

tramway is authorised to be laid, such posts or pillars, of wood, iron, or other material, as may be necessary for supporting the wires or cords used for transmitting the electric force, and to place, suspend, and maintain suspended therefrom, such wires or cords as may be necessary for transmitting such force :

Provided that the poles or pillars shall be of such height and dimensions and at such distances from one another, and the wires or cords shall be kept at such a height above the surface of the earth, and the company shall observe such precautions to avoid the falling of any such wire or cord, and to secure the effectual insulation thereof, as the Governor in Council may from time to time prescribe.

Power to construct, maintain, and renew works and appliances necessitated by use of motive power other than horses.

4. When a company obtains the concurrence of the Council in the use of any motive power other than horses, or in the substitution of any such other motive power for horses, in connection with a tramway of the company, whether such tramway is already constructed or is proposed to be constructed, then and in every such case, for the purpose of constructing, maintaining, renewing, or reconstructing any works or appliances necessary or expedient for the efficient working of such tramway by means of such motive power, the company may, subject to the provisions of the Principal Act in that behalf, from time to time, do all or any of the acts following, that is to say :—

- (1) Break up a street ;
- (2) Alter the position of gas pipes or water pipes, or, with the approval of the Postmaster-General, of telegraphic wires, posts, or apparatus ;
- (3) Make alterations in any existing works and appliances of the company, and execute other works, and provide other appliances whether temporary or permanent.

Special provision as to companies where Tramways are in operation.

5. When a company which has already constructed tramways in accordance with the provisions of the Principal Act desires to substitute other motive power in the place of horses, and has obtained the concurrence of the several councils concerned in that behalf, the company need not, for the purpose of reconstructing such tramways in so far as it is necessary or expedient so to do, comply with any of the conditions, or do any of the acts or things, prescribed by Part II. of the Principal Act in relation to the construction of a tramway ; but in the exercise of the powers aforesaid the company shall be subject to all other provisions of the Principal Act, so far as the same are applicable thereto, and so far as the same are not expressly varied by this Act.

Power to construct, maintain, and work temporary tramways during execution of alterations.

6. When by reason of the execution of any works or alterations under any of the powers conferred by the two last preceding sections, it is, in the opinion of the company, necessary or expedient temporarily to remove, or discontinue the working of, an existing tramway, the company may temporarily remove, or discontinue the working of, the same accordingly, and may, subject to the approval of the council, construct in the same street in which such tramway is laid, or in a street adjacent thereto, a temporary tramway in lieu of the tramway so removed or discontinued, and, subject to the like approval, may maintain and work the same so long as occasion may require :

Provided that the company shall complete such works or alterations with all reasonable expedition, and shall upon the completion thereof replace the tramway in its original position and completely restore the street upon which such temporary tramway was laid, to the reasonable satisfaction of the council.

Cost of works necessitated by the exercise of powers reserved under sections 41 and 42, by whom to be borne.

7. Whenever, by reason of the exercise of any of the powers reserved to the council or to any other person or persons by the forty-first and forty-second sections of the Principal Act, it is necessary or expedient for a company to execute any works for the purpose of altering the levels of a tramway worked by any motive power other than horses, or for the purpose of securing, restoring, or renewing such tramway, or otherwise in relation to the premises, then and in every such case the cost and expenses of and connected with the execution of all such works shall be borne by the council or other the person or persons for the time being exercising such powers as aforesaid, and the company may recover the same as liquidated damages from such council, person, or persons, anything in the Principal Act to the contrary notwithstanding.

Power to restrict fares limited.

8. Except with the consent of a company in that behalf first had and obtained, the powers conferred upon the Governor in Council by the seventy-eighth section of the Principal Act shall not be exercisable so as to reduce the fares which the company may lawfully demand for the conveyance of passengers upon its tramway as prescribed by the fifty-eighth section of the said Act.

Company empowered to sell its undertaking.

9. A company may, with the consent of the Governor in Council and in manner prescribed by its memorandum and articles of association, sell its undertaking in relation to a tramway or any portion of such undertaking to any person or persons, corporation or company :

Provided always that the company shall first offer to sell to the council such undertaking or portion thereof, and shall enter into no contract for the sale of the same with any other person or persons, corporation, or company, until the expiration of six calendar months from the date of such offer, or unless before the expiration of such time the council has refused to purchase the same, and in the event of the council purchasing the same the amount of purchase money shall be ascertained in accordance with the provisions of the second paragraph of the eighty-fourth section of the Principal Act.

When