CHAPTER lxxii.

An Act for extending the time for completing certain of the Tramways of the Manchester Bury Rochdale and Oldham Steam Tramways Company. [16th July 1885.] A.D. 1885.

WHEREAS by the Bury and District Tramways Order 1881 confirmed by the Tramways Orders Confirmation (No. 3) Act 1881 and with which was incorporated the Tramways Act 1870 the Promoters thereof were authorised to construct certain tramways in the county of Lancaster:

And whereas in the year 1881 certain persons formed themselves into a company under the name of the Manchester Bury Rochdale and Oldham Steam Tramways Company Limited (herein-after referred to as "the Limited Company") for the purpose of acquiring constructing and working the tramways authorised by the Bury and District Tramways Order 1881 and the Rochdale Tramways Order 1881 and for other purposes and such Limited Company was duly registered under the Companies Act 1862:

And whereas by the Manchester Bury and Rochdale Tramways (Extensions) Order 1882 confirmed by the Tramways Orders Confirmation (No. 3) Act 1882 and with which was incorporated the Tramways Act 1870 the Limited Company was authorised to construct certain tramways in the county of Lancaster by way of extension of the tramways authorised by the Bury and District Tramways Order 1881 and the Rochdale Tramways Order 1881 respectively and the tramways authorised by those Orders were transferred to and vested in the Limited Company:

And whereas by the Manchester Bury Rochdale and Oldham Steam Tramways Act 1884 the Limited Company was dissolved and re-incorporated by the name of the Manchester Bury Rochdale and Oldham Steam Tramways Company (herein-after called "the Company") and their undertaking was vested in the Company who were empowered to construct complete work and maintain the tramways

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authorised by the Bury and District Tramways Order 1881 the Rochdale Tramways Order 1881 the Manchester Bury and Rochdale Tramways (Extensions) Order 1882 and the now reciting Act and to exercise the powers conferred by those Orders upon the Promoters thereof and the powers conferred upon the Company by the now reciting Act and other purposes of the same Act and certain portions of the tramways authorised to be constructed by the Manchester Bury and Rochdale Tramways (Extensions) Order 1882 were authorised to be abandoned and the time limited for the completion of the remainder of the tramways authorised by the last-mentioned Order was extended to the twelfth day of July 1885:

And whereas the Company have constructed certain of the tramways or portions of the tramways authorised by the last-mentioned Order and it is expedient that the time limited for the completion of the remainder of the said tramways be further extended as herein-after provided:

And whereas the time limited for the completion and opening for public traffic of the Tramway No. 9 authorised by the Bury and District Tramways Order 1881 has been prolonged by the Board of Trade to the twelfth day of July 1885 and it is expedient that the same be further extended as herein-after provided:

And whereas the objects aforesaid 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 Manchester Bury Rochdale and Oldham Steam Tramways (Extension of Time) Act 1885.

Extending time for constructing Tramway No. 9 authorised by Bury and District Tramways Order 1881.

2. The time limited by the Bury and District Tramways Order 1881 for the completion and opening for public traffic of Tramway No. 9 thereby authorised to be constructed as prolonged by the Board of Trade is hereby further extended to the twelfth day of July one thousand eight hundred and eighty-seven which shall be deemed to have been the time limited by that Order for the completion and opening for public traffic of the tramways thereby authorised to be constructed and if the said tramway is not completed and opened for public traffic within such extended time the powers granted to the Company for constructing the same and otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall have been then completed.

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Extending time for constructing certain tramways authorised by Manchester Bury and Rochdale Tramways (Extensions) Order 1882.

3. The time limited by the Manchester Bury and Rochdale Tramways (Extensions) Order 1882 for the completion of the tramways authorised by that Order and not authorised to be abandoned and therein numbered 7A 10 11 12 13 14 15 16 17 18 and 19 as extended by the Manchester Bury Rochdale and Oldham Steam Tramways Act 1884 is hereby further extended to the twelfth day of July one thousand eight hundred and eighty-seven which shall be deemed to have been the time limited by that Order for the completion of the tramways thereby authorised to be constructed and the time thereby limited for the completion of Tramway No. 4 thereby authorised is hereby extended and limited to a period of one year from and after the completion of the authorised widening of Fleet Street Rock Street and Stanley Street which period shall be deemed to have been the time limited by that Order for the completion of that tramway and if the said tramways and parts of tramways respectively are not completed within such respective extended times the powers granted to the Company for constructing and maintaining the same and otherwise in relation thereto shall cease to be exercised except as to so much thereof as shall have been then completed.

Provision for protection of Postmaster-General.

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

1. It shall not be lawful for the Company to lay down any line or rail or to do any act or work for working the tramways by electricity whereby any telegraphic line of the Postmaster-General is or may be injuriously affected and before any such line or rail is laid down or any such act or work 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 such work shall give written notice to the Postmaster-General specifying the course of the line or rail 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 injuricusly affected by the said act or work

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2. Any difference which arises between the Postmaster-General and the Company or their agents with respect to any requirement so made shall be determined by the Board of Trade whose decision shall be final and sections 30 to 32 both inclusive 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.

3. 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.

4. 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.

5. 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.

6. For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act of 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.

Company not exempt from provisions of present or future Tramway Acts.

5. Nothing in this Act contained shall exempt the Company or their tramways from the provisions of any general Act relating to tramways now in force or which may hereafter be passed 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.

Costs of Act.

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

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