



Western Australia.

ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

No. XLII.

AN ACT to confirm a Provisional Order
authorising the Construction of Tramways
in the Municipality of Leederville.

[Assented to, 5th December, 1900.]

BE it enacted by the Queen's Most Excellent Majesty, by and
with the advice and consent of the Legislative Council and
Legislative Assembly of Western Australia, in this present Parliament
assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Leederville Tramways Act, 1900. Short title.

2. THE term "Local Authority," when used in this Act or in
the Tramways Act, 1885, shall mean the council of any municipality
declared and proclaimed or constituted under the provisions of the
Municipal Institutions Act, 1895, or other board, council, trustees,
or persons in whom a road, as defined by the Tramways Act, 1885, is
vested, or who have the power to maintain or repair such road. Interpretation.

3. THE Provisional Order made by the Commissioner of
Railways for Western Australia on the 10th day of October, 1900,
and set forth in the Schedule to this Act, is hereby confirmed. Confirmation of Pro-
visional Order.

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Power to construct
Tramways.

4. SUBJECT to the provisions of the Tramways Act, 1885, the Promoter named in the said Provisional Order, and its assigns, may make, form, lay down, construct, maintain, and work the Tramways set forth in the said Provisional Order.

Schedule incorpor-
ated.

5. THE Schedule shall form part of this Act.

Saving rights of the
Municipality of
Leederville.

6. NOTHING herein contained shall prejudice or affect a certain agreement dated the second day of July, 1900, and made between the Mayor, Councillors, and Ratepayers of the Municipality of Leederville of the one part, and the Promoter of the other part, except so far as the same is contrary to or in conflict with the provisions of this Act or the Tramways Act, 1885.

Power for Local
Authority to connect
with and acquire
running powers over
Tramways.

7. IF at any time hereafter any Local Authority shall require to connect with and to acquire running powers over the Tramways authorised by this Act, the terms and conditions upon which it shall be lawful so to do shall be referred to arbitration, under the provisions of the Arbitration Act, 1895, and shall be determined by the award, and it shall be lawful for any Local Authority interested to be represented at and to take part in the arbitration.

Power for Commis-
sioner of Railways
to make lines cross-
ing tramway.

8. IT shall at all times hereafter be lawful for the Commissioner of Railways and for any person acting with his authority to construct, maintain, and use lines of railway crossing the said tramways at any points, and whenever any such line of railway shall have been so constructed the Commissioner of Railways may require the Promoter and the assigns of the Promoter, at their own cost, to erect a suitable bridge over such railway for the tramway traffic.

Protection of tele-
phone service from
injury by tramways.

9. WHENEVER any telephone service is erected prior to the construction of the tramways, and is prejudicially affected by the construction or working of the tramways, the Postmaster General may, at the cost of the Promoter and his assigns, do all such things as may be necessary to protect the telephone service from being so affected, either by placing the same on a metallic circuit system or otherwise.

In the name and on behalf of the Queen I hereby assent
to this Act.

ALEX. C. ONSLOW, Administrator.

THE SCHEDULE.

PROVISIONAL ORDER.

WHEREAS TRAMWAYS SYNDICATE, LIMITED, whose registered office is at Trustee Chambers, in Barrack Street, Perth, a Company within the meaning of the expression "The Promoters," as defined by "The Tramways Act, 1885," Section three, Sub-section two, has made application to me for a Provisional Order authorising the construction of Tramways in the Municipality of Leederville, along the routes specified in the Schedule hereunder written: AND WHEREAS the Promoter has published notice of its intention to make such application, in the form prescribed in the Schedule "B" annexed to "The Tramways Act, 1885," by advertisement in the *Government Gazette*, and in the *West Australian* and *Morning Herald* newspapers, and has deposited the documents described in Schedule "C" annexed to the same Act at the Department of Public Works, Perth, and with the Town Clerk of Leederville: AND WHEREAS I have considered the said application, and it appears to me expedient and proper that the said application should be granted: Now, THEREFORE, I, the undersigned, Commissioner of Railways for Western Australia, do hereby, by virtue of the provisions of "The Tramways Act, 1885," make a Provisional Order, and I do order as follows, that is to say:—

1. The Promoter shall be, and is hereby empowered to make, form, lay down, construct, maintain, and work Tramways in, upon, and along such of the streets and roads in the Municipality of Leederville as are mentioned in the said Schedule hereunder written: PROVIDED, NEVERTHELESS, that notwithstanding anything herein contained it shall be lawful for the Commissioner of Railways, at any time within six months from this date, by notice, in writing, to the Promoter, delivered at its registered office for the time being, to prohibit the construction of any part or parts of the said Tramway which, in the opinion of the Commissioner of Railways, may interfere with the railway system.

2. The Promoter shall, within nine months after the confirmation of this Provisional Order, or within such extended time as the Commissioner of Railways and Local Authority may approve, substantially commence the works in connection with the said Tramways, and complete the first section thereof, namely, from the Loftus Street boundary of the City of Perth, along Newcastle Street and Oxford Street to Bourke Street, within 12 months of such commencement; and the second section thereof, namely, from Bourke Street, along Oxford Street to Government Road, within 18 months of the completion of the first section thereof.

3. The Promoter shall, within two years from the passing of the Act of Parliament confirming this Provisional Order, purchase all such freehold lands, and acquire all such leasehold lands with the right of purchase, as shall be required for the purpose of working the said Tramways, and shall forthwith, after such purchase, notify to the Local Authority the price paid for such freehold and leasehold lands; and all buildings and works required or used in connection with the Tramways shall be erected on freehold lands, or leasehold lands with the right of purchase.

4. The said Tramways shall be constructed on the 3ft. 6in. gauge.

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5. The roads of all the lines shall be properly macadamised by the Promoter for a width of 6ft. 6in. for single lines and 16ft. for double lines, and shall be kept in thorough repair, to the level of the rails, by the Local Authority until the Local Authority shall have macadamised its roads on each side of the tram route up to the kerbs of the footpaths, and thereafter shall be kept in such repair as aforesaid by the Promoter.

6. The said Tramways shall be laid with steel rails.

7. The said Tramways shall be used for the conveyance or carriage of passengers only.

8. The Promoter may demand and take, for every passenger conveyed upon the said Tramways, any tolls and charges not exceeding in amount the sum of threepence for any single fare on a single journey from or to the Perth Town Hall and the end of Oxford Street at Government Road: PROVIDED ALWAYS, that the Promoter shall, as and when required by the Local Authority, provide special cars for workmen between the hours of 6 and 8 a.m., and 5 and 6.30 p.m., and all workmen travelling upon such special cars between the said hours in the morning shall, on payment of a fare not exceeding threepence, be provided with return tickets from or to the Perth Town Hall and the end of Oxford Street at Government Road, the return portion whereof shall be available for use on workmen's cars between the said hours of 5 and 6.30 p.m.: PROVIDED ALSO, that every passenger travelling on the said Tramways to the Perth Town Hall shall be entitled, on payment of an additional fare of one penny, to continue his or her journey on the tramcars from the Perth Town Hall to any place within the limits of the boundaries of the City of Perth along the tramway track.

9. The restrictions herein contained as to tolls and charges which the Promoter may demand and take for the conveyance or carriage of passengers shall not extend to any special cars other than workmen's cars, but shall apply only to workmen's cars and to the ordinary cars appointed by the Promoter from time to time for the conveyance of passengers.

10. The tolls and charges authorised to be taken, and which shall be demanded by the Promoter, shall be paid to such persons and at such places upon or near the Tramways, and in such manner and under such Regulations as the Promoter shall appoint by notice to be exhibited in some conspicuous place on the inside of each of the passenger cars used by the Promoter upon the said Tramways.

11. Every passenger travelling upon the Tramways may take with him ordinary personal luggage or goods belonging to him, not exceeding in weight 20lbs., without any charge being made for the carriage thereof.

12. All cars used on the said Tramways shall be moved by electric power, and the Promoter may erect and maintain all such poles and posts, with wires attached thereto, in the said streets mentioned in the said schedule hereunder written, along the routes therein mentioned, as may be necessary or required for supplying electricity to the said cars, and for working the said Tramways on the overhead trolley system: Provided that the Commissioner of Railways shall be entitled to direct the alteration of position of any pole, or post, or wire if it appears to him that the same is specially inconvenient, and could be made less inconvenient without great cost to the Promoter, and in the event of such direction being given by the said Commissioner of Railways, the Promoter shall comply with it without delay.

13. All cars using the said Tramways may travel at a speed not exceeding the rate of 10 miles an hour, and may follow after each other at distances of not less than 50 yards, and may stop at any point on the said Tramways, except on crossings of streets, for the purpose of taking up and setting down passengers, and may stand at the terminus of any of the said Tramways.

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14. Cars shall be run at intervals of not more than 20 minutes between the hours of 6 a.m. and 11.30 p.m.

15. The said Tramways shall be constructed in accordance with the drawings herewith (subject to provisos herein contained), with double or single lines, as the case may be, and in the case of single lines the Promoter shall be at liberty to lay them down either in the centre of the road or on either side thereof, but the Commissioner of Railways may, from time to time, upon the application of the Promoter, alter or vary the same, or authorise or require the Promoter to alter or vary the same.

16. All additional plans and specifications required in connection with the carrying out of the works shall be submitted to the Commissioner of Railways, and all work shall be carried out and finished to his entire satisfaction.

17. The Promoter may, from time to time, make and enter into and carry into effect contracts, agreements, and arrangements with any person, Corporation, or Company for or with reference to the use by such other person, Corporation, or Company of the said Tramways, or portion thereof, and for prescribing and regulating the tolls and charges to be paid for such use, and the terms and conditions of such use, and all matters incidental thereto.

18. The term "the Promoter," whenever hereinbefore used, shall mean and include the Tramways Syndicate, Limited, and its assigns, wherever the context so requires or admits.

SCHEDULE ABOVE REFERRED TO.

1. From the Loftus Street boundary of the City of Perth, along Newcastle Street and Oxford Street, to Bourke Street.
2. From Bourke Street, along Oxford Street, to Government Road.

Given under my hand this 10th day of October, 1900.

B. C. WOOD,

Commissioner of Railways.