



## CHAPTER ccxii.

An Act to extend the time for the completion of certain authorised Tramways of the London Deptford and Greenwich Tramways Company to authorise the use of mechanical power on the Tramways of the Company and for other purposes. A.D. 1893.  
[24th August 1893.]

**W**HEREAS by the Southwark and Deptford Tramways Act 1889 (in this Act referred to as the Act of 1889) the Southwark and Deptford Tramways Company (in this Act called the Company) were empowered to construct and maintain the tramways therein described :

And whereas by the London Deptford and Greenwich Tramways Act 1891 (in this Act referred to as the Act of 1891) the name of the Company was changed to the London Deptford and Greenwich Tramways Company and they were empowered to construct and maintain the tramways in that Act described and by the same Act the time limited by the Act of 1889 for the construction of the tramways by that Act authorised was extended to the twelfth day of August one thousand eight hundred and ninety-three :

And whereas it is expedient that the periods now limited for the construction of the tramways authorised by the Act of 1889 and the Act of 1891 should be extended as provided by this Act :

And whereas it is expedient to authorise the use of mechanical power other than steam power upon the tramways of the Company :

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

[Ch. ccxii.] *London, Deptford, and Greenwich* [56 & 57 VICT.]  
*Tramways Act, 1893.*

A.D. 1893. — 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 Deptford and Greenwich Tramways Act 1893.

Interpretation. 2. In this Act unless the context otherwise requires the expression “the tramways” means and includes the existing and authorised tramways of the Company:

“Mechanical power” means and includes electrical cable or other mechanical power fixed or moveable other than steam.

Extension of time for construction of tramways authorised by Act of 1889. 3. The time now limited by the Act of 1891 for the completion of and otherwise relating to the tramways authorised by the Act of 1889 is hereby further extended for the period of two years from the twelfth day of August one thousand eight hundred and ninety-three and sections 35 and 36 of the Act of 1889 and section 38 of the Act of 1891 shall be read and construed as if the period by this Act limited for the completion of and otherwise relating to the said tramways had been the period by those Acts limited:

If the said tramways are not completed within the extended period limited by this Act for their completion then on the expiration of that period the powers for making and completing the same and otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Extension of time for construction of tramways authorised by Act of 1891. 4. The time limited by the Act of 1891 for the construction of the tramways other than Tramway No. 1 by that Act authorised is hereby extended for the period of two years from the fifth day of August one thousand eight hundred and ninety-three and sections 36 and 37 of the Act of 1891 shall be read and construed as if the period limited by this Act for the completion of and otherwise in relation to the said tramways had been the period limited by the Act of 1891 for the completion thereof:

If the said tramways be not completed within the extended period limited by this Act for their completion then on the expiration of that period the powers for making and completing the same and otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Carriages may be moved by animal or mechanical power. 5. The carriages and trucks used on the tramways or any part thereof may subject to the provisions of this Act be moved by animal power and with the consent of the Board of Trade and of the London County Council during a period of seven years after the passing of this Act as regards the existing tramways of the



Company or (as regards the authorised tramways of the Company) during a period of seven years from the opening of the same for public traffic and with the like consents during such further periods of seven years as the said Board may from time to time specify in any order to be signed by a secretary or an assistant secretary to the said Board by mechanical power. Provided always that the exercise of the powers hereby conferred with respect to the use of mechanical power shall be subject to the regulations set forth in the schedule to this Act 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 the powers by this Act conferred with respect to the use of mechanical power on the tramways :

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Provided further that the exercise of the powers hereby conferred with respect to the use of mechanical power shall be subject to the provisions for the protection of the Postmaster-General contained in section 45 of the Act of 1891.

6. The Company or any other company or person using mechanical power on any of the tramways contrary to the provisions of this Act or to any of the regulations set forth in the schedule to this Act or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Act 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 during which such offence continues after conviction thereof. 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 other company or person using mechanical power on the tramways 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 schedule to this Act or with any regulation which may have been added thereto or substituted therefor as aforesaid may by order direct the Company or such other company or person to cease to exercise the powers aforesaid and thereupon the Company or such other company or 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.

Penalty for using mechanical power contrary to Act or regulations.

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Byelaws.

7. 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 any of the tramways upon which 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;

For providing that engines carriages and trucks 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 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 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.

As to recovery of penalties.

8. 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.

Amendment of the Tramways Act 1870 as to byelaws by local authority.

9. 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 tramways shall not authorise the local authority to make any byelaws 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 Tramways Act 1870 for restricting the rate of speed to a lower rate than that so prescribed.



10. 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.

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Authentica-  
tion of bye-  
laws.

11. Where the Company or any other company or person intend to use 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 situate or in the case of any road vested in the London County Council then to such Council:

As to con-  
tracts with  
road autho-  
rities where  
electrical  
power is to  
be used.

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 other company or 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 other company or 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 other company or person by such notice or for such road authority by notice to be served upon the Company or such other company or 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 of the use of electrical power upon such tramways or such part thereof be determined and of no effect:

Before using mechanical power on the tramways or any part thereof and thereafter from time to time the Company or such other company or 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 other company or 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 other company or 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:



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In case any difference arises between any such road authority and the Company or such other company or 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 other company or person or the Company or such other company or 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 Company 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 mechanical power shall be used on the tramways to which such appeal relates :

No 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.

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

**12.** Where mechanical power is used by the Company or any other company or person on the tramways or any part thereof no contract agreement or arrangement made before or after the commencement of the use of mechanical power as aforesaid with respect to the user by the Company or such other company or 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 other company or 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 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.

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**13.** The following provisions shall apply to the use by the Company of electric power under the provisions of this Act unless such power is entirely contained in and carried along with the carriages:—

Restrictions  
on use of  
electric  
power.

- (1.) The Company shall employ either insulated returns or uninsulated metallic returns of low resistance:
- (2.) The Company shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances:
- (3.) The exercise of the powers by this Act conferred with respect to the use of electric power shall be subject to regulations to be prescribed by the Board of Trade within nine months after the passing of this Act herein-after referred to as the prescribed regulations 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 or when they may think fit for regulating the employment of insulated returns or of uninsulated metallic returns of low resistance for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return:
- (4.) If the Company use electric power contrary to the provisions of this Act or to any of the prescribed regulations or to any regulations added thereto or substituted therefor by any Order made by the Board of Trade under the authority of this Act



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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 during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Board of Trade in case in their opinion the Company in the use of electric power under the authority of this Act have made default in complying with the provisions of this Act or with any of the prescribed regulations or with any regulations which may have been added thereto or substituted therefor as aforesaid may by Order direct the Company to cease to use electric power and thereupon the Company shall cease to use electric power and shall not again use 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 :

- (5.) The Company shall take all reasonable and proper precautions in constructing placing and maintaining their electric lines circuits and other works of any description and in using their electric lines circuits and other works so as not injuriously to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electric power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus Provided always that the Company shall be deemed to take all such reasonable and proper precautions as aforesaid if and so long as they adopt and employ at the option of the Company either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as the Board of Trade shall direct and in giving such directions the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking Provided also that at the expiration of a period of three years from the passing of this Act nothing in this sub-section shall operate to give any right of action in respect of or to protect any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and



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with the currents therein by or from other electric currents  
Provided further that the Board of Trade may by Order  
extend the said period of three years in respect of all or any  
part or parts of such wires lines or apparatus and in every  
such case the Board of Trade shall make a special report to  
Parliament notifying the making of such Order and the reasons  
therefor If any difference arises between the Company and  
any other party with respect to anything in this sub-section  
contained such difference shall unless the parties otherwise  
agree be determined by the Board of Trade or at the option  
of the Board by an arbitrator to be appointed by the Board  
and the costs of such determination shall be in the discretion  
of the Board or of the arbitrator as the case may be:

- (6.) Nothing in this section shall apply to the use of any electric  
line circuit or work of any company corporation or person  
authorised by Act of Parliament or Provisional Order confirmed  
by Parliament to supply energy for electric lighting purposes  
so far as such use is limited to such purposes:
- (7.) The expression "the Company" in this section shall include  
their lessees and the licensees and any person owning or using  
any tramways of the Company.

14. Nothing in this Act contained shall exempt the tramways  
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 to be taken by the Company.

Provision as  
to general  
Tramway  
Acts.

15. 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.

Costs of  
Act.

A.D. 1893.

The SCHEDULE referred to in the foregoing Act.

Break power  
of engines.

Every engine used on the tramways 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.

As to fittings  
of engines &c.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof and shall be fitted—

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 engine shall be concealed from view.

As to carriages.

Every carriage or truck used on the tramways 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.

Inspection of  
engines and  
carriages.

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

As to speed.

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

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

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