

Tramways Act, 1886

Section 14 - RIGHTS OF PROMOTERS AND THE PUBLIC OVER TRAMWAYS

1) The promoter of a tramway shall, subject to the provisions of sub-section.(2) and to the other provisions of this Act and of the order, have the exclusive use of the tramway for carriages with flange-wheels or other wheels suitable to run on the rail described in the order as the rail to be used on the tramway: Provided that nothing in this Act or in the order or any rule made under this Act shall affect the right of any person authorized to use a tramway or railway to pass across a tramway constructed under this Act with carriages having wheels suitable to run on the rail thereof. (2) The public shall have a right to pass along or across any part of a road along or across which a tramway is constructed, whether on or off the tram- way with carriages not having flange-wheels or other wheels suitable to run on the rail of the tramway: Provided - (a) that this sub-section shall not apply where the tramway is constructed on land the right to the exclusive possession of which has been acquired by the promoter; and (b) that the²⁷[Governments may by an order authorize the construction of a tramway on any part of a road with rails raised above the surface of the road, if it is satisfied that the convenience of the public will not be injuriously affected thereby.