4. A single line, 1 furlong 6·80 chains in length, commencing at a point on the authorised line of tramways on the road from Ramsgate to Saint Peter's 1·30 chains from the telegraph post, near the south-east corner of Dumpton Park, in the parish of Saint Peter the Apostle, measured in a southerly direction, and terminating by a junction with the authorised line of tramways in that road at a point opposite the junction of the same road with the footpath leading from the "Brown Jug" public-house to Broadstairs :

Tramway No. 5. A passing-place, consisting of a single line, two and a half chains in length on the road from Saint Peter's to

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Ramsgate, in the parish of Saint Peter the Apostle, commencing and terminating by junctions with the authorised line at points fourteen and sixty-nine yards respectively from the guide post at the corner formed by the intersection of that road and the road from Bromstone to Broadstairs, measured in a south-easterly direction :

Tramway No. 6. A single line, 3 furlongs 6·50 chains in length, commencing at a point on the authorised line of tramways on the road from Ramsgate to Saint Peter's fourteen yards from the guide post on the corner formed by the intersection of that road and the road from Bromstone to Broadstairs, in the parish of Saint Peter the Apostle, measured in a south-easterly direction, passing through land on the northern side of the last-mentioned road into and along Gladstone Road, and terminating by a double junction with the authorised line on the road from Saint Peter's to Broadstairs at points respectively ten yards east and ten yards west of the centre line of Gladstone Road :

Tramway No. 7. A single line, 1 furlong 9·4 chains in length, commencing at a point directly opposite the south-west corner of the garden wall of the "Albion" public-house; on the authorised line in the road from Broadstairs to Saint Peter's, in the parish of Saint Peter the Apostle, and terminating by a double junction with the authorised line on the said road at points five and a half yards, measured in a northerly direction, and fourteen and a half yards, in a southerly direction respectively, from the boundary stone on the south-west corner of the field known as Worin's Paddock :

Tramway No. 8. A single line, fourteen and a half yards in length, connecting the authorised lines of tramways at the junction of the footpath from Saint Peter's to Bromstone and the road from Ramsgate to Saint Peter's, in the parish of Saint Peter the Apostle, commencing at a point nine yards from the said junction, measured in an easterly direction, and terminating at a point nine yards from the said junction, measured in a westerly direction :

Tramway No. 9. A passing-place, consisting of a single line, two and a half chains in length, on the road from Saint Peter's to Margate, in the parish of Saint John the Baptist, commencing and terminating by junctions with the authorised line of tramway at points respectively four chains and six and a half chains from the boundary of the parish of Saint Peter the Apostle, measured in a north-westerly direction along the same road :

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Tramway No. 10. A single line, four furlongs in length, commencing at a point on Marine Terrace, Margate, in the parish of Saint John the Baptist, eleven feet from the drinking fountain on Marine Terrace, measured in a southerly direction, and proceeding along Marine Terrace and the Marine Drive or Parade, and terminating at a point seven yards from the southwest corner of the "Ship" Inn, measured in a westerly direction:

Tramway No. 10A. A single line, three chains in length, commencing and terminating by junctions with Tramway No. 10 at points three and a half chains and one chain respectively from the termination of Tramway No. 10, measured in a southerly direction.

The tramways herein-before described will be situate in the parishes of Ramsgate, Saint Lawrence, Saint Peter the Apostle, and Saint John the Baptist, or some or one of them, in the county of Kent.

Increase of
number of
director, and
quorum.

9. Notwithstanding anything in the Act of 1879 contained, the Company may from time to time increase the number of directors, provided that the number shall not at any time exceed five, and may again from time to time reduce the number of directors, provided that the number shall not at any time be less than three, and when the number of directors exceeds three the quorum for meetings of directors shall be three.

Power to
raise addi-
tional capital.

10. The Company may, subject to the provisions of Part II. of the Companies Clauses Act, 1863, raise any additional capital, not exceeding in the whole forty thousand pounds, by the issue at their option of ordinary shares or preference shares, or partially by one of those modes and partially by the other: Provided that the Company shall not issue any share of less nominal value than ten pounds, nor shall any share vest in the person or corporation accepting the same unless and until a sum, not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Shares on
additional
capital to be
subject to
same inci-
dents as other
shares.

11. The additional capital created by the Company under this Act, and the shares therein and the holders thereof respectively, shall be subject and entitled to the same powers, provisions, liabilities, rights, privileges, and incidents whatsoever in all respects as if that capital were part of the capital of the Company created under the recited Act of the same class, and the shares in such additional capital were shares in that capital.

Dividends on
shares in
additional
capital.

12. Every person who becomes entitled to shares in the additional capital shall, in respect of the same, be a holder of shares in

the Company, and shall be entitled to a dividend with the other holders of shares of the same class, proportioned to the whole amount from time to time called up and paid by him on such shares.

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13. In addition to the sums which the Company are already authorised to borrow, they may from time to time borrow on mortgage, in respect of the additional capital of forty thousand pounds by this Act authorised to be raised by shares, any sums not exceeding in the whole ten thousand pounds; but in no case shall any part of the said sum of ten thousand pounds be borrowed until the Company have proved to the justice who is to certify under section forty of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of the additional capital of forty thousand pounds has been issued and accepted, and that one half of such capital has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such shares were issued *bonâ fide*, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

Power to borrow in respect of additional capital.

8 & 9 Vict.
c. 16.

14. All mortgages granted by the Company before the passing of this Act, and subsisting at the passing thereof, shall, during the continuance of such mortgages, have priority over any mortgages granted by virtue of this Act.

Existing mortgages to have priority.

15. All moneys raised on mortgage by the Company under this Act, and the interest due thereon, shall have priority against the Company and the property from time to time of the Company, over all other claims on account of debts incurred or engagements entered into by the Company after the passing of this Act; but this priority shall not affect any claim against the Company in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Consolidation Act, 1845, or the Lands Clauses Consolidation Acts Amendment Act, 1860, nor shall anything in this section contained affect any claim for land taken, used, or occupied by the Company for the purposes of the Company's undertaking and works, or injuriously affected by the construction thereof, or by the exercise of any powers conferred on the Company.

Priority of mortgages over other debts.

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Appointment
of a receiver.

16. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than two thousand pounds in the whole.

Short title of
Act to be
marked on
mortgage.

17. Every mortgage granted by the Company shall be marked with the short title of the Act under which the same is granted.

Application
of moneys.

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

Mode of
formation of
tramways.

19. Subject to the provisions of this Act, every tramway made or laid down under the authority of this Act and the recited Act shall be formed with two grooved rails or with improved rails, if required by the Board of Trade, and shall be laid and maintained in such manner as to be on the level with the surface of the road, and shall be constructed on a gauge of two feet six inches and a half, and the said rails shall be such as the Board of Trade may approve: Provided always, that so much of section 34 of the Tramways Act, 1870, as limits the extent of any carriage used on any tramway of the Company beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramways authorised by the recited Act and this Act, but no such carriage shall be of a greater width in any part than six feet six inches: Provided further, that no carriage exceeding five feet six inches in width shall, without the previous consent in writing of the Ramsgate Improvement Commissioners or the Local Board of the Broadstairs and Saint Peter's District, be used on any tramway in the district of the said Commissioners or of the said local board respectively in any road or street where the same is of less width than thirty-five feet.

Return of
deposit
money.

20. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, a sum of seven hundred and fifty pounds (being equal to five per centum upon the amount of the estimate in respect of the tramways) has been transferred into the Court, that is to say, the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act (which sum is referred to in this Act as the deposit fund): Be it enacted, that, notwithstanding anything contained in that Act, the said deposit fund shall not be paid or transferred to or on the application of the person or persons, or the majority of the persons,

named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them (which persons, survivors, or survivor are or is in this Act referred to as the depositors), unless the Company shall previously to the expiration of the period limited by this Act for completion of the tramways open the same for the public conveyance of passengers: Provided that if within such period as aforesaid the Company open any portion of the tramways for the public conveyance of passengers, then, on the production of a certificate of the Board of Trade specifying the length of the portion of the tramways opened as aforesaid, and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the tramways so opened bears to the entire length of the tramways, the said Court shall, on the application of the depositors, order the portion of the deposit fund specified in such certificate to be paid or transferred to them, or as they shall direct, and the certificate of the Board of Trade, if signed by a secretary or by an assistant secretary of that Board, shall be sufficient evidence of the facts therein certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

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21. If the Company do not, previously to the expiration of the period limited by this Act for the completion of the tramways authorised by this Act, complete and open the same for the public conveyance of passengers, then and in every such case the deposit fund, or so much thereof as shall not have been paid to the depositors, shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the tramways, or any portion thereof, and also in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively, and in making good all damage caused to such road by the construction or abandonment of such tramway, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the said Court may seem fit; and if no such compensation is payable, or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation, then the deposit fund, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly

Application
of deposit.

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be paid or transferred to or for the account of Her Majesty's Exchequer, in such manner as the said Court thinks fit to order on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the said Court, if the Company is insolvent and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver, or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof: Provided that until the deposit fund has been repaid to the depositors, or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the depositors.

Period for
completion of
works.

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

Inspection
by Board of
Trade.

23. No portion of the tramways by this or the recited Act authorised shall be opened for public traffic until such portion has been inspected and certified to be fit for such traffic by the Board of Trade.

Power to
alter position
of tramway
in any road
to facilitate
traffic in
same.

24. In any case where it may appear to be more convenient to the general traffic and the public user of or to the frontagers of any road within the district of the Ramsgate Improvement Commissioners to have the tramway within the said district, or any part thereof, laid on one side of the centre of the roadway, or laid as a double line on both sides of the centre of the roadway, the Company may, with the consent in writing of, and shall if required by, the Ramsgate Improvement Commissioners, lay and maintain the tramway on one side or on both sides of the centre of the roadway, as the case may be: Provided always, that except in cases where any such tramway is by this Act or the recited Act authorised to be so laid that a less space than nine feet six inches will intervene between the outside of the footpath on either side of the road and the nearest rail of the tramway, the Company shall not alter the position of any tramway under the provisions of this section so that a less space than nine feet six inches will intervene between any rail and the outside of the footpath on either side of the road, if any owner or

occupier of premises abutting on the part of the road where such rail is proposed to be laid shall, by writing under his hand addressed to the Company, express his objection thereto.

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25. Where in any road in which a double line of tramway is laid there is less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches, the Company shall and they are hereby required to construct a passing-place or passing-places connecting the one tramway with the other, and by means of such passing-place or passing-places the traffic shall, when necessary, be diverted from one tramway to the other.

Passing-places to be constructed where less than a certain width left between footway and tramway.

26. The Company may at any time hereafter, with the consent in writing of the road authority first obtained, remove any passing-place, and with the like consent may make, alter, shorten, or lengthen any passing-place which may be desirable to facilitate the ordinary traffic, and the Company may make a passing-place in Broad Street between Turner Street and King Street, and at any time hereafter the lines in Broad Street may be made to communicate with any lines in King Street passing Broad Street.

Power to remove or alter passing-places, &c.

27. The Company at any time hereafter may, with the consent in writing of the road authority, alter or remove their line of tramways and works so as to correspond with any deviation, alteration, or improvement in any road or street made or sanctioned by such authority or authorised by this Act.

Power to make tramways to correspond with alterations in streets, &c.

28. The Company shall from time to time, when required by the Local Board of the Broadstairs and Saint Peter's District, from time to time make such passing-places within the said district, in addition to the passing-places shown upon the plans deposited for the purposes of this Act and the recited Act, as may be necessary to meet the requirements of the traffic using the roads along which any tramway is laid; and if any difference shall at any time arise between the Company and the said local board as to the necessity for providing any such additional passing-place, the same shall be determined in manner provided by section thirty-three of the Tramways Act, 1870, for the settlement of differences between the promoters and local authorities.

Protection of the Broadstairs and Saint Peter's District Local Board.

29. During the construction and before the completion of Tramway No. 1 by the recited Act authorised, the Company shall, if required by the owners of the Dumpton estate, in the parishes of Saint Lawrence and Saint Peter, widen the public road along which it is proposed to construct such tramway through the said Dumpton

Protection of the owners of the Dumpton estate.

A.D. 1880. estate, so that so much of such public road as is traversed by the said tramway shall, when widened, measure not less than thirty-five feet from frontage to frontage: Provided nevertheless, that the Company shall not be required to widen the said road between the points of commencement and termination of Tramway No. 4 by this Act authorised except where such road abuts upon land belonging to the said owners; and the said owners shall sell and convey to the Company so much of the said lands as shall be required for widening the said road at a price to be determined, failing agreement, in manner provided by the Lands Clauses Consolidation Act, 1845, for determining questions of disputed compensation.

Protection of
the Corpora-
tion of Mar-
gate.

30. For the protection of the mayor, aldermen, and burgesses of the borough of Margate (herein-after called "the Corporation") the following provisions shall have effect:

1. The Company, before laying down the tramway, described as Tramway No. 1 in and authorised by the recited Act, in Queen Street, Margate, shall widen that street in a uniform manner on the south side thereof by setting back the premises known as Numbers 9, 10, and 11 in that street, and the pavement in front of the same, so that the frontage of the said premises shall form a uniform curve or bend, commencing in a line with the frontage of the premises numbered 12 and 13 in that street, and terminating at the north-western corner of the premises numbered 8 in the same street; and the Company shall execute the work of widening the roadway of that street and the pavement thereof with all reasonable despatch after commencing such work, and to the reasonable satisfaction of the surveyor for the time being of the Corporation:
2. The Company shall not commence to construct Tramway No. 10 and Tramway No. 10A by this Act authorised without the previous consent of the Corporation, to be signified in writing under their corporate seal; and the Company, if they construct such tramways, shall pave and keep paved with such materials as the Corporation may require, and to their reasonable satisfaction, the whole space of roadway between the rails of those tramways, and also the portion of roadway between the same where they form a double line, and so much of the roadway as extends eighteen inches beyond the rails of and on each side of the said tramways.

Protection of
the Rams-
gate Im-

31. With reference to the construction, maintenance, and user of the tramways by this and the recited Act authorised, or any

part thereof respectively, within the district of the Ramsgate Improvement Commissioners or Urban Sanitary Authority for the district of Ramsgate (herein-after called "the Commissioners"), and for the protection and benefit of the Commissioners, the following provisions, in addition to the other provisions of this Act and of the recited Act (except where the same are repealed or altered by this Act), shall be observed and have effect; (that is to say,)

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Improvement
Commissioners.

- (A.) Before commencing the construction of any part of Tramway No. 1, authorised by the recited Act, in the parish of Saint Lawrence, the Company shall permanently widen to a uniform width of thirty-five feet, including the footways, so much of the Hereson Road as lies between the northerly end of Taylor's stone yard and the northerly side of Trinity Place; and so long as the Company shall use that part of the Hereson Road they shall at their expense, from and after the completion of the said tramways therein, thenceforth at all times maintain and keep in good repair the whole width of the carriageway of such portion of the said road:
- (B.) Before commencing to construct or lay down any tramway in King Street, in the parish of Ramsgate, between the southerly end of Saint Paul's Schools and a point in such street opposite the northerly side of the Plains of Waterloo, the Company shall permanently widen such portion of King Street to a width throughout of not less than thirty-five feet, including footways:
- (C.) In constructing Tramway No. 2 the Company shall at their expense in all things acquire the necessary property for and lay out the same as a new road in the line of the last-mentioned tramway, such new road commencing at or near the junction of Belmont Street with King Street, and terminating at or near the north end of Turner Street, of the uniform width throughout of thirty-five feet, including footways. On the approval by the Commissioners of such new road as herein-after provided, the Company shall dedicate the same to the public, and thenceforth such new road shall be repairable by the inhabitants at large:
- (D.) Before commencing the construction of any tramway in Broad Street, in the parish of Ramsgate, the Company shall permanently widen such street from its junction with Turner Street to its junction with King Street, to a width throughout of forty feet, including footways, and shall permanently widen King Street from the northerly side of Broad Street to the

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southerly side of the entrance to Watson's yard and stables, to a width throughout of thirty-five feet, including footways :

(E.) The Company shall at their expense pave, maintain, and keep in good repair at all times, so long as they shall use the same, the whole width of the carriageway of Hereson Road and King Street respectively aforesaid, from the northerly side of Trinity Place in Hereson Road to the southerly end of Saint Paul's Schools in King Street :

(F.) The Company shall not construct or lay down any tramway in any part of King Street between the Plains of Waterloo and High Street unless such part of King Street shall be of a width of not less than thirty-five feet, including footways :

(G.) If the Company commence the construction of the Tramways Nos. 1 and 2 by this Act authorised, or either of them, in the parish of Ramsgate, the Company shall provide and expend, within three years after commencing such construction, the sum of ten thousand pounds at the least (in addition to the other sums of money hereafter mentioned in this sub-section) in acquiring the land and property for, and making, forming, and completing the new road (C), the widening of Hereson Road (A), the widening of King Street (B), the widening of Broad Street and King Street (D), and the paving of the Hereson Road and King Street (E), in this section respectively herein-before provided for, and in constructing, laying down, and completing Tramways No. 1 and No. 2 by this Act authorised, and in the works, outlay, and expenses in connexion therewith respectively; and after providing for and executing such works, matters, or things respectively, and so far as the residue of such sum will extend, the Company shall apply and expend such residue in widening King Street, as herein-after provided. Such sum of ten thousand pounds shall be placed to a separate account, to be called the Tramways Nos. 1 and 2, and King Street Widening, &c. Account. All moneys received by the Company in respect of the sale of land or other property and building materials acquired, and not retained by the Company for the purposes of or in connexion with all or any of the objects and purposes in this sub-section mentioned, shall be carried to the like account, and all such moneys in addition to the said sum of ten thousand pounds shall be applied, so far as may be necessary, in effecting and completing the said several objects and purposes in this sub-section mentioned, and the balance (if any), not being interest, standing to the credit of such account, shall be applied towards the cost of acquiring

the necessary property for and widening the remainder of King Street between the Plains of Waterloo and High Street to a width of thirty-five feet, including footways; and the balance (if any) remaining after effecting and completing such last-mentioned widening shall become the absolute property of the Company :

- (H.) The new road (c) and the several street widenings in this section provided for shall respectively in all things be made, done, and effected by the Company at their expense; and the same respectively shall be made, formed, executed, channelled, and completed to the reasonable satisfaction of the Commissioners, to be expressed by them in writing under their common seal; and the paving, maintaining, and repairing the several roads and streets, and portions of roads and streets, which the Company are under this section to pave, maintain, and repair, shall be done to the reasonable satisfaction of the surveyor for the time being of the Commissioners: Provided that in making such new road and street widenings respectively, the Company shall not be required, before laying down the said tramways therein, to form, pave, or metal so much of the roadway thereof respectively as will be occupied by and lie between the rails of such tramways; but such portions of the said new road and street widenings shall be formed, paved, and metalled as aforesaid before the said tramways are opened for traffic :
- (J.) Subject to the provisions of this Act, sections thirty-two and forty-six of the recited Act shall respectively extend and apply to the several tramways by this Act authorised: Provided that the hours mentioned in section forty-six of the recited Act may be altered by agreement in writing between the Company on the one hand and the Commissioners and the corporation of Margate on the other hand, subject to the approval of the Board of Trade, and failing such agreement the hours may on the application of either party be determined by the Board of Trade :
- (K.) Except Tramway No. 2 by this Act authorised, no tramway of the Company within the Commissioners district shall, without their reasonable consent in writing, be under construction, renewal, or repair, nor shall the roads along which any such tramway is intended to pass be in any way broken up or obstructed by the Company, their contractors or servants, between the first day of July and the fifteenth day of September in any year, except to remedy accidents or under circumstances beyond the control of the Company :

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(L.) Subject to the provisions of this Act, the Company shall pave, and from time to time repair and maintain, and with such materials and in such manner as the Commissioners by their surveyor shall direct, and to his reasonable satisfaction, the whole space between the rails and for a distance of eighteen inches beyond each external rail of the tramways in their district, and the whole space between the two lines of such tramways where the same are double.

Protection of
the gas and
water under-
takings of
the Rams-
gate Im-
provement
Commis-
sioners.

32. For the protection and benefit of the gas and water undertakings respectively of the Commissioners, the following provisions numbered one to ten, both numbers inclusive, shall apply and have effect to and as regards the construction, maintenance, and user of the several tramways and works of the Company for the time being; (that is to say,)

- (1.) The word "apparatus" when hereafter used in this section includes gas and water mains, pipes, syphons, plugs, valves, firecocks, hydrants, and all other apparatus for the supply of gas or water:
- (2.) All works, matters, or things which the Company are or may be empowered to do or execute with reference to the apparatus of the Commissioners shall be done and executed by and at the expense of the Company, but to the reasonable satisfaction of the engineer for the time being of the Commissioners:
- (3.) No such work, matter, or thing shall be commenced till after fourteen days notice thereof in writing, accompanied by a plan of the proposed works, shall have been given by the Company to the Commissioners, and if the Commissioners give notice in writing to the Company within seven days after the receipt by them of notice of the intended commencement by the Company of any such work, matter, or thing that they intend themselves to do or execute such work, matter, or thing, they may do or execute the same accordingly, and the Company shall on the completion thereof pay to the Commissioners the reasonable expenses incurred by them in the doing and execution thereof:
- (4.) If any interruption whatsoever in the supply of gas or water by the Commissioners shall be in any way occasioned by the Company, or by the acts of any of their contractors, agents, or workmen, the Company shall forfeit and pay on demand to the Commissioners a sum not exceeding twenty pounds for every day or part of a day during which such interruption shall continue, and every such sum may be recovered with full costs of suit by the Commissioners in any court of competent jurisdiction:

- (5.) If by reason of the construction or maintenance of any of the tramways of the Company any new, substituted, or additional apparatus be requisite, the cost of constructing, providing, and laying such apparatus shall be paid by the Company, subject to credit being given to the Company for the value of any apparatus rendered useless by the construction or maintenance of the tramways, and removed by the Commissioners: Provided that if such substituted apparatus be of increased dimensions, or of a more expensive character, the additional cost thereof shall, unless the same be occasioned by the tramways, be borne by the Commissioners: A.D. 1880.
- (6.) The expense of all repairs or renewals of any apparatus of the Commissioners, or any works in connexion therewith which may at any time hereafter be rendered necessary by reason of the use of steam or other mechanical power on any of the tramways by this or the recited Act authorised, or by the acts or defaults of the Company, their agents, officers, or workmen, shall be borne and paid by the Company, and may be recovered against them by the Commissioners in any court of competent jurisdiction:
- (7.) If and when the Company acquire and appropriate any lands, houses, and buildings which are served with gas or water by the Commissioners, or do any act or thing whereby any apparatus of the Commissioners becomes useless for supplying gas or water, the Company shall at their own expense take up such apparatus, and shall deliver the same to the Commissioners in as good a condition as such apparatus was in immediately before it was taken up or interfered with, or at the option of the Company pay to the Commissioners the value of the same, to be determined by the Commissioners:
- (8.) The Commissioners shall not be liable for any loss or damage which may happen to the tramways, or works, or appurtenances connected therewith by this Act or the recited Act authorised, by reason of any accident which may at any time happen to the apparatus of the Commissioners at, under, or near the tramways, nor for any loss or damage to the Company arising from the stoppage or loss of traffic on the tramways during the repairing, renewing, or removing of any such apparatus or other works which may be necessary in consequence of such accident, unless such loss or damage shall have been occasioned by the wilful act, default, or neglect of the Commissioners, or of their agents, officers, or workmen:
- (9.) Nothing in this Act shall prevent the Commissioners from
- [Local.-192.]

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—

laying or making at their own expense, from time to time as they may think fit, such new, substituted, or additional apparatus in connexion with any of their existing apparatus, or from time to time inspecting any of their apparatus at, under, across, or near the tramways, and the Commissioners shall not be liable for any damage to the tramways or works connected therewith, or for any stoppage of the tramways, or loss of traffic thereon that may be caused by any of the matters aforesaid: Provided that the works of the Commissioners shall be carried on so as to interfere as little as possible with the tramways, and the traffic on the tramways, and so far as they affect the tramways according to the reasonable directions and under the superintendence of the engineer for the time being of the Company:

- (10.) The Commissioners shall not be held liable for any damage or injury done to the tramways by reason of any works to be executed under the powers of any Act relating to the Commissioners, or consequent on the execution thereof, unless such damage or injury shall have been occasioned by the wilful act, default, or neglect of the Commissioners, or of their agents, officers, or workmen:
- (11.) All moneys to be paid by the Company to the Commissioners under or by reason of any of the provisions of this section shall be payable on demand, and in default thereof may be recovered with full costs of suit in any court of competent jurisdiction:
- (12.) If any difference arise between the Company or their engineer, and the Commissioners or their engineer or surveyor, with respect to the amount of any costs, expenses, or charges, which under the provisions of this Act are to be paid by the Company to the Commissioners, or with respect to any work, matter, or thing to be done or executed under this Act, or the mode of doing or executing the same, or with reference to any other matter arising under this Act, such difference shall be determined by arbitration in manner provided by the Companies Clauses Consolidation Act, 1845, with respect to the settlement of disputes by arbitration:
- (13.) Except as in this Act specially provided, nothing in this Act shall extend or be construed to extend to affect, prejudice, diminish, alter, or take away any of the rights, privileges, powers, authorities, or duties of the Commissioners.

Purchase of
lands by
agreement.

33. The Company may from time to time purchase and acquire by agreement for the purposes of their undertaking, and hold in

addition to any lands which they are authorised to take by compul- A.D. 1880.
sion, any lands not exceeding in the whole four acres.

34. The Company may build upon any lands to be purchased or acquired by them, or they may take on lease any offices, stables, sheds, carriage-houses, workshops, and other buildings, yards, and conveniences for their undertaking, and the Company may sell, lease, or dispose of any lands to be purchased or acquired by them, or any part thereof, and not required for the purposes of or in connexion with the tramways and other works by this Act and the recited Act authorised. Power for the Company to build offices, &c., and to sell or let lands.

35. A list of the tolls and charges by this Act and the recited Act authorised to be taken for passengers, including therein the cheap fares for the labouring classes, and which shall be charged by the Company from time to time, shall be exhibited in a conspicuous place inside each of the carriages used upon any of their tramways. List of tolls to be exhibited.

36. Every passenger travelling upon any of the tramways shall be entitled to have his personal luggage, not exceeding twenty-eight pounds in weight, carried without any charge being made for the carriage thereof: Provided that such luggage shall, if required by the Company, be carried by hand and at the responsibility of the passenger, and shall not occupy any part of a seat, nor be of a form or description to annoy or inconvenience other passengers. Passengers luggage.

37. The tramways by this Act and the recited Act authorised may be used for the carriage of passengers, animals, goods, articles, substances, and things, but the Company shall not be bound, unless they think fit, to carry passengers luggage exceeding twenty-eight pounds in weight, nor any animals, goods, articles, substances, or things: Provided always, that the Company shall have power to attach to their carriages, or run separately, trucks for the purpose of conveying the same. Company not bound to carry animals or goods, &c.

38. The Company may demand and take, in respect of any animals, goods, articles, substances, or things conveyed by them on the tramways by this Act and the recited Act authorised, including the use of the tramways, waggons, and trucks, and motive power, and every other expense incidental to such conveyance (except a reasonable sum for loading or unloading, and for delivery and collection of goods, articles, substances, and other things, and any other service incidental to the business of a carrier, where any such service is performed by the Company) any tolls or charges not exceeding the rates per mile following: Regulations as to tolls for animals, goods, &c.

For every horse, mule, or other beast of draught or burden, per head sixpence:

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For every ox, cow, bull, or head of cattle, per head fivepence :

For every calf, pig, sheep, or other small animal, per head three-pence :

For all coals, culm, cannel, limestone, chalk, lime, salt, sand, fireclay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton threepence :

For all timber, deals, staves, iron, ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, bricks, slag, and stone, stone for building, pitching, and paving, tiles, slates, and clay (except fireclay), and for wrought-iron not otherwise specially classed herein, and for heavy iron castings, including railway or tramway chairs and plates, per ton fourpence :

For all sugar, grain, corn, flour, hides, dyewoods, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton fivepence :

For cotton, wools, drugs, manufactured goods, earthenware, and all other wares, coke, charcoal, merchandise, fish, vegetables, and all other articles, matters, or things not otherwise specially classed herein, per ton sixpence :

For every carriage of whatever description having two wheels, one shilling :

For every carriage of whatever description having four wheels, one shilling and sixpence.

With respect to small parcels not exceeding five hundredweight in weight, and single articles of great weight, notwithstanding anything in this Act or the recited Act, the Company may demand and take any tolls and charges not exceeding the following ; (that is to say,)

For any parcel exceeding fifty-six pounds, and not exceeding five hundredweight, such sum as the Company may think fit :

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the carriage of any boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, exceeds four tons but does not exceed eight tons, such sum as the Company may think fit, not exceeding two shillings per ton :

For the carriage of any single piece of timber, stone, or machinery, or other single article the weight of which, including the

carriage, exceeds eight tons, such sum as the Company may think fit: A.D. 1880.

For animals, goods, articles, substances, or things conveyed on the tramways for a less distance than three miles, the Company may demand tolls and charges as for three miles:

For a fraction of a ton (except in the case of small parcels), the Company may demand tolls according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton:

With respect to all articles except stone and timber, the weight shall be determined according to the usual avoirdupois weight:

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity:

With respect to bulky articles or goods, the Company shall have the option of charging per ton measurement, reckoning at the rate of fifty cubic feet to the ton.

39. The tolls and charges by this Act and the recited Act authorised shall be paid at such times and places and to such persons upon or near to the tramways, and in such manner, and under such regulations as the Company may from time to time by notice to be annexed to the list of tolls appoint. Mode, &c. of
payment of
tolls.

40. If at any time after three years from the opening for public traffic of the tramways, or any portion of the tramways, by this Act or the recited Act authorised, or after three years from the date of any order made in pursuance of this section in respect of the tramways, or any portion of the tramways, it is represented in writing to the Board of Trade by the local authority of any district in which the tramways or such portion of the tramways are or is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Company, that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramways or on such portion of the tramways should be revised, the Board of Trade may (if they think fit) direct an inquiry by a referee, to be appointed by the said Board, in accordance with the provisions of the Tramways Act, 1870, and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on

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such portion of the tramways in such manner as they think fit, and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section: Provided always, that the tolls and charges prescribed by any such order shall not exceed in amount the tolls and charges by this Act authorised.

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

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

Power to make sidings and junctions where necessary.

42. The Company may, subject to the provisions of this Act, with the consent in writing of the road authority, from time to time make, maintain, alter, shorten, or lengthen, and remove such crossings, passing-places, sidings, junctions, and other works in addition to those particularly specified in and authorised by this Act as the Company find necessary or convenient for the efficient working of the tramways, or for providing access to any warehouses, stables, engine sheds, or carriage-houses or works of the Company: Provided that in the construction of any such works no rails shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road if any owner, lessee, or occupier of premises abutting on the place where such rail is proposed to be laid shall by writing under his hand addressed to the Company state his objection thereto.

Form and delivery of notices.

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

(1.) Every notice shall be in writing or print, or partly in writing

and partly in print, and if given by any local authority or any road authority shall be sufficiently authenticated by being signed by their clerk or secretary where not in this Act otherwise provided :

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- (2.) Where not in this Act otherwise provided, any notice to be delivered by or to the Company to or by any local authority, or any road authority, or other body, or any company, may be delivered by being left at the principal office of that authority, body, or company, or of the Company (as the case may be), or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office.

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

Interest not to be paid on calls paid up.

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

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

46. The carriages used on the tramways by this Act and the recited Act authorised may, subject to the provisions of this Act, be moved by steam power or other mechanical power during a period of seven years after the opening of the tramways for public traffic, and with the consent of the Board of Trade during such further periods of seven years as the said Board may from time to time by order specify : Provided that the exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to the regulations set forth in the Second Schedule to this Act annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit for securing to the public all reasonable protection against danger in the exercise of these powers.

Power to use steam or other mechanical power.

47. If the Company use steam or any mechanical power on any of the said tramways contrary to the provisions of this Act, or to

Penalty for using steam or mechanical power.

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cal power
contrary to
order or
regulations.

any regulation made by the Board of Trade as aforesaid, they shall for every such offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues: Provided always, that whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the Company, or any person using steam or any mechanical power on the tramways of the Company under the authority of this Act, have or has made default in complying with the provisions of this Act, or with any of the regulations set forth in the Second Schedule to this Act annexed, or with any regulation which may have been made as aforesaid, may by order direct the Company or such person to cease to exercise the powers aforesaid, and thereupon the Company or such person shall cease to exercise the powers aforesaid and shall not again exercise the same or any of the same unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws for
regulating
user of steam,
&c.

48. Subject to the provisions of this Act the Board of Trade may from time to time make and when made may rescind, annul, or add to byelaws with regard to all or any of the tramways of the Company upon which steam or any mechanical power may be used under the authority of this Act for all or any of the following purposes; (that is to say,)

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine:

For regulating the emission of smoke or steam from engines used on the tramways of the Company:

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places and in such cases of horses being frightened or of impending danger as the Board of Trade may deem proper for securing safety:

For regulating the entrance to, exit from, and accommodation in, the carriages used on the tramways of the Company, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages:

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramways of the Companies by exhibition of the same in conspicuous places on the carriages and elsewhere.

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

49. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Act, and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Act.

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Recovery of penalties.

50. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority, with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Act, or by any regulation or byelaw made by the Board of Trade under the authority of this Act, at which engines are to be driven or propelled on the tramways under the authority of this Act; but the local authority may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Amendment of 33 & 34 Vict. c. 78., as to byelaws by local authority.

51. All orders and byelaws made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant secretary of the Board of Trade, and when so signed the same shall be deemed to have been duly made in accordance with the provisions of this Act.

Orders and byelaws.

52. Before the Company or any person use steam or any mechanical power under the authority of this Act on the tramways or any part thereof, they or he shall give two months previous notice of such intention to every road authority within whose district the tramways or any part thereof upon which they or he intend to use such power are or is situated. Where at the time of the giving of any such notice any contract, agreement, or arrangement is in force with respect to the user by the Company, or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority, upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Company or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road; then and in every such case with the consent of the Board of Trade it shall be lawful for the Company or such person by such notice or for such road authority, by notice to be served upon the Company or such person not later than forty days after the receipt by such road authority of such first-mentioned notice to determine such contract, agreement, or arrangement, and thereupon such contract, agreement, or arrangement, shall from and after the commencement

Contracts with road authorities where steam or mechanical power is to be used.

A.D. 1880. of the use of steam or any mechanical power upon such tramways or such part thereof be determined and of no effect.

Before using steam or any mechanical power on the tramways or any part thereof, and thereafter from time to time the Company or such person and every such road authority may enter into or renew, with or without modification, any contract, agreement, or arrangement with respect to the user by the Company or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which such tramways or such part of such tramways are or is used, or with respect to the payment by the Company or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, which they may think fit and the Board of Trade may approve.

In case any difference arises between any such road authority and the Company or such person as to the determination of any such contract, agreement, or arrangement, or in case any such road authority after request in writing by the Company or such person, or the Company or such person after request in writing by any such road authority during a period of one month after such request refuse or fail to enter into any such contract, agreement, or arrangement, or to renew the same with or without modification, or to make a new contract instead thereof, or in case of any difference as to the terms of any such contract, agreement, or arrangement, or any renewal thereof, with or without modification, or any new contract instead thereof, then and in every such case the difference with respect to such determination or the reasonableness of such refusal, or failure, or the terms of such contract, agreement, or arrangement, or any renewal thereof, with or without modification, or any new contract instead thereof, shall from time to time on the appeal of either of the parties to the Board of Trade, be determined in manner provided by the Tramways Act, 1870, with respect to all differences between the promoters and any road authority, and thereupon the parties shall in all respects conform to such determination, and make and observe any contract, agreement, or arrangement thereby prescribed: Provided always, that while any such appeal is pending, the Board of Trade may order that no steam or mechanical power shall be used on the tramways to which such appeal relates:

No steam or mechanical power shall be used on the tramways or any portion of the tramways unless there is in force in relation to the tramways, or such portion of the tramways, a contract, agreement, or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by such road authority under any contract, agreement, or arrangement, in accordance with the provisions of this section, shall be applied by them towards the expenses of repairing, improving, and maintaining the highways within their district, having regard in the first instance to the requirements of the roads upon which the tramways are laid.

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53. Where steam or any mechanical power is used by the Company or any person on the tramways or any part thereof, no contract, agreement, or arrangement made before or after the commencement of the use of steam or mechanical power as aforesaid with respect to the user by the Company or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of any road authority upon which such tramways or such part of such tramways are or is laid, or with respect to the payment by the Company or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road, shall continue in force for any period exceeding two years at any one time after the commencement of the use of steam or mechanical power as aforesaid, or the making of such contract, agreement, or arrangement: Provided always, that any such contract, agreement, or arrangement may from time to time be renewed with or without modification or a new contract, agreement, or arrangement may be made instead thereof.

Where steam or mechanical power is used, contract with road authority not to be for longer than two years at a time.

54. Nothing in this Act contained shall exempt the Company or the tramways by this Act authorised from the provisions of any general Act relating to tramways now in force, or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration under the authority of Parliament, of the maximum rates of tolls or charges authorised by this Act.

Tramways not exempt from provisions of present and future general tramways Acts.

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

Expenses of Act.

The FIRST SCHEDULE referred to in the foregoing Act.

Parish of Saint Lawrence in the County of Kent.

No. on deposited Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
2A	Private road -	The representatives of the late D. Taylor.	- - -	Representatives of the late D. Taylor and the public for burial only.
3	Front yard -	The representatives of the late D. Taylor.	- - -	Representatives of the late D. Taylor and the public for burial only.
4	Passage -	The representatives of the late D. Taylor.	- - -	Representatives of the late D. Taylor and the public for burial only.
5	Front garden -	J. Snow - - -	J. Tritsch -	J. Tritsch.
6	Garden -	J. Tritsch - - -	- - -	George Reynolds.
6A	Garden -	J. Tritsch - - -	- - -	M. Smith.
6C	Garden -	J. Tritsch - - -	- - -	M. Smith.
6B	Garden -	J. Tritsch - - -	- - -	John Chandler.
7	Entrance -	W. Farley - - -	- - -	W. Farley.
8	Garden -	W. Farley - - -	George De Winton.	G. De Winton.
9	Garden -	W. Farley - - -	- - -	W. Farley.
10	Garden -	Reverend J. Whiting -	W. Jowett -	Vacant.
11	Garden -	Reverend J. Whiting -	W. Jowett -	Vacant.
12	Private road -	Mr. Pite - - -	- - -	Mr. Pite.
13	Front garden -	Richard Attwood Lacy -	- - -	George Taylor.
14	Front garden -	Richard Attwood Lacy -	- - -	William Miller.
15	Front garden -	Richard Attwood Lacy -	- - -	E. J. Pybus.
16	Front garden -	Richard Attwood Lacy -	- - -	Edward Wootton.
17	Front garden -	Richard Attwood Lacy -	- - -	Edward Page.
18	Front garden -	Richard Attwood Lacy -	- - -	William Doughty.
19	Front garden -	Richard Attwood Lacy -	- - -	{ Daniel Fasham. Stephen Fasham.
20	Front garden -	Richard Attwood Lacy -	- - -	William Kemp.
21	Front garden and entrance.	Reverend J. Whiting -	- - -	Reverend J. Whiting.
21B	Front garden -	Reverend J. Whiting -	- - -	C. Heames.
21C	Front garden -	Reverend J. Whiting -	- - -	Mr. Perry.

Parish of Ramsgate in the County of Kent.

No. on deposited Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
22	House and shop -	Martha Markcrow -	George Palmer -	George Palmer.
23	House and yard -	Martha Markcrow -	George Palmer -	George Palmer.
24	House and garden -	Mr. and Mrs. Dorkin	- - -	Robert Stock.
25	House and garden -	Mr. and Mrs. Dorkin	- - -	Thomas Ocle.
26	House and garden -	Mr. and Mrs. Dorkin	- - -	Thomas Ocle.
27, 28	House and garden -	Mr. and Mrs. Dorkin	- - -	{ Louisa Sutton. Robert Stock. Benjamin Stanner.
29	House and garden -	George Watson -	- - -	George Watson.
30	House -	Mrs. Righton -	- - -	Mrs. Lawrence.
31A	House -	Mrs. Righton -	William Rolfe -	William Rolfe.
31B	Shop -	Mrs. Righton -	William Rolfe -	Henry Hunter.
32A	Yard and passage -	Mrs. Righton -	William Rolfe -	William Rolfe.
32	House -	Mrs. Righton -	William Rolfe -	Thomas Williams.
33	Cottage -	Mrs. Righton -	- - -	Henry Curling.
34	Cottage -	Mrs. Righton -	- - -	John Ordish.
36	House and shop -	Thomas Pearce -	- - -	Thomas Pearce.
37	House, shop, and garden.	G. Bammell -	A. Kent -	A. Kent.
38	House, shop, and yard.	Thomas Griggs -	- - -	Thomas Griggs.
39	House, shop, and yard.	Representatives of the late Mr. Ansell.	E. Baldwin and Son.	E. Baldwin and Son.
40	House, shop, and yard.	Mrs. Moyger -	J. Martin -	J. Martin.
41	House and yard -	Dr. Henderson -	G. M. Smith -	G. M. Smith.
42	Public-house (Cinque Port).	Thomsons and Wootton.	N. C. Holyer -	N. C. Holyer.
43	House and shop -	George F. Crow -	- - -	Daniel Goldsmith.
44	House and shop -	George F. Crow -	{ G. W. Rowe - T. S. Rowe -	G. W. Rowe. T. S. Rowe.
45	House, shop, and yard.	Dr. Henderson -	H. H. Powell -	H. H. Powell.
46	House, shop, and yard.	Dr. Henderson -	- - -	Mary Moys.
47	House, shop, and yard.	Devises of William Cox.	Childs -	Benjamin Colgate.
49	House, shop, and yard.	William Sandwell -	- - -	Frederick Rogers.
50	House and yards -	Allen Fassam -	- - -	Allen Fassam.
51	House, shop, and yard.	Mr. Crow -	- - -	Richman Ellis.
52	Beerhouse, "Rose in June."	Mr. Crow -	John Omer -	James Harland.
53	House, shop, and yard.	Charles Stevens -	Antonio Monti -	John Hawkins.
53A	House and shop -	Charles Stevens -	Antonio Monti -	Henry Ewel.
54	House and shop -	Charles Stevens -	Antonio Monti -	Antonio Monti.
55	House and shop -	W. E. Smith -	- - -	William Mount Buddle.
56	Public-house (Bricklayers Arms).	W. E. Smith -	Hills and Son -	Robert Parnum.
57	House, shop, and garden.	John Bright -	- - -	Henry Hills.

Parish of Ramsgate—continued.

No. on deposited Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
58	House, shop, and yard.	William Farley and Jane his wife.	- - -	Thomas Adams.
59	House and yard -	William Farley and Jane his wife.	- - -	William Farley.
60	Workshops, stables, limekiln, and yard.	W. E. Smith -	- - -	Henry Fright.
61	House and shop -	Devisees of Clay -	- - -	Robert Craycraft.
62	House and shop -	George Blackburn -	- - -	John Ordish.
63	House and garden -	E. Johnson Hobbs -	- - -	E. Johnson Hobbs.
64	House and shop -	George Blackburn -	- - -	Mrs. Wrightson.
65	House and shop -	George Sykes -	- - -	George Sykes.
66	House and shop -	William Spain -	- - -	R. Sprat.
67	House and shop -	William Spain -	- - -	T. Kingsnorth.
68	House and shop -	William Farley and his wife Jane.	- - -	W. C. Childs.
69	House and shop -	William Farley and his wife Jane.	- - -	J. Larkin.
70	House and shop -	William Farley and his wife Jane.	- - -	R. Oclee.
71	Public-house -	William Farley and his wife Jane.	- - -	G. Steed.
72	Public-house -	William Farley and his wife Jane.	Henry Darling -	Henry Darling.

Parish of Saint Peter the Apostle in the County of Kent.

No. on deposited Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
9	Arable land -	R. Howe -	-	-
10	Arable land -	R. Howe -	-	-
11	Arable land -	E. S. Goodson -	- - -	E. S. Goodson.
12	Arable land -	E. S. Goodson -	- - -	E. S. Goodson.
13	Gladstone Road -	W. T. C. Harrison -	- - -	W. T. C. Harrison's tenants.
14	Arable land -	E. F. Davis -	- - -	E. F. Davis.
15	Garden -	Thomson and Wootton -	- - -	Stapleton Wood.
16	Open garden land -	E. F. Davis -	- - -	Vacant.
17	Arable land -	W. Soper -	- - -	William Turner.
18	Arable land -	John Kidd -	- - -	John Kidd.
19	Arable land -	E. S. Goodson -	- - -	E. S. Goodson.
20	Arable land -	F. Blackburn -	William Manser	William Burbridge.
21	Garden -	F. Blackburn -	William Manser	William Burbridge.
22	Pasture -	Sherwood Mockett -	- - -	H. Goddard.
23	Arable land -	M. L. Daniel -	- - -	S. Fright.
24	Arable land -	Sherwood Mockett -	- - -	J. N. Hewitt.
25	Arable land -	Latham Tomlin -	- - -	William Hogbin.
26	Plantation -	Latham Tomlin -	- - -	Latham Tomlin.
27	Plantation -	Latham Tomlin -	- - -	Latham Tomlin.
28	Arable land -	Edward Lock Tomlin -	- - -	W. S. Pettman.

Parish of Saint Peter the Apostle—*continued.*

No. on deposited Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
29	Pasture - -	Latham Tomlin - -	- - - -	William Hogbin.
30	Garden - -	Latham Tomlin - -	- - - -	William Hogbin.
31	Arable land - -	Edward Lock Tomlin - -	- - - -	W. S. Pettman.
31A	Private road - -	Edward Lock Tomlin - -	- - - -	W. S. Pettman.
32	Arable land - -	Edward Lock Tomlin - -	- - - -	W. S. Pettman.

Parish of Saint John the Baptist in the County of Kent.

No. on deposited Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
4	Arable land - -	Trustees of the Yoakley Charity.	J. W. Gouger - -	J. W. Gouger.
5	House - - - -	Henry Green - - - -	- - - -	Henry Green.
6	Pasture - - - -	Captain Hatfield - - - -	- - - -	Edward Edwards.

The **SECOND SCHEDULE** referred to in the foregoing
Act.

REGULATIONS AS TO STEAM POWER.

Every engine used on the tramways of the Company shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient. Break power of engines.

Every engine used on the tramways of the Company shall have its number shown in some conspicuous part thereof, and shall be fitted— As to fittings of engines, &c.

With an indicator, by means of which the speed shall be shown ;

With a suitable fender to push aside obstructions ;

With a special bell, whistle, or other apparatus, to be sounded as a warning when necessary ; and

With a seat for the driver of such engine so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engines shall be concealed from view.

A.D. 1880.

As to
carriages.Inspection of
engines and
carriages.

As to speed.

Every carriage used on the tramways of the Company shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

The Board of Trade shall, on application of the Company, and may on complaint made by any person from time to time, inspect any engine or carriage used on the tramways of the Company and the machinery therein, and may, whenever they think fit, prohibit the use on such tramways of any such engine or carriage which in their opinion may not be safe for use on such tramways.

The speed at which engines and carriages may be driven or propelled along the tramways of the Company shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through moveable facing points shall not exceed the rate of four miles an hour.