



# Tramways Act 1870

## CHAPTER 78

### TRAMWAYS ACT 1870

#### PRELIMINARY

- 1 Short title.
- 2 Limitation of Act.
- 3 Interpretation of terms.

#### PART I

##### *Provisional Orders authorizing the Construction of Tramways*

- 4 By whom Provisional Orders authorising the construction of tramways may be obtained.
- 5 The Board of Trade may in certain cases dispense with the consent of local or road authority.
- 6 Notices and deposit of documents by promoters as in schedule.
- 7 Power for Board of Trade to determine on application and on objection.
- 8 Power for Board of Trade to make Provisional Order. Form and contents of Provisional Order.
- 9 Regulations as to construction of tramways in towns.
- 10 Nature of traffic on tramway and tolls to be specified in Provisional Order.
- 11 Costs of Order.
- 12 Promoters to deposit 4*l.* per cent. on estimate in prescribed bank.
- 13 Publication of Provisional Order as in schedule.
- 14 Confirmation of Provisional Order by Act of Parliament.
- 15 Incorporation of general Acts in Provisional Order.
- 16 Power of Board of Trade to revoke, amend, extend, or vary Provisional Order.

*Changes to legislation: There are currently no known outstanding effects for the Tramways Act 1870. (See end of Document for details)*

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- 17 Power to authorise joint work.
- 18 Cesser of powers at expiration of prescribed time.
- 19 Local authority may lease or take tolls.
- 20 How expenses to be defrayed.
- 21 Metropolitan Board may, for carrying Provisional Order into effect, create stock under Loans Act of 1869.

## PART II

### *Construction of Tramways*

- 22 As to incorporation of Parts II and III of this Act with Provisional Order and special Acts.
- 23 “Special Act.”
- 24 “Promoters.”
- 25 Mode of formation of tramways.
- 26 Power to break up streets, &c.
- 27 Completion of works and reinstatement of road.
- 28 Repair of part of road where tramway is laid.
- 29 Road authority and promoters may contract for paving roads on which tramways are laid.
- 30 Provision as to gas and water companies.
- 31 For protection of sewers, &c.
- 32 Rights of authorities and companies, &c. to open roads.
- 33 Difference between promoters and road authority, &c.

## PART III

### GENERAL PROVISIONS

#### *Carriages*

- 34 Power for promoters to use tramways with flange-wheeled carriages, &c.

#### *Licences to use Tramways*

- 35 Licences to use the tramway may in certain events be granted to third parties by the Board of Trade.
- 36 In default of payment of tolls licensee’s carriages may be detained and sold.
- 37 Licensees to give account of passengers carried by them.
- 38 Licensees not giving account of passengers carried liable to penalty.
- 39 Disputes as to amount of toll to be settled by justice.
- 40 Owners of carriages liable for damage done by their servants.

#### *Discontinuance of Tramways*

- 41 Tramways to be removed in certain cases.

#### *Insolvency of Promoters*

- 42 Proceedings in case of insolvency of promoters.

#### *Purchase of Tramways*

- 43 Future purchase of undertaking by local authority.

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44 Power of sale.

*Tolls*

45 Tolls, &c.

*Byelaws*

46 Byelaws by local authority. Promoters may make certain regulations.

47 Penalties may be imposed in byelaws.

48 Power to local authority to license drivers, conductors, &c.

*Offences*

49 Penalty for obstruction of promoters in laying out tramway.

50 Penalties for wilful injury or obstruction to tramways &c.

51 Penalty on passengers practising frauds on the promoters.

52 Transient offenders.

53 Penalty for bringing dangerous goods on the tramway.

54 Penalty for persons using tramways with carriages with flange wheels, &c.

*Miscellaneous*

55 Promoters or lessees to be responsible for all damages.

56 Recovery of tolls, penalties, &c.

57 Right of user only.

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59 Reservation of rights of owners, &c. of mines.

60 Reserving powers of street authorities to widen, &c. roads.

61 Power for local authorities and police to regulate traffic in roads.

62 Reservation of right of public to use roads.

63 Regulating inquiries before referee appointed by the Board of Trade.

64 Rules for carrying Act into effect.

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SCHEDULES

SCHEDULE A —

Part I

Part II

Part III

SCHEDULE B —

Part I

*Advertisement in October or November of intended application*

Part II

*Deposit on or before 30th November*

Part III

*Changes to legislation: There are currently no known outstanding effects for the Tramways Act 1870. (See end of Document for details)*

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*Deposit on or before 23rd December*

*Short title of undertaking.*

*Here advertisement to be set out verbatim.*

Part IV

*Deposit and advertisement of Provisional Order when made*

SCHEDULE C —

Part I

*Notice and Deposit of Lease by Local Authority*

*Deposit*

Part II

*Notice of Byelaws*

**Changes to legislation:**

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