



CHAPTER xcvi.

An Act to empower the mayor aldermen and citizens of the city of Worcester to provide and work tramways light railways trolley vehicles and omnibuses to make further provision with regard to the improvement of the city and for other purposes. A.D. 1926.
[4th August 1926.]

WHEREAS the city of Worcester is a county borough under the management and local government of the mayor aldermen and citizens of the city of Worcester (in this Act called "the Corporation"):

And whereas under the powers of the Worcester Tramways Act 1901 the Worcester and District Light Railways Order 1901 and the Worcester (Extension) Light Railways Order 1902 the Worcester Electric Traction Company Limited (in this Act called "the company") are the owners of and work tramways and light railways within the city:

And whereas the Corporation are in negotiation with the company for the sale to the Corporation of the undertaking of the company under the said Act and Orders and it is expedient to empower the Corporation as soon as they shall have acquired the said tramways and light railways to work the same and subsequently to abandon the same or part thereof and 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

A.D. 1926. Act called "trolley vehicles") along the routes of the said tramways and light railways and upon the routes described in this Act and to confer upon the Corporation all necessary and convenient powers in regard thereto :

And whereas it is expedient to empower the Corporation to provide and work omnibuses within and outside the city as provided in this Act :

And whereas the land of the Corporation in the city known as Pitchcroft has been used for many years for the purposes of a racecourse and it is expedient to confer further powers on the Corporation with regard to the control and management of the said land and to enable them themselves to carry on and manage race-meetings thereon and to exercise the other powers incidental thereto set out in this Act :

And whereas doubts have arisen with regard to the validity of the transfer by the guardians of the Hopmarket in the city of Worcester to the Corporation of the rights powers estates property and liabilities vested in or imposed on the said guardians and it is expedient that the said transfer should be confirmed as by this Act provided :

And whereas it is expedient that the other provisions contained in this Act be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows :—

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For the provision of trolley vehicles	42,240
For the provision of electrical equipment and the construction of other works necessary for working trolley vehicles	32,780
For the reconstruction of the roads upon which the tramways and light railways to be removed or discontinued under the provisions of this Act are situate	14,080
For the provision of omnibuses	40,000
For the construction and adaptation of buildings for the purposes of the trolley vehicles and omnibuses of the Corporation	12,200

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

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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 :

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 Worcester Corporation Act 1926. Short title.

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

Division of
Act into
Parts.

Part I.—Preliminary.

Part II.—Tramways light railways trolley vehicles and omnibuses.

Part III.—Race meetings on Pitchcroft.

Part IV.—Transfer of property of Hopmarket Guardians.

Part V.—Financial and miscellaneous.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act namely :— Incorporation of
Acts.

(a) The Lands Clauses Acts with the following exceptions :—

The provisions of the Lands Clauses Consolidation Act 1845 with respect to the purchase and taking of lands otherwise than by agreement and section 127 of that Act (relating to the sale of superfluous lands);

(b) Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Interpre-
tation.

A. D. 1926. Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such construction. And in this Act unless the subject or context otherwise requires—

“The Corporation” means the mayor aldermen and citizens of the city of Worcester;

“The city” means the city of Worcester;

“The council” means the council of the city;

“The city fund” and “the city rate” mean respectively the city fund and the city rate of the city;

“The mayor” and “the town clerk” mean respectively the mayor and the town clerk of the city;

“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;

“Trolley vehicle routes” means the routes upon which the Corporation are by this Act or by an order under the section of this Act the marginal note whereof is “Minister of Transport may authorise new routes” authorised to work and use trolley vehicles;

“Apparatus” includes standards brackets conductors mains cables wires posts poles and any other apparatus and equipment for the purpose of working tramways or trolley vehicles;

“Road authority” means with reference to any road or part of a road over which any proposed trolley vehicle or omnibus service will pass the authority company or person charged with or liable to contribute to the maintenance of such road or part of a road;

“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 (Definitions) of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation; A.D. 1926.

“The company” means the Worcester Electric Traction Company Limited;

“The undertaking of the company” means the undertakings authorised by the Worcester Tramways Act 1901 the Worcester and District Light Railways Order 1901 and the Worcester (Extension) Light Railways Order 1902;

“The Corporation’s tramways” means the tramways and light railways of the company when they shall have been acquired by the Corporation and any other tramways and light railways for the time being belonging to the Corporation.

PART II.

TRAMWAYS LIGHT RAILWAYS TROLLEY VEHICLES AND OMNIBUSES.

5. So soon as the Corporation shall have acquired the undertaking of the company notwithstanding anything in the Tramways Act 1870 to the contrary the Corporation may place and run carriages on and may work and may demand and take tolls and charges in respect of the Corporation’s tramways and in respect of the use of such carriages and may exercise all or any of the powers of the Worcester Tramways Act 1901 the Worcester and District Light Railways Order 1901 and the Worcester (Extension) Light Railways Order 1902 in respect of the Corporation’s tramways but nothing in this section shall empower the Corporation to create or permit a nuisance or to manufacture any plant appliances or conveniences required for the working or user of the Corporation’s tramways. Power to Corporation to work tramways and light railways.

6.—(1) So soon as the Corporation shall have acquired the undertaking of the company the Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and with the consent of the Minister of Transport and subject to such conditions Power to use trolley vehicles.

A.D. 1926. as he may impose may work the same along any street or road in the city along which tramways or light railways have been constructed.

(2) The Corporation may also work trolley vehicles along the following routes in the city and along any other street in the city which the Corporation think it necessary or convenient to use for the purpose of obtaining access to any trolley vehicle route from any depôt garage building or work of the Corporation:—

1. London Road from the existing light railway terminus to the city boundary.
2. Wylds Lane.
3. Midland Road.
4. Newtown Road from its junction with Midland Road to Tallow Hill.
5. Shrub Hill Road from Tallow Hill to the existing tramway terminus.
6. Astwood Road from the existing light railway terminus to a point 50 yards north-east of Bilford Lane along the road leading to Astwood Farm.
7. Bilford Lane.
8. Droitwich Road from Barbourne Road to a point 50 yards north-east of Checketts Lane.
9. Checketts Lane.
10. Ombersley Road from the existing tramway terminus to the city boundary.
11. Malvern Road from the existing light railway terminus to the city boundary.
12. Bransford Road from the existing tramway at the southern end of St. John's to a point 50 yards west of Boughton Avenue.
13. Watery Lane.
14. Boughton Avenue.
15. Bromyard Road from the existing tramway near the electricity sub-station at St. John's to a point 50 yards west of Boughton Avenue.
16. Comer Road.
17. Oldbury Road from a point 50 yards west of Comer Road to Henwick Road.

18. Henwick Road from a point 50 yards south of Oldbury Road to Hallow Road. A.D. 1926.
19. Hallow Road from Henwick Road to a point 50 yards north of Lechmere Crescent.
20. Hylton Road.
21. Vine Street for a distance of 50 yards from its junction with Ombersley Road.
22. Brickfields Road for a distance of 50 yards from its junction with Astwood Road.
24. Tallow Hill for a distance of 50 yards from its junction with Shrub Hill Road.
25. Trinity Street for a distance of 50 yards from its junction with St. Nicholas Street.
26. Foxwell Street for a distance of 50 yards from its junction with London Road.
27. Stanley Street for a distance of 50 yards from its junction with Bath Road.
28. Great House Road for a distance of 50 yards from its junction with Malvern Road.
29. Foley Road for a distance of 50 yards from its junction with Malvern Road.
30. St. Swithin Street for a distance of 50 yards from its junction with The Cross.
31. Beckett Lane for a distance of 50 yards from its junction with Ombersley Road.
32. Claines Lane for a distance of 50 yards from its junction with Ombersley Road.
33. Lechmere Crescent for a distance of 50 yards from its junction with Hallow Road.
34. Road to Battenhall Farm for a distance of 50 yards from its junction with London Road :

Provided that—

- (a) before any trolley vehicle route which includes a turning point is equipped for use or a new turning point on any trolley vehicle route is arranged plans of the turning points shall be submitted to the Minister of Transport for approval;
- (b) no turning point shall be fixed or used upon any road or street belonging to or maintained

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by a railway company without the consent in writing of such company which consent shall not be unreasonably withheld.

As to
abandon-
ment of
tramways
and light
railways.

7.—(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 the Corporation's tramways (for the time being) along the route of which the Corporation have provided and equipped or are about to provide and equip trolley vehicles or have provided omnibuses under the provisions of this Act or any Provisional Order made thereunder.

(2) Before making any order under the provisions of this section 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 tramway or light railway to be abandoned or discontinued in pursuance of such Order and may provide for the removal of the rails of such tramway or 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.

(4) All works carried out by the Corporation under the powers of this section which affect the property of any railway company shall be carried out in accordance with plans and particulars to be previously submitted to and reasonably approved by the engineer of the railway company and under the superintendence (if such superintendence shall be given) and to the reasonable satisfaction of the said engineer. Any question arising between the Corporation and the engineer under the provisions of this subsection or as to anything to be done or not to be done thereunder shall be referred to and determined by a single arbitrator to be agreed upon between the parties or failing agreement to be appointed on the application of either party after notice in writing to the other by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to such reference and determination.

8. As from the date upon which and so long as a service of trolley vehicles is provided by the Corporation in lieu of a tramway or light railway service upon the route or routes of any of the Corporation's tramways the revenue of the tramway undertaking of the Corporation shall (to such extent as the Corporation may from time to time by resolution determine) cease to be charged under any statutory enactment relating to that undertaking with expenses incurred by the Corporation upon or in connection with the maintenance and repair of roads along the route or routes upon which such service of trolley vehicles is provided but nothing in this section shall relieve the Corporation of any liability attaching to them in respect of such maintenance and repair.

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As to maintenance of roads on trolley vehicle routes.

9.—(1) Subject to the provisions of this Act the Corporation may in under or over the surface of the streets or roads along which or adjoining those along which they are authorised to run trolley vehicles or in which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station place erect and maintain all necessary and proper standards brackets conductors mains cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power and may for that purpose subject to the provisions relating to tramways contained in Part II. of the Tramways Act 1870 and the provisions of this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electrical energy for the purpose of working the trolley vehicles :

As to electrical works.

Provided that no post or other apparatus shall be erected on the carriageway except with the consent of the Minister of Transport.

(2) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1922 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

(3) The Corporation may also adapt and use for the purpose of working trolley vehicles any apparatus and

A.D. 1926. equipment already provided by them or by the company for working the Corporation's tramways in streets or roads along which the Corporation are or may be authorised to run trolley vehicles.

(4) In this section the expression "generating station" has the meaning assigned to it by section 25 of the Electric Lighting Act 1909.

For protec-
tion of
Postmaster-
General.

10.—(1) Notwithstanding anything in this Act contained if any of the works authorised to be executed by this Act involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

(2) In the event of any trolley vehicles of the Corporation being worked by electricity the following provisions shall have effect:—

(a) The Corporation shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by His Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Corporation as to compliance with this subsection shall be determined by arbitration;

(b) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the undertaking of the Corporation the Corporation shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection;

(c) Before any electric line is laid down or any act or work for working the trolley vehicles by

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electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work. Any difference which arises between the Postmaster-General and the Corporation as to any requirement so made shall be determined by arbitration;

(d) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Corporation is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Corporation's works or to the working of their undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated or used by or supplied to the Corporation enter any of the Corporation's works for the purpose of inspecting the Corporation's plant and the working of the same and the Corporation shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Corporation pursuant to the mechanical power regulations;

(e) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding twenty pounds and to a further fine not exceeding ten pounds for every day during which such contravention

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or non-compliance continues after conviction thereof or if the telegraphic communication is wilfully interrupted to a fine not exceeding fifty pounds and to a further fine not exceeding fifty pounds for every day on which such interruption continues after conviction thereof;

- (f) Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice;
- (g) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work;
- (h) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act;
- (i) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882;
- (j) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Minister of Transport on the application of either party whose decision shall be final and sections 30 to 32 (both inclusive) of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act;

- (k) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid; A.D. 1926.
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- (l) In this section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the trolley vehicle routes of the Corporation.

11.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected or used in any such street or public road by the Corporation in connection with the trolley vehicles and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

Use of posts &c. by Postmaster-General.

- (a) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the trolley vehicle routes;
- (b) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain. Any difference as to any matter referred to in such notice shall be determined as hereinafter provided;
- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and

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maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the trolley vehicles or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Minister of Transport arising through the exercise by the Postmaster-General of the powers conferred by this section;

- (d) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided;
- (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road;
- (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair;
- (g) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants;
- (h) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post

standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided;

- (i) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the trolley vehicle routes or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants;
- (j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connection with their trolley vehicles or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connection with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and such company or person in

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relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section—

The expression “the Corporation” includes their lessees;

The expression “telegraph” has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

For pro-
tection of
railway
companies.

12. The following provisions for the protection of the Great Western Railway Company and the London Midland and Scottish Railway Company (each of which is in this section jointly and severally referred to as “the company”) shall unless otherwise agreed 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 so far as they relate to trolley vehicles (that is to say):—

(1) In this section the word “apparatus” means standards brackets conductors mains cables wires posts poles and any other apparatus and equipment for the purpose of working trolley vehicles under or in pursuance of this Part of this Act:

(2) The apparatus where the same shall be erected or placed upon across under or over any bridge or the approaches thereto or over any level crossing 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 and according to plans and particulars to be previously submitted to and reasonably approved by the company. Provided that if the company do not within twenty-eight 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 as not to affect injuriously any such bridge approaches or other work and in the event of any injury being occasioned to such bridge approaches or work by the construction, maintenance, user or removal of the apparatus 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 :

- (3) The Corporation shall on demand pay to the company the reasonable expense (if any) of watching the railway and property of the company which shall be necessary during and in consequence of the execution or repair by the Corporation under or in pursuance of this Part of this Act of any apparatus affecting any bridge or other work belonging to or maintainable by the company for preventing all interference, obstruction, danger and accident 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 :
- (4) The Corporation shall not in any manner in the execution, maintenance, user or repair of any of the apparatus obstruct or interfere with the free, uninterrupted and safe user of any railway or siding 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 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 contractors in connection with the

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apparatus 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 in the exercise of their existing powers shall hereafter require 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 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 the 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 apparatus shall be stopped or delayed or such part of the 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 apparatus shall be restored with all practicable dispatch 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 :

(8) If and when the company shall require to reconstruct widen lengthen alter repair or paint any bridge under which any electric wire of the Corporation has been placed under or in pursuance of this Part of this Act 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 widening lengthening 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 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 apparatus will be constructed over or under the railway or other works of the company it becomes necessary in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal wires or apparatus of the company shall 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 Provided that notice of their intention to execute such works shall be given by the company to the Corporation :

(10) The Corporation shall not for the purposes of this Part of this Act make attachments to any bridge or other property of the company without the consent in writing of the engineer of the company which shall not be withheld unreasonably such attachments if allowed to be temporarily removed at any time when required by the said engineer in connection with the

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maintenance and reconstruction or alteration of any such bridge :

- (11) If any difference shall arise between the Corporation and the company or their respective engineers with reference to the matters aforesaid such difference shall be referred to and determined by a single arbitrator to be agreed upon between the parties or failing agreement to be appointed on the application of either party after notice in writing to the other 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 reference and determination.

Corporation to have exclusive right of using apparatus for working trolley vehicles.

13. 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 the trolley vehicles and any person (except by agreement with the Corporation) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Vehicles not to be deemed light locomotives or motor cars.

14.—(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 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of any provision 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 those exceptions neither that Act nor the regulations made under that Act 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.

(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.

Licence duties on trolley vehicles.

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

16.—(1) The trolley vehicles and the electrical equipment thereof used 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.

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Approval of
vehicles by
Minister of
Transport.

(2) 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 upon such road 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.

17. No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for traffic by an officer appointed by the Minister of Transport.

Inspection
by Minister
of Transport.

18. The following provisions of the Tramways Act 1870 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) as incorporated with this Act shall apply to the trolley vehicles authorised by this Act and for the purpose 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 tramways and as if the said trolley vehicles were carriages used on tramways:—

Application
of certain
provisions of
Tramways
Act 1870
to trolley
vehicles.

Part II (Relating to the construction of tramways) except sections 25 28 and 29;

Section 41 (Tramways to be removed in certain cases);

Section 46 (Byelaws by local authority Promoters may make certain regulations);

Section 47 (Penalties may be imposed in bye-laws);

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- Section 48 (Power to local authority to license drivers conductors &c.);
- Section 49 (Penalty for obstruction of promoters in laying out tramway);
- Section 51 (Penalty on passengers practising frauds on the promoters);
- Section 53 (Penalty for bringing dangerous goods on the tramway);
- Section 55 (Promoters or lessees to be responsible for all damages);
- Section 56 (Recovery of tolls penalties &c.);
- Section 57 (Right of user only);
- Section 60 (Reserving powers of street authorities to widen &c. roads); and
- Section 61 (Power for local or police authorities to regulate traffic in roads).

Provisions
as to
motive
power.

19. The trolley vehicles may be moved subject to the following provisions by mechanical power (that is to say):—

(1) The mechanical power shall not be used except with the consent of and according to a system approved by the Minister of Transport:

(2) The Minister of Transport shall make regulations (in this Act referred to as "the mechanical power regulations") for securing to the public all reasonable protection against danger arising from the use under this Act of mechanical power for the trolley vehicles and for regulating the use of electrical power:

(3) The Corporation or any company or person using any mechanical power for the trolley vehicles contrary to the provisions of this Act or of the mechanical power regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence is continued after conviction thereof:

(4) The Minister of Transport if he is of opinion—

(a) that the Corporation or such company or person have or has made default in complying with the provisions of this Act or of the

mechanical power regulations whether a penalty in respect of such non-compliance has or has not been recovered; or

(b) that the use of mechanical power as authorised under this Act is a danger to the passengers or the public;

may by order either direct the Corporation or such company or person to cease to use such mechanical power or permit the same to be continued only subject to such conditions as the Minister of Transport may impose and the Corporation or such company or person shall comply with every such order. In every such case the Minister of Transport shall make a special report to Parliament notifying the making of such order.

20. The following provisions shall apply to the use of electrical power under this Part of this Act unless such power is entirely contained in and carried along with the trolley vehicles :—

Provisions
as to use of
electrical
power.

- (1) The Corporation shall employ either insulated returns or uninsulated metallic returns of low resistance :
- (2) The Corporation shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their trolley vehicle undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus :
- (3) The electrical power shall be used only in accordance with the mechanical power regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable in-

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injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :

- (4) The Corporation shall be deemed to take all reasonable and proper precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Corporation either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the mechanical power regulations and in prescribing such means the Minister of Transport shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking :
- (5) The provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents :
- (6) If any difference arises between the Corporation and any other party with respect to anything hereinbefore in this section contained such difference shall unless the parties otherwise agree be determined by the Minister of Transport or at his option by an arbitrator to be appointed by him and the costs of such determination shall be in the discretion of the Minister or of the arbitrator as the case may be :
- (7) The Corporation using electrical power contrary to the provisions of this Act or of the mechanical power regulations shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a

daily penalty not exceeding five pounds Provided always that whether any such penalty has been recovered or not the Minister of Transport if in his opinion the Corporation in the use of electrical power under the authority of this Act have made default in complying with the provisions of this Act or the mechanical power regulations may by order direct the Corporation to cease to use electrical power and thereupon the Corporation shall cease to use electrical power and shall not again use the same unless with the authority of the Minister of Transport and in every such case the Minister of Transport shall make a special report to Parliament notifying the making of such order :

- (8) The expression " Corporation " in this section shall include lessees licensees and any person owning working or running carriages on any of the trolley vehicle routes of the Corporation.

21. Subject to the provisions of this Act the Minister of Transport may make byelaws with regard to any of the trolley vehicles for all or any of the following purposes (that is to say) :—

For regulating the use of any bell whistle or other warning apparatus fixed to the trolley vehicles :

For providing that trolley vehicles shall be brought to a stand at the intersection of cross streets and at such places and in such cases of horses being frightened or of impending danger as the Minister of Transport may deem proper for securing safety :

For regulating the entrance to exit from and accommodation in the trolley vehicles and the protection of passengers from the machinery of any trolley vehicles :

For providing for the due publicity of all byelaws and Ministry of Transport regulations in force for the time being in relation to the trolley vehicles by exhibition of the same in conspicuous places on the trolley vehicles and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Minister of Transport under the authority of this Act shall be liable to a penalty not exceeding forty shillings.

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Working
and other
agreements
with respect
to tramways
and trolley
vehicles.

22.—(1) The Corporation on the one hand and any local authority company body or person owning or working any tramways or trolley vehicles which may be connected with any tramways or trolley vehicles of the Corporation on the other hand may enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say):—

- (a) The formation of junctions between the tramways or trolley vehicle systems of the contracting parties;
- (b) The leasing (with the consent of the Minister of Transport) working running over using maintaining and managing by either of the contracting parties of the tramways or trolley vehicle systems or any of the tramways or trolley vehicle systems of the other and the fixing collecting apportionment and distribution of the rates and profits arising therefrom;
- (c) The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working of the tramways or trolley vehicle systems of rolling stock necessary for the purposes of such agreement and the employment of officers and servants;
- (d) The supply of motive power;
- (e) The payments to be made and the conditions to be performed with respect to the matters aforesaid;
- (f) The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways or trolley vehicle systems of the contracting parties.

(2) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the tramways or trolley vehicle system of the other the tramways and trolley vehicle systems of the parties so contracting shall for the purposes of calculating maximum fares and charges in respect of conveyance partly over the tramways or trolley vehicle system of the one party and partly over those of the other be considered as one tramway or trolley vehicle system as the case may be and the maximum

charge for each portion of the entire distance shall be calculated at the maximum rate which according to the scale applicable to such portion would be chargeable for the entire distance.

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(3) In this section the word "tramways" includes light railways.

23.—(1) The Corporation may demand and take for every passenger and every parcel conveyed upon the trolley vehicles including every expense incidental to such conveyance a fare or charge not exceeding one penny halfpenny per mile and in computing the said fare or charge any fraction of a mile shall be deemed a mile.

Fares and
charges for
trolley
vehicles.

(2) Every passenger may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

(3) The Corporation may if they think fit convey on the trolley vehicles small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers the charge for any dog to be a sum not exceeding the fare payable by the passenger but they shall not carry any other goods or animals.

24. If at any time after three years from the opening for public traffic of the trolley vehicle system or any portion thereof or after three years from the date of any order made in pursuance of this section in respect of the trolley vehicle system or any portion thereof it is represented in writing to the Minister of Transport by the local authority of any parish in which the trolley vehicle system or such portion is wholly or partly situate or by twenty inhabitant ratepayers of that parish 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 trolley vehicle system or on such portion should be revised the Minister of Transport may (if he thinks 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

Periodical
revision of
fares and
charges.

A.D. 1926.

all or any of the fares or charges to be taken in respect of the trolley vehicle system 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. Provided that a representation under this section shall only be made by the local authority or by ratepayers of any parish in respect of fares and charges demanded and taken which affect such parish.

As to fares
on Sundays
or holidays.

25. It shall not be lawful for the Corporation or their lessees or any company or person working the trolley vehicles of the Corporation or running over the trolley vehicle system of the Corporation to take or demand on Sunday or any public holiday any higher fares or charges than those levied by them on ordinary weekdays.

Service for
labouring
classes.

26.—(1) The Corporation at all times after the opening of the trolley vehicle system for public traffic shall and they are hereby required to run a proper and sufficient service of trolley vehicles for artisans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day Good Friday and bank holidays 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 one penny for every mile or fraction of that distance. 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.

Attachment
of brackets,
&c. to
buildings.

27.—(1) The Corporation may with the consent of the owner of any building attach to that building such brackets wires and apparatus as may be required or

expedient for the working of the Corporation's tramways and trolley vehicles by mechanical power : A.D. 1926.

Provided that—

- (a) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building 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 petty sessional court under this section shall not have effect after that owner ceases to be in possession of the building 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 petty sessional court 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.

For the purposes of this section any occupier of a building 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.

(2) Notwithstanding anything contained in this section no brackets wires or apparatus shall be attached to any building belonging to or forming part of the railway undertaking of a railway company without the previous consent in writing of that company or if in the opinion of an engineer to be appointed on the application of either party by the President of the

A.D. 1926. Institution of Civil Engineers: such consent is unreasonably withheld the consent of such engineer.

Penalty for
malicious
damage.

28. If any person wilfully and unlawfully does or causes to be done with respect to any apparatus used for or in connection with the working of the Corporation's tramways or trolley vehicles anything which is calculated to obstruct or interfere with the working of such tramways or trolley vehicles or to cause injury to any person he shall be liable to a penalty not exceeding twenty pounds.

Use for
sanitary
purposes.

29. The Corporation may at such times and in such manner as they think fit (but subject to the provisions of this Act and any byelaws for the time being in force with respect to trolley vehicles) use the Corporation's tramways or trolley vehicles for sanitary or road watering purposes and for the conveyance of scavenging stuffs road metal and other materials required for the works of the Corporation free of all rates and charges in respect of such use.

Minister of
Transport
may
authorise
new routes.

30.—(1) (a) 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 (other than the streets and roads in this Act hereinbefore referred to) they may make application to the Minister of Transport and the Minister of Transport 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 within the city or upon any road or roads or any part or parts thereof included within any of the routes specified in the schedule to this Act 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 Provided that the Minister of Transport shall not make any such order in respect of any of the said road or roads or any part or parts thereof included within any of the routes specified in the second part of the said schedule unless it is proved to his satisfaction that at the date of the application there is no suitable and sufficient service of motor omnibuses upon such route.

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(b) The Minister of Transport shall not make any Provisional Order under this section relating to any road outside the city except with the consent of the local authority and (where the local authority is not the road authority) of the road authority of the district in which such road is situate but such consent or consents shall in no case be unreasonably withheld and any question arising as to whether any such consent is unreasonably withheld shall be determined by the said Minister.

(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 city;

(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 for and method of 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.

(4) The Minister of Transport shall consider any such application and may if he thinks fit direct an inquiry to be held in relation thereto or may otherwise inquire into 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.

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(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 Act 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 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.

Power to
provide
and run
omnibuses.

31.—(1) Subject to the provisions of this Act the Corporation may provide and maintain (but shall not manufacture) and may run omnibuses within the city and (with the consent of the Minister of Transport and the local authority of the district) along any of the routes outside the city specified in the schedule to this Act or any part or parts of such routes Provided that the consent of a local authority shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport Provided also that the powers conferred by this section shall not extend to any of the routes specified in the second part of the said

schedule or any part or parts of such routes unless it is proved to the satisfaction of the Minister of Transport that at the date of the application for his consent there is no suitable and sufficient service of motor omnibuses upon such route.

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(2) In the case of any application under the provisions of this section for the consent of the Minister of Transport the Corporation shall give notice in writing of their proposals to the road authority (where it is not also the local authority) and shall publish notice of such proposals in the London Gazette and in such other manner as the Minister of Transport shall direct stating the manner in which and the time within which any persons affected by such proposals may object thereto and if any objection shall be made by any such person or the consent of the local authority is withheld the Minister of Transport may direct an inquiry to be held.

(3) Every omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General.

(4) The provisions of section 51 (Penalty on passengers practising frauds on the promoters) and section 56 (Recovery of tolls penalties &c.) of the Tramways Act 1870 shall apply to and in relation to the omnibuses of the Corporation as if they were carriages used on tramways.

(5) The Corporation may make byelaws for regulating the travelling in or upon their omnibuses and for the prevention of nuisances in or upon the same or in or against any premises held by the Corporation in connection therewith.

32.—(1) (a) Before the Corporation commence to run omnibuses over any road or part of a road it shall be determined by agreement between the Corporation and the road authority (where it is not the Corporation) or failing agreement by the Minister of Transport whether it is necessary (in order to provide for the running under the powers of this Act of an omnibus service over any such road or part of a road) to adapt alter or reconstruct such road or part of a road or to strengthen any county bridge or district bridge and if so what sum of money per mile of road so to be adapted altered or reconstructed or what sum of money in respect of any such

Adaptation
of roads.

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bridge shall be payable by the Corporation to the road authority by way of contribution towards the cost incurred in such adaptation alteration reconstruction or strengthening.

(b) Within six months after the date upon which all questions to be agreed or determined in pursuance of paragraph (a) of this subsection have been so agreed or determined the Corporation shall give notice in writing to the road authority as to whether they intend to run omnibuses over the road or part of a road or bridge in question.

(c) If the Corporation give notice in writing to the road authority that they intend to run omnibuses over the road or part of a road or bridge in question and if it shall have been agreed or determined that the Corporation are to make any payment to the road authority under the provisions of paragraph (a) of this subsection the Corporation shall on receipt of any certificate which may from time to time be issued by the engineer in charge of the work of adaptation alteration or reconstruction of such road or part of a road or of strengthening such bridge pay to the road authority such proportion of the total amount of the contribution agreed or determined to be payable by the Corporation as the amount so certified to have been expended upon such work bears to the total amount estimated to be expended by the road authority on such work. Provided that the aggregate amount to be so paid by the Corporation shall not exceed the amount of the contribution agreed or determined to be payable by them as aforesaid.

(d) Notwithstanding anything in this subsection the Corporation shall not be required to pay any sum in respect of any work towards or in respect of the adaptation alteration or reconstruction of any such road or part of a road or the strengthening of any bridge which is not executed within three years from the date on which the Corporation shall commence to run omnibuses over the road or part of a road to be adapted altered or reconstructed or over the bridge to be strengthened.

(e) Not more than one payment or (in the case of a payment by instalments in accordance with paragraph (c) of this subsection) one series of payments shall be made in respect of any such road or part of a road so

adapted altered or reconstructed or of any such bridge so strengthened. A.D. 1926.

(f) For the purposes of this subsection the expression "county bridge" shall include every bridge maintainable by a county council and in respect of such bridge the county council shall be deemed to be the road authority and the expression "district bridge" shall include every bridge maintainable by a district council and in respect of such bridge the district council shall be deemed to be the road authority.

(2) Any payment made to a road authority under this section in respect of any main road retained by them under subsection (2) of section 11 of the Local Government Act 1888 or maintained by them under subsection (4) of that section shall be credited to the county council in ascertaining the amount payable by them under either of the said subsections of the Local Government Act 1888.

(3) If any such adaptation alteration reconstruction or strengthening as aforesaid shall involve an alteration of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration and the road authority shall be deemed to be "undertakers" within the meaning of the said Act.

(4) The road authority shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any highway by the omnibuses of the Corporation.

(5) An agreement under this section with respect to any main road maintained by a local authority at the expense of any county council shall not be made except with the concurrence of that county council.

(6) For the purposes of this section the expression "road authority" shall not include a railway company.

33. Nothing in this Act shall impose any obligation upon or enlarge any obligation of any railway company to strengthen adapt alter or reconstruct any bridge or road maintainable by them.

As to
bridges and
roads of
railway
companies.

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Cesser of
powers.

34.—(1) The powers of running omnibuses under the provisions of this Act on any road or part of a road outside the city may at the expiration of ten years from the date upon which such running commences and at the expiration of any subsequent period of ten years be determined by the Minister of Transport on the application of the local authority of the district in which such road or part of a road is situate upon such terms as the said Minister may determine.

(2) Before issuing an order to determine the said powers the Minister of Transport shall hold a local inquiry at which opportunity shall be afforded to any person interested to object to the continuance or cesser of such powers.

Determina-
tion of
powers in
certain
events.

35. If the Corporation do not within three years from the giving of the consent of the Minister of Transport to the running by the Corporation of omnibuses on any route without the city provide a service of omnibuses on such route or having provided shall discontinue any such service the Minister of Transport may on the application of any local authority within whose district the route or any part of the route is situate and after considering any representation which may be made on behalf of the Corporation by order declare that unless a service of omnibuses be provided within such period as the Minister of Transport may by such order prescribe the powers of the Corporation under this Act in respect of the provision and running of omnibuses on such route or part of such route shall determine and if within the prescribed period such service be not provided as from the expiration of such period the powers of the Corporation under this Act in relation to the provision and running of omnibuses on such route or part of a route shall cease :

Provided that this section shall not apply or have effect in the event of the failure of the Corporation to provide or to continue to provide a service of omnibuses on any route being due to strikes unforeseen accident or circumstances beyond the control of the Corporation.

Fares and
charges
&c. for
omnibuses.

36.—(1) Subject to the provisions of this section the Corporation may demand and take for passengers and parcels carried on the omnibuses of the Corporation fares and charges not exceeding such maximum fares

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

Any application for a revision of such maximum fares or charges may be made by the Corporation or by the local authority of any district in which such omnibuses are run.

Before approving any maximum fares or charges or any revision thereof under this section the Minister of Transport may direct an inquiry to be held.

Where the Minister causes any such inquiry as aforesaid to be held all expenses incurred by the Minister in relation to that inquiry shall be paid as the Minister may by order direct either by the Corporation or by any of the parties on whose representation the inquiry is held or partly by the Corporation and partly by any of such parties and the Minister may certify the amount of the expenses so incurred and any sum so certified and directed by the Minister to be paid shall be a debt due to the Crown.

(2) Every passenger travelling upon the omnibuses of the Corporation may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

(3) The Corporation may if they think fit convey on the omnibuses 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 but they shall not carry any other goods or animals.

37.—(1) The Corporation and any local authority empowered to run omnibuses in any borough or urban or rural district adjacent to the city or adjacent to any borough or urban or rural district in which any route over which the Corporation are for the time being empowered to run omnibuses is situate may enter into and carry into effect agreements for the working user management and maintenance of all or any of the omnibus services which the contracting parties are empowered to provide subject to the provisions of the respective Acts under which such omnibus services are authorised.

Working
and other
agreements
with respect
to omni-
buses.

A.D. 1926.

(2) The Corporation and any company body or person may enter into and carry into effect agreements for the working user management and maintenance subject to the provisions of this Act of any omnibus services within the city or on any route over which the Corporation are for the time being empowered to run omnibuses.

(3) The Corporation and any such local authority company body or person as aforesaid may also enter into and carry into effect agreements for all or any of the following purposes (that is to say):—

(a) The working user management and maintenance of any omnibuses lands depôts buildings sheds and property provided in connection with any such omnibus services as aforesaid by either of the contracting parties and the right to provide and use the same and to demand and take the fares and charges authorised in respect of such services;

(b) The supply by the working party under and during the continuance of any such agreement under this section of omnibuses and conveniences in connection therewith necessary for the purposes of such agreement and the employment of officers and servants;

(c) The interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any omnibus service of the contracting parties;

(d) The payment collection and apportionment of the fares and charges and other receipts arising from any such omnibus service as aforesaid.

(4) The Corporation shall not enter into or carry into effect any agreement under the provisions of this section in relation to any omnibus service lands depôts buildings sheds or property beyond the city otherwise than with the consent of the local authority of the district within which such omnibus service lands depôts buildings sheds or property are situate. Provided that on complaint being made to the Minister of Transport that such consent is unreasonably withheld the Minister may if he thinks fit by order dispense with such consent.

38. The Corporation may purchase take on lease or acquire by agreement and may hold for the purposes of their trolley vehicle and omnibus undertakings any lands not exceeding five acres and they may on such lands erect or construct and hold trolley vehicle omnibus carriage and motor houses sheds depôts yards wharves offices buildings sidings and works and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running equipment maintenance and repair of such trolley vehicles and omnibuses.

A.D. 1926.

—
Purchase of
lands by
agreement.

39. Nothing in this Act shall exonerate the Corporation from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands purchased or used by them for the purposes of their trolley vehicle and omnibus undertakings.

Nuisance.

40. 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 their tramway trolley vehicle and omnibus undertakings.

Accounts to
be furnished
to Minister
of Transport.

41. The Corporation may run through cars trolley vehicles and omnibuses along any route on which the Corporation are for the time being authorised to run tramcars light railway cars trolley vehicles or omnibuses and such cars trolley vehicles and omnibuses shall be distinguished from other cars trolley vehicles and omnibuses in such manner as may be directed by the Corporation and they may demand and take for every passenger or parcel carried by such cars trolley vehicles or omnibuses a fare or charge not exceeding the maximum fare or charge authorised or chargeable for and in respect of the whole of such route or the whole of the portion thereof traversed by any such car trolley vehicle or omnibus Provided that during the running of such through cars trolley vehicles or omnibuses the Corporation shall maintain a reasonably sufficient ordinary service of tramcars trolley vehicles or omnibuses as the case may be.

Through
cars &c.

42.—(1) Notwithstanding anything contained in this or any other Act to the contrary the Corporation may on any occasion run and reserve cars on any of the

Power to
reserve cars
for special
purposes.

A.D. 1926. Corporation's tramways and trolley vehicles and omnibuses on any route on which the Corporation are for the time being authorised to run trolley vehicles or omnibuses for any special purpose which the Corporation may consider necessary or desirable Provided that such special cars trolley vehicles and omnibuses shall be distinguished from other cars trolley vehicles and omnibuses in such manner as the Corporation may direct and that during the running of such special cars trolley vehicles or omnibuses the Corporation shall maintain a reasonably sufficient ordinary service of cars trolley vehicles or omnibuses as the case may be.

(2) The Corporation may make byelaws and regulations for prohibiting the use of any such cars trolley vehicles or omnibuses by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions contained in this or any other Act of the Corporation as to fares rates or charges for passengers shall not extend to any special cars run upon the Corporation's tramways or trolley vehicles or omnibuses run for such special services as aforesaid and in respect thereof the Corporation may demand and take such fares rates or charges as they shall think fit.

Power to require intending passengers to wait in lines or queues.

43. For the better regulation of persons desiring to travel on the Corporation's trolley vehicles or omnibuses the Corporation may make byelaws requiring persons waiting at places outside the city to enter such trolley vehicles or omnibuses at any stopping place or terminus upon any of the Corporation's trolley vehicle or omnibus routes to wait in lines or queues and to enter such vehicles in the order in which they stood in such line or queue and in the event of the Corporation making any such byelaws they may erect and maintain barriers and posts at any stopping place or terminus and for that purpose may use with the consent of the road authority part of any highway outside the city.

Shelters or waiting rooms.

44. The Corporation may erect and maintain within and (with the consent of the local and road authority) beyond the city sheds shelters or waiting-rooms and gangways for the accommodation of passengers on any tramway light railway trolley vehicle or omnibus routes of the Corporation and may use for that purpose portions of the public streets or roads due regard being given to

the convenience of the general traffic along any such street or road. A.D. 1926.

45. The Corporation may provide cloak-rooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depôt or building used by them in connection with their tramway light railway trolley vehicle or omnibus undertakings and at any places on any tramway light railway trolley vehicle or omnibus route of the Corporation and the Corporation may make charges for the use of such cloak-rooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein but shall not use for the purpose any part of the highway without the consent of the road authority. Cloak-rooms &c.

46. The Corporation may purchase or take on lease dwelling-houses for persons employed by them for the purposes of their tramway light railway trolley vehicle or omnibus undertakings and may erect maintain and let dwelling-houses for such persons upon any lands for the time being belonging to the Corporation for the purposes of the said undertakings and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for the purposes of the said undertakings. Dwelling-houses for persons in Corporation's employment.

47. Any property found in any tramcar light railway car trolley vehicle or omnibus of the Corporation or in any shelter or waiting-room in connection with their tramway light railway trolley vehicle or omnibus undertakings shall forthwith be handed to the conductor of the car vehicle or omnibus or be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed within six months after the finding thereof it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof carried to the revenue of the tramway light railway trolley vehicle and omnibus undertakings. Lost property.

48.—(1) The Corporation may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the Corporation's tramways trolley vehicles or omnibuses signs or directions indicating the position of stopping places for tramway and light railway cars trolley vehicles Attachment of signs indicating stopping places to lamp-posts &c.

A.D. 1926.

and omnibuses Provided that in cases where the Corporation are not the owners of such lamp-post pole standard or similar erection they shall give notice in writing of their intention to attach thereto any such sign or direction and shall make compensation to the said owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Corporation shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment.

(2) Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(3) The Corporation shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing or belonging to any railway company except with their consent in writing.

Conveyance
of mails.

49. The Corporation shall perform in respect of trolley vehicles and omnibuses provided under this Act 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.

Payment
of fares
rates and
charges.

50. The fares rates and charges authorised by this Act or by the provisions incorporated therewith shall be paid to such persons and at such places upon or near to the Corporation's tramways trolley vehicles or omnibuses and in such manner and under such regulations as the Corporation may by notice to be annexed to the lists of fares rates and charges appoint.

As to bye-
laws &c.
under this
Part of
this Act.

51. Any byelaws and regulations made by the Corporation under the provisions contained in this Part of this Act shall be subject and according to the provisions of section 46 (Byelaws by local authority Promoters may make certain regulations) and section 47 (Penalties may be imposed in byelaws) of the Tramways Act 1870 and those provisions shall apply accordingly.

Power to
hold patent
rights.

52. The Corporation may acquire and hold patent and other rights and licences (not being exclusive) in relation to the use of electrical power for the purposes of this Part of this Act.

53.—(1) The Corporation may with the consent of the Minister of Transport by lease demise to any local authority company or person the tramway light railway and trolley vehicle undertakings of the Corporation or any of them and the right of demanding and taking in respect of the tramway and light railway undertakings the tolls fares and charges authorised by the Act of Parliament and Light Railway Orders relating thereto and in respect of the trolley vehicle undertaking the fares and charges authorised by this Act.

A.D. 1926.

—
Power to
lease tram-
way light
railway and
trolley
vehicle
under-
takings.

(2) Every such lease shall be made for a term or terms not exceeding in the whole forty-two years and shall imply a condition of re-entry if at any time after the making of the same the lessees discontinue the working of the undertaking or undertakings leased for the space of six weeks (such discontinuance not being occasioned by circumstances beyond the control of such lessees for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control) and the lessees under any such lease shall during the term thereof undertake such of the obligations and liabilities and have power to exercise such of the rights and powers of the Corporation as are specified in the lease.

(3) Section 19 of the Tramways Act 1870 and section 72 of the Worcester and District Light Railways Order 1901 shall not apply to the tramway and light railway undertakings of the Corporation or either of them.

54. The Corporation shall not under the powers of the sections of this Act of which the marginal notes respectively are “Shelters or waiting-rooms” “Cloak-rooms &c.” and “Power to require intending passengers to wait in lines or queues” (except with the consent in writing of the Great Western Railway Company or the London Midland and Scottish Railway Company) erect maintain or provide any shelter waiting-room cloak-room room or shed nor shall the Corporation require persons waiting at any starting or stopping station or any terminus to wait in any line or queue so as in any of such cases to cause interference with or render less convenient the access to or exit from any station depôt or property belonging to those companies or either of them nor without the like consent shall any such shelter

For further
protection
of railway
companies.

A.D. 1926.

waiting-room cloak-room room or shed be erected maintained or provided on any bridge carrying any street or road over the railways of either of those companies or on the approaches to any such bridge.

For protec-
tion of
Worcester
Electric
Traction
Company
Limited.

55. Notwithstanding anything in Part II. of this Act contained, the Corporation shall not provide own or lease or operate tramways light railways trolley vehicles or omnibuses over or in competition with any tramway or light railway of the company unless and until the Corporation have acquired the undertaking of the company and the powers conferred upon the company by their various Acts and Orders relating to tramways and light railways or unless and until the said powers have ceased and determined.

PART III.

RACE MEETINGS ON PITCHCROFT.

As to race-
course and
race
meetings on
Pitchcroft.

56.—(1) The Corporation may use the land belonging to them in the city known as Pitchcroft for the purpose of racecourses and for the erection of stands stables loose-boxes booths tents stalls and other buildings necessary or suitable for the holding of race-meetings and may purchase land adjacent or near thereto in connection with such purposes and may erect such stands stables loose-boxes booths tents stalls and other buildings on such lands and may carry on races or may from time to time lease or let for such periods not exceeding twenty-one years as they may think fit any racecourse formed on the said land known as Pitchcroft and any such stands stables loose-boxes booths tents stalls or other buildings.

(2) The Corporation may close such parts of the said land known as Pitchcroft as they may think fit during any race-meeting and for a period of four consecutive days before any race-meeting and may during any race-meeting make charges for admission to any part of the said land so closed and for admission to or for the use of any stands stables loose-boxes booths tents stalls or other buildings and may let the right of making such charges to any company or person.

(3) The Corporation may make byelaws for regulating the use of the said lands in connection with the holding of race-meetings.

PART IV.

A.D. 1926.

TRANSFER OF PROPERTY OF HOPMARKET GUARDIANS.

57. The transfer by the guardians of the Hopmarket in the city of Worcester to the Corporation of the Hopmarket and all the rights powers estates property and liabilities vested in or imposed on the said guardians by the following local Acts namely 2 and 3 Anne cap. 8 3 Geo. II. cap. 23 4 Geo. II. cap. 25 and 32 Geo. III. cap. 99 is hereby confirmed and made binding upon the said guardians and the Corporation.

Confirma-
tion of
transfer of
property of
Hopmarket
Guardians to
Corporation.

PART V.

FINANCIAL AND MISCELLANEOUS.

58.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of that table and in order to secure the repayment of the said sums and the payment of interest thereon the Corporation may mortgage or charge the respective revenues fund and rate mentioned in the third column of the said table and the Corporation shall pay off all moneys so borrowed within the respective periods (which for the purposes of this Act and of any enactment incorporated therewith or applied thereby shall respectively be “the prescribed period”) mentioned in the fourth column of the same table (namely):—

Power to
borrow.

1	2	3	4
Purpose.	Amount.	Charge.	Period for repayment.
(a) The provision of trolley vehicles.	£ 42,240	The revenue of the trolley vehicle undertaking of the Corporation and the city fund and city rate.	Ten years from the date or dates of borrowing.

A.D. 1926.

1	2	3	4
Purpose.	Amount.	Charge.	Period for repayment.
(b) The provision of electrical equipment and the construction of other works necessary for working trolley vehicles.	£ 32,780	The revenue of the trolley vehicle undertaking of the Corporation and the city fund and city rate.	Twenty years from the date or dates of borrowing.
(c) The provision of omnibuses.	40,000	The revenue of the omnibus undertaking of the Corporation and the city fund and city rate.	Eight years from the date or dates of borrowing.
(d) The reconstruction of the roads upon which the tramways and light railways to be removed or discontinued under this Act are situate.	14,080	The city fund and city rate.	Twenty-five years from the date or dates of borrowing.
(e) The construction and adaptation of buildings for the purposes of the trolley vehicles and omnibuses of the Corporation.	12,200	The revenue of the trolley vehicle and omnibus undertakings of the Corporation and the city fund and city rate.	Thirty years from the date or dates of borrowing.
(f) The payment of the costs charges and expenses of this Act.	The sum requisite.	The city fund and city rate.	Five years from the passing of this Act.

(2) (a) The Corporation may also with the consent of the Minister of Transport borrow such further money as may be necessary for any of the purposes of Part II. (Tramways light railways trolley vehicles and omnibuses) of this Act and with the consent of the Minister of Health such further money as may be necessary for any of the other purposes of this Act.

(b) In order to secure the repayment of any money borrowed under this subsection and the payment of

interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Minister with whose consent it is borrowed.

A.D. 1926.

(c) Any money borrowed under this subsection shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by the Minister with whose consent it is borrowed.

(3) The provisions of this section prescribing the revenue fund or rate which may be mortgaged or charged shall not limit the powers conferred upon the Corporation by Article 6 (Power to use one form of mortgage for all purposes) of the Worcester Order 1925.

59. In calculating the amount which the Corporation may borrow under the provisions of the Public Health Acts any sums which the Corporation may borrow under or for the purposes of this Act shall not be reckoned and the power of the Corporation of borrowing and re-borrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

Certain provisions of Public Health Acts not to apply.

60. The Corporation may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others Provided that the provisions of the Worcester Order 1925 relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of sections 15 and 16 of that Act.

Mode of raising money.

61. Subject to the provisions of Article 6 (Power to use one form of mortgage for all purposes) of the Worcester Order 1925 the following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say) :—

Provisions of Public Health Act 1875 as to mortgages to apply.

- Section 236 (Form of mortgage);
- Section 237 (Register of mortgages);
- Section 238 (Transfer of mortgages).

62. All moneys borrowed by the Corporation under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and to which capital is properly applicable.

Application of money borrowed.

A.D. 1926.

Receipt in
case of
persons not
sui juris.Expenses
of execution
of Act.Corporation
not to re-
gard trusts.Appoint-
ment of
receiver.Protection
of lender
from
inquiry.Interest on
mortgages
held jointly.

63. If any money is 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.

64. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made shall be defrayed by the Corporation out of the city fund.

65. The Corporation shall not be bound to see to the execution of any trust whether express implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages of the Corporation shall be a sufficient discharge to the Corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Corporation have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered on their register.

66.—(1) Any mortgagee of the Corporation by virtue of this Act may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall be not less than one thousand pounds in the whole.

(2) The application for the appointment of a receiver shall be made to the High Court.

67. A person lending money to the Corporation shall not be bound to inquire as to the observance by the Corporation of any provisions of any Act relating to the Corporation or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof.

68. Where more persons than one are registered as joint holders of any mortgage 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 town clerk by any other of them.

69.—(1) The Corporation shall keep the accounts in respect of each of the following undertakings of the Corporation (that is to say) the tramway and light railway undertaking the trolley vehicle undertaking and the omnibus undertaking (each of which is in this section separately referred to as "the undertaking") separate from all the other accounts of the Corporation distinguishing therein capital from revenue and shall apply all money from time to time received by the Corporation in respect of the undertaking except borrowed money and money properly applicable on capital account as follows:—

First—In payment of the working and establishment expenses and cost of maintenance renewal and repair of the undertaking;

Secondly—In payment of the interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;

Thirdly—In providing the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;

Fourthly—In extending and improving (if the Corporation think fit) any works for the purposes of the undertaking and in the provision of funds for working capital;

Fifthly—In providing a reserve fund (if the Corporation think fit) by setting aside such money as they 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 to one-tenth 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 of the said works or other-

A.D. 1926.

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Application
of revenue
and pay-
ment of
deficiencies
in relation
to tramway
and light
railway
trolley
vehicle and
omnibus
under-
takings.

A.D. 1926.

wise 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 resort may be had to the reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

And the Corporation shall carry to the city fund so much of any balance remaining in any year of the said money received (together with the interest on the reserve fund when such fund amounts to the prescribed maximum) as may in the opinion of the Corporation not be required for carrying on the undertaking and paying the current expenses connected therewith.

(2) Any deficiency in the revenue of the undertaking shall be made good out of the city rate made next or next but one after such deficiency is ascertained.

(3) In keeping separate accounts under the provisions of this section the Corporation 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.

Audit of
accounts.

70. The provisions of the Municipal Corporations Act 1882 relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under that Act shall extend to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act.

Inquiries
by Minister
of Health.

71.—(1) The Minister of Health 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 inspectors of the Ministry of Health shall for the purposes of any such inquiry have all such powers as they may have for the purposes of inquiries directed by that Minister under the Public Health Act 1875.

(2) The Corporation shall pay to the Minister of Health any expenses incurred by that Minister 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 to be fixed by that Minister not exceeding five guineas a day for the services of such inspector.

A.D. 1926.

72. 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 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.

73. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to byelaws authorised to be made by the Corporation under the powers of Part III. of this Act.

General
provisions
as to
byelaws.

74. Where in any legal proceedings taken by or on behalf of or against the Corporation or any officer servant solicitor or agent of the Corporation or any committee of the council under this Act or under any general or local Act for the time being in force in the city it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the council or to prove any resolution or order of the council or any resolution order or report of any committee of the council a certificate of such appointment authority resolution order or report purporting to be authenticated by the signature of the mayor or of the town clerk shall be prima facie evidence of such appointment authority resolution order or report without further proof of the holding of any meeting or the production of any minute book or other record or document.

Evidence of
appoint-
ments
authority
&c.

75.—(1) Where any notice or demand under this Act or under any local Act or Order or any byelaw for the time being in force within the city requires authentication by the Corporation the signature of the town clerk

Authentica-
tion and
service of
notices &c.

A.D. 1926. — or other duly authorised officer of the Corporation shall be sufficient authentication.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Order or byelaw for the time being in force within the city may be served in the same manner as notices under the Public Health Act 1875 are by section 267 (Service of notices) of that Act authorised to be served. Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their registered office or at their principal office or place of business.

As to breach of conditions of consent of Corporation.

76. Where under this Act or under any general or local Act for the time being in force in the city the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Consents of Corporation to be in writing.

77. All consents given by the Corporation under the provisions of this Act or of any local Act Order byelaw or regulation for the time being in force within the city shall be given in writing and unless otherwise prescribed shall be given under the hand of the town clerk or other duly authorised officer of the Corporation.

Informations by whom to be laid.

78. Save as herein expressly provided all informations and complaints under or for the breach of any of the provisions of this Act or of any byelaw made thereunder may be laid and made by any officer of the Corporation duly authorised in that behalf or by the town clerk or by any police officer acting for or within the city.

Powers of Act cumulative.

79. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and be entitled to such other

rights and remedies as if this Act had not been passed A.D. 1926.
 Provided that no person shall incur more than one —
 penalty (other than a daily penalty for a continuing
 offence) for the commission of the same offence.

80. Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of any local enactment as if the same were re-enacted therein. Application of section 265 of Public Health Act 1875.

81. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate. Judges not disqualified.

82. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown. Crown rights.

83. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the city fund and city rate or out of moneys to be borrowed under the authority of this Act for that purpose. Costs of Act.

A.D. 1926.

The SCHEDULE referred to in the
foregoing Act.

PART I.

From the City Boundary in	Proceeding along	To a point at
London Road -	Whittington Road -	The turning to Whittington Church.
The Bath Road -	Bath Road -	The junction of the New Road beyond the turning to Norton.
Malvern Road -	Malvern Road -	The Corporation Electricity Works.
Bransford Road -	Bransford Road and thence along Three - quarter Mile Road.	The junction of Three-quarter Mile Road with Bromyard Road.
Bromyard Road -	Bromyard Road -	Crown East at the turning to Broadheath Common.
Martley Road -	Martley Road -	"The Bell" at Lower Broadheath.
Hallow Road -	Hallow Road -	The Common by Hallow Church.
Ombersley Road	Ombersley Road thence along the road leading to Claines Lane and thence along Claines Lane.	The junction with Droitwich Road next north of the "Raven Inn."
Droitwich Road -	Droitwich Road -	The turning to Hindlip at the bottom of Raven Hill.
Astwood Road -	Blackpole Road thence along the road from the Hindlip turning to Droitwich Road.	The bottom of Raven Hill.
Newtown Road -	Newtown Road -	The turning next past the hospital.

PART II.

A.D. 1926.

From	Proceeding along	To a point at
The junction of Spetchley Road and Whittington Road.	Spetchley Road -	The junction of the Alcester and Evesham Roads on the east side of Spetchley Station.
The turning to Whittington Church in Whittington Road.	Whittington Road to the turning to Norton through the village of Norton and Norton Lane.	The junction of Norton Lane and Bath Road.
Bath Road at the junction of the new road beyond the turning to Norton.	Bath Road - -	The turning to Woodhall Farms Kempsey.
The Corporation Electricity Works in Malvern Road.	(Through Powick) Callow End Road.	The junction of road by Callow End Church.
The junction of Callow End Road and Malvern Road.	Malvern Road -	The junction of lane to Bowling Green on the west of Powick Mental Hospital.
The junction of Three-quarter Mile Road and Bransford Road.	Bransford Road -	Bransford (junction of Leigh Sinton and Leigh Roads).
Crown East at the turning to Broadheath Common.	Bromyard Road -	Cotheridge (turning to church).
"The Bell" at Lower Broadheath.	Martley Road -	Kenswick (Manor Lodge).
The Common by Hallow Church.	Hallow Road -	The turning to Grimley.
The turning to Claines Lane in Ombersley Road.	Ombersley Road -	Hawford Inn.

[Ch. xcvi.]

*Worcester
Corporation Act, 1926.*

[16 & 17 GEO. 5.]

A.D. 1926.

From	Proceeding along	To a point at
The turning to Hindlip in Droitwich Road.	Droitwich Road -	Martin Hussingtree (junction with road to Warndon).
The turning to Hindlip in Blackpole Road.	Road to Hindlip -	Hindlip (junction by Court Farm).
The turning in Newtown Road next past the hospital.	Tibberton Road -	Tibberton (second turning to church).

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