

THE SCHEDULE HEREINBEFORE REFERRED TO.

*Reconstruction Area No. 2.*

Land bounded on the north by the Railway cutting of the Bootle Goods Branch between Rimrose Road and the Liverpool, Crosby and Southport Electrified Railway, on the easterly side by the said Liverpool, Crosby and Southport Electrified Railway, on the southerly side by the Bootle, Liverpool Municipal Boundary between the said Liverpool, Crosby and Southport Electrified Railway and Derby Road and on the westerly side by the easterly side of Derby Road and Rimrose Road between the Bootle, Liverpool Municipal Boundary and the Bootle Goods Branch Railway cutting.

Dated the 18th day of June, 1948.

HAROLD PARTINGTON, Town Clerk.

Town Clerk's Office,  
Town Hall, Bootle  
(163)

STATUTORY INSTRUMENTS

1948 No. 1192

TRAMWAY

CESSEY OF POWERS

THE HYDE CORPORATION TRAMWAYS (CESSEY OF POWERS) ORDER, 1948.

Made 2nd June, 1948.

WHEREAS by the Oldham Ashton-under-Lyne Hyde and District Electric Tramways Order, 1896 (hereinafter referred to as "the Order of 1896"), confirmed by the Tramways Orders Confirmation (No. 2) Act, 1896, and the Hyde Corporation Tramway Order, 1901 (hereinafter referred to as "the Order of 1901"), confirmed by the Tramways Orders Confirmation (No. 3) Act, 1901, powers were granted for the construction of certain tramways in the county of Chester and of those tramways the tramways described in the Schedule to this Order (hereinafter referred to as "the abandoned tramways") were constructed;

And whereas the provisions of the Tramways Act, 1870, are incorporated with the Order of 1896 and the Order of 1901 and in Part III of that Act it is enacted by section 41 (inter alia) as follows:—

"If at any time after the opening of any tramway in any district for traffic the promoters discontinue the working of such tramway, or of any part thereof, for the space of three calendar months (such discontinuance not being occasioned by circumstances beyond the control of such promoters, for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control), and such discontinuance is proved to the satisfaction of the Board of Trade, the said Board, if they think fit, may by Order declare that the powers of the promoters in respect of such tramway or the part thereof so discontinued shall, from the date of such order, be at an end, and thereupon the said powers of the promoters shall cease and determine, unless the same are purchased by the local authority in manner by this Act provided";

And whereas by virtue of the Ministry of Transport Act, 1919, and the Ministry of Transport (Board of Trade Exception of Powers) Order, 1919 (a), the

powers and duties of the Board of Trade under the said section 41 have been transferred to the Minister of Transport (hereinafter referred to as "the Minister");

And whereas the powers of the Promoters under the Order of 1896 and the Order of 1901, and otherwise in respect of the abandoned tramways are now vested in the Hyde Corporation (hereinafter referred to as "the Corporation");

And whereas the Corporation have applied to the Minister for an order under the said section 41 declaring that the powers of the Corporation in respect of the abandoned tramways shall be at an end and it has been proved to the satisfaction of the Minister that the working of the abandoned tramways has been discontinued for the space of three calendar months;

Now therefore the Minister in exercise of his powers under section 41 of the Tramways Act, 1870, and of all other powers him enabling hereby makes the following Order:—

1. The powers of the Corporation in respect of the abandoned tramways shall from the date of this Order be at an end.
2. The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
3. This Order may be cited as "The Hyde Corporation, Tramways (Cesser of Powers) Order, 1948."

Given under the Official Seal of the Minister of Transport this second day of June, 1948.

*P. Faulkner,*

An Under Secretary of the  
Ministry of Transport.

L.S. X2823.  
P.B.

(a) S.R. & O. 1919 No. 1440.

SCHEDULE.

*Tramway authorised by the Order of 1896.*

So much of tramway No. 12 as is situate in the borough of Hyde commencing in Market Place (western side) at the Town Hall, passing thence along Market Place, Market Street (formerly Hyde Lane) and Stockport Road and terminating therein 100 yards or thereabouts southward from Lilly Street.

*Tramway authorised by the Order of 1901.*

The tramways situate in Stockport Road and Gee Cross in the borough of Hyde, commencing at a point 2.50 chains north from Back Bower Lane at the termination of the portion of Tramway No. 12 hereinbefore described and terminating at the boundary between the borough of Hyde and the urban district of Bredbury and Romiley.

CERTIFIED.

JOHN BINNS, Solicitor, Town Clerk, Hyde.

Town Hall,  
Hyde.  
12th June, 1948.  
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