



## CHAPTER xxvii.

An Act to constitute the borough of Doncaster a county borough to enable the Corporation of that borough to provide and work trolley vehicles to consolidate the rates of the borough to make better provision for the local government and finance of the borough and for other purposes. [30th June 1926.] A.D. 1926.

**W**HEREAS the borough of Doncaster in the administrative county of the west riding of Yorkshire is a municipal borough under the management and local government of the mayor aldermen and burgesses of the borough (in this Act referred to as "the Corporation"):

And whereas the population of the borough according to the census of one thousand nine hundred and twenty-one was fifty-four thousand and sixty-four and the present population thereof is estimated to be upwards of fifty-six thousand and it is expedient that the borough should be constituted a county borough:

And whereas it is expedient to empower the Corporation to provide and work vehicles adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source (in this Act referred to as "trolley vehicles") along the routes of certain of the light railways of the Corporation and other routes in this Act mentioned and to confer upon

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A.D. 1926. — the Corporation all necessary and convenient powers with regard thereto :

And whereas it is expedient that further powers should be conferred upon the Corporation with respect to their electricity undertaking and that further and better provision should be made with reference to the finance of the borough :

And whereas the expenses of the Corporation whether as a municipal or sanitary authority or otherwise are payable out of the borough fund and borough rate the district fund and general district rate of the borough subject to provisions for differential rating in certain cases and it is expedient that all the said expenses of the Corporation should be defrayed out of the borough fund and the borough rate :

And whereas the township of Doncaster is co-terminus with the borough and it is expedient that the contributions of such township to the borough rate should be levied as part and be paid out of the poor rate for the said township and that in relation thereto the provisions contained in this Act with respect to differential rating in certain cases should be enacted :

And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which they are by this Act authorised to borrow money and such estimates are as follows :—

	£
For the provision and equipment of trolley vehicles - - - -	47,000
For reinstatement of road on trolley vehicle route - - - -	8,691
For the erection of loading stations and shelters - - - -	5,500

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas it is expedient that the other powers contained in this Act should be conferred upon the Corporation :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed: A.D. 1926.

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

## PART I.

### PRELIMINARY.

1. This Act may be cited as the Doncaster Corporation Act 1926. Short title.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Constitution of county borough.

Part III.—Trolley vehicles.

Part IV.—Electricity.

Part V.—Consolidation of rates.

Part VI.—Finance &c.

Division  
of Act  
into Parts.

3. In this Act unless the subject or context otherwise requires the expressions— Interpretation.

“The county borough” means the county borough of Doncaster constituted by this Act;

“The borough” means the borough of Doncaster or the county borough as the case may be;

“The Corporation” means the mayor aldermen and burgesses of the borough or of the county borough as the context requires;

“The council” means the council of the borough;

“The county” and “the county council” mean respectively the administrative county of the west riding of Yorkshire and the county council of that county;

“The Act of 1888” means the Local Government Act 1888;

“The Minister” means the Minister of Health;

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- “Officer” includes a servant;
- “The town clerk” and “the treasurer” mean respectively the town clerk and the treasurer or accountant of the borough and respectively include any person duly appointed by the Corporation to discharge temporarily the duties of any such officer;
- “The borough fund” and “the borough rate” mean respectively the borough fund and the borough rate of the borough;
- “The district fund” and “the general district rate” mean respectively the district fund and the general district rate of the borough;
- “The township” means the township of Doncaster;
- “The poor rate” means the poor rate of the township;
- “The general rate” means the poor rate as by this Act authorised to be levied and collected;
- “The Act of 1925” means the Rating and Valuation Act 1925;
- “Date of the first new valuation” means the date on which the first new valuation list made under Part II. of the Act of 1925 comes into operation;
- “The light railways undertaking” means and includes the light railways trolley vehicle and omnibus undertakings of the Corporation as from time to time authorised;
- “Trolley vehicle” means a mechanically-propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source;
- “The electricity undertaking” means the electricity undertaking of the Corporation as from time to time authorised;
- “The water undertaking” means the water undertaking of the Corporation as from time to time authorised;
- “The gas undertaking” means the gas undertaking of the Corporation as from time to time authorised;
- “The market undertaking” means the market undertaking of the Corporation as from time to time authorised;

“ The baths undertaking ” means the baths and washhouses undertaking of the Corporation as from time to time authorised; A.D. 1926.

“ The Order of 1899 ” means the Doncaster Corporation Light Railways Order 1899;

“ The Act of 1904 ” means the Doncaster Corporation Act 1904;

“ The Act of 1915 ” means the Doncaster Corporation Act 1915;

“ Statutory security ” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“ Statutory borrowing power ” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed; and

“ Revenues of the Corporation ” includes the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation.

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PART II.

CONSTITUTION OF COUNTY BOROUGH.

Commence-  
ment of  
Part II. of  
Act.

4. This Part of this Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the first day of April one thousand nine hundred and twenty-seven (in this Part of this Act referred to as "the commencement of this Part of this Act"):

Provided that for all purposes preliminary or relating to the preparation of the estimate of contributions by councils under the West Riding of Yorkshire Asylums Act 1912 and of the issue of precepts for those contributions this Part of this Act shall come into operation from such day earlier than the first day of April one thousand nine hundred and twenty-seven as may be necessary.

Constitu-  
tion of  
county  
borough.

5. The borough shall be constituted a county borough and all the provisions of the Act of 1888 respecting county boroughs shall apply to the borough as if the borough had been named in the Third Schedule to that Act and as if "York West Riding" had been therein specified as the county in which the borough should be deemed for the purposes of the said Act to be situate:

Provided that for the purposes of the provisions of the Act of 1888 as applied by this Part of this Act "the appointed day" shall mean the first day of April one thousand nine hundred and twenty-seven:

Provided also that any provisions in any local Act or Order for the benefit or protection of the county council so far as they relate to or affect the borough shall from and after the commencement of this Part of this Act enure for the benefit and protection of the Corporation.

County  
councillors  
and  
aldermen.

6.—(1) Subject to the provisions of section 54 of the Act of 1888—

(a) The Doncaster first second and third electoral divisions of the county shall be abolished and the councillors of the county who immediately before the commencement of this Part of this

Act represent those electoral divisions shall at such commencement vacate office and the number of councillors of the county shall be reduced by three; A.D. 1926.

- (b) If between the passing of this Act and the commencement of this Part of this Act a casual vacancy shall occur in the representation of any of the electoral divisions mentioned in subsection (1) of this section the vacancy shall not be filled;
- (c) The number of aldermen of the county shall be reduced by one upon the occurrence of the second vacancy after the commencement of this Part of this Act and such vacancy shall not be filled.

(2) Save as aforesaid no other councillor or alderman of the county shall be deemed during his present term of office to lose his qualification or to vacate his office by reason of the constitution of the county borough.

7.—(1) An equitable adjustment shall be made respecting the distribution of the moneys payable out of the local taxation account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) and respecting all other financial relations or questions between the county and the borough and in any case where the constitution of the county borough by this Part of this Act affects the distribution of the said moneys between the county on the one hand and any other county borough on the other hand or any financial relations or questions between the areas aforesaid or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made between the areas interested. Adjustment of financial relations between county and county boroughs.

(2) Any adjustment authorised by subsection (1) of this section may be made by agreement between the Corporation and the council of the county and of any other county borough affected and if such adjustment has not been made before the thirty-first day of December one thousand nine hundred and twenty-seven then on

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A.D. 1926. — the application of any of the councils interested the Minister may if he think fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made or so far as any such agreement does not extend the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Minister or an arbitrator appointed by him as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Part of this Act or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed by him shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly :

Provided—

- (a) that in lieu of subsection (6) of section 61 of the Act of 1888 subsections (1) and (5) of section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Minister under this section and to the costs of those inquiries; and
- (b) that subsection (6) of section 32 of the Act of 1888 shall apply to any agreement or award made under this section.

(4) For the purposes of the application of Part II. of the schedule to the Local Government (Adjustments) Act 1913 to any increase of burden in consequence of this Part of this Act in respect of the maintenance of main roads which is shown to be permanent the said Part II. shall be read and have effect as if the words "twenty-one" were substituted for the word "fifteen."

Adjustment  
for  
purposes of  
Licensing  
(Con-  
solidation)  
Act 1910.

8.—(1) An equitable adjustment shall be made between the county and the borough respecting the interest of the borough in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.



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(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the borough within twelve months from the commencement of this Part of this Act or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State. A.D. 1926.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly.

9.—(1) The estate and interest of the county council in the Doncaster Municipal High School for Girls (including the site thereof and the furniture fittings books and apparatus therein) shall by virtue of this Act be transferred to and vest in the Corporation and all contracts debts and liabilities which at the commencement of this Part of this Act are existing or are owing by or attach to the county council either alone or jointly with the Corporation in respect exclusively of the said school (including as aforesaid) or with respect to the officers teachers and servants of the said school shall by virtue of this Act enure to and be carried into effect by and be discharged and satisfied by the Corporation and section 68 of the Local Government Act 1894 shall apply with respect to any adjustment required for the purposes of this subsection. Provisions  
as to  
secondary  
schools.

(2) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised by the county council exclusively in respect of the said school (including as aforesaid) as will be owing at the commencement of this Part of this Act and the liability for the payment of interest on that part of the said loan shall by virtue of this Act be transferred and attach to the Corporation and so much of any such loan as will be owing at the commencement of this Part of this Act shall be charged on the borough fund and the borough rate and shall be repaid by the Corporation within the period for which that part of the loan was originally sanctioned or within which the said part of the loan is otherwise required to be repaid or is made repayable.

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Insurance  
committees.

**10.**—(1) The Minister may by order at any time after the passing of this Act make such provision as appears to him to be necessary for the constitution for the county borough of an insurance committee under the National Health Insurance Act 1924.

(2) An order made under this section may—

(a) provide for the transfer to the insurance committee constituted by the order of such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the county borough;

(b) authorise the insurance committee for the county to continue to act as insurance committee for the county borough until such date not being later than the first day of November one thousand nine hundred and twenty-eight as may be specified in the order and may for that purpose postpone the operation of this Part of this Act so far as relates to the rights and duties of the respective insurance committees for the county and the county borough until the date so specified;

(c) provide for such financial adjustments and contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this section shall have effect as if enacted in the National Health Insurance Act 1924 and may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order under this section the persons who immediately before the commencement of this Part of this Act are members of the insurance committee for the county shall be deemed to have been appointed or elected as and shall be the members of the insurance committee for the county as altered by this Part of this Act.

Provisions  
relating to  
West  
Riding of  
Yorkshire  
Rivers  
Board.

**11.**—(1) Articles II. III. and XIII. set out in the schedule to this Act shall respectively be substituted for Articles II. III. and XIII. of the Order of the Local Government Board dated the seventeenth day of May one thousand eight hundred and ninety-three relating

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to the West Riding of Yorkshire Rivers Board (confirmed by the Local Government Board's Provisional Orders Confirmation (No. 16) Act 1893) as amended by the West Riding of Yorkshire Rivers Act 1894 the Borough of Rotherham Order (No. 2) 1902 the County Borough of Barnsley Order 1912 the County Borough of Dewsbury Order 1912 and the County Borough of Wakefield Order 1913.

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(2) So much of subsection (1) of section 3 of the said Act of 1894 as relates to the interpretation of the expression "rivers" or "river" shall have effect as if the county borough of Doncaster were named therein.

(3) Nothing in this section shall prejudicially affect—

(a) The operation of the Acts and Orders referred to in subsection (1) of this section; or

(b) The jurisdiction powers or duties of the West Riding of Yorkshire Rivers Board or the change of the name of the joint committee made by the said Act of 1894 and all provisions incidental to or consequential upon that change of name shall have full effect notwithstanding the alteration of the constitution of the rivers board by this section.

**12.** The Corporation shall at their first or second meeting held after the commencement of this Part of this Act elect a member of the West Riding of Yorkshire Asylums Board in accordance with the provisions of the West Riding of Yorkshire Asylums Act 1912.

Provisions relating to West Riding of Yorkshire Asylums Board.

**13.** Any order of the Secretary of State under the Wild Birds Protection Acts 1880 to 1908 which immediately before the commencement of this Part of this Act is in force in the borough shall apply to the county borough until such order may be varied or repealed by a further order of the Secretary of State.

Orders under Wild Birds Protection Acts.

**14.—(1)** The basis of the county rate of the county shall be altered by the omission therefrom of the value of property in the township.

County rate basis.

(2) For the purpose of the preparation of any order for county contributions to be issued by the county council after the commencement of this Part of this Act this section shall come into operation at the passing of this Act.

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Compensation to  
existing  
officers.

**15.**—(1) Every officer (including teachers employed in the Doncaster Technical College and Junior Technical School) in office immediately before the commencement of this Part of this Act who by virtue of this Part of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary (and for whose compensation no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

(2) For the purposes of this section any officer whose services are dispensed with or whose salary is reduced within five years from the commencement of this Part of this Act because his services are not required or his duties are diminished in consequence of this Part of this Act and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Part of this Act.

(3) For the purposes of this section any person whose salary is paid by the county council shall be deemed an officer of the county council.

Determina-  
tion of  
compensa-  
tion.

**16.**—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Part of this Act regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed the limit therein mentioned.

(2) Any compensation payable to any officer shall be paid out of the borough fund and borough rate and the provisions of section 120 of the Act of 1888 shall apply subject to the following and any necessary modifications—

- (a) Any reference in that section to the Treasury shall be construed as a reference to the Minister of Health;
- (b) Any reference in that section to the county council shall be construed as a reference to the Corporation;
- (c) References in that section to “the passing of this Act” shall be construed as references to the commencement of this Part of this Act;

(d) The expression in subsection (1) of that section "the Acts and rules relating to Her Majesty's Civil Service" shall mean the Acts and rules relating to Her Majesty's Civil Service which were in operation at the date of the passing of the Act of 1888; and

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(e) The substitution in subsection (7) of that section of the words "the council of any county or county borough or under any district council" for the words "the same or any other county council."

(3) The compensation payable under this Part of this Act to an officer who immediately before the commencement of this Part of this Act held two or more offices under any local authority or authorities (as defined in section 34 of the Local Loans Act 1875) and who devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices.

(4) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty's forces or the forces of the allied or associated powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence :

Provided that in the case of an officer who after the armistice voluntarily extended his term of service with the forces no period of absence during such extension shall be so reckoned.

(5) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer not holding a temporary appointment add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this Part of this Act.

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Compensation and superannuation.

Provision of infectious diseases hospital.

**17.** No officer shall be entitled to receive compensation under this Part of this Act for any direct pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

**18.** Within a period of six months after the commencement of this Part of this Act the Corporation shall commence the erection of an infectious diseases hospital upon the land already appropriated for that purpose at Balby and the said hospital shall be erected in accordance with plans sections and elevations to be submitted to and approved by the Minister.

PART III.

TROLLEY VEHICLES.

Power to use trolley vehicles.

**19.**—(1) The Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may work and use the same upon the following routes (namely):—

Route No. 1 From the Corporation's light railway car sheds in Grey Friars Road in the borough along that road Frenchgate and the Great North Road into the urban district of Bentley-with-Arksey and thence along the Great North Road the Doncaster and Selby main road Arksey Lane The Avenue Victoria Road and the Doncaster and Selby main road to its junction with Arksey Lane;

Route No. 2 From the junction of Victoria Road with the Doncaster and Selby main road in the urban district of Bentley-with-Arksey along the latter road to Hall Villa Lane near the Bentley toll bar.

(2) The Corporation may also with the consent of the Minister of Transport and subject to such conditions as he may impose work trolley vehicles along any other street or road in the borough along which they are at the passing of this Act authorised to construct or work light railways.

(3) The Corporation may also adapt and use for the purpose of working trolley vehicles under or in

pursuance of the powers of this Act any apparatus and equipment provided by them for working light railways. A.D. 1926.

(4) Before equipping any route for working trolley vehicles to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval.

(5) When an order has not been made by the Minister of Transport under the section of this Act of which the marginal note is "As to abandonment of light railways" notwithstanding anything contained in section 46 (Service of cars) of the Order of 1899 the Corporation shall not be required to provide a service of cars upon the route of any of such light railways along which a service of trolley vehicles is provided by the Corporation under the provisions of this Act so long as such service of trolley vehicles continues to be so provided.

(6) Nothing in this section shall relieve the Corporation of any liability imposed upon them by section 67 (Railways to be removed in certain cases) of the Order of 1899.

20.—(1) Notwithstanding anything contained in this Act the Corporation upon the expiration of six months after the passing of this Act or such shorter period (if any) as may be agreed between the Corporation and the county council shall forthwith at their own cost remove the rails of the existing light railway the light railway track (including the concrete foundation thereof) and any other works incidental to such light railway not required for the purpose of the trolley vehicles along that portion of the Doncaster and Selby main road in the urban district of Bentley-with-Arksey (other than the part of such road upon the bridge carrying the same over the railway of the London and North Eastern Railway Company and the approaches thereto) extending from the junction of such road with the Doncaster and Tadcaster road to Mill Dyke Bridge and thereupon the county council shall forthwith reconstruct in accordance with modern methods the roadway along the said portion of such road:

As to reconstruction of portion of Doncaster and Selby main road.

Provided that in reconstructing the said roadway where it passes under the bridge of the London and North Eastern Railway Company the county council

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(2) The said rails setts and other materials forming part of the said light railway track shall when so removed belong to the Corporation.

(3) In the event of the Corporation failing to commence the works to be carried out by them under subsection (1) of this section or to proceed with and complete the said works with reasonable expedition the county council shall have the right themselves to carry out such works and the reasonable cost incurred by them in so doing shall be repaid to them by the Corporation.

(4) So soon as the surveyor of the county council shall certify that the works of reconstruction to be carried out by the county council under this section have been completed the Corporation shall forthwith pay to the county council the sum of eight thousand six hundred and ninety-one pounds less the amount of any grant which the Minister of Transport may make towards the cost incurred in respect of the reconstruction of that portion of the said road which the Corporation are now liable to maintain.

(5) Nothing in this section shall be deemed to prejudice the rights (if any) which the county council have or may have under section 67 of the Order of 1899 with respect to the light railway track upon the bridge carrying the Doncaster and Selby main road over the railway of the London and North Eastern Railway Company and the approaches thereto.

Exclusive  
right of  
using  
apparatus  
for  
working  
trolley  
vehicles.

**21.** Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working trolley vehicles and any person using the said apparatus (except by agreement with the Corporation) shall for every offence be liable to a penalty not exceeding twenty pounds.



**22.** The trolley vehicles and the electrical equipment thereof used by the Corporation under the authority of this Act shall be of such form construction weight and dimensions as the Minister of Transport may approve and no trolley vehicle shall be used by the Corporation which does not comply with the requirements of the Minister of Transport. Before applying to the Minister of Transport for his approval of the weight of any trolley vehicle to be used upon any road which crosses a bridge belonging to and repairable by a railway company the Corporation shall give to such railway company notice of the weight of the trolley vehicles proposed to be used by them and the Minister of Transport shall consider and determine after such inquiry as he may think fit any objections which may be submitted by the railway company to him on the ground that the strength of such bridge is insufficient to carry trolley vehicles of such weight. Provided that notice of such objections shall be forwarded by such railway company to the Corporation at the same time as the same are submitted to the Minister of Transport.

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Approval  
of vehicles  
by Minister  
of  
Transport.

**23.** Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for the trolley vehicles authorised by this Act as hackney carriages.

Duties on  
licences for  
trolley  
vehicles.

**24.—(1)** The trolley vehicles authorised by this Act shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 nor shall they be deemed to be motor cars within the meaning of any of the provisions of the Motor Car Act 1903 (except subsection (1) of section 1 and the provisions necessary for enforcing that subsection section 6 and the provisions as amended by the Roads Act 1920 relating to the licensing and licences of drivers) and subject to that exception neither the Motor Car Acts 1896 and 1903 nor any byelaws or regulations made thereunder nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to the said trolley vehicles.

Vehicles  
not to be  
deemed  
light loco-  
motives or  
motor  
cars.

(2) The trolley vehicles authorised by this Act shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Act 1889.

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Application of  
section 48 of  
Tramways Act  
1870 to trolley  
vehicles.

25. Section 48 of the Tramways Act 1870 is hereby incorporated with this Act and shall apply to the trolley vehicles authorised by or in pursuance of this Act and for the purposes of such application the said section shall be read and have effect as if the said trolley vehicles were carriages using the tramways.

Application  
of existing  
enactments  
to trolley  
vehicles.

26. The following provisions of the Acts and Orders in this section referred to shall so far as the same are applicable apply to the trolley vehicles authorised by this Act as if they had been re-enacted herein and for the purposes of such application such provisions shall be read and have effect as if the works to be constructed in the streets or roads for moving the trolley vehicles by electrical power were railways or light railways and as if the said trolley vehicles were carriages or cars used on the railways or light railways :—

THE ORDER OF 1899 :

Section 3 (Incorporation and exception of Acts) so far as it relates to sections 24 105 108 109 110 and 111 of the Railways Clauses Consolidation Act 1845 and subsections (1) (3) and (4) of section 5 and section 6 of the Regulation of Railways Act 1889;

Section 5 (Power to make crossings &c.);

Section 6 (Power to make subsidiary works);

Section 8 (Right of user only of road);

Section 10 (Reservation of powers to widen roads &c.);

Section 16 (Power to break up roads);

Section 18 (Completion of works and reinstatement of road);

Section 28 (As to posts standards and brackets);

Section 32 (Provision as to gas and water companies &c.);

Section 33 (For protection of sewers &c.);

Section 34 (Right of access to sewers &c.);

Section 35 (Rights of authorities and companies &c. to open roads);

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- Section 36 (As to subsidence of road); A.D. 1926.  
Section 42 (Inspection by Board of Trade);  
Section 48 (Saving for power to regulate traffic  
on roads);  
Section 52 (Provisions as to motive power);  
Section 53 (Special provisions as to use of electric  
power as motive power);  
Section 54 (Byelaws by Board of Trade);  
Section 55 (Power of Corporation and local  
authority to make byelaws);  
Section 56 (General provisions as to byelaws);  
Section 60 (As to fares on Sundays and holidays);  
Section 65 (Payment of rates and charges);  
Section 67 (Railways to be removed in certain  
cases);  
Section 89 (Corporation to be responsible for all  
damages);  
Section 90 (Form and delivery of notices);  
Section 95 (Penalties).

THE DONCASTER CORPORATION LIGHT RAILWAYS  
(DEVIATION & C.) ORDER 1902:

- Section 6 (For the protection of the Postmaster-  
General) as amended by this Act.

THE DONCASTER CORPORATION LIGHT RAILWAYS  
(EXTENSIONS) ORDER 1903:

- Section 7 (Power to generate electricity).

THE DONCASTER CORPORATION ACT 1908:

- Section 17 (As to use of posts by Postmaster-  
General);  
Section 20 (Penalty for malicious damage).

THE DONCASTER CORPORATION LIGHT RAILWAYS  
(EXTENSIONS) ORDER 1914:

- Section 3 (Amendment of Orders of 1899 and  
of 1911) (subsections (1) (5) and  
(6)).

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THE DONCASTER CORPORATION ACT 1922 :

- Section 16 (Power to reserve carriages and omnibuses for special purposes);  
Section 18 (Use of railways for carriage of road materials);  
Section 20 (Shelters or waiting rooms);  
Section 21 (Cloak rooms);  
Section 22 (Power to require intending passengers to wait in queues);  
Section 23 (Byelaws under Part II.);  
Section 24 (Consents of authorities &c.) except subsection (2) thereof;  
Section 25 (Lost property); and  
Section 26 (For protection of railway companies):

Provided that the said sections shall be read and have effect as if the Minister of Transport were referred to therein in lieu of the Board of Trade :

Provided also that for the purposes of the said section 5 of the Order of 1899 any loading station erected under the powers of this Act shall be deemed to be a work of the Corporation.

As to  
abandonment of  
light  
railways.

**27.**—(1) At any time after the passing of this Act the Minister of Transport may by order authorise or require the Corporation to abandon or discontinue temporarily or permanently any of their light railways (for the time being) along the route of which the Corporation have ceased to run light railway cars and have provided and equipped trolley vehicles under the provisions of this Act or any Provisional Order made thereunder.

(2) Before making any such Order the Minister of Transport may hold such inquiry as he may consider desirable.

(3) Any Order made under the provisions of this section may as from such date as may be specified therein provide for the cesser of all or any of the powers liabilities duties or obligations conferred or imposed upon the Corporation by any Act or Order relating to any light railway to be abandoned or discontinued in pursuance of such Order and may provide for the removal of the rails

of such light railway from the surface of the road and for the portion of the road upon which such rails were laid to be left in good repair and condition.

A.D. 1926.

**28.** Subsections (3) (6) and (8) of section 15 (For protection of corporation of Doncaster) of the Great Central Railway Act 1903 shall be read and have effect as if the expressions "light railway" and "light railways" where used therein included any apparatus and equipment for working the trolley vehicles of the Corporation.

Application of section 15 of Great Central Railway Act 1903.

**29.—**(1) The Corporation may with the consent of the owner of any building wall or bridge attach to such structure such brackets wires and apparatus as may be required for the working of the trolley vehicles Provided that—

Attachment of brackets &c. to buildings.

- (a) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a court of summary jurisdiction who shall have power having regard to the character of the structure and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid;
- (b) Any consent of an owner and any order of a court of summary jurisdiction under this section shall not have effect after that owner ceases to be in possession of the building wall or bridge but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the court of summary jurisdiction shall have the same powers as under proviso (a);
- (c) The owner may require the Corporation temporarily to remove the attachments where necessary during any reconstruction or repair of the building wall or bridge.

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(2) For the purpose of this section any occupier of a building wall or bridge whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

For  
protection  
of London  
and North  
Eastern  
Railway  
Company.

**30.** The following provisions for the protection of the London and North Eastern Railway Company (in this section referred to as "the company") shall unless otherwise agreed in writing between the Corporation and the company apply and have effect in relation to the exercise by the Corporation of the powers of this Part of this Act (that is to say):—

(1) In this section the word "apparatus" includes standards brackets conductors mains cables wires posts poles and any other apparatus and equipment erected or adapted for the purposes of working trolley vehicles:

(2) All apparatus authorised by or in pursuance of this Part of this Act where the same shall be erected or placed upon across under or over any bridge or the approaches thereto or other work belonging to or maintainable by the company or will otherwise affect the same shall be erected or placed and maintained so as not to affect injuriously the structure of any such bridge or approaches or other work and according to plans and particulars to be previously submitted to and reasonably approved by the company or in case of difference between them and the Corporation by an arbitrator to be appointed as hereinafter provided. Provided that if the company do not within twenty-one days after such submission signify their disapproval of such plans and particulars they shall be deemed to have approved thereof. All such apparatus shall be erected or placed under the superintendence (if the same be given) and to the reasonable satisfaction of the company. The Corporation shall so construct maintain and use the apparatus and trolley vehicles as not to affect injuriously any such bridge or approaches or other work and in the event of any injury being occasioned to such bridge or approaches or work by the construction maintenance user

or removal of the apparatus or trolley vehicles upon across under or over the same the company may make good the injury and may recover from the Corporation the reasonable expenses of so doing :

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- (3) The Corporation shall bear and on demand pay to the company the reasonable expense (if any) incurred by the company of and in connection with the superintendence by the company of the works of the Corporation and of and in connection with the employment by the company during the execution or repair by the Corporation under or in pursuance of this Part of this Act of any work or apparatus affecting any railway or bridge or other work belonging to or maintainable by the company of such inspectors signalmen and watchmen (if any) as may be reasonably necessary for inspecting watching and protecting the said railway and the conduct of the traffic thereon with reference to and during the execution or repair of any work or apparatus of the Corporation and for preventing all interference obstruction danger and accidents from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of either of them or otherwise :
- (4) The Corporation shall not in any manner in the execution maintenance user or repair of any apparatus obstruct or interfere with the free uninterrupted and safe user of any railway belonging to or maintainable by the company or any traffic thereon :
- (5) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company or any of their works or property or to any works or property which they may be liable to maintain or to the traffic on their railways or to any company or person using the same by or by reason of the execution or failure of any of the said works or apparatus or by or by reason of any act default or omission of the Corporation or of any person in their employ or of any

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contractors for the said works or any part thereof and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission :

- (6) If the company shall hereafter require under their existing powers to widen lengthen strengthen reconstruct alter or repair any of their bridges approaches or other works under or upon which the apparatus is laid or to widen or alter any railway of the company thereunder or thereover the Corporation shall afford to the company all reasonable and proper facilities for the purpose and if it shall be necessary for such purpose that such works and apparatus be taken up diverted or removed and if the company accordingly give to the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up diversion or removal then the working or user of such part of the works and apparatus shall be stopped or delayed or such part of the works or apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purpose as aforesaid and such part of the works and apparatus shall be restored with all practicable despatch and the company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal :
- (7) The Corporation shall from time to time pay to the company any additional expense which the company may reasonably incur in effecting such widening lengthening strengthening reconstructing altering or repairing as is mentioned in the last preceding subsection or in the maintenance of any bridge approach or other work of the company by reason of the existence or user



of the works or apparatus and nothing contained in this Act shall impose any obligation upon or enlarge any existing obligation of the company to strengthen adapt alter or reconstruct any bridge or road maintainable by them :

- (8) If and when the company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation has been placed and if it shall be reasonably necessary for them so to do the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be agreed between the Corporation and the engineer of the company or failing agreement as shall be determined by arbitration under this section unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said engineer :
- (9) If having regard to the proposed position of any works or apparatus of the Corporation authorised by or in pursuance of this Part of this Act when considered in relation to the position of the works of the company at any point where any works or apparatus will be constructed over or under any railway or other works of the company it becomes necessary in order to avoid danger from the falling or breaking of wires that any electric telegraphic telephonic or signal wires or apparatus or electrical works or apparatus for traction purposes of the company should be altered the company may execute any works reasonably necessary for such alteration and the reasonable expense of so doing shall be repaid to the company by the Corporation :
- (10) The Corporation shall not make attachments to any part of any bridge station depôt or other property forming part of the railway of the company without the consent in writing of the engineer of the company (which consent so far as regards attachments to any bridge on the trolley vehicle routes shall not be unreasonably

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withheld) and any such attachment which shall with such consent have been made shall be temporarily removed at any time when required by the said engineer in connection with the maintenance reconstruction or alteration of any such bridge station depôt or other property:

- (11) If any difference arises under this section between the Corporation and the company the same shall be settled by an engineer to be appointed at the request of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For  
protection  
of county  
council.

**31.** The following provisions for the protection of the county council shall notwithstanding anything in this Act and unless otherwise agreed in writing apply and have effect with respect to the use of the trolley vehicles on any main road maintained by or at the expense of the county council forming part of the trolley vehicle routes Nos. 1 or 2 (that is to say):—

- (1) If the Corporation in the execution of any works in or affecting any main road shall cause any damage injury or disturbance to such main road and shall fail properly to make good all such damage injury or disturbance then it shall be lawful for the county council after reasonable notice to the Corporation of the alleged failure and of the works which they propose to execute to do all works necessary for making good all damage injury or disturbance and the Corporation shall repay to the county council all costs charges and expenses which the county council shall reasonably and properly incur in carrying out such works including all reasonable expense of superintendence:
- (2) The provisions of section 28 of the Town Police Clauses Act 1847 with respect to the side of the road at which a carriage or other vehicle is to be kept when meeting or passing any other carriage or vehicle shall apply to the driver of a trolley car:
- (3) If it becomes necessary that the working of the trolley vehicles over any county or main

road bridge be wholly or in part stopped or delayed for the purpose of any repairs to or alteration of such bridge and if the county council give the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage or delay the working of the trolley vehicles shall be stopped or delayed as reasonably required by such notice but no such working shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purposes as aforesaid and in such case the county council shall not be liable to pay compensation in respect of such stoppage or delay as aforesaid :

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(4) The Corporation shall not without the consent in writing of the county council (which consent shall not be unreasonably withheld) place erect or attach any post or other support for any wire or any feeder box on or to the structure of any bridge as aforesaid and any such post support or box which shall with such consent have been so placed erected or attached shall be temporarily removed at any time when required by the county council in connection with the maintenance reconstruction or alteration of any such bridge :

(5) If any difference arises under this section between the Corporation and the county council the same shall be settled by an engineer to be appointed at the request of either party by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

**32.** The trolley vehicles may be used for the purpose of conveying passengers and their luggage and small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers (the charge for any such dog to be a sum not exceeding the fare payable by the passenger) and for the purposes of section 18 (Use of railways for carriage of road materials) of the Doncaster Corporation Act 1922 and the said trolley vehicles shall not be used for the carriage of any other animals minerals or goods.

Traffic in  
trolley  
vehicles.

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Passengers'  
fares.

**33.** The Corporation may demand and take for every passenger conveyed upon the trolley vehicles including every expense incidental to such conveyance a fare not exceeding three halfpence per mile and in computing the said fare any fraction of a mile shall be deemed a mile.

Cheap  
fares for  
labouring  
classes.

**34.**—(1) The Corporation at all times after the opening of any trolley vehicle route for public traffic shall and they are hereby required to run a proper and sufficient service of vehicles for artizans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than eight in the morning or earlier than five in the evening respectively as may be most convenient for such workmen going to and returning from their work at fares not exceeding three farthings for every mile or fraction of that distance the Corporation nevertheless not being required to take any fare less than one penny Provided that in computing the said fares a fraction of one halfpenny shall be deemed to be one halfpenny On Saturdays the Corporation in lieu of running such cars after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

(2) If complaint is made to the Minister of Transport that such proper and sufficient service is not provided the Minister after considering the circumstances of the locality may by order direct the Corporation to provide such service as may appear to him to be reasonable.

(3) The Corporation shall be liable to a penalty not exceeding five pounds for every day during which they fail to comply with any order under this section.

Passengers'  
luggage.

**35.** Every passenger travelling in the trolley vehicles may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof provided that such luggage be carried by hand and at the responsibility of the passenger and shall not occupy any part of a seat required for a passenger nor be of a form or description to annoy or inconvenience other passengers.

Charges  
for parcels.

**36.** The Corporation may demand and take for parcels carried in the trolley vehicles charges not

exceeding such maximum charges as may from time to time be approved by the Minister of Transport. A.D. 1926.

**37.** If at any time after three years from the opening for public traffic of the trolley vehicle routes authorised by or in pursuance of this Act or any part of such routes or after three years from the date of any order made in pursuance of this section in respect of the trolley vehicles it is represented in writing to the Minister of Transport by the local authority of any district in which any trolley vehicle route is wholly or partly situate or by twenty inhabitant ratepayers of that district or by the Corporation that under the circumstances then existing all or any of the fares or other charges demanded and taken in respect of the traffic on the said route or on such portion should be revised the Minister of Transport may (if he think fit) direct an inquiry and if the person holding the inquiry reports that it has been proved to his satisfaction that all or any of the fares or charges should be revised the Minister may subject to the maximum fares and charges authorised by this Act by order in writing alter modify reduce or increase all or any of the fares or charges to be taken in respect of the said route or on any portion thereof and thenceforth such order shall be observed until the same is revoked or modified by an order of the Minister of Transport made in pursuance of this section.

Periodical revision of fares and charges.

**38.**—(1) The Corporation may within the borough erect and maintain loading stations at any stopping place or terminus on any light railway or trolley vehicle route from time to time established by the Corporation or on any omnibus route Provided that no such loading station shall be erected on any portion of the surface of a public street or road or so as to obstruct or interfere with the access to or exit from any station or depôt of the London and North Eastern Railway Company.

Power to erect loading stations.

(2) The Corporation may make such reasonable charge as they think fit for the use by any omnibus of any such loading station Provided that the charges made under this subsection shall be the same to all persons under like circumstances.

(3) Section 22 (Power to require intending passengers to wait in queues) of the Doncaster Corporation Act 1922

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A.D. 1926. shall apply with reference to any such loading station and the carriages vehicles and omnibuses using the same. Provided that no byelaw made in pursuance of this subsection shall require intending passengers to enter the first or any specified omnibus.

Conveyance  
of mails.

**39.** The Corporation shall perform in respect of their trolley vehicles and omnibuses all such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

Minister of  
Transport  
may  
authorise  
new  
routes.

**40.**—(1) If at any time hereafter the Corporation desire to provide maintain equip and use trolley vehicles upon any road as defined by the Tramways Act 1870 in the borough (other than the streets and roads along which they are at the passing of this Act authorised to construct or work light railways) they may make application to the Minister of Transport and that Minister is hereby empowered to make a Provisional Order authorising the use by the Corporation of trolley vehicles subject to such conditions and restrictions (if any) as he may think fit upon any road or roads to which such application relates and subject to the terms of the Provisional Order the provisions of this Act shall apply as if the use of trolley vehicles upon such road were authorised by this Act.

(2) No such application shall be entertained by the Minister of Transport unless the Corporation shall—

(a) have published once in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the borough;

(b) have also published such notice once in the months of October or November in the London Gazette;

(c) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads to which such application relates a notice of their intention to make such application;

and each such notice shall state the time and method for bringing before the Minister of Transport any objections to the grant of such application.

(3) The Minister of Transport may and he is hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section. A.D. 1926.

(4) The Minister of Transport shall consider any such application and may if he think fit direct an inquiry to be held in relation thereto or may otherwise inquire as to the propriety of proceeding upon such application and he shall consider any objection to such application that may be lodged with him in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) In any case where it shall appear to the Minister of Transport expedient that the application be granted he may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this section shall not have any operation.

(6) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a select committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

(7) The Act of Parliament confirming a Provisional Order under this Act shall be deemed a public general Act.

(8) The making of a Provisional Order under this section shall be prima facie evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(9) Any expenses incurred by the Minister of Transport in connection with the preparation and making

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A.D. 1926. of any such Provisional Order and any expenses incurred by the Minister of Transport in connection with any inquiry under this section shall be paid by the Corporation.

Light railway regulations to apply to trolley vehicles.

41. All subsisting regulations and byelaws relating to the light railways undertaking made in pursuance of any statutory enactment so far as the same are applicable shall with the necessary modifications apply to the trolley vehicles provided by the Corporation in pursuance of this Act.

For protection of Postmaster-General.

42. Subsection (b) (4) of section 6 of the Doncaster Corporation Light Railways (Deviation &c.) Order 1902 shall be read and have effect as if the words "generated or used by or supplied to the Corporation" were inserted in that subsection in substitution for the words "generated by the Corporation."

PART IV.

ELECTRICITY.

Power to supply fittings &c.

43.—(1) The Corporation may if they think fit purchase provide sell let for hire and fix set up alter repair and remove and otherwise deal in (but not manufacture) lamps electric lines electric motors fittings apparatus and things for generating transforming distributing and utilising electricity (in this section referred to as "electric fittings") and may provide all materials and do all work necessary or proper in that behalf and may require and take such remuneration in money or such rents and charges for and make such terms and conditions with respect to the sale letting fixing setting up altering repairing or removing of electric fittings and for securing (both as regards the consumer and third parties) their safety and return to the Corporation as may be agreed upon between them and the person to or for whom the same are sold supplied let fixed set up altered repaired or removed:

Provided that the Corporation shall not under the powers of this section execute (otherwise than through a contractor) the wiring of private property except between the main of the Corporation and the consumer's meter.

(2) Any electric fittings let for hire under the provisions of this section shall not be subject to distress or



to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. A.D. 1926.

(3) All electric fittings let for hire under the provisions of this section shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Corporation :

Provided that nothing in this subsection shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

(4) The Corporation shall only be entitled to the privileges and exemptions conferred by subsections (2) and (3) of this section in respect of such of the electric fittings (other than meters) as shall have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Corporation as the actual owners thereof.

(5) Provided as follows :—

(a) The Corporation shall so adjust the charges to be made by them for any electric fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this section in connection therewith (including interest upon moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed) ;

(b) Every sum charged by the Corporation in respect of the provision of such fittings or the fixing repairing or removal thereof shall be separately stated on every demand note delivered by the Corporation to the consumer ;

(c) The total sums expended and received by the Corporation in connection with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the electricity undertaking for that year.

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(6) Any sum due or payable to the Corporation in respect of the sale or hire of any electric fittings or the provision of materials and work in connection therewith as are referred to in this section or the fixing setting up repairing altering maintaining or removal thereof may (if recovered along with a sum due for a supply of electricity) be recoverable summarily provided the amount due or payable under this section does not exceed twenty pounds.

As to  
offices  
showrooms  
&c.

44. The Corporation may in connection with and for the purposes of the electricity undertaking provide and fit up showrooms and offices and exhibit specimen installations and apparatus and give demonstrations of the uses to which electrical energy can be put and may appoint and pay persons for the purposes aforesaid.

Entry upon  
premises  
and penalty  
for  
obstruction.

45.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 of the Electric Lighting Act 1882 or of that section as extended by section 16 of the Electric Lighting Act 1909 or from exercising the powers contained in those sections shall be liable to a penalty not exceeding five pounds.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said sections or either of them are unoccupied the Corporation may after giving not less than three days' notice to the owner thereof or if he is unknown to the Corporation and if he cannot be ascertained by them after diligent inquiry after affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

PART V.

CONSOLIDATION OF RATES.

Commence-  
ment of  
Part V of  
Act.

46. This Part of this Act shall come into operation on the first day of April one thousand nine hundred and twenty-seven.

Repeal of  
certain  
rating  
provisions.

47. The following enactments are hereby repealed namely :—

THE ACT OF 1904 :

Section 180 (Differential rating in respect of railway property for certain purposes).

THE ACT OF 1915 :

A.D. 1926.

Section 109 (Power to amend rates to accord with new valuation list);

Section 110 (General district rate may be assessed as borough rate);

Section 111 (Audit of accounts); and

Section 112 (Owner may be rated instead of occupier in certain cases).

48.—(1) All expenses of the Corporation which if this Part of this Act had not been passed would have been payable out of and all rates charges damages penalties and other moneys which if this Part of this Act had not been passed would have been paid or carried to the credit of the district fund or general district rate shall be charged on and defrayed out of or paid and carried to the credit of the borough fund and the borough rate and in any case for which no specific provision is made in this Act any reference to the district fund or general district rate in any Act or Provisional Order in force in the borough or in any mortgage of or charge on such fund or rate granted by the Corporation in pursuance of the provisions of any such Act or Order shall be deemed to be a reference to the borough fund and the borough rate.

All expenses of Corporation to be paid out of borough rate.

(2) The district fund shall be closed and any balance which on the date upon which this Part of this Act comes into operation is standing to the credit or to the debit of the district fund or the general district rate respectively shall from and after that date be transferred to the credit or the debit (as the case may be) of the borough fund and any moneys owing to the Corporation in respect of or in connection with the district fund or the general district rate respectively shall notwithstanding the provisions of this Act continue to be payable to and recoverable by the Corporation as if this Act had not been passed and when received by the Corporation shall be carried to the credit of the borough fund.

(3) The borough rate may be made and levied prospectively in order to raise money to pay charges and expenses to be incurred thereafter or retrospectively in order to raise money to pay charges and expenses already incurred.

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Contribution  
to borough  
rate to be paid  
out of poor  
rate.

**49.** The contribution of the township to the borough rate shall be paid out of the poor rate and the provisions of section 145 of the Municipal Corporations Act 1882 shall apply to such contribution.

Poor rate  
to be called  
general rate.

**50.** The poor rate (inclusive of the contributions to the borough fund levied in pursuance of the provisions of this Act) shall be called "the general rate" but except as expressly provided by this Act that rate shall continue to be subject to all Acts passed and to be passed relating to the poor rate and to be made assessed levied and recovered as the poor rate.

Rating of  
and  
collection  
of rates by  
owners.

**51.** The provisions of section 11 of the Act of 1925 shall (notwithstanding anything contained in subsection (10) thereof) come into operation in the borough on the first day of April one thousand nine hundred and twenty-seven and shall have effect in substitution for the provisions contained in sections 3 and 4 of the Poor Rate Assessment and Collection Act 1869 and paragraph (a) of subsection (1) of section 211 of the Public Health Act 1875 and as from the said date all resolutions agreements and notices then in force under any such provisions as aforesaid shall cease to have effect.

Differential  
rating in  
certain  
cases.

**52.** The provisions contained in this section shall have effect with respect to the general rate (that is to say) :—

- (1) In respect of any period before the date of the first new valuation the owner of any tithes or any tithe commutation rentcharge or the occupier of any land used as woodlands and the occupier of any land covered with water or used only as a canal or towing-path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed to the general rate in respect of such hereditaments on the full rateable value thereof but (subject as hereinafter provided) shall be liable to pay in each year in respect of such hereditaments a rate calculated on the basis of sixty-five per centum only of the amount in the pound of the rate payable in respect of hereditaments not entitled to relief from rating:

- (2) Notwithstanding anything in subsection (8) of section 2 or subsection (2) of section 69 of the Act of 1925 during the continuance of the Tithe Rentcharge (Rates) Act 1899 such Act shall subject to the provisions of the Tithe Act 1925 have effect within the borough as if the following provision were substituted for section 1 thereof (that is to say):—

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—

“The owner of tithe rentcharge attached to a benefice shall be liable to pay only (a) in respect of any period before the date of the first new valuation sixty per centum of the amount payable under subsection (1) of the section of the Doncaster Corporation Act 1926 of which the marginal note is ‘Differential rating in certain cases’ in respect of any rate which is assessed on him as owner of that tithe rentcharge and (b) as from the date of the first new valuation sixty per centum of the amount assessed upon him as owner of that tithe rentcharge in respect of any general rate (including any additional item thereof) made in accordance with the provisions of the Act of 1925 and the remaining forty per centum thereof shall on demand being made by the collector of the rate on the surveyor of taxes for the borough or any district therein be paid by the Commissioners of Inland Revenue and deducted from the moneys payable to the local taxation account”:

- (3) The Corporation shall for the purpose of the estimate to be made by the Minister under section 3 of the Agricultural Rates Act 1923 prepare and transmit to him before the thirty-first day of March one thousand nine hundred and twenty-seven such a return as they might have been required by him to prepare and transmit under paragraph 5 of Part III. of the Second Schedule to the Act of 1925 if this Act had not been passed:
- (4) Nothing in this section shall in any way affect—
- (a) the share of the annual grant payable under the Agricultural Rates Act 1896 to any

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spending authority or save as expressly provided in this Act the operation of that Act; or

(b) the operation of the Agricultural Rates Act 1923 or the power of the Minister to estimate as respects each half-year after the commencement of this Part of this Act the amount of the deficiency which would have arisen by reason of section 1 of that Act if this Act had not been passed in the produce of any rate for the purpose of the issue from the local taxation account of the share of any spending authority in the additional annual grant under the Agricultural Rates Act 1923; or

(c) the amount of the contribution for any purposes to be made by the township out of the poor rate; or

(d) the calculation of the amount in the pound of the part of the general rate levied for the purposes of the relief of the poor and other expenses of the guardians which is required to be stated in the demand note for the poor rate; or

(e) subject as hereinafter mentioned the operation of the Tithe Act 1925 :

Provided that for the purposes of subsection (3) of section 7 and subsection (2) of section 14 of that Act this Act shall be deemed to be a local Act modifying the Tithe Rentcharge (Rates) Act 1899 :

- (5) (a) If any occupier referred to in subsection (1) of this section claims that in the operation of that subsection in respect of any rate made or levied he is not receiving the full benefit to which he is entitled under the said subsection he may appeal to the next court of quarter sessions holden not less than twenty-one days after the demand of the rate and according to the provisions of the Summary Jurisdiction Acts but no such appeal shall be entertained by such quarter sessions unless fourteen days' notice in writing of such appeal and of the ground thereof

be given by the appellant to the Corporation who shall be entitled to appear at the hearing of such appeal; A.D. 1926.

(b) On appeals under this subsection the court to which such appeal shall be made shall have power to determine the amount payable by the occupier in respect of such rate and to award costs between the parties to the appeal.

**53.**—(1) Any rate rent or charge payable to the Corporation in respect of premises within the borough may be collected together with the general rate but distinguished therefrom and the same books may be used for the said rate rent or charge and the general rate. Other rates and charges may be collected with general rate.

(2) (a) The Corporation may demand all water rates rents and charges payable to them by half-yearly instalments in advance on the twenty-fifth day of March and the twenty-ninth day of September in each year but so that the same shall not be recoverable until the expiration of two months from the said twenty-fifth day of March and the twenty-ninth day of September respectively.

(b) When the Corporation exercise the powers of this subsection section 14 (Rates for supply of water for domestic purposes) of the Act of 1904 shall have effect as if "half-year" and "half-yearly" were substituted therein for "quarter" and "quarterly" respectively.

**54.** The general rate and the demand note and any other necessary documents to be used for the purposes of or in connection with the general rate and the collection of any other rate rent or charge shall be in such form as the Minister may from time to time prescribe. Form of rate &c. to be prescribed by Minister.

**55.** Any person aggrieved by reason of any clerical or arithmetical error in a general rate may apply to a court of summary jurisdiction sitting in and for the borough who after the applicant has given such notice to the Corporation and such persons as the court may think just may hear the case in like manner as in the case of summary proceedings and amend the rate so far as regards such error. Amendment of error in general rate.

**56.** The purposes to which the borough fund is applicable shall include the provision of a working balance for the payment of current expenses that may Borough rate may include working balance.

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be incurred by the Corporation in the exercise or performance of the powers and duties the cost of which is charged on the borough fund or after the date of the first new valuation the general rate fund of the borough and the Corporation may (in estimating the amount sufficient for those purposes and in ordering the borough rate to be made) include such a sum as they may consider to be necessary for the provision of such working balance.

Application  
of Act of  
1925.

**57.**—(1) This Part of this Act shall be deemed to be a local Act within the meaning of sections 2 22 and 66 of the Act of 1925 and an Act within the meaning of section 69 of the Act of 1925.

(2) For the purposes of paragraph (3) in column (1) of Part II. of the Second Schedule to the Act of 1925 this Part of this Act shall be deemed a local Act passed before the commencement of the Act of 1925 and for the purposes of paragraph (3 *b*) in column (2) of the said Part II. the percentage of the net annual value which corresponds with the percentage of the relief from rating given by this Act shall be deemed to be thirty-five per centum.

(3) Paragraph (*b*) of subsection (3) and subsection (7) of section 2 and sections 5 and 59 of the Act of 1925 shall be deemed to be incorporated with and to form part of this Part of this Act Provided that for the purposes of the incorporation of the said subsection (7) of section 2 the expression "valuation list" where used therein shall mean a valuation list made under the Act of 1925.

PART VI.

FINANCE &c.

Power to  
borrow and  
repayment  
of borrowed  
moneys.

**58.**—(1) The Corporation may in addition to any moneys which they are now authorised to borrow or which they may be authorised to borrow under the provisions of any public general Act borrow at interest for the purposes set forth in the first column of the following table any sums not exceeding the respective sums set forth in the second column thereof and all moneys so borrowed shall be chargeable on the revenues of the Corporation and shall be repaid within the respective periods set forth in the third column thereof and



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the Corporation may apply any sum so borrowed for the said purposes respectively (that is to say)— A.D. 1926.

Purpose.	Amount.	Period for Repayment.
(1) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	Five years from the passing of this Act.
(2) For paying any capital sum under or in pursuance of Part II. of this Act.	The sum requisite.	Forty - five years from the date or dates of borrowing.
(3) For the provision of trolley vehicles	£ 30,000	Ten years from the date or dates of borrowing.
(4) For the provision of electrical equipment for working trolley vehicles.	17,000	Twenty years from the date or dates of borrowing.
(5) For contribution towards reconstruction of road referred to in the section of this Act of which the marginal note is "As to reconstruction of portion of Doncaster and Selby main road."	8,700	Twenty years from the date or dates of borrowing.
(6) For the erection of loading stations and shelters.	5,500	Thirty years from the date or dates of borrowing.

(2) The Corporation may also with the sanction of the Minister of Transport borrow such further moneys as may be necessary for any purpose of the light railways undertaking.

(3) The Corporation may also with the sanction of the Electricity Commissioners borrow such further moneys as may be necessary for any purpose of the electricity undertaking.

(4) The Corporation may also with the sanction of the Minister borrow such further moneys as may be necessary (a) for any purpose of the water and gas undertakings respectively (b) for the purpose of providing a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of their powers and duties the cost of which is from time to time charged on the borough fund and (c) for any other of the purposes of this Act other than of Parts III. and IV. thereof.

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(5) Any moneys borrowed under the powers of subsections (2) (3) and (4) of this section shall be chargeable on the revenues of the Corporation and shall be repaid within such periods not exceeding sixty years as may be prescribed by the authority with whose sanction such moneys are borrowed.

(6) The provisions of this section shall not limit the powers conferred upon the Corporation by section 108 (Power to use one form of mortgage for all purposes) of the Act of 1915.

Incorporation of financial provisions of Act of 1904.

**59.** The following provisions of the Act of 1904 with any necessary modifications (and subject as regards mortgages granted in pursuance of section 108 (Power to use one form of mortgage for all purposes) of the Act of 1915 to the provisions of that section as amended by this Act) shall so far as applicable extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act (namely):—

- Section 166 (Mode of raising money);
- Section 167 (Provision as to mortgages);
- Section 168 (Appointment of receiver);
- Section 170 (Mode of payment off of money borrowed);
- Section 171 (Sinking fund);
- Section 172 (Sinking fund may be adjusted in certain events);
- Section 175 (Corporation not to regard trusts); and
- Section 181 (Application of money borrowed):

Provided that the periods for repayment referred to in the section of this Act whereof the marginal note is "Power to borrow and repayment of borrowed moneys" shall be deemed to be "the prescribed periods" for the purposes of such application of the said sections. Provided also that the said sections shall be read and have effect as if the Minister were referred to therein in lieu of the Local Government Board.

Returns with respect to repayment of debt.

**60.**—(1) The town clerk shall if and when he is requested by the Minister so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the treasurer or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

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(3) If it appear to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by the Act in pursuance of which the moneys are raised or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) Section 107 (Returns to Local Government Board as to sinking funds) of the Act of 1915 and section 98 (Borough accountant to make returns to Minister of Health) of the *Doncaster Corporation Act 1922* are hereby repealed.

**61.** Section 108 (Power to use one form of mortgage for all purposes) of the Act of 1915 shall be read and have effect as if in lieu of subsections (5) and (6) of that section the following subsections had been therein inserted (that is to say):—

Amend-  
ment of  
section 108  
of Act of  
1915.

“(5) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by

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mortgages granted under this section and all such sums shall be repaid within the periods within which and by the means by which they would have been repayable respectively if this section had not been enacted:

(6) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this section."

Consolidated loans fund.

**62.**—(1) Notwithstanding anything contained in the Public Health Acts Amendment Act 1890 or in any other Act or any Order as from the thirty-first day of March one thousand nine hundred and twenty-seven or as from any succeeding thirty-first day of March the Corporation may if they think fit establish a fund (to be called "the consolidated loans fund") to which shall be paid as and when they are received—

- (a) all moneys borrowed by the Corporation whether by issue of stock or other security together with any moneys temporarily borrowed without security in connection with the exercise of duly authorised borrowing powers:
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose; and
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers:

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except of such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the thirty-first day of March as from which the consolidated loans fund shall be established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

- (a) in the exercise of any duly authorised borrowing power by transfer of the required amount to

the appropriate fund and account of the Corporation; or

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- (b) in the redemption of stock or any other securities issued by the Corporation the purchase of stock for extinction or the repayment of any moneys borrowed by the Corporation :

And any moneys of the consolidated loans fund pending use or application as aforesaid may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund.

(3) Subject to any priority existing at the passing of this Act all stock of and loans to the Corporation and the dividends and interest thereon shall be charged indifferently on all the revenues of the Corporation and shall rank equally one with the other without any priority whatsoever.

(4) Save as in this section expressly provided all the obligations of the Corporation to the holders of stock or other securities of the Corporation shall continue in force.

(5) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

**63.** When under the provisions of this Act or of any other Act or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund or loans fund the following provisions shall have effect with respect to the appropriate yearly sums and accumulations thereof required to be set apart for or paid into such sinking fund or loans fund for the purpose of providing for the repayment of moneys borrowed by the Corporation (that is to say) :—

Investment of and payments into sinking fund.

- (1) The Corporation may (in addition to any other powers for the time being vested in them) invest the said yearly sums and accumulations in statutory securities :

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- (2) The said yearly sums and accumulations shall be paid and provided out of the borough fund and borough rate and any interest dividends and annual proceeds arising from the investment thereof or of any moneys standing to the credit of any sinking or loans fund as aforesaid at or after the passing of this Act shall be paid into and form part of the borough fund.

Power to invest certain funds in statutory securities.

64. When under the provisions of any Act or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a reserve or renewals fund they may (in addition to any other powers for the time being vested in them) invest the moneys forming part of such reserve or renewals fund and the interest on the investments of such moneys in statutory securities.

Use of moneys forming part of sinking and other funds.

65.—(1) Notwithstanding anything contained in this or any other Act the Corporation may use for the purpose of any statutory borrowing power possessed by them any moneys forming part of any sinking fund loans fund redemption fund superannuation fund or reserve fund of the Corporation (in this section respectively referred to as "the lending fund") and not for the time being required for the purpose for which the moneys have been accumulated subject to the following conditions:—

- (a) The moneys so used shall be repaid to the lending fund as and when required for meeting the obligations for which the said fund was established and if and so far as they are not so required within the periods by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be payable:

Provided that the Corporation may if they so determine repay to the lending fund the money so used at any time within the period aforesaid;

- (b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid to the fund. Such interest shall be calculated at a rate per centum per annum

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to be determined by the Corporation and to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the revenues of the Corporation which would be applicable to the payment of interest on a loan raised under the statutory borrowing power;

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- (c) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to the re-borrowing of sums raised under the statutory borrowing power shall apply thereto.

(2) Section 106 (Power to use sinking fund instead of borrowing) of the Act of 1915 is hereby repealed.

**66.** If any moneys are payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation.

Receipt in case of persons not sui juris.

**67.** Where more persons than one are registered as joint holders of any mortgage annuity or stock of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation or the treasurer by any other of them.

Interest on mortgages &c. held jointly.

**68.** A person lending any moneys to the Corporation shall not be bound or entitled to inquire as to the observance by the Corporation of any provisions of this Act or any other Act or Acts or of the conditions attaching to the statutory borrowing power under which the money is borrowed or be bound to see to the application or be answerable for any loss mis-application or non-application of the money lent or of any part thereof.

Protection of lender from inquiry.

**69.** In calculating under subsection (2) of section 234 of the Public Health Act 1875 the amount which the Corporation may borrow the amount of any sinking fund or redemption fund accumulated for the purpose of providing for the repayment of loans contracted by

As to section 234 of Public Health Act 1875.

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A.D. 1926. — the Corporation under the Public Health Act 1875 and the Sanitary Acts as defined by that Act shall be deducted from the total debt of the Corporation under those Acts.

Audit of  
accounts of  
Corporation  
by  
appointed  
auditor.

**70.**—(1) The Corporation may from time to time appoint and pay one or more members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct in lieu of the auditors appointed under the Municipal Corporations Acts Any auditor or auditors appointed by the Corporation under the provisions of this section and for the time being holding office is or are in this section referred to as “the appointed auditor.”

(2) If and while the Corporation exercise the powers of subsection (1) of this section section 25 of the Municipal Corporations Act 1882 shall not apply within the borough.

(3) Every appointment of an auditor or auditors under this section shall be in writing under the seal of the Corporation and may be for such term and subject to such conditions as the Corporation may think fit.

(4) Subsection (1) of section 27 of the Municipal Corporations Act 1882 shall apply and have effect as if the appointed auditor had been referred to therein instead of the borough auditors and in addition the appointed auditor shall be entitled to require from any officer of the Corporation all such papers books accounts vouchers sanctions for loans information and explanations as may be necessary for the performance of his duties.

(5) The appointed auditor shall include in or append to any certificate given by him with reference to the accounts of the Corporation such observations and recommendations (if any) as he may deem necessary or expedient with respect to the accounts and any matter arising thereout or in connection therewith.

Revenue  
and  
expenses

**71.** As from the first day of April one thousand nine hundred and twenty-seven all money received by



the Corporation on account of the revenue of the A.D. 1926.  
following undertakings (namely)—

- (1) the light railways undertaking;
- (2) the water undertaking;
- (3) the gas undertaking;
- (4) the electricity undertaking;
- (5) the market undertaking; and
- (6) the baths undertaking;

of trading  
under-  
takings.

shall be carried to and shall form part of the borough fund and all payments and expenses made and incurred in respect of those undertakings shall be paid out of that fund.

72. As from the first day of April one thousand nine hundred and twenty-seven the Corporation shall keep their accounts so as to distinguish capital from revenue and as regards the revenue account to show under a separate heading or division in respect of each of the following undertakings (that is to say) the light railways undertaking the water undertaking the gas undertaking the electricity undertaking the market undertaking and the baths undertaking (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say):—

Separate  
accounts  
in respect  
of certain  
under-  
takings.

- (a) The working and establishment expenses and cost of maintenance of the undertaking;
- (b) The interest on moneys borrowed and applied by the Corporation for the purposes of or connected with the undertaking and in the case of the gas undertaking on the existing gas bonds referred to in the Act of 1904;
- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed and applied for the purposes of the undertaking and in the case of the gas undertaking the requisite provision for the redemption of the existing gas bonds referred to in the Act of 1904;

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- (d) All other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) The amount (if any) paid to a reserve fund which the Corporation are hereby authorised to maintain (if the Corporation think fit) in respect of the undertaking by setting aside such an amount as they may from time to time think reasonable, and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding a sum equal in the case of the water undertaking and the electricity undertaking respectively to one-tenth and in the case of the gas undertaking to one-fifth of the aggregate capital expended for the time being by the Corporation upon the undertaking which fund shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for payment of the cost of renewing any part of the works forming part thereof or for any extension or improvement of the said works or otherwise for the benefit of the undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens:

Provided that the Corporation may resort to any such fund for the above purposes notwithstanding that the same may not at any time amount to the limit (if any) hereinbefore prescribed.

Provision  
for reduc-  
tion of  
electricity  
charges.

**73.** Whenever the total receipts from revenue in respect of the electricity undertaking in any year shall exceed the total of the payments and expenses on account of revenue in respect thereof in that year as shown by the accounts to be kept in pursuance of the section of this Act of which the marginal note is "Separate accounts in

respect of certain undertakings" (including any payments to a reserve fund) by an amount exceeding five pounds per centum per annum upon the aggregate capital expenditure of that undertaking the Corporation shall make such reductions or adjustments in the charge for the supply of electrical energy as in their judgment will reduce the excess of the said receipts over the said payments to an amount not exceeding the amount of the said five per centum.

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**74.** The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

Form of  
accounts.

**75.** In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Apportion-  
ment of  
items.

**76.**—(1) Any reference in any mortgage or charge granted by the Corporation to the revenue of any undertaking of the Corporation shall be deemed to be a reference to the revenues of the Corporation.

As to  
mortgage of  
revenues of  
Corpora-  
tion.

(2) In order to secure the repayment of any money hereafter borrowed by the Corporation under any statutory borrowing power and the payment of interest thereon the Corporation may mortgage or charge the revenues of the Corporation.

**77.** The Corporation shall keep the accounts in respect of the light railways undertaking so as to show separately (so far as may be reasonably practicable) the receipts and expenditure in regard to their trolley vehicles and in such accounts capital shall be distinguished from revenue.

Accounts  
of light  
railways  
under-  
taking.

**78.** The Corporation shall in every year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of the light railways undertaking.

Accounts  
to be  
furnished  
to Minister  
of  
Transport.

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—  
Repeal of  
certain  
provisions  
relating to  
accounts  
and  
revenues.

79. As from the first day of April one thousand nine hundred and twenty-seven the following enactments are hereby repealed (namely) :—

THE DONCASTER CORPORATION WATERWORKS ACT 1873:

Section 44 (Water account and application of receipts):

THE ORDER OF 1899:

Section 85 (Application of revenue).

THE ACT OF 1904:

Section 177 (Application of revenue from gas undertaking).

THE DONCASTER CORPORATION ACT 1908:

Section 22 (Application of surplus revenue of light railway undertaking).

THE DONCASTER ELECTRIC LIGHTING (EXTENSION)  
ORDER 1912:

Section 2 (Incorporation of Electric Lighting (Clauses) Act 1899)

so far as it incorporates paragraph (1) of section 7 (Application of money received by local authority as undertakers) of the Schedule to the Electric Lighting (Clauses) Act 1899.

THE ACT OF 1915:

Section 120 (As to expenses and revenue of electricity undertaking);

Section 121 (As to application of revenue of electricity undertaking).

THE DONCASTER CORPORATION ACT 1922:

Section 97 (Application of revenues of undertakings).

Service of  
summons  
on members  
of council.

80. Notwithstanding anything contained in the Second Schedule to the Municipal Corporations Act 1882 the summons to members of the council may be delivered

at the usual place of abode of every member of the council by post by prepaid letter at the ordinary rate of postage. A.D. 1926.  
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**81.**—(1) The Minister may direct any inquiries to be held by his inspectors which he may deem necessary in regard to the exercise of any powers conferred upon him or the giving of any consents under this Act and the said inspectors shall for the purposes of any such inquiry have all such powers as inspectors of the Minister have for the purposes of inquiries directed by the Minister under the Public Health Act 1875. Inquiries by Minister of Health.

(2) The Corporation shall pay to the Minister any expenses incurred by him in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum (not exceeding five guineas a day) to be fixed by the Minister for the services of such inspector.

**82.** In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any existing Act or Order of or applicable to the Corporation the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words “under the seal of the Minister of Transport” were substituted for the words “by writing under the hand of the President or of one of the secretaries of the Board.” Inquiries by Minister of Transport.

**83.** All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made shall be defrayed out of the borough fund and borough rate. Expenses of execution of Act.

**84.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund or out of money to be borrowed under this Act for that purpose. Costs of Act.

A.D. 1926. The SCHEDULE referred to in the foregoing Act.

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THE WEST RIDING OF YORKSHIRE RIVERS  
BOARD.

PROVISIONS TO BE SUBSTITUTED FOR ARTICLES II. III.  
AND XIII. OF THE ORDER OF THE LOCAL GOVERN-  
MENT BOARD DATED THE 17TH DAY OF MAY 1893  
CONFIRMED BY THE LOCAL GOVERNMENT BOARD'S  
PROVISIONAL ORDERS CONFIRMATION (No. 16) ACT  
1893 AS AMENDED BY SUBSEQUENT ACTS AND ORDERS.

Constitu-  
tion of  
Joint Com-  
mittee.

Art. II.—(1) A Joint Committee (hereinafter referred to as  
“the Joint Committee”) shall be constituted for the purpose of  
enforcing the provisions of the Rivers Pollution Prevention Act  
1876 (subject to the provisions in that Act contained) in relation  
to so much of every river or tributary thereof as passes through  
or by the county of the west riding of Yorkshire or through or  
by any of the county boroughs of Barnsley Bradford Dewsbury  
Doncaster Halifax Huddersfield Leeds Rotherham Sheffield and  
Wakefield:

Provided that the appointment of the Joint Committee shall  
not prejudice or in any way affect or curtail the right of any  
sanitary authority represented upon the said Committee to  
continue proceedings already taken or to commence proceedings  
either under any local Act or otherwise against any person or  
persons in respect of any pollution of any of the said rivers or of  
any tributary of any of them.

(2) The Joint Committee shall consist of thirty members  
representing the said county and county boroughs and shall be  
a body corporate by the name of the West Riding of Yorkshire  
Rivers Board with perpetual succession and a common seal and  
with power to sue and be sued in that name.

Representa-  
tion of con-  
stituent  
authorities.

Art. III. The number of members of the Joint Committee  
to be elected from among the members of its own body by each  
of the councils (hereinafter referred to as “the constituent  
authorities”) of the said county and county boroughs shall be  
as follows:—

By the council of the county of the  
west riding of Yorkshire - - - Seventeen members.

By the council of the county borough  
of Bradford - - - - - Three members.

[16 & 17 GEO. 5.] *Doncaster Corporation* [Ch. xxvii.]  
*Act, 1926.*

By the council of the county borough of Halifax - - - - -	One member.	A.D. 1926.
By the council of the county borough of Huddersfield - - - - -	One member.	—
By the council of the county borough of Leeds - - - - -	Four members.	
By the council of the county borough of Rotherham - - - - -	One member.	
By the council of the county borough of Sheffield - - - - -	Three members.	
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Art. XIII.—(1) All the expenses incurred by the Joint Expenses.  
 Committee in carrying out the purposes of this Order shall be  
 defrayed out of a common fund to be contributed by the con-  
 stituent authorities respectively in the following proportions :—

By the council of the county of the west riding of Yorkshire and the councils of the county boroughs of Barnsley Dewsbury Doncaster and Wakefield - - -	Seventeen-thirtieths.
By the council of the county borough of Bradford - - - - -	Three-thirtieths.
By the council of the county borough of Halifax - - - - -	One-thirtieth.
By the council of the county borough of Huddersfield - - - - -	One-thirtieth.
By the council of the county borough of Leeds - - - - -	Four-thirtieths.
By the council of the county borough of Rotherham - - - - -	One-thirtieth.
By the council of the county borough of Sheffield - - - - -	Three-thirtieths.

(2) The proportion to be contributed by the county council  
 and the councils of the county boroughs of Barnsley Dewsbury  
 Doncaster and Wakefield as aforesaid shall be apportioned between  
 those councils upon a basis to be determined by agreement between  
 those councils or in default of agreement within the period of  
 six months from the date of the passing of the Doncaster Cor-  
 poration Act 1926 by the Minister of Health and the basis so  
 determined shall be adopted by the Joint Committee for the  
 purposes of any precept issued by them under Article XIV. of  
 this Order and that Article shall apply as if the councils of the  
 county boroughs of Barnsley Dewsbury Doncaster and Wakefield  
 were constituent authorities :

[Ch. xxvii.] *Doncaster Corporation* [16 & 17 GEO. 5.]  
*Act, 1926.*

A.D. 1926.

Provided that if at the expiration of any period of three years from the date of any previous determination of the said basis either the council of the county of the West Riding of Yorkshire or the council of the county borough of Barnsley, Dewsbury, Doncaster or Wakefield shall by resolution declare that in their opinion the basis of contribution settled as aforesaid has become inequitable the said councils shall then proceed to make a fresh agreement for settling the basis on which their respective contributions to the expenses of the Joint Committee shall be apportioned and in default of agreement within six months from the date of such resolution the basis shall be determined by the Minister of Health.

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