



CHAPTER clv.

An Act to authorise the Bristol Tramways and Carriage Company Limited to make additional Tramways and to confer further powers upon that Company.

A.D. 1894.

[31st July 1894.]

WHEREAS by the Bristol and Eastern District Tramways Order 1875 (in this Act called "the Order of 1875") the Bristol Tramways Company Limited (in this Act called "the Tramways Company") were authorised to construct tramways in the city and county of Bristol and in the county of Gloucester:

And whereas the following Provisional Orders have also been made by the Board of Trade and confirmed by Parliament in relation to the Tramways Company and their undertaking (that is to say):—

- The Bristol Tramways (Extension) Order 1876;
- The Bristol Tramways (Extensions) Order 1877;
- The Bristol Tramways (Extensions) Order 1879;
- The Bristol Tramways (Extensions) Order 1880;
- The Bristol Tramways (Extensions) Order 1881;
- The Bristol Tramways (Extensions) Order 1882; and
- The Bristol Tramways Order 1887:

And whereas on the 1st day of October 1887 the Bristol Tramways and Carriage Company Limited (in this Act called "the Company") were duly registered under and in accordance with the provisions of the Companies Acts 1862 to 1886:

And whereas under the provisions of the Bristol Tramways (Extension) Order 1891 (in this Act called "the Order of 1891") all rights powers authorities obligations and liabilities which were conferred upon vested in or imposed upon the Tramways Company in relation to their then existing tramways under and by virtue of the Provisional Orders by which the same were respectively authorised were thereby transferred to vested in and might be exercised by and should attach to the Company as if they had been the promoters of the said Orders respectively and by the said Order

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the Company were authorised to construct additional tramways in the city and county of Bristol (in this Act called "the said city") and in the counties of Gloucester and Somerset:

And whereas it is expedient that the Company be empowered to construct the several additional tramways in this Act described to be worked by animal power and in the case of the electric tramway hereinafter defined by animal or electrical power and in connexion therewith and with the construction of some of their authorised tramways to widen and alter certain streets and roads in the said city and in the parishes of St. George and Bitton in the county of Gloucester:

And whereas it is expedient that the mayor aldermen and burgesses of the said city (in this Act called "the corporation") and the St. George Local Board and the Kingswood Local Board respectively be authorised to contribute towards the cost of such widenings and alterations within the districts under their respective control:

And whereas plans and sections showing the lines and levels of the tramways and works by this Act authorised and the lands to be taken for the purposes of the intended widenings and alterations and books of reference thereto have been deposited with the clerks of the peace for the counties of Gloucester Somerset and Bristol respectively and are in this Act respectively referred to as the deposited plans sections and books of reference:

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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:—

Short title.

1. This Act may be cited as the Bristol Tramways Act 1894.

Incorporation of general Acts.

2. The Lands Clauses Acts and section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) Part II. (Construction of tramways) and Part III. (General provisions) of the Tramways Act 1870 are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

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

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

The expression "the Company's authorised tramways" means the tramways authorised by the said Orders of 1875 1876 1877 1879 1880 1881 1882 1887 and 1891 and the expression "the undertaking" means the undertaking of the Company authorised by such Orders and this Act.

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4. Subject to the provisions of this Act the Company shall make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections except where the same are varied by the provisions of this Act with all proper rails plates posts tubes wires apparatus works and conveniences connected therewith The tramways hereinbefore referred to and authorised by this Act will be situate in the following parishes and district namely the parishes of St. Mary Redcliff Bedminster Clifton St. Augustine St. James St. Paul the district of the united parishes of St. James and St. Paul Westbury-upon-Trym St. Philip and Jacob Within St. Philip and Jacob Without Temple and Castle Precincts all in the said city and the parishes of Horfield and St. George both in the county of Gloucester and are—

Power to
make tram-
ways.

Tramway No. 1 1 furlong 1·20 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway commencing in the parish of St. Mary Redcliff by a junction with the existing tramway in East Street at a point 0·90 chain or thereabouts north-eastward from the intersection of the centre lines of Regent Road and East Street and terminating in the last-named street in the parish of Bedminster by a junction with the existing tramway at a point 0·30 chain or thereabouts north-eastward from the intersection of the centre lines of Lombard Street and East Street:

Tramway No. 2 4·50 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of Bedminster commencing by a junction with the existing tramway in East Street at a point 1·55 chains or thereabouts westward from the intersection of the centre lines of Essex Street and East Street and terminating in the last-named street by a junction with the existing tramway at a point 1·00 chain or thereabouts north-eastward from the intersection of the centre lines of Church Lane and East Street:

Tramway No. 3 6 furlongs 8·25 chains in length of which 2 furlongs 8·75 chains shall be laid as a double line and

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3 furlongs 9·50 chains as a single line wholly situate in the parish of Bedminster commencing by a junction with the existing tramway in East Street at a point 1·00 chain or thereabouts westward from the intersection of the centre lines of Dean Street and East Street passing thence into and along Cannon Street North Street and Ashton Road and terminating in the last-named road at a point 2·45 chains or thereabouts south-westward from the intersection of the centre lines of Coronation Road and North Street :

This tramway will be a single line except between the following points where it will be a double line viz. :—

From its commencement for a length of 1·50 chains ;

In Cannon Street and North Street between points respectively 1·00 chain south-eastward and 1·75 chains westward from the intersection of the centre lines of the said streets ;

In North Street between points respectively 2·15 chains and 5·15 chains westward from the intersection of the centre lines of Greville Street and North Street ;

In North Street between points respectively 3·35 chains and 6·35 chains westward from the intersection of the centre lines of King William Street and North Street ;

In North Street between points respectively 4·30 chains eastward and 3·20 chains north-westward from the intersection of the centre lines of The Nursery and North Street ;

In North Street between points respectively 0·20 chain north-westward and 6·80 chains south-eastward from the intersection of the centre lines of Greenway Bush Lane and North Street ;

In North Street and Ashton Road between points respectively 1·30 chains and 5·40 chains from the termination of the tramway :

Tramway No. 4 2·00 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of Clifton commencing by a junction with the existing tramway in Hotwell Road at a point 3·70 chains or thereabouts eastward from the intersection of the centre lines of Dockgates Lane and Hotwell Road and terminating therein by a junction with the existing tramway at a point 2·00 chains or thereabouts westward from its commencement :

Tramway No. 7 3 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of Clifton

commencing by a junction with the existing tramway in Hotwell Road at a point 3·42 chains or thereabouts southward from a point in the roadway opposite the centre of the Clifton Rocks Railway Station in Hotwell Road and terminating in Hotwell Road by a junction with the existing tramway at a point 3·00 chains or thereabouts northward from its commencement :

Tramway No. 9 4·65 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. James commencing by a junction with the existing tramway in Bond Street at or near the south end thereof and terminating in the said street by a junction with the existing tramway at or near the intersection of the centre lines of St. James' Parade and Bond Street :

Tramway No. 10 4·20 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway commencing in the parishes of St. James and St. Paul or one of them by a junction with the existing tramway in Stokes Croft at a point 0·25 chain or thereabouts northward from the intersection of the centre lines of Hillgrove Street and Stokes Croft and terminating in the parish of St. Paul by a junction with the existing tramway in Stokes Croft at a point 4·20 chains or thereabouts northward from its commencement :

Tramway No. 11 9·50 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the district of the united parishes of St. James and St. Paul commencing by a junction with the existing tramway in Stokes Croft at a point 0·70 chain or thereabouts northward from the intersection of the centre lines of Nine Tree Hill and Stokes Croft and terminating in Cheltenham Road by a junction with the existing tramway at a point 0·30 chain or thereabouts northward from the intersection of the centre lines of Bath Buildings and Cheltenham Road :

Tramway No. 12 8·50 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the district of the united parishes of St. James and St. Paul commencing by a junction with the existing tramway in Cheltenham Road at a point 0·80 chain or thereabouts northward from the intersection of the centre lines of Bath Buildings and Cheltenham Road and terminating in the last-named road by a junction with the existing

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tramway at a point 8.50 chains or thereabouts northward from the commencement of the tramway :

Tramway No. 13 6.30 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the district of the united parishes of St. James and St. Paul commencing by a junction with the existing tramway in Cheltenham Road at a point 6.30 chains or thereabouts southward from the intersection of the centre lines of Station Road and Cheltenham Road and terminating in the last-named road by a junction with the existing tramway at or near the intersection of the said road :

Tramway No. 14 6.64 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway commencing in the district of the united parishes of St. James and St. Paul and the parish of Westbury-upon-Trym or one of them by a junction with the existing tramway in Cheltenham Road at a point 1.55 chains or thereabouts northward from the intersection of the centre lines of Station Road and Cheltenham Road and terminating in the parishes of Westbury-upon-Trym and Horfield or one of them in Gloucester Road and Cheltenham Road or one of them by a junction with the existing tramway at a point 0.45 chain or thereabouts southward from the intersection of the centre lines of Zetland Road and Gloucester Road :

Tramway No. 15 4 furlongs 2.45 chains in length of which 2 furlongs 4.18 chains shall be laid as a single line and 1 furlong 8.27 chains as a double line commencing in the parish of St. Paul and the district of the united parishes of St. James and St. Paul or one of them by a junction with the existing tramway in Ashley Road at a point 0.14 chain or thereabouts north-eastward from the intersection of the centre lines of Lower Ashley Hill or Sussex Place and Ashley Road passing thence along Ashley Road into and along Lower Ashley Road Cornwallis Place and Oxford Place Warwick Road and Stapleton Road and terminating in the last-named road in the parishes of St. Philip and Jacob Without and St. George or one of them by a junction with Tramway No. 21 in Stapleton Road at a point 1.35 chains or thereabouts northward from a point in the centre of the last-named road opposite the north-east corner of Warwick Road :

This tramway will be a single line except between the following points where it will be a double line viz. :—

From its commencement for a length of 2.70 chains ;

In Lower Ashley Road between points respectively 1·00 chain westward and 3·50 chains eastward from the intersection of the centre lines of Newfoundland Road and Lower Ashley Road ;

In Lower Ashley Road between points respectively 0·15 chain westward from the intersection of the centre lines of Pennywell Road and Ashley Road and 0·97 chain westward from the intersection of the centre lines of Claremont Street and Lower Ashley Road ;

In Lower Ashley Road between points respectively 1·66 chains westward and 0·61 chain eastward from the intersection of the centre lines of Seymour Road and Lower Ashley Road ;

In Warwick Road and Stapleton Road from a point 0·57 chain south-westward from the intersection of the centre lines of Stuart Street and Warwick Road to the termination of the tramway :

Tramway No. 16 3 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of Temple commencing by a junction with the existing tramway in Philip Street at a point 1·00 chain or thereabouts westward from the intersection of the centre lines of Temple Back and Philip Street and terminating on St. Philip's Bridge by a junction with the existing tramway at a point 3·00 chains or thereabouts eastward from its commencement :

Tramway No. 17 7·15 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. Philip and Jacob Without commencing by a junction with the existing tramway in Stapleton Road at a point 1·00 chain or thereabouts south-westward from the intersection of the centre lines of Thrissell Street and Stapleton Road and terminating by a junction with the existing tramway at a point 1·10 chains or thereabouts north-eastward from the intersection of the centre lines of Webb Street and Stapleton Road :

Tramway No. 18 1 furlong 0·92 chain in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. Philip and Jacob Without commencing by a junction with the existing tramway in Stapleton Road at a point 1·05 chains or thereabouts south-westward from the intersection of the centre lines of Perry Street and Stapleton Road and terminating in Stapleton Road by a junction with the existing tramway at a

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point 1·50 chains or thereabouts north-eastward from the intersection of the centre lines of Beaumont Street and Stapleton Road :

Tramway No. 19 5·72 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway commencing in the parish of St. Philip and Jacob Without by a junction with the existing tramway in Stapleton Road at a point 2·30 chains or thereabouts southward from the intersection of the centre lines of Claremont Street and Stapleton Road and terminating in the parish of St. Philip and Jacob Without and the parish of St. George or one of them in Stapleton Road by a junction with the existing tramway at a point 0·50 chain or thereabouts northward from the intersection of the centre lines of Lansdown Road and Stapleton Road :

Tramway No. 20 4·50 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. Philip and Jacob Without and the parish of St. George or one of them commencing by a junction with the existing tramway in Stapleton Road at a point 2·50 chains or thereabouts southward from the intersection of the centre lines of Walton Street and Stapleton Road and terminating by a junction with the existing tramway in Stapleton Road at a point 2·00 chains or thereabouts northward from the intersection of the centre lines of Walton Street and Stapleton Road :

Tramway No. 21 6·87 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. Philip and Jacob Without and the parish of St. George or one of them commencing by a junction with the existing tramway in Stapleton Road at a point 0·50 chain or thereabouts southward from the intersection of the centre lines of Belmont Street and Stapleton Road and terminating in the last-named road by a junction with the existing tramway at a point 3·40 chains or thereabouts northward from a point in the centre of the roadway opposite the north-east corner of Warwick Road :

Tramway No. 22 4·50 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. Augustine commencing by a junction with the existing tramway in St. Augustine's Parade or College Green at a point 0·28 chain or thereabouts southward from the intersection of the centre lines of Mark Lane and College Green and terminating in College

Green by a junction with the existing tramway at a point in College Green 4·50 chains or thereabouts westward from its commencement: A.D. 1894.

Tramway No. 23 2 furlongs 6·07 chains in length which shall be laid as a double line throughout in substitution for a portion of the existing tramway commencing in the parish of St. Philip and Jacob Within by a junction with the existing tramway in Old Market Street at a point 0·58 chain or thereabouts eastward from the intersection of the centre lines of Tower Hill and Old Market Street passing thence along Old Market Street and into and along West Street and terminating therein in the parish of St. Philip and Jacob Without by a junction with the existing tramway in West Street at a point 1·10 chains or thereabouts eastward from the intersection of the centre lines of Waterloo Street and West Street:

Tramway No. 24 3·75 chains in length which shall be laid as a single line throughout in substitution for a portion of the existing tramway commencing in the parishes of St. Philip and Jacob Within and Castle Precincts or one of them by a junction with the existing tramway in Tower Hill at a point 0·70 chain or thereabouts south-westward from the intersection of the centre lines of Tower Hill and Old Market Street passing thence into and along Old Market Street and terminating therein in the parish of St. Philip and Jacob Within by a junction with the southern line of Tramway No. 23 at a point 3·20 chains or thereabouts eastward from the intersection of the centre lines of Tower Hill and Old Market Street:

Tramway No. 25 0·80 chain in length which shall be laid as a single line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. Philip and Jacob Within commencing by a junction with the southern line of Tramway No. 23 in Old Market Street at a point 0·15 chain or thereabouts eastward from the commencement of Tramway No. 23 and terminating in the same street by a junction with Tramway No. 24 at a point 1·70 chains or thereabouts westward from the termination of Tramway No. 24:

Tramway No. 26 1·15 chains in length which shall be laid as a single line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. Philip and Jacob Within commencing by a junction with the southern line and terminating by a junction with the northern line of Tramway No. 23 in Old Market Street at points respectively 1·55 chains and 2·68 chains or thereabouts eastward from the commencement of Tramway No. 23:

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Tramway No. 27 1.05 chains in length which shall be laid as a single line throughout in substitution for a portion of the existing tramway wholly situate in the parish of St. Philip and Jacob Within commencing by a junction with the southern line and terminating by a junction with the northern line of Tramway No. 23 in Old Market Street at points respectively 3.45 chains and 4.45 chains or thereabouts eastward from the commencement of Tramway No. 23 :

Tramway No. 28 4.30 chains in length of which 2.55 chains shall be laid as a single line and 1.75 chains as a double line wholly situate in the parish of St. George commencing by a junction with the existing tramway in Church Road or Clouds Hill Road or one of them at a point 4.20 chains or thereabouts eastward from the intersection of the centre lines of Beaconsfield Road and Church Road passing thence in an easterly direction into and along Bath Road and terminating therein at a point 4.30 chains or thereabouts eastward from its commencement :

This tramway will be a single line except for a length of 1.75 chains at its commencement where it will be a double line.

Obligation
to make
tramways.

5. The tramways shall subject to the provisions of this Act be commenced forthwith after the following dates (that is to say) :—

As to such of the tramways (other than Tramway No. 15) as may be constructed without the consent of the corporation forthwith after the passing of this Act ;

As to such of the tramways (other than Tramway No. 22) as are to be constructed only with the consent of the corporation forthwith after the giving of such consent ;

As to Tramway No. 15 forthwith after the widenings of the roads in which it will be laid shall have been completed in accordance with the provisions of this Act ;

As to Tramway No. 22 forthwith after the widening now in progress of the road in which it shall be laid shall have been completed and the Company shall have obtained the consent of the corporation to the construction of that tramway :

And the Company after they shall have commenced any tramway shall complete the same with all reasonable despatch and if the Company shall fail so to commence any such tramway or having commenced the same shall fail so to complete the same the Board of Trade may on the application of the corporation by order require the Company to lay down and complete such tramway within such time as the said Board may fix If the Company shall fail to comply with such order they shall be liable to a penalty not exceeding ten

pounds in respect of each tramway for every day during which such default shall continue.

6. Tramway No. 1 and such part of Tramway No. 3 as lies between Cannon Street and South Street and Tramways Nos. 9 and 22 shall not be constructed without the consent in writing of the corporation.

Further provisions as to Tramways Nos. 1 3 4 9 10 11 12 13 14 22 and 23.

No rail of Tramway No. 1 shall (except with the consent of W. D. & H. O. Wills Limited under their common seal) be so laid in that part of East Street upon which premises now belonging to W. D. & H. O. Wills Limited are abutting that a less space than nine feet shall intervene between the nearest rail thereof and the outside of the footpath next the said premises.

Tramway No. 4 shall be laid in the lines shown on and in all respects in accordance with a plan signed by the Right Honourable the Earl of Morley Chairman of Committees of the House of Lords and deposited in the Parliament Office.

No rail of Tramway No. 10 shall be so laid that a less space than nine feet shall intervene between the nearest rail thereof and the outside of the footpath on either side of the road without the consent in writing of the corporation which consent the corporation are hereby authorised to give.

No rail of Tramways Nos. 11 12 13 and 14 shall without the consent in writing of the corporation which consent the corporation are hereby authorised to give be so laid that a less space than eight feet six inches shall intervene between the nearest rail of those respective tramways and the outside of the footpath on either side of the road except in the case of Tramway No. 12 for a length of 2·25 chains southward from the termination of that tramway where a space of not less than eight feet may intervene between the nearest rail thereof and the outside of the footpath on either side of the road and in the case of Tramway No. 13 for a length of 2·30 chains southward from the termination of that tramway where a space of not less than eight feet three inches may intervene between the nearest rail thereof and the outside of the footpath on either side of the road and in the case of Tramway No. 14 for a length of 0·81 chain commencing at a point 2·65 chains and ending at a point 1·84 chains southward from the termination of that tramway where a space of not less than eight feet three inches may intervene between the nearest rail thereof and the outside of the footpath on the westward side of the road.

No rail of Tramway No. 23 shall be so laid that a less space than nine feet six inches shall intervene between the nearest rail thereof and the outside of the footpath on either side of the road.

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Corporation
may lay
wood paving
in East
Street Bed-
minster
Parade and
West Street.

Paving of
certain
streets.

7. The corporation may pave with wood the roadway of East Street Bedminster Parade and West Street respectively and the Company shall on the completion of such paving pay to the corporation a proportion of the whole cost of the paving of the area paved by the corporation in the ratio which the portion of that area repairable by the Company bears to the total area paved by the corporation.

8. The Company shall pave with wood or (by mutual agreement) with other suitable material to the satisfaction of the corporation—

(a) So much of the roadway of Cannon Street North Street and Ashton Road respectively upon which Tramway No. 3 shall be laid;

(b) So much of the roadway of Stokes Croft (not already paved with wood) and Cheltenham Road; and

(c) So much of the roadway of Ashley Road Lower Ashley Road and Warwick Road respectively upon which Tramway No. 15 shall be laid

as lies between the rails of the tramways in the said respective roads and so much of the roadway as extends eighteen inches beyond the rails of and on each side of such tramways and also (where double lines are or shall be laid in those roads) the portion of the roadway between such double lines.

Inspection
by Board
of Trade.

9. No tramway shall be opened for public conveyance of passengers until the same has been inspected and certified to be fit for such traffic by the Board of Trade.

Correction
of errors in
deposited
plans and
books of
reference.

10. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited books of reference the Company after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices acting for the county in which such land is situate for the correction thereof and if it appears to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the said county and a duplicate thereof shall also be deposited with the parish clerks of the several parishes in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerk of the peace and parish clerks respectively with the other documents to which the same relate and

thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate. A.D. 1894.

11. The Company may subject to the provisions of this Act from time to time enter into agreements with any road authority with respect to the forming laying down maintaining renewing repairing working and using of any of the Company's tramways and the rails plates sleepers posts wires apparatus and works connected therewith and with respect to the widening and improvement of any roads or streets upon or along which any of the Company's tramways are or are intended to be laid or constructed and for facilitating the passage of carriages and traffic over and along the same or any part thereof. Agreements between the Company and road authorities.

12. Subject to the provisions of this Act and in accordance with the deposited plans the Company shall widen and alter the following roads or streets in the parish of St. Philip and Jacob Without in the said city namely :— Power to Company to widen and alter roads.

Lower Ashley Road on the south side thereof from Pennywell Road to Claremont Street;

Lower Ashley Road on the south side thereof from a point 1·40 chains south-westward from the intersection of the centre lines of Lower Ashley Road and Seymour Road to Seymour Road :

And the Company may subject to the like provisions and in accordance with the deposited plans widen and alter the following roads or streets in the parishes of St. George and Bitton in the county of Gloucester namely :—

Clouds Hill Road on the south side thereof between points respectively 0·93 chain and 2·45 chains eastward from the intersection of the centre lines of Plummer's Hill and Clouds Hill Road ;

Clouds Hill Road on both sides thereof between points respectively 2·60 chains westward and 3·15 chains eastward from the intersection of the centre lines of Orchard Road and Clouds Hill Road ;

Clouds Hill Road on the south side thereof between points respectively 2·46 chains and 4·60 chains eastward from the intersection of Holmes Hill Road and Clouds Hill Road ;

Bell Hill Road on the south side thereof between points respectively 7·60 chains and 1·30 chains westward from the north-east corner of the " Bell " Inn ;

Bell Hill Road on the north side thereof between points

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respectively 7·20 chains and 3·90 chains westward from the north-east corner of the "Bell" Inn ;

Bell Hill Road on the south side thereof from the north-east corner of the "Bell" Inn eastward for a length of 2·50 chains ;

Bell Hill Road on the north side thereof between points respectively 0·15 chain westward and 2·80 chains eastward from the north-east corner of the "Bell" Inn ;

Bell Hill Road on the south side thereof between points respectively 3·50 chains and 2·08 chains westward from the north-west corner of Swan Lane ;

Two Mile Hill Road on the south side thereof between points respectively 3·66 chains and 0·25 chain westward from the intersection of the centre lines of Staple Hill Road and Two Mile Hill Road ;

Two Mile Hill Road on the north side thereof from a point 3·10 chains westward from the intersection of the centre lines of Staple Hill Road and Two Mile Hill Road to Staple Hill Road ;

Two Mile Hill Road on the south side thereof between points respectively 4·00 chains westward and 3·47 chains eastward from the intersection of the centre lines of Reformatory Road and Two Mile Hill Road ;

Two Mile Hill Road on the south side thereof from John Street to Waters Road ;

Two Mile Hill Road on the north side thereof from Soundwell Road eastward for a length of 4·40 chains ;

Two Mile Hill Road on the south side thereof between points respectively 4·07 chains and 6·97 chains eastward from the intersection of the centre lines of Soundwell Road and Two Mile Hill Road ;

Regent Street Kingswood on the south side thereof between points respectively 2·25 chains westward and 0·82 chain eastward from the intersection of the centre lines of Downend Road and Regent Street ;

Regent Street Kingswood on the south side thereof from Moravian Road eastward for a length of 3·23 chains ;

Regent Street Kingswood on the south side thereof from Bank Road westward for a length of 3·12 chains :

And for that purpose may enter upon take and use such of the lands buildings and manufactories delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose.

13. And whereas in the construction of the road widenings and works by this Act authorised or otherwise in the exercise by the Company of the powers of this Act it may happen that portions only of certain lands buildings or manufactories shown on the deposited plans will be sufficient for the purposes of the Company and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore the owners of and persons interested in the lands buildings or manufactories described in the Second Schedule to this Act and whereof parts only are required for the purposes of the Company may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of the said properties without material detriment thereto be required to sell and convey to the Company the portions only of the properties so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other persons interested therein by severance or otherwise.

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Owners may be required to sell parts only of certain lands and buildings.

14. The powers granted by this Act to the Company for the compulsory purchase of lands buildings and manufactories shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands by Company.

15. In addition to the other lands which the Company are already or by this Act authorised to purchase and acquire they may purchase or acquire by agreement for the purpose of their undertaking and may hold any lands not exceeding five acres and they may on such lands and on any lands purchased or acquired under the authority of this Act erect or construct and hold stations yards wharves offices buildings places sidings works and other conveniences in connexion with their undertaking but nothing in this Act shall exonerate the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them on any land purchased or acquired by agreement under the powers of this section.

Purchase of lands by agreement.

16. The Company shall provide convenient waiting rooms for the use of passengers at such places in the roadway as shall from time to time be agreed upon between the Company and the corporation.

Company to provide waiting rooms.

17.—(1.) The Company shall not under the powers of this Act purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which on the fifteenth day of

Restrictions on displacing persons of labouring class.

A.D. 1894.

December next before the passing of this Act were or since that date have been or shall be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

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

(b.) Shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

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

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

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

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

(5.) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by

the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the Court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections one hundred and seventy-six and two hundred and ninety-seven of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7.) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

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

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit.

(8.) The Local Government Board may direct any enquiries to be held by their inspectors which they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and the inspectors of the Local Government Board shall for the purposes of any such enquiry have all such powers as they have for the purposes of enquiries directed by that Board under the Public Health Act 1875.

(9.) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and

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issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any enquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

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

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

Power to grant easements &c. by agreement.

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

Period for completion of road widenings

19. If the road widenings and alterations by this Act authorised are not completed within five years from the passing of this Act then on the expiration of that period the powers by this

Act granted to the Company for widening and altering roads or otherwise in relation thereto shall cease except as to so much thereof as is completed. A.D. 1894.
and altera-
tions.

20. The St. George Local Board and the Kingswood Local Board may respectively contribute any money towards the cost of the making by the Company of the several road widenings and alterations hereby authorised within the districts of such authorities respectively such contribution not to exceed in the case of each of such local boards two-thirds of the cost of the road widenings and alterations within the districts of such authorities respectively and they may borrow for the purposes of such contribution any money that may be required in the same manner as and subject to the conditions and stipulations under which a local authority may borrow money for permanent works under the provisions of the Public Health Act 1875. Contribu-
tion by St.
George
Local Board
and Kings-
wood Local
Board to
road
widenings.

21. So soon as the Company shall have obtained possession of the lands buildings and manufactories delineated on the deposited plans and described in the deposited books of reference and required for the purpose of widening Lower Ashley Road they shall forthwith widen the said road in such manner and shall level pave metal flag channel and make good the widenings in the said road with such materials and in such manner as the corporation in their absolute discretion (notwithstanding any provision of the Tramways Act 1870) shall require and after the completion of the said road widenings and works the corporation shall contribute one-half of the total net cost after deducting the amounts realised by the sale of surplus lands incurred in making the said road widenings in Lower Ashley Road by this Act authorised such cost to include all outlay for lands works legal and other costs charges and expenses whatsoever (but not the costs of this Act) and such amount shall be paid by the corporation to the Company as and when the same shall be ascertained and for the purposes of such contribution the corporation may from time to time apply any money in their hands received under any Act relating to them and not required for the purposes of that Act and they may also borrow for the like purpose any money that may be required in the same manner as and subject to the conditions and stipulations under which a local authority may borrow money for permanent works under the provisions of the Public Health Act 1875 The Company shall employ Josiah Thomas or in case he shall die or shall refuse or neglect to act William Sturge or such other person as shall from time to time be agreed upon by the Company and the corporation to negotiate on behalf of the Company the purchase of the said Road
widenings
in Lower
Ashley Road
and con-
tribution by
corporation.

A.D. 1894. lands buildings and manufactories and to act as the surveyor and arbitrator for the Company in any question of disputed compensation. All surplus lands not required for the purpose of the said road widenings (except such lands as may be exchanged for other lands required for the purpose of the said road widenings) shall except with the consent of the corporation be sold by public auction only. Provided always that a purchaser of surplus lands shall not be bound or concerned to enquire as to the observance by the Company of any of the provisions of this section. The said road widenings in Lower Ashley Road by this Act authorised and all lands used for the purposes thereof and the subsidiary works connected therewith shall vest in the corporation as the urban sanitary authority for the said city as part of the highways of the said city repairable by the inhabitants at large.

Period for
completion
of tramways.

22. If the tramways are not completed as follows (that is to say):—

(A.) As to the tramways dependent on the widening by this Act authorised of any particular road within two years after the completion of such widening and in any case within five years after the passing of this Act;

(B.) As to any tramways dependent on the consent of the corporation (other than Tramway No. 22) within two years after the giving of such consent and in any case within five years after the passing of this Act;

(C.) As to Tramway No. 22 within two years after the completion of the said widening of the road in which it will be laid and the obtaining of the consent of the corporation and in any case within five years after the passing of this Act; and

(D.) As to the remainder of the tramways within two years after the passing of this Act;

then on the expiration of those respective periods the powers by this Act granted for making and completing the same or otherwise in relation thereto respectively shall cease except as to so much thereof as shall then be completed.

Penalty
imposed
unless the
tramways
opened
within the
time limited.

23. If the Company fail within the respective periods limited by this Act to complete the tramways and open the same for public traffic the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the respective periods so limited until the said tramways are completed and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the tramways so uncompleted and the said penalty may be applied for by any landowner or other person or road authority claiming to be compensated or

interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 And every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as hereinafter provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company were prevented from completing or opening the tramways by unforeseen accident or circumstances beyond their control provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

A.D. 1894.

24. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the tramways or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid and in compensating all road authorities for the expenses incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively and in making good all damage caused to such roads by the construction or abandonment of such tramway and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or the tramway or tramways in respect of which the penalty has been incurred or any part thereof has been abandoned be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the Court as part of the assets of the

Application
of penalties.

A.D. 1894.

Company for the benefit of the creditors thereof and subject to such application shall be repaid or re-transferred to the Company.

Extensions
of provisions
of Order of
1891.

25. The provisions of sections 8 to 23 and 34 to 48 of the Order of 1891 shall save as by this Act otherwise expressly provided extend and apply to the tramways and undertaking by this Act authorised and to the Company in respect thereto in as full and complete a manner as if the said sections were re-enacted in this Act with reference thereto and for the purposes of such application the expressions "the tramways" and "the undertaking" in the said provisions shall be construed to mean respectively the tramways and the undertaking as defined by this Act and the expressions "the Promoters" and "this Order" in such provisions shall be construed to mean respectively the Company and this Act.

As to fares
on Sundays
and holidays.

26. It shall not be lawful without the consent of the corporation for the Company to take or demand on Sunday or on any bank or other public holiday any higher rates or charges than those levied by them on ordinary week days.

For the
protection
of the
Bristol Gas
Company the
Bristol
Waterworks
Company
and the
West Glou-
cestershire
Water
Company.

27. For the protection of the Bristol Gas Company the Bristol Waterworks Company and the West Gloucestershire Water Company the Tramways Act 1870 and section 9 of the Order of 1891 shall save as by this Act otherwise expressly provided extend and apply to the tramways and all works by this Act authorised and to the Company in respect thereof and if any dispute or difference between any of the said companies and the Company shall arise under this section the same shall be deemed a matter in difference falling within section 33 of the Tramways Act 1870 and be determined accordingly.

Purchase of
tramways by
the corpo-
ration.

28. The first period within which the corporation may exercise the powers of purchase of the several undertakings conferred on them by section 43 of the Tramways Act 1870 (notwithstanding any provision to the contrary either in such Act or in this or any other Act Provisional Order or agreement relating to or affecting the Company or their undertaking) shall as to each of the several tramways authorised by the respective Orders mentioned in the section of this Act the marginal note whereof is "Interpretation" so far as the same are within the said city and as to each of the several tramways by this Act authorised so far as the same are within the said city (except the tramway from the western end of Old Market Street to Kingswood Hill which said tramway is hereinafter referred to as "the electric tramway") be six months after the expiration of a period of eighteen years from the passing of this Act or (at the option of the corporation) of a period of twenty-one years from the passing of this Act The first period

within which the corporation may exercise the said powers as to so much of the electric tramway as is within the said city shall be six months after the expiration of a period of twenty-one years from the passing of this Act. The subsequent periods of seven years mentioned in the said section 43 shall as regards all the tramways of the Company within the said city be reckoned as from the expiration of a period of eighteen years from the passing of this Act:

Provided that nothing in this section contained shall affect the provisions of section 43 of the Tramways Act 1870 or of the said respective Orders with reference to the said powers of purchase except such of those provisions as relate to the periods within which the corporation may exercise such powers of purchase.

29. The Company may from time to time apply for or towards all or any of the purposes of this Act to which capital is properly applicable any moneys which they have raised or may from time to time be authorised to raise.

Power to apply Company's funds.

30. The carriages used upon the tramways other than the electric tramway may subject to the provisions of this Act be moved by animal power only and the carriages used upon the electric tramway may be moved by animal power and in addition may also during a period of seven years after the opening of the same for public traffic and with the consent in writing of the Board of Trade and also (as to the portion of the electric tramway within the said city) of the corporation during such further periods of seven years each as the said Board may from time to time specify in any order to be signed by a secretary or an assistant secretary of the said Board and as the corporation may from time to time specify in their consent be moved by means of electrical power and the provisions of this section and of the sections of this Act the marginal notes whereof are respectively—

Carriages may be moved by animal or electrical power.

Power to lay and maintain pipes and make openings in streets;

Penalty for using electrical or mechanical power contrary to Act or regulations;

Byelaws;

Drafts of regulations and byelaws to be sent to the corporation;

As to recovery of penalties;

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

Orders byelaws;

As to contracts with road authorities where electrical power is to be used;

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

A.D. 1894. shall apply to the electric tramway in lieu of sections 26 to 33 of the Order of 1891 :

Provided that the powers hereby conferred with respect to the use of electrical power shall be exercised only in accordance with regulations to be prescribed by the Board of Trade (hereinafter 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 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 any power other than animal power on the electric tramway :

Provided further that if the carriages used upon the electric tramway shall be moved by means of the overhead trolley system of electric traction or any other similar system the Board of Trade shall on the application of the corporation at any time after the expiration of three years from the opening of the Electric Tramway for public traffic direct an enquiry to be made and if as the result of such enquiry the said Board shall be of opinion that such system as worked on the electric tramway is dangerous to the public the corporation may prohibit the use of such system within the said city.

Power to lay and maintain pipes and make openings in streets.

31. The Company may from time to time lay and maintain pipes and make openings or ways in or under the surface of any road footpath or place in order to lay use and maintain electric wires for transmitting motive power for the carriages running on the electric tramway and the Company may use electric wires and all machinery necessary for such motive power Provided that this power shall not authorise or empower the Company to lay down or place any pipe or other works into through or against any building or in any land not dedicated to public use without the consent of the owners and occupiers thereof Provided further that this power shall not be exercised in under or over any road or footpath in the said city except under and subject to the provisions set forth in the First Schedule to this Act.

Penalty for using electrical or mechanical power contrary to Act or regulations.

32. If the Company or any other company or person shall use on the tramways or any of them mechanical power or shall use thereon electrical power contrary to the provisions of this Act or to any of the prescribed regulations or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Act or without the consent of the corporation where their consent to such user is required by the

provisions of this Act or if the Company or any other company or person shall execute or do any work contrary to the provisions of this Act or shall fail to execute or do any work required by the provisions of this Act they or he shall for every such offence be subject to a penalty not exceeding ten pounds and also in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first 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 electrical power on the tramways or any of them under the authority of this Act have or has made default in complying with the provisions of this Act or with any of the prescribed regulations 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.

33. 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 the electric tramway for all or any of the following purposes (that is to say):—

For regulating the use of the bell whistle or other warning apparatus fitted to the carriage;

For providing that 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 electric tramway and the protection of passengers from the machinery of any carriage 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 electric tramway 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.

A.D. 1894.

Drafts of regulations and byelaws to be sent to the corporation.

34. Upon receipt from the Board of Trade of a draft of any regulations or byelaws proposed to be made by the Board of Trade under the authority of this Act the Company shall forthwith send a copy thereof to the town clerk of the said city and if the Company shall make default in complying with this provision they shall be liable to a penalty not exceeding five pounds and to a further penalty not exceeding five pounds for every day after the first during which such default continues.

As to recovery of penalties.

35. 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 and proceedings for the recovery of any such penalty may be taken by the corporation.

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

36. 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 electric 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 made by the Board of Trade under the authority of this Act at which carriages are to be driven or propelled on the electric tramway 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.

Orders byelaws.

37. 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.

As to contracts with road authorities where electrical power is to be used.

38. Where the Company or any other company or person intend to use electrical power under the authority of this Act on the electric tramway or any part thereof they or he shall give two months' previous notice in writing of such intention to every road authority within whose district the said tramway or such part thereof upon which they or he intend or intends to use such power is situate.

Where at the time of giving any such notice any contract agreement or arrangement between the Company or such other company or person and such road authority 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 the electric tramway or such part of that tramway 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 the electric tramway or such part thereof be determined and of no effect.

Before using electrical power on the electric tramway 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 the electric tramway or such part thereof 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 or 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 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 differences between the Company and any road authority and there-

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upon 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 electrical power shall be used on the electric tramway to which such appeal relates.

No electrical power shall be used on the electric tramway unless there is in force in relation to the electric tramway 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 electric tramway is laid.

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

39. Where electrical power is used by the Company or any other company or person on the electric tramway or any part thereof no contract agreement or arrangement made before or after the commencement of the use of electrical power as aforesaid between the Company or such other company or person and any road authority 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 the electric tramway or such part thereof 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 electrical 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.

Restrictions on use of electric power and repeal of section 49 of Order of 1891.

40. Section 49 of the Order of 1891 is hereby repealed and in lieu thereof the following provisions shall apply to the use of electrical power upon the electric tramway and the Company's authorised tramways unless such power is entirely contained in and carried along with the carriages :—

- (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 powers by the Order of 1891 or this Act conferred with respect to the use of electrical power shall be exercised only in accordance with the prescribed regulations and with any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are 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.) The Company using electrical power contrary to the provisions of this Act or to any of the prescribed regulations 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 in the use of electrical 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 regulation which may have been added thereto or substituted therefor as aforesaid may by order direct the Company to cease to use electrical power and thereupon the Company shall cease to use electrical power and shall not again use the same unless with the authority of the 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

A.D. 1894.

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 electrical 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 two 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 with the currents therein by or from other electric currents. 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 or any person owning working or running carriages by electrical power over the electric tramway or any of the Company's authorised tramways.

Power to
place posts
wires &c.

41. Subject to the provisions of this Act the Company may place and maintain in or over any street or road in which the electric tramway is laid such posts brackets and overhead electric wires as

may be necessary and proper for working the same by electrical power Provided always that this power shall not be exercised in any street or road within the said city except under and subject to the provisions set forth in the First Schedule to this Act.

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42. If the Company shall discontinue the use of any posts brackets or overhead electric wires placed or maintained in or over any street or road within the said city for supplying electrical motive power to the carriages used upon the electric tramway or if the right of the Company to use electrical motive power supplied by means of any such posts brackets or wires shall cease and determine the Company shall forthwith at their own cost remove such posts brackets and wires and shall restore and make good such streets and roads to the satisfaction of the Corporation and in case of default the corporation may do all things necessary for that purpose and recover the costs and expenses thereof with full costs of suit from the Company.

Posts &c.
to be
removed if
user dis-
continued.

43. The Company shall not supply electric current to any other company body or person within the said city for any purpose whatsoever and the Company shall not supply such current to any other company body or person outside the said city except with the consent of the local authority of the district where such supply is given.

Company
not to
supply
electricity
except with
consent of
local
authority.

44. In the event of any tramways of the Company being worked by electricity the following provisions shall have effect :—

For pro-
tection of
the Post-
master-
General.

(1.) The Company shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein If any question arises as to whether the Company have constructed their electric lines or other works or work their undertaking in contravention of this subsection such question shall be determined by arbitration and the Company shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator :

(2.) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Company of their electric lines and works or by the working of the undertaking of the

A.D. 1894.

Company the Company shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection :

- (3.)—(a.) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Company or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Company and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work ;
- (b.) Any difference which arises between the Postmaster-General and the Company or their agents with respect to any requirements so made shall be determined by arbitration :
- (4.) In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :
- (5.) Provided that nothing in this section shall subject the Company or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice :
- (6.) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any

manner affected by such act or work or by any use made of such work : A.D. 1894.

- (7.) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Act as if the Company were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act 1878 in relation to the matters mentioned in that section :
- (8.) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882 :
- (9.) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections thirty to thirty-two of the Regulation of Railways Act 1868 shall apply in like manner as if the Company or their agents were a company within the meaning of that Act :
- (10.) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Company by indictment action or otherwise in relation to any of the matters aforesaid.

45. Nothing in this Act contained shall exempt the Company or the tramways of the Company from the provisions of any general Act relating to tramways now in force or which may hereafter pass during this or any future session 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 on their tramways. Provision
as to general
Tramway
Acts.

46. 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. 1894.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

One month before laying or placing any pipe or wire or erecting any post or bracket or executing any work which is subject to the provisions of this schedule the Company shall submit to the corporation a plan showing the mode and position in which the same is intended to be executed and placed.

Every pipe wire post or bracket shall be placed in such a position as the corporation shall approve.

Every post and bracket and every overhead wire shall be of such pattern material and strength and shall be securely fixed in such manner as the corporation shall approve.

Every post and bracket shall be painted at least once in every year with good oil paint of a colour or colours to be approved by the corporation.

No post or bracket shall be used for the display of advertisements.

If any post bracket or overhead wire after it has been erected shall in the opinion of the corporation be an obstruction the Company shall alter the position thereof in such manner as the corporation shall approve.

The Company shall in executing any work take such precautions and do such acts as the corporation may require for preventing injury to or interference with any sewer pipe electric wire lamp post or other property belonging to the corporation or with the supply of electricity through any such wire.

The corporation may appoint an electrical engineer to superintend the construction of any work by the Company and the Company shall comply with all reasonable requirements of such engineer as to the mode of executing such work and the Company shall pay to the corporation the reasonable expenses of such superintendence. Provided always that any difference which may arise between the corporation and the Company as to the reasonableness of any requirement of such engineer shall be deemed to be a matter in difference within the meaning of section 33 of the Tramways Act 1870.

Any officer of the corporation may at any time if necessary so to do remove any overhead wire to allow of the passage or use of any fire engine or fire escape.

The decision of the corporation upon any matter or thing as to which their approval is necessary or as to which they are authorised to make a requirement under the provisions of this schedule shall (notwithstanding anything contained in the Tramways Act 1870) be final and conclusive and binding on the Company.

SECOND SCHEDULE.

A.D. 1894.

Describing lands buildings and manufactories whereof portions only are required to be taken by the Company.

Object for which lands are required.	Parish.	Number of Property on deposited Plans.
Widening of Clouds Hill Road	St. George - -	3, 4, 17, 27.
Widening of Bell Hill Road -	St. George - -	48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 68, 71.
Widening of Two Mile Hill Road	St. George - -	72, 73, 74, 75, 76, 77, 78, 79, 84, 85, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 115, 116.
Widening of Regent Street Kingswood	Bitton - - -	13, 16, 17, 18, 19, 22, 23, 24.

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