



CHAPTER cvii.

An Act to empower the mayor aldermen and burgesses of the borough of Reading to construct bridges across the Thames street improvements and other works and for other purposes: [15th August 1913.] A.D. 1913.

WHEREAS in pursuance of the Caversham Bridge Act 1868 the mayor aldermen and burgesses of the borough of Reading (in this Act called "the Corporation") constructed a bridge across the Thames between Reading and Caversham:

And whereas by the Reading (Extension) Order 1911 which was confirmed by the Local Government Board's Provisional Order Confirmation (No. 11) Act 1911 the boundary of the borough was altered so as to include (amongst other places) so much of the area of the urban district of Caversham as is comprised in the parish of Caversham as constituted by that Order:

And whereas by Article XXVIII. of the Order of 1911 the Corporation are required to execute certain works in order to provide adequate and efficient means of communication between the parish of Caversham and the remainder of the borough and to take the requisite steps to obtain such statutory or other powers as may be necessary for the purposes of that article:

And whereas it is expedient that the works referred to in the said Article XXVIII. should be executed in the manner authorised by this Act and that the provisions of this Act relating thereto should be enacted:

And whereas it is expedient to amend the provisions of Article XXIV. of the Order of 1911 relating to the fees and charges to be received by the Corporation in relation to the

A.D. 1913. burial ground transferred to the Corporation from the Caversham Urban District Council:

And whereas in pursuance of the Reading Corporation Tramways Order 1899 which was confirmed by the Tramways Orders Confirmation (No. 1) Act 1899 and of the Reading Corporation (Tramways) Act 1900 the Corporation have constructed tramways in the borough and it is expedient to confer further powers upon them in regard thereto:

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 follow:—

- | | |
|---|--------|
| (a) For and in connection with the construction | £ |
| of the bridge authorised by this Act to replace the Caversham Bridge the bridge authorised by this Act in line with de Bohun Road the approaches thereto respectively and the street improvements authorised by this Act in the parish of Reading | 58,734 |
| (b) For and in connection with the construction of the street improvements authorised by this Act in the parish of Caversham and of the new street authorised by this Act - | 7,553 |

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

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Local Government Board has been obtained:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Berks and are in this Act respectively referred to as the deposited plans sections and book of reference:

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):—

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PART I.

PRELIMINARY.

1. This Act may be cited as the Reading Corporation Act 1913. Short title.

2. The provisions of the Lands Clauses Acts except section 127 (relating to surplus lands) of the Lands Clauses Consolidation Act 1845 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. Incorporation of Acts.

3. In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith or by the Public 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— Interpretation.

“The Corporation” means the mayor aldermen and burgesses of the borough of Reading;

“The borough” means the county borough of Reading;

“The council” means the council of the borough;

“The town clerk” means the town clerk of the borough;

“The borough fund” “the borough rate” “the district fund” and “the general district rate” mean respectively the borough fund the borough rate the district fund and the general district rate of the borough;

“The tribunal” means the jury arbitrators umpire or other authority to whom any question of disputed purchase money or compensation under this Act is referred;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans

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Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

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

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

“The Act of 1881” means the Reading Corporation Act 1881;

“The Order of 1911” means the Reading (Extension) Order 1911 which was confirmed by the Local Government Board’s Provisional Order Confirmation (No. 11) Act 1911.

Application of Reading Corporation Act 1881.

4. This Act shall be deemed to be one of the Corporation Acts set forth in the First Schedule to the Act of 1881 and the provisions of section 6 (Regulations as to committees of Council) of that Act shall extend and apply to this Act.

PART II.

LANDS AND WORKS.

Power to acquire lands.

5. Subject to the provisions and for the purposes of this Act (including the providing of space for the erection of buildings adjoining or near to any street) the Corporation may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Period for compulsory purchase of lands.

6. The powers of the Corporation for the compulsory purchase of lands under this Act shall cease after the expiration of three years from the passing of this Act.

7. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the borough for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Berks and a duplicate thereof shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerk of the peace and town clerk respectively with the other documents to which the same relate and thereupon the deposited plans or book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate.

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Correction of errors in plans and book of reference.

8.—(1) Whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

Owners may be required to sell parts only of certain lands and buildings.

(a) The owner of and persons interested in any of the properties whereof the whole or part is described in the First Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are hereinafter in this section included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":

(b) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the

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property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:

- (c) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled properties specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed:
- (d) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:
- (e) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner:
- (f) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat

cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice : A.D. 1913.

(g) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 (No party to be required to sell part of a house) of the Lands Clauses Consolidation Act 1845.

(3) The provisions of this section shall be stated in or endorsed upon every notice given thereunder to sell and convey any premises.

9. In determining any question of disputed purchase money or compensation payable in respect of lands taken in pursuance of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or erected or for or in respect of any interest in the land created after the twentieth day of November nineteen hundred and twelve if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made erected or created with a view to obtaining or increasing compensation under this Act. Provisions as to new buildings and new interests.

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Costs of
arbitration
&c. in cer-
tain cases.

10.—(1) The tribunal to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Corporation had been prejudiced thereby, the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

(2) Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case.

(3) Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice to the effect of this section.

Power to
purchase
additional
lands by
agreement.

11. The Corporation in addition to any other lands acquired by them in pursuance of this Act may by agreement purchase take on lease acquire and hold further lands for the purposes of this Act but the quantity of lands held by the Corporation in pursuance of this section shall not at any time exceed ten acres Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands.

Persons
under dis-
ability may
grant ease-
ments &c.

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right

or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively. A.D. 1913.

13. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Act or any other local Act of the Corporation and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange. Power to retain sell &c. lands.

14.—(1) So long as any lands remain to be acquired by the Corporation under the authority of this Act they may so far as they consider necessary apply any capital moneys received by them on the resale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Local Government Board Provided that— Proceeds of sale of surplus lands.

(a) The amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers conferred by this Act for the purpose of such purchase :

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(b) The borrowing powers conferred by this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section.

(2) Any capital moneys received by the Corporation under the last preceding section on the resale or exchange of or by leasing any lands acquired under any local Act other than this Act shall be applied in manner provided by section 151 (Corporation loans fund) of the Act of 1881.

Power to
construct
works.

15. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works hereinafter described together with all necessary or proper works and conveniences connected therewith or incident thereto.

The works hereinbefore referred to and authorised by this Part of this Act will be situate in the borough and are—

Work No. 1 An approach to Caversham Bridge in the parish of Reading commencing at a point situate fifteen yards or thereabout in a south-easterly direction from the south-east corner of the Caversham Bridge Hotel and terminating at a point on the centre line of the work situate sixty-six yards or thereabout in a northerly direction from the point of commencement:

Work No. 2 A bridge in the parishes of Reading and Caversham to replace the existing Caversham Bridge crossing the River Thames between Caversham Road Reading and Bridge Street Caversham commencing at the termination of Work No. 1 and terminating at a point situate twelve yards or thereabout measured in a north-easterly direction from the south-east corner of the Thames Valley Hotel Caversham:

Work No. 3 An approach in the parish of Caversham commencing at the termination of Work No. 2 and terminating at a point situate forty-three yards or thereabout measured in a northerly direction along Bridge Street from the point of commencement:

Work No. 4 A street improvement in the parish of Caversham comprising a widening of the easterly side of Bridge Street and of the southerly side of Church Street commencing at the termination of Work No. 3 continuing for a length of three hundred and thirty yards or

thereabout and terminating at the junction of Church Street and Prospect Street: A.D. 1913.

Work No. 5 A street improvement in the parish of Caversham comprising a widening of the westerly side of Bridge Street and of the southerly side of Church Road commencing at a point situate forty yards or thereabout in a northerly direction from the termination of Work No. 3 continuing for a length of ninety-eight yards or thereabout and terminating at a point in Church Road situate fifty-seven yards or thereabout in a westerly direction from the junction of Bridge Street and Church Street:

Work No. 6 A street improvement in the parish of Caversham comprising a widening on the northerly side of Church Street commencing at the south-easterly corner of Hemdean Road and continuing in an easterly direction for a distance of fifty-seven yards or thereabout:

Work No. 7 An approach in the parish of Reading to the proposed bridge (Work No. 8) commencing at a point situate fifty yards or thereabout in a northerly direction from the north face of the Great Western Railway bridge crossing Vastern Road continuing along Vastern Road and de Bohun Road for a distance of one hundred and forty yards or thereabout and terminating at a point situate six yards or thereabout measured in a westerly direction from the north-east corner of de Bohun Road:

Work No. 8 A bridge in the parishes of Reading and Caversham to cross the River Thames in line with de Bohun Road commencing at the termination of Work No. 7 and terminating at a point situate eighteen yards or thereabout from the north bank of the River Thames:

Work No. 9 A new street in the parish of Caversham commencing at the termination of Work No. 8 continuing for a length of three hundred and ninety yards or thereabout in a northerly direction and terminating at a point situate fifty-six yards or thereabout measured in a northerly direction from the south end of George Street:

Work No. 10 An approach in the parish of Reading commencing at a point in Vastern Road situate fifty-three yards or thereabout measured in a westerly direction from the junction of de Bohun Road and Vastern Road continuing in an easterly direction along Vastern Road

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and a northerly direction along de Bohun Road for a length of seventy yards or thereabout and terminating at a point situate seventy yards or thereabout measured in a northerly direction from the commencement of Work No. 7:

Work No. 11 A street improvement in the parish of Reading commencing at a point in King's Meadow Road situate sixty yards or thereabout measured in an easterly direction from the junction of King's Meadow Road and Vastern Road and continuing in a northerly direction for a length of one hundred and thirty yards or thereabout and terminating at a point on the south bank of the River Thames situate fifty-five yards measured in an easterly direction from the north-east corner of de Bohun Road.

Limits of deviation.

16. In the construction of the works authorised by this Act the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of lateral deviation shown on those plans and from the levels thereof as shown on the deposited sections to any extent not exceeding two feet either upwards or downwards Provided that in the construction of so much of the bridges as will be over the River Thames the Corporation shall not deviate from the levels thereof shown on the deposited sections downwards except with the consent of the Conservators of the River Thames.

Subsidiary works.

17.—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connection with the works authorised by this Act and for the purposes thereof make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to such works and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with such works or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or

apparatus and making compensation for any damage done by them in the execution of the powers of this section. A.D. 1913.

(2) Provided that nothing in this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Act of 1882 apply except in accordance with and subject to the provisions of that section.

(3) Provided also that the Corporation shall not alter divert or otherwise interfere with any pipe wire or apparatus of the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

18.—(1) The Corporation shall in constructing the bridges authorised by this Act provide such reasonable accommodation for the telegraphic lines of the Postmaster-General as shall be sufficient for— Accommodation for telegraphic lines.

(a) A three-way duct under the footway of Work No. 2; and

(b) A pipe of an internal diameter not exceeding three and a quarter inches under the footway of Work No. 8.

The accommodation shall be provided in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the Postmaster-General Provided that if within one month of the receipt of the said plans sections and particulars the Postmaster-General shall not have intimated to the Corporation his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same.

(2) Any additional expense reasonably incurred by the Corporation in consequence of the provisions of this section shall be repaid to them by the Postmaster-General.

19. Within the limits of deviation shown on the deposited plans the Corporation may raise sink or otherwise alter the position of any of the steps areas cellars windows and pipes or spouts belonging to any house or building and also the drains and the pipes or wires which for the purpose of conveying water electricity or gas to any house or other place shall be laid and may remove all other obstructions so that the same be done with as little delay and inconvenience to the inhabitants Power to alter steps areas pipes &c.

A.D. 1913. as the circumstances of the case will admit and the provisions of section 308 (Compensation in case of damage by local authority) of the Public Health Act 1875 shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act.

Temporary
stoppage
of streets.

20.—(1) The Corporation during the execution and for the purposes of any works authorised by this Act may break up and also temporarily stop up divert and interfere with any street and may for any reasonable time prevent all persons other than those *bonâ fide* going to or returning from any house in the street from passing along and using the same.

(2) The Corporation shall provide reasonable access for foot passengers *bonâ fide* going to or returning from any such house.

Corporation
to complete
works within
five years.

21. The Corporation shall complete the works authorised by this Act within a period of five years from the passing of this Act and the obligation imposed upon the Corporation by this section shall be in substitution for the obligations imposed upon them by Article XXVIII. of the Order of 1911 and that article is hereby repealed.

Improve-
ments of
Caversham
Weirs.

22.—(1) Before constructing Work No. 9 authorised by this Act the Corporation shall give to the conservators of the River Thames (in this section referred to as “the conservators”) notice of their intention to construct the same and thereupon the conservators shall execute the following improvements at and adjacent to the existing Caversham Weirs for the purpose of providing increased accommodation at such weirs and for facilitating the passage of water in times of flood (namely):—

- (a) The enlarging of the weir identified by the letter “A” on the plan signed in duplicate by Griffith John Griffiths on behalf of the conservators and John James Webster on behalf of the Corporation at the northern end of the said weir marked “A” by removing the existing weir for a length of twenty-five feet and by substituting therefor four sluices each having a sill at a level of 112·50 feet above Ordnance datum and also by constructing between the said northern end of the said weir and the southern end of the tumbling-bay adjacent thereto a new tumbling-bay of the length of fifty feet or

thereabouts having a sill at a level of 119·50 feet A.D. 1913.
above Ordnance datum; and

- (b) The construction of a tumbling-bay one hundred feet in length or thereabouts adjoining the south-western end of the weir indicated by the letter "B" on the said plan such tumbling-bay to have a sill at a level of 119·50 feet above Ordnance datum.

The conservators shall complete the said improvements within eighteen months after the service of the hereinbefore mentioned notice and the Corporation shall pay to the conservators the sum of one thousand seven hundred and seventy-five pounds.

(2) In addition to the improvements mentioned in subsection (1) of this section and within the period of three years after the service of the notice aforesaid the conservators shall also so far as their existing statutory powers enable them so to do dredge or otherwise remove such land below Caversham Weirs aforesaid as may be or become reasonably necessary in consequence of the improvements mentioned in subsection (1) of this section for the better carrying away of water in times of flood and the Corporation shall pay to the conservators the additional sum of seven hundred and twenty-five pounds.

(3) If by reason of floods or of a strike or lock-out of workmen (whether or not in the service of the conservators) or of any cause other than the wilful act or the negligence or default of the conservators the improvements mentioned in sub-sections (1) and (2) of this section shall not be completed within the periods hereinbefore respectively specified in that behalf it shall be lawful for the Corporation at the request of the conservators from time to time to extend the said periods and in case the Corporation shall refuse to comply with such request the question of such extension shall be referred to arbitration in manner hereinafter provided.

(4) Payment of the said sums of one thousand seven hundred and seventy-five pounds and seven hundred and twenty-five pounds respectively shall be made by instalments of five hundred pounds upon the joint certificate of the engineer of the Corporation and the engineer of the conservators that works equal in value to such instalments have been constructed.

(5) The Corporation and the conservators may agree for a modification of the improvements referred to in subsections (1)

A.D. 1913. — and (2) of this section provided that the agreed improvements shall be as effective for facilitating the passage of water in times of flood as those described in those subsections.

(6) If any difference arise between the Corporation and the conservators as to any matter or thing referred to in this section such difference shall be referred to an arbitrator to be appointed on the application of either party by the Board of Trade and any arbitration hereunder shall except as to the appointment of an arbitrator be subject to the provisions of the Arbitration Act 1889.

For protec-
tion of con-
servators of
River
Thames.

23. For the protection of the conservators of the River Thames (in this section referred to as "the conservators") the following provisions shall notwithstanding anything contained in this Act or the Acts incorporated herewith or in any other Act have effect unless otherwise agreed between the conservators and the Corporation (that is to say):—

- (1) In this section unless there be something in the subject or context repugnant to such construction the expression "the river" means the River Thames and the bed banks and shores thereof and the towpath adjacent thereto:
- (2) The works by this Act authorised so far as the same affect the river shall be executed according to plans elevations and sections reasonably approved in writing by the conservators or in case of difference determined by arbitration and all such works and any incidental works whether permanent or temporary and all works of maintenance affecting the river shall be executed to the reasonable satisfaction of the engineer of the conservators and the navigation of the river shall not be interfered with more than is absolutely necessary in the execution and maintenance of the works:
- (3) Throughout the period of construction of the temporary and permanent works the openings in the temporary works shall be of the following clear widths between the piling and clear headways above headwater level (namely one hundred and twenty feet six inches above Ordnance datum at Caversham Weir) (that is to say) :—

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WORK No. 2.

		Span.	Headway at the centre of the span.
Southern Arch	South side -	20 feet	—
	Centre -	40 feet	11 feet 6 inches
	North side -	20 feet	—
Northern Arch	South side -	20 feet	—
	Centre -	40 feet	9 feet 6 inches
	North side -	20 feet	—

WORK No. 8.

South side -	30 feet	11 feet 6 inches
Centre -	40 feet	11 feet 6 inches
North side -	30 feet	11 feet 6 inches

and no pile driver barge or other craft shall at any time except with the consent of the conservators (which shall not be unreasonably withheld) be allowed to lie in or obstruct any part of these openings:

Provided that the owners and masters of vessels shall not be liable to make good any damage which may be caused to the temporary works except such as may arise from the wilful act or the negligence or default of such owners or masters or their servants or agents:

(4) The works when commenced shall be proceeded with and completed as early as practicable and the Corporation shall upon completion of the permanent works and in any event within the period by this Act prescribed for such completion upon reasonable notice from the conservators so to do remove the whole and every part of any temporary works and materials for temporary works which may have been placed in the river by the Corporation and on their failing so to do the conservators may remove the same charging the Corporation with the expense of so doing and the Corporation shall repay to the conservators all expenses so incurred:

(5) The Corporation shall during the construction of any works over or upon the river and on the bridges described in this Act as Works Nos. 2 and 8 and

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hereafter in this section collectively referred to as "the bridges" when completed and on the occasion of any future repair of the bridges affecting the river hang out and exhibit at or near to the said works every night from sunset to sunrise lights to be kept burning by and at the expense of the Corporation and proper and sufficient for the navigation and the safe guidance of vessels and the Corporation shall also in like manner and at the like expense hang out and exhibit at or near to the said works every day from sunrise to sunset such signals as may be reasonably proper and sufficient for the navigation and safe guidance of vessels and such lights and signals or any of them as the case may be shall from time to time be altered by the Corporation in such manner and be of such kind and number and be so placed and used as the conservators by writing under the hand of their secretary or other authorised officer shall reasonably approve or direct and in case the Corporation fail so to exhibit and keep burning the lights they shall unless such failure be due to circumstances beyond their control for every such offence forfeit to the conservators a sum not exceeding ten pounds which may be recovered by the conservators in a summary manner in any court of summary jurisdiction :

- (6) Nothing in this Act contained shall authorise or empower the Corporation without the previous consent of the conservators under the hand of their secretary to embank and encroach upon or interfere with any part of the river except according to plans elevations and sections approved by the conservators or determined by arbitration :
- (7) The Corporation shall not (except so far as shall be necessary in the construction of the works) take any gravel soil or other material from the river without the previous consent of the conservators signified in writing under the hand of their secretary :
- (8) The foundations of the piers and abutments respectively of the bridges shall be constructed and maintained at such a level as to allow the river around and

near to the foundations of such piers to be dredged to a depth of one hundred and five feet above Ordnance datum: A.D. 1913.

- (9) Notwithstanding anything in section 88 of the Thames Conservancy Act 1894 contained it shall not be obligatory upon the conservators to give to the Corporation notice before commencing to dredge cleanse scour or deepen any part of the river:
- (10) Notwithstanding anything contained in the Acts incorporated herewith or otherwise the Corporation shall pay to the conservators such sum not exceeding five pounds for every month or part of a month during which all or any of the temporary works by this Act authorised shall be or remain in on or under the river as may be reasonably expended by the conservators in providing superintendence under this section:
- (11) Notwithstanding anything contained in the section of this Act whereof the marginal note is "Limits of deviation" the Corporation shall not deviate from the lines or levels defined on the deposited plans and sections in such a manner as to lessen the headway or span of any of the arches of the bridges as shown on the said plans and sections and as regards the bridge described in this Act as Work No. 8 the span thereof at ground level shall be not less than one hundred and eighty feet:
- (12) The Corporation shall on or before the completion of Work No. 8 by this Act authorised construct and complete at their own expense and to the reasonable satisfaction of the conservators under the supervision of their engineer camp-shedding or other suitable works for the protection of the bank of the river immediately under the span of the said work at ground level on the southern side of the river and for a distance along the said bank of ten feet on either side of the said span together with hand-railing thereto and shall for ever thereafter at the like expense and to the like satisfaction maintain the said protective works and hand-railing:
- (13) If any difference arise between the Corporation and the conservators as to any matter or thing affecting

A.D. 1913.

the plans elevations or sections or the mode of constructing the works referred to in this section or otherwise under this section such difference shall be referred to an arbitrator to be appointed on the application of either party by the Board of Trade and any arbitration hereunder shall except as to the appointment of an arbitrator be subject to the provisions of the Arbitration Act 1889.

For protection of Reading Gas Company.

24. Whenever the Corporation shall desire under the authority of this Act to effect any alteration diversion or stopping up of any of the mains pipes valves plugs or other apparatus or works belonging to or under the control of the Reading Gas Company the Corporation shall give to the Reading Gas Company fourteen days' notice in writing of such desire and the Reading Gas Company shall forthwith make such alteration displacement or removal as the case may be and do all works incident thereto to the reasonable satisfaction of the Corporation and all expenses that may be thereby reasonably incurred shall be defrayed by the Corporation.

For protection of Georgiana Ellen Cookes and others.

25. For the protection of Georgiana Ellen Cookes Dryland Haslam Henry Mason and Philip Thomas Gardner and their respective successors in estate and assigns (in this section referred to collectively as "the owners") and East's Boat Building Company Limited (in this section referred to as "the lessees") the following provisions shall unless otherwise agreed between the owners the lessees and the Corporation be observed and have effect (that is to say):—

- (1) Before the Corporation commence the construction of that part of Work No. 7 authorised by this Act which is situate to the northward of Vastern Road (other than the retaining wall forming part of that work) they shall acquire such lands as may be necessary for the construction of and shall construct a carriageway immediately adjoining and on the western side of the said Work No. 7 and extending from Vastern Road to the towing path of the River Thames and during the construction of the said retaining wall and carriageway the Corporation shall preserve to the owners and lessees sufficient means of access to and along the existing road known as de Bohun Road or along Work No. 11 authorised by this Act to and from the towing path:

- (2)—(a) The said carriageway shall be constructed in the line coloured pink on the plan signed in duplicate by John James Webster on behalf of the Corporation and by Dryland Haslam junior on behalf of the owners and lessees (in this section referred to as "the signed plan") and so as to form a junction with Vastern Road as altered under the powers of this Act : A.D. 1913.
- (b) The width of the said carriageway shall in any event not be less than the respective widths shown on the signed plan and in the event of the said Work No. 7 being deviated eastwards from the line shown on the deposited plans the width of the said carriageway shall extend from the western boundary of the said Work No. 7 to the western boundary of the carriageway as shown on the signed plan :
- (c) The level of the said carriageway shall between the towing path and the point marked "A" on the signed plan be as nearly as practicable the existing level of the ground and between the said point marked "A" and the point marked "B" on the signed plan at such a level as will give a uniform gradient between those points :
- (3) The Corporation shall to the reasonable satisfaction of the owners and lessees properly lay out form metal or pave with granite and channel the said carriageway and thereafter the same shall be a public carriageway repairable by the inhabitants at large :
- (4) The said carriageway (other than the part thereof which will be beneath Work No. 8 authorised by this Act) shall be so laid out and constructed as to be clear of all obstruction to traffic for its entire length except that the Corporation may (if they think fit) provide a widening of the footpath of Work No. 7 on the westerly side thereof by means of a platform situate over the said carriageway and extending for the whole space between the westerly side of the said work and the easterly side of the lessees' premises but the clear height from the surface of the carriageway to the under side of the platform shall be not less than twelve feet If the platform

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be constructed it shall be available as a means of access to the said premises :

- (5) In constructing the said portion of Work No. 7 and the said carriageway the Corporation shall provide and maintain all necessary drains gulleys and outfalls for the proper drainage thereof and of the lands of the owners and lessees interfered with by reason of the construction of the said works or under the powers of this Act but the Corporation shall not interfere with the existing system of drainage until they have made other sufficient provision therefor to the reasonable satisfaction of the owners and lessees :
- (6) The Corporation shall also in connection with the said Work No. 7 provide and maintain all such works and take all such steps as may be necessary to prevent any surface water or any soil or debris from the said Work No. 7 when completed flowing or being washed or carried on to the said carriageway to be constructed under the provisions of this section :
- (7) Notwithstanding the provisions of section 92 of the Lands Clauses Consolidation Act 1845 the owners and lessees may be required to sell and convey to the Corporation such portion only of their properties as the Corporation shall require for the purposes of this Act (including the purposes of this section) without the Corporation being obliged or compellable to purchase the whole or any greater part thereof :
- (8) Any difference which may arise between the Corporation and the owners or lessees with reference to the provisions of this section shall be determined by an arbitrator to be appointed (in default of agreement) by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to such arbitration.

For protection of Great Western Railway Company.

26. The following provisions for the protection of the Great Western Railway Company (in this section referred to as "the Great Western Company") shall unless otherwise agreed between the Corporation and the Great Western Company apply and have effect (that is to say):—

- (1) In constructing Works Nos. 7 and 10 by this Act authorised the Corporation shall not without the

consent of the Great Western Company in writing A.D. 1913.
deviate vertically from the levels shown on the
deposited sections :

- (2) If in constructing the said works the Corporation raise the levels of Vastern Road outside the entrances to the goods and coal yards of the Great Western Company they shall raise the roadways within the said yards to such an extent as the engineer of the Great Western Company may reasonably require. Such raising shall be carried out with proper and suitable materials under the superintendence and to the reasonable satisfaction of the said engineer and so as not to prejudicially affect the gradients of the said roadways or the access to the sidings of the Great Western Company and the Corporation shall bear the cost of any necessary alterations by the Great Western Company to their buildings or works consequent on the raising of the said roadways and shall maintain the said roadways where raised for a period of six months from the completion of such raising :
- (3) During the construction of the said works and raising of the said roadways the Corporation shall at all times provide to the reasonable satisfaction of the said engineer proper and convenient access to the said yards of the Great Western Company such access to be not less at any time than ten feet in width :
- (4) The Corporation shall raise the boundary fences and gates of the Great Western Company's yards adjoining such portion or portions of the roads or footways as are raised by the Corporation in constructing the said works and the Corporation shall construct and thereafter maintain under the said roads or footways any retaining walls necessary to support such fencing and gates and the said roads or footpaths. All such works shall be carried out to the reasonable satisfaction of the said engineer :
- (5) Any dispute or difference which may arise between the Great Western Company and the Corporation with reference to the provisions of this section or in any

A.D. 1913.

way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the President of the Institution of Civil Engineers on the application of the Great Western Company and the Corporation or either of them and the provisions of the Arbitration Act 1889 shall apply thereto.

Repeal of
Caversham
Bridge Act
1868.

27. The Caversham Bridge Act 1868 shall not apply to the Caversham Bridge when reconstructed in pursuance of this Act and as from the date when the existing bridge is closed for the purposes of reconstruction that Act shall be repealed.

Improve-
ment charge.

28. Whereas the new street authorised by this Act will pass through or near to the lands referred to in the Second Schedule to this Act and the value of such lands for building purposes will or may be substantially enhanced by reason of the construction of the works authorised by this Act and it is reasonable that provision should be made for placing an improvement charge upon such lands Therefore the following provisions shall have effect (that is to say):—

(1) In this section—

“The said lands” means the lands referred to in the Second Schedule to this Act and includes any part of such lands;

“The owner” means the owner of any of the said lands;

“The said works” means Works Nos. 7 8 9 and 10 authorised by this Act:

(2) At any time not earlier than one year and not later than ten years after the completion of the said works the Corporation may give notice to the owner of their intention to place an improvement charge on the said lands and shall in such notice state the amount by which in the opinion of the Corporation the value of the said lands is enhanced by reason of the said works:

(3) At any time within one month after the service of such notice the owner may give notice to the Corporation objecting to the improvement charge upon the ground

that the value of the said lands is not enhanced by reason of the said works or that the amount by which their value has been enhanced is not correctly stated in the Corporation's notice : A.D. 1913.

- (4) If the Corporation and the owner are unable to agree as to whether the said lands are enhanced in value by reason of the said works or as to the amount by which their value has been enhanced the question or questions shall be determined by arbitration under the Arbitration Act 1889 and in determining the amount all fair and proper deductions shall be made for rates taxes assessments and impositions on the said lands according to the enhanced value thereof :
- (5) If within the period of one month from the service of a notice by the Corporation under subsection (2) of this section the owner does not give notice to the Corporation under subsection (3) thereof the amount of the improvement charge to be placed upon the said lands shall be equal to three per centum per annum upon the amount by which their value has been enhanced as stated in the notice of the Corporation :
- (6) If within the said period of one month notice is given to the Corporation under subsection (3) of this section the amount of the improvement charge to be placed upon the said lands shall be equal to three per centum per annum upon the amount agreed or determined by arbitration to be the amount by which the value of the said lands has been enhanced by reason of the said works :
- (7) The improvement charge shall begin to be payable on the first day of April ensuing after the date upon which the amount of the charge is agreed or determined in accordance with this section and shall be payable on the first day of April in every year and shall cease to be payable upon the expiration of fifty years from the date on which the Corporation borrow money under the powers of this Act for the construction of the said works :
- (8) The improvement charge shall be a charge upon the said lands and shall be recoverable in the same

A.D. 1913.

manner and with the same incidents as private improvement rates are recoverable under the Public Health Acts Provided that the owner may at any time redeem the improvement charge by payment to the Corporation of such capital sum as may be agreed between the Corporation and the owner:

(9) If at any time any of the said lands be divided into separate plots the improvement charge may be apportioned by the owner with the approval of the Corporation between the several plots and from and after such apportionment the separate plots shall be chargeable only with the amounts thereby apportioned to them respectively:

(10) All sums received by the Corporation by way of improvement charge under the provisions of this section shall be applied towards the payment of the interest on and providing the requisite appropriations instalments or sinking fund payments for the repayment of the loan raised by the Corporation under the powers of this Act for the purposes of the said works and subject thereto shall be paid into the borough fund and any capital moneys received by them under the provisions of this section shall be applied in or towards the extinguishment of the said loan and subject thereto shall be applied in such manner as the Corporation with the approval of the Local Government Board shall determine.

PART III.

FINANCE.

Power to borrow.

29.—(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 thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the respective funds and rates mentioned in the third column of the said table and they shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as

“the prescribed period”) mentioned in the fourth column A.D. 1913. thereof (namely) :—

1.	2.	3.	4.
Purpose.	Amount.	Charge.	Period for repayment.
(a) For and in connection with the purchase of lands for the bridges authorised by this Act and the approaches thereto and the street improvements authorised by this Act in the parish of Reading.	The sum requisite.	The borough fund and the borough rate.	Sixty years from the date or dates of borrowing.
(b) For and in connection with the purchase of lands for the remaining works authorised by this Act.	The sum requisite.	The district fund and the general district rate.	Sixty years from the date or dates of borrowing.
(c) For and in connection with the construction of the bridges authorised by this Act and the approaches thereto and the street improvements authorised by this Act in the parish of Reading.	£58,734	The borough fund and the borough rate.	Fifty years from the date or dates of borrowing.
(d) For and in connection with the construction of the remaining works authorised by this Act.	£7,553	The district fund and the general district rate.	Fifty years from the date or dates of borrowing.
(e) For paying the costs charges and expenses of this Act.	The sum requisite.	The borough fund and the borough rate.	Five years from the passing of this Act.

(2)—(a) The Corporation may also with the consent of the Local Government Board borrow such further money as may be necessary for any of the purposes of this Act and in order to secure the repayment of the money borrowed under this subsection and the payment of the interest thereon they may mortgage or charge such fund or rate as the Board may prescribe:

(b) 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 Local Government Board with whose consent it is borrowed.

(3) The provisions of this section shall not limit the powers conferred upon the Corporation by the section of this Act whereof the marginal note is “Power to use one form of mortgage for all purposes.”

30. The powers of borrowing money given by this Act shall not be restricted by any of the regulations contained in

Section 234
of Public
Health Act

A.D. 1913. section 234 (Regulations as to exercise of borrowing powers) of
1875 not to the Public Health Act 1875 and in calculating the amount
apply. which the Corporation may borrow under that Act any sums
which they may borrow under this Act shall not be reckoned.

Mode of raising money. **31.** The Corporation may raise all or any moneys which they are authorised to borrow under this Act by the creation and issue of capital stock in pursuance of the Act of 1881 as amended by subsequent enactments or 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 this Act 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 section 15 of that Act.

Provisions of Public Health Act 1875 as to mortgages to apply. **32.** Subject to the provisions of the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" the following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say):—

Section 236 (Form of mortgage);

Section 237 (Register of mortgages);

Section 238 (Transfer of mortgages).

Mode of payment off of money borrowed. **33.—(1)** The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within one year or when the money is repaid by half-yearly instalments within six months from the date of borrowing.

(2) Provided that it shall not be obligatory upon the Corporation to commence the repayment of any money borrowed in pursuance of subsection (1) of the section of this Act whereof the marginal note is "Power to borrow" for and in connection with the purchase of lands for and the construction of the Caversham Bridge and the approaches thereto whether such money be raised by the issue of capital stock or by mortgage or by the issue of debentures until the expiration of five years from the passing of this Act or the completion of the said bridge whichever shall be the earlier.

34.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such fund shall be formed and maintained either— A.D. 1913.
Sinking
fund.

(a) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a “non-accumulating sinking fund”; or

(b) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an “accumulating sinking fund.”

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Corporation :

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(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Corporation in addition to the payments provided for by this Act.

(7) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

(8) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the

sinking fund is formed the Corporation may with the consent of that Board discontinue the annual payments to such sinking fund until the Board shall otherwise direct. A.D. 1913.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

35. A person lending money to the Corporation under this Act shall not be bound to inquire as to the observance by the Corporation of any of the provisions of this Act 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. Protection of lender from necessity of inquiry.

36. 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 encumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register. Corporation not to regard trusts.

37.—(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 not be less than five hundred pounds in the whole. Appointment of receiver.

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

38. 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. 1913.
—
Expenses of
execution of
Act.

39. 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 borough fund or the district fund as the Corporation may in their discretion having regard to the object of the expenditure deem just.

Adit of
accounts.

40. 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.

As to exist-
ing debt for
Caversham
Bridge.

41. Notwithstanding anything contained in the Act of 1881 the payments to be made to the loans fund for the redemption of so much of the capital stock of the Corporation as was created and issued for the repayment of loans raised under the Caversham Bridge Act 1868 shall as from the thirty-first day of March nineteen hundred and fourteen be such as shall be necessary to provide for the redemption of so much of such stock as aforesaid at the expiration of ten years from that date.

Power to re-
borrow.

42.—(1) The Corporation shall have power—

- (a) To borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or
- (b) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of

paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys. A.D. 1913.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (a) By instalments or annual payments; or
- (b) By means of a sinking fund; or
- (c) Out of moneys derived from the sale of land; or
- (d) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

(5) Section 30 (Power to re-borrow) of the Reading Corporation (Tramways) Act 1900 is hereby repealed but without prejudice to anything done or suffered to be done thereunder.

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

Power to invest all sinking funds in statutory securities.

44.—(1) Where the Corporation have for the time being any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section.

Power to use one form of mortgage for all purposes.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the corporate seal of the Corporation and may be made in the form contained in the Third Schedule to this Act or to the like effect.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this

A.D. 1913. — section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(5) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods by the means and out of the funds rates or revenues within by and out of which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this section and the interest upon such sums shall be paid out of the funds rates or revenues out of which such interest would have been payable respectively if this section had not been enacted.

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed. Every such register shall be open to public inspection during office hours at the said office without fee or reward and the town clerk or other the person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his estate and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in the Third Schedule to this Act or to the like effect.

(9) There shall be kept at the office of the Corporation a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the town clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his estate and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby.

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(11) If the town clerk wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a penalty not exceeding twenty pounds.

45. If and so often as the income of any accumulating sinking fund formed by the Corporation for the repayment of any money raised in pursuance of a statutory borrowing power other than money raised by the issue of stock is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

Application of excess income of sinking funds.

46.—(1) Where the Corporation are authorised by any statutory borrowing power to raise moneys for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said moneys either wholly or partially by using for such purpose so much of any moneys for the time being forming part of a sinking fund as shall be available for the repayment of—

Power to use sinking fund instead of borrowing.

(a) A loan which is secured by a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a particular borrowing power specified therein; or

(b) Moneys borrowed and charged upon all the revenues of the Corporation in manner provided by the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" and not shown by the deed to be raised in exercise of a particular borrowing power specified therein.

A.D. 1913. (2) The Corporation when exercising the powers conferred on them by this section shall—

(a) Withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund:

(b) Credit such sinking fund with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of the sinking fund:

(c) Debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from such sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of any enactment as to the repayment and reborrowing of sums raised under the statutory borrowing power shall apply thereto accordingly.

(3) The provisions of this section shall not apply to any sinking fund formed under the Local Loans Act 1875.

(4) The Corporation shall furnish all such information (if any) to the Local Government Board with regard to the exercise of the powers contained in this section as that Board shall require.

Returns to
Local
Government
Board as to
sinking
funds.

47.—(1) The borough accountant shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to the sinking fund in respect of any of the moneys raised by the Corporation in pursuance of any statutory borrowing power and not raised by the issue of stock and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may be prescribed by the Board and if required by the Board verified by a statutory declaration of such accountant showing for the

year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year together with such further information (if any) as the Board shall require and in the event of his failing to make such return the said accountant shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Board out of the High Court.

A.D. 1913.
—

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

PART IV.

MISCELLANEOUS.

48.—(1) Subdivision (2) of Article XXIV. of the Order of 1911 is hereby repealed.

Fees in respect of Caversham Cemetery.

(2) Until the Corporation in pursuance of the powers conferred upon them by subdivision (1) of the said Article XXIV.

A.D. 1913. — make any byelaws regulations and table of fees or charges in relation to the burial ground referred to in that article the fees and charges specified in the Fourth Schedule to this Act shall subject to the provisions of the Burial Act 1900 be charged and be receivable by the Corporation.

(3) Provided that in the event of the Corporation prescribing a table of fees or charges the amounts of such fees or charges shall be so prescribed that the fees or charges payable in respect of a parishioner shall bear the same ratio to the fees or charges payable in respect of a non-parishioner as the fees or charges payable under subsection (2) of this section in respect of a parishioner bear to the fees or charges payable thereunder in respect of a non-parishioner Provided also that the fees and charges in relation to any extension of the said burial ground shall at all times be the same as the fees and charges in relation to the said burial ground.

(4) In this section and in the said Fourth Schedule the expression "parishioner" means an inhabitant of the parish of Caversham and a "non-parishioner" means a person who is not an inhabitant of that parish.

Attachment
of brackets
to buildings
for tram-
ways.

49.—(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 for the working of any tramways for the time being belonging to the Corporation by mechanical power:

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 to temporarily remove the attachments where necessary during any reconstruction or repair of the building.

(2) For the purpose 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 rackrent shall be deemed to be the owner.

50.—(1) Notwithstanding anything in the Municipal Corporations Act 1882 the remuneration of the coroner for the borough may if the Corporation so resolve be by way of salary and not of fees and in the event of the Corporation so resolving the coroner shall receive out of the borough fund such salary as may be from time to time determined by the Corporation and so long as he is paid by salary he shall not be entitled to any fees or other allowance or payment in respect of the performance of his duties as coroner.

Remuneration of coroner.

(2) This section shall not apply to the existing coroner save with his written consent.

51. For the removal of doubts be it enacted that the Corporation may from time to time by byelaw rescind revoke amend or vary any byelaws made or to be made by them determining the fine to be paid by a mayor alderman councillor or elective auditor upon failure to accept or upon resignation of office made under the Municipal Corporations Act 1882 or under any enactment repealed by that Act but no byelaw made under this section shall come into operation until it has been approved by the Local Government Board.

Amendment of byelaws under section 34 of Municipal Corporations Act 1882.

52.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the

Inquiries by Local Government Board.

A.D. 1913. — purposes of inquiries directed by that Board under the Public Health Act 1875.

(2) The Corporation shall pay to the Local Government Board any expenses incurred by that Board 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 Board not exceeding three guineas a day for the services of such inspector.

Recovery of demands.

53. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Application of section 265 of Public Health Act 1875.

54. 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 this Act as if the same were re-enacted herein.

Powers of Act cumulative.

55. 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. 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.

Costs of Act.

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

A.D. 1913.

Provided always and it is hereby agreed and declared that the

In witness whereof the Corporation have caused their corporate seal

The Endorsement within referred to.

The within-named consenting the within-mentioned

Dated this day of one thousand

THE FOURTH SCHEDULE.

CAVERSHAM CEMETERY.

TABLE OF FEES.

	Incumbent and Minister.		Sexton.		Local Authority.	
	Parishioners.	Non-Parishioners.	Parishioners.	Non-Parishioners.	Parishioners.	Non-Parishioners.
CLASS 1. In unselected ground. Child under 12 years Ditto Adult - In reserved ground. Child - Ditto Adult - Purchase of exclusive right of burial - Forming a brick grave - Each re-opening - Still-born infant - Permission to select site -	£ 0 0 0 0 1 — — — —	s. 3 3 3 3 1 — — — —	d. 4 4 4 4 0* — — — —	£ 0 0 0 0 2 — — — —	s. 6 6 6 6 2 — — — —	d. 8 8 8 8 0* — — — —
	£ 0 0 0 0 1 — — — —	s. 3 3 3 3 1 — — — —	d. 4 4 4 4 0* — — — —	£ 0 0 0 0 2 — — — —	s. 6 6 6 6 2 — — — —	d. 8 8 8 8 0* — — — —
	£ 0 0 0 0 1 — — — —	s. 3 3 3 3 1 — — — —	d. 4 4 4 4 0* — — — —	£ 0 0 0 0 2 — — — —	s. 6 6 6 6 2 — — — —	d. 8 8 8 8 0* — — — —
	£ 0 0 0 0 1 — — — —	s. 3 3 3 3 1 — — — —	d. 4 4 4 4 0* — — — —	£ 0 0 0 0 2 — — — —	s. 6 6 6 6 2 — — — —	d. 8 8 8 8 0* — — — —
	£ 0 0 0 0 1 — — — —	s. 3 3 3 3 1 — — — —	d. 4 4 4 4 0* — — — —	£ 0 0 0 0 2 — — — —	s. 6 6 6 6 2 — — — —	d. 8 8 8 8 0* — — — —
	£ 0 0 0 0 1 — — — —	s. 3 3 3 3 1 — — — —	d. 4 4 4 4 0* — — — —	£ 0 0 0 0 2 — — — —	s. 6 6 6 6 2 — — — —	d. 8 8 8 8 0* — — — —
	£ 0 0 0 0 1 — — — —	s. 3 3 3 3 1 — — — —	d. 4 4 4 4 0* — — — —	£ 0 0 0 0 2 — — — —	s. 6 6 6 6 2 — — — —	d. 8 8 8 8 0* — — — —
CLASS 2. In unselected ground. Adult or child - In reserved ground. Ditto - Purchase of exclusive right of burial - Forming a brick grave - Each re-opening - Permission to select site -	£ 0 0 1 — — —	s. 3 3 1 — — —	d. 4 4 0* — — —	£ 0 0 2 — — —	s. 6 6 2 — — —	d. 8 8 0* — — —
	£ 0 0 1 — — —	s. 3 3 1 — — —	d. 4 4 0* — — —	£ 0 0 2 — — —	s. 6 6 2 — — —	d. 8 8 0* — — —
	£ 0 0 1 — — —	s. 3 3 1 — — —	d. 4 4 0* — — —	£ 0 0 2 — — —	s. 6 6 2 — — —	d. 8 8 0* — — —
	£ 0 0 1 — — —	s. 3 3 1 — — —	d. 4 4 0* — — —	£ 0 0 2 — — —	s. 6 6 2 — — —	d. 8 8 0* — — —
	£ 0 0 1 — — —	s. 3 3 1 — — —	d. 4 4 0* — — —	£ 0 0 2 — — —	s. 6 6 2 — — —	d. 8 8 0* — — —
	£ 0 0 1 — — —	s. 3 3 1 — — —	d. 4 4 0* — — —	£ 0 0 2 — — —	s. 6 6 2 — — —	d. 8 8 0* — — —
	£ 0 0 1 — — —	s. 3 3 1 — — —	d. 4 4 0* — — —	£ 0 0 2 — — —	s. 6 6 2 — — —	d. 8 8 0* — — —
CLASS 3. In unselected ground. Adult or child - Extra depth over 6 feet per foot - Purchase of exclusive right of burial - Forming a brick grave - Each re-opening - Forming a vault - Each re-opening - Permission to select site -	£ 0 1 — — — — —	s. 3 1 — — — — —	d. 4 0* — — — — —	£ 0 2 — — — — —	s. 6 2 — — — — —	d. 8 0* — — — — —
	£ 0 1 — — — — —	s. 3 1 — — — — —	d. 4 0* — — — — —	£ 0 2 — — — — —	s. 6 2 — — — — —	d. 8 0* — — — — —
	£ 0 1 — — — — —	s. 3 1 — — — — —	d. 4 0* — — — — —	£ 0 2 — — — — —	s. 6 2 — — — — —	d. 8 0* — — — — —
	£ 0 1 — — — — —	s. 3 1 — — — — —	d. 4 0* — — — — —	£ 0 2 — — — — —	s. 6 2 — — — — —	d. 8 0* — — — — —
	£ 0 1 — — — — —	s. 3 1 — — — — —	d. 4 0* — — — — —	£ 0 2 — — — — —	s. 6 2 — — — — —	d. 8 0* — — — — —
	£ 0 1 — — — — —	s. 3 1 — — — — —	d. 4 0* — — — — —	£ 0 2 — — — — —	s. 6 2 — — — — —	d. 8 0* — — — — —
	£ 0 1 — — — — —	s. 3 1 — — — — —	d. 4 0* — — — — —	£ 0 2 — — — — —	s. 6 2 — — — — —	d. 8 0* — — — — —

FEES FOR PERMISSION TO ERECT STONES MONUMENTS AND INSCRIPTIONS WHERE THE EXCLUSIVE RIGHT OF BURIAL HAS BEEN PURCHASED.						PARISHIONERS AND NON- PARISHIONERS.	A.D. 1913.
						£ s. d.	
Head and foot stones to earthen graves including one inscription thereon - - - - -						0 10 6	
Ditto to brick graves ditto - - - - -						1 1 0	
Every additional inscription - - - - -						0 5 0	
Head foot landing or body stones to brick grave including one inscription thereon - - - - -						1 10 0	
Ditto to vaults ditto - - - - -						2 2 0	
Every additional inscription - - - - -						0 10 0	
Dwarf fencing without stone kerb - - - - - Class 1						0 15 0	
						„ 2 1 0 0	
						„ 3 1 5 0	
Dwarf fencing with stone kerb - - - - - Class 1						1 0 0	
						„ 2 1 5 0	
						„ 3 1 10 0	
Tomb or monument:—							
Under 2 feet high - - - - - Class 1						1 5 0	
						„ 2 1 10 0	
						„ 3 2 0 0	
Tomb or monument:—							
Under 3 feet 6 inches high - - - - - Class 1						1 10 0	
						„ 2 2 0 0	
						„ 3 2 10 0	
Tomb or monument:—							
Over 3 feet 6 inches high - - - - - Class 1						2 10 0	
						„ 2 3 0 0	
						„ 3 4 0 0	

EXTRA FEES PAYABLE TO SEXTON FOR DEEP GRAVES.

In all cases where graves exceed 6 feet in depth an additional 1s. a foot is charged up to 8 feet and thereafter 1s. 6d. a foot.

REGISTRATION FEES.

	s.	d.
Grant of exclusive right of burial - - - - -	5	0
Transfer of ditto ditto - - - - -	5	0
Sealing grant - - - - -	5	0
Registering grant - - - - -	2	6
Certificate of burial - - - - -	2	6

[Ch. cvii.] *Reading Corporation Act, 1913.* [3 & 4 GEO. 5.]

A.D. 1913.

							s.	d.
Search for burial first year	-	-	-	-	-	-	1	0
Every additional year	-	-	-	-	-	-	0	6
Grant of right	-	-	-	-	-	-	1	0

* INCUMBENT'S ADDITIONAL FEES.

MEMO.—In the consecrated portions of the cemetery a fee of £1 1s. is charged for each erection of a head stone or monument kerbing or iron railing.

* These fees are subject to sec 3 ss. 4 (1) of the Burial Act 1900.

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