

Tramways Act, 1886

Section 40 - SAVING OF POWER OVER ROADS TRAVERSED BY TRAMWAYS

1) Nothing in this Act, or in an order or any rule made under this Act, shall take away or abridge any power which a road authority, local authority or other person has by law to break up, widen, alter, divert or improve a road, railroad or tramway along or across which a tramway is laid. (2) The road-authority, local authority or other person executing any work referred to in sub-section (1) shall not be liable to pay to a promoter, lessee or licensee any compensation for injury done to a tramway by the execution of the work or for loss of traffic occasioned by the reasonable use of any power lawfully exercised for the execution thereof.