



CHAPTER xc.

An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Reading with regard to the provision and working of trolley vehicles and in connection with their electricity undertaking and for other purposes. A.D. 1935.
[2nd August 1935.]

WHEREAS the borough of Reading in the county of Berks (hereinafter called "the borough") is a county borough under the government of the mayor aldermen and burgesses of the borough (hereinafter called "the Corporation"):

And whereas the Corporation are the owners of and are working a system of tramways within the borough and were authorised by the Reading Corporation Act 1914 to provide and work trolley vehicles upon the routes which are described in that Act:

And whereas it is expedient to empower the Corporation to use trolley vehicles upon the additional trolley vehicle routes referred to in this Act which routes are coincident with or in extension of the routes of the tramways of the Corporation and also to confer further powers upon them with regard to the operation of trolley vehicles:

And whereas in pursuance of powers conferred upon them by the Reading and District Electric Supply Act 1910 the Corporation have acquired the undertaking

A.D. 1935. of the Reading Electric Supply Company Limited and are carrying on that undertaking and supplying electricity for public and private purposes in the borough and in certain places in the neighbourhood thereof:

And whereas it is expedient that the further provisions with regard to the electricity undertaking of the Corporation and the supply of electricity by them which are set forth in this Act should be enacted:

And whereas it is expedient to make further provision with regard to the finances of the Corporation and the application of the revenues of their several undertakings:

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

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

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

	£
The provision of trolley vehicles - -	60,000
The provision of electrical equipment and the construction of other works necessary for working trolley vehicles - - - - -	27,730
The adaptation or erection and equipment of buildings for the purposes of the trolley vehicles of the Corporation - - - - -	13,500
The removal of the tramway track and reconstruction of the roads upon which the tramways to be removed or discontinued under the provisions of this Act are situate - -	64,500

And whereas the works included in such estimates 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 Part XIII of the Local Government Act 1933 have been observed:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most

Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

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PART I.

PRELIMINARY.

1. This Act may be cited as the Reading Corporation Act 1935. Short title.

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

Division
of Act
into Parts.

Part I.—Preliminary.

Part II.—Trolley vehicles.

Part III.—Electricity.

Part IV.—Finance.

Part V.—Miscellaneous.

3. The Lands Clauses Acts so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act (except the provisions of those Acts with respect to the purchase and taking of lands otherwise than by agreement and except section 127 of the Lands Clauses Consolidation Act 1845). Incorporation of Acts.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts shall have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpre-
tation.

(2) In this Act unless the subject or context otherwise requires—

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

“ The borough ” means the county borough of Reading ;

“ The town clerk ” and “ the borough accountant ” mean respectively the town clerk and the accountant of the borough ;

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- “ The general rate fund ” and “ the general rate ” mean respectively the general rate fund and the general rate of the borough ;
- “ The Public Health Acts ” means the Public Health Act 1875 and the Acts amending and extending the same ;
- “ The Act of 1933 ” means the Local Government Act 1933 ;
- “ Telegraphic line ” has the same meaning as in the Telegraph Act 1878 ;
- “ Daily penalty ” means a penalty for each day on which an offence is continued after conviction ;
- “ The Order of 1878 ” “ the Order of 1899 ” “ the Act of 1913 ” “ the Act of 1914 ” and “ the Act of 1930 ” mean respectively the Reading Tramways Order 1878 the Reading Corporation Tramways Order 1899 the Reading Corporation Act 1913 the Reading Corporation Act 1914 and the Reading Corporation Act 1930 ;
- “ Trolley vehicle ” means a mechanically propelled vehicle adapted for use without rails upon roads and moved by electrical power transmitted thereto from some external source ;
- “ Trolley vehicle equipment ” means and includes all posts poles standards brackets cables conductors tubes mains transformers feeders wires and other apparatus and equipment for the purpose of working and lighting the trolley vehicles ;
- “ Trolley vehicle routes ” means the routes upon which the Corporation are authorised to work and use trolley vehicles by the Act of 1914 and this Act ;
- “ The Corporation tramways ” means the tramways for the time being belonging to the Corporation ;
- “ Local authority ” means the council of any borough urban district or rural district ;
- “ Road authority ” in relation to any road means the authority (being either the council of a county the council of a borough or the council of an

- urban district) which is responsible for the maintenance of the road;
- “The gas company” means the Reading Gas Company;
- “The electricity undertaking” means the electricity undertaking of the Corporation;
- “The electricity limits” means the limits within which the Corporation are for the time being authorised to supply electricity;
- “The trolley vehicle undertaking” means the trolley vehicle undertaking of the Corporation;
- “The road transport undertaking” means the undertaking of the Corporation which includes their tramway trolley vehicle and omnibus and public service vehicle undertakings;
- “The Corporation undertakings” means any undertaking of the Corporation as from time to time existing from which revenue is derived;
- “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 but shall not include the power to borrow by way of temporary loan or overdraft which is conferred by paragraph (a) of subsection (1) of section 215 of the Act of 1933;
- “Statutory security” has the meaning assigned to that expression by section 3 (Interpretation) of the Act of 1913;
- “Revenues of the Corporation” has the meaning assigned to “revenues” by section 218 of the Act of 1933;

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“ *Authorised security* ” means any mortgage stock bond or other security which the Corporation are for the time being authorised to grant create or issue or upon or by means of which the Corporation are for the time being authorised to raise money ;

“ *The Minister* ” means the Minister of Health.

(3) In the construction of the provisions of the Lands Clauses Acts incorporated with this Act the expressions “ *the promoters of the undertaking* ” and “ *the undertakers* ” mean respectively the Corporation.

PART II.

TROLLEY VEHICLES.

Power to
use trolley
vehicles.

5.—(1) The Corporation may use trolley vehicles upon the following routes in the borough (namely) :—

Route No. 1 Commencing in St. Mary's Butts at its junction with Castle Street proceeding thence along St. Mary's Butts West Street Friar Street and Caversham Road to and terminating at the junction of that road with Thames Side Promenade ;

Route No. 2 Commencing in Broad Street at its junction with Queen Victoria Street proceeding thence along Broad Street and Oxford Road to and terminating at the junction of that road with Norcot Road ;

Route No. 3 Commencing in Southampton Street at its junction with Mill Lane proceeding thence along Southampton Street and Whitley Street to and terminating at the junction of that street with Christchurch Road ;

Route No. 4 Commencing in King Street at its junction with Minster Street proceeding thence along King Street King's Road and Wokingham Road to and terminating at the junction of that road with St. Peter's Road ;

Route No. 5 Commencing by a junction with Route No. 4 hereinbefore described in Duke Street at its junction with King's Road

proceeding thence along Duke Street London Street and Mill Lane to and terminating at the junction of that lane with Bath Court;

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Route No. 6 Commencing by a junction with Route No. 4 hereinbefore described in London Road at its junction with King's Road proceeding thence along London Road Liverpool Road Radstock Road and Manchester Road to and terminating at the junction of that road with London Road;

and with the consent of the Minister of Transport along any other streets or roads in the borough which the Corporation think it necessary or convenient to use for the purpose of providing turning points or of connecting trolley vehicle routes or of obtaining access from or to such routes to or from any depot garage building or work of the Corporation :

Provided that before equipping any trolley vehicle route to include a turning point or before arranging for any new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval.

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

(3) Provided that no provision shall be made for the using or turning of trolley vehicles along or upon any road or street maintained by a railway company and forming the approach to any station or depot of that railway company without their consent in writing which consent shall not be unreasonably withheld and any

A.D. 1935. — question whether such consent has been unreasonably withheld shall be determined by the Minister of Transport.

As to
electrical
works.

6.—(1) The Corporation may in under or over the surface of the streets or roads along or adjoining those along which they are authorised by the Act of 1914 or this Act to run trolley vehicles or in which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station place erect and maintain all necessary and proper standards brackets conductors mains cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power and may for that purpose subject to the provisions contained in Part II of the Tramways Act 1870 and in this Part of this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electrical energy for the purpose of working the trolley vehicles.

(2) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1935 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

(3) The Corporation may also adapt and use for the purpose of working trolley vehicles any apparatus and equipment already provided by them for working tramways in streets or roads along which they are or may be authorised to run trolley vehicles.

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

Vehicles not
to be deemed
omnibuses.

7. The trolley vehicles authorised by the Act of 1914 and this Act shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Act 1889.

As to
abandon-
ment of
tramways.

8.—(1) At any time after the passing of this Act the Minister of Transport may by order authorise or require the Corporation to abandon or discontinue temporarily or permanently any of the Corporation tramways along the route of which the Corporation have provided and equipped or are about to provide and equip trolley vehicles under the provisions of the Act of 1914 or this

Act or have provided omnibuses under the provisions of the Act of 1914 or public service vehicles under the provisions of the Road Traffic Act 1930 or any Act amending that Act.

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(2) Before making any order under the provisions of this section the Minister of Transport may hold such inquiry as he may consider desirable.

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

(4) Upon the making of any such order permanently to abandon or discontinue any such tramway the provisions of section 41 of the Tramways Act 1870 shall apply as if the Minister of Transport had granted a certificate that an order had been made under the said section in relation to such tramway.

9.—(1) The following provisions of the Tramways Act 1870 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act and the Act of 1914 and shall apply to the trolley vehicles authorised by the Act of 1914 and this Act and such provisions shall be read and have effect as if the works to be constructed in the streets or roads for moving the said trolley vehicles by electrical power were tramways and as if the said trolley vehicles were carriages used on tramways and the Corporation were the promoters :—

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

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

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

Section 46 (Byelaws by local authority Promoters may make certain regulations) except the last two paragraphs of that section;

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

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

(2) Nothing in this section shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

For protec-
tion of gas
company.

10. The following provisions for the protection of the gas company shall unless otherwise agreed in writing between the Corporation and the gas company apply and have effect in relation to the abandonment of any tramway or any part of any tramway under or by virtue of the section of this Act of which the marginal note is "As to abandonment of tramways" (that is to say) :—

- (1) Any enactment which at the date of the passing of this Act enures for the protection of the gas company in relation to any such tramway as aforesaid or any part thereof or to any rails paving setts posts poles wires or other works (in this section referred to as "equipment") used or provided in connection therewith shall subject to the provisions of this section continue in force and enure for the protection of the gas company until the date when the taking up and removal of that equipment is commenced but as from that date shall cease to have effect:

(2) Section 30 of the Tramways Act 1870 shall extend and apply to— A.D. 1935.

(a) the taking up and removal of any equipment; and

(b) the filling in of the ground and the making good and restoration of the portion of any road disturbed by such taking up and removal;

in all respects as if those works or operations were the laying down of a tramway and as if the Corporation were the promoters within the meaning of that section :

Provided that paragraph (1) of the said section (which relates to the giving of notices and the rights of persons to object to the proposed works) shall have effect as if the requirement of delivering a plan and section of the proposed works were omitted therefrom :

(3) Where in pursuance of the said section 30 as applied by this section any such notice as aforesaid is given to the gas company they may at any time within seven days after the receipt by them of that notice give notice to the Corporation that they desire themselves to carry out any lowering or other alteration of the position of any main pipe work or apparatus belonging to them which may be agreed between the Corporation and the gas company or in default of agreement determined by arbitration in manner provided by the Tramways Act 1870 to be necessary in view of the taking up or removal of any equipment and where any such notice is given the gas company shall forthwith commence execute and complete that lowering or alteration and any works necessary in connection therewith in such manner as may be agreed between the gas company and the Corporation or in default of agreement as may be determined as aforesaid :

(4) Upon completion by the gas company of any such lowering or alteration or works as aforesaid the Corporation shall pay to the gas company the cost and expenses reasonably incurred by them in carrying out such lowering or alteration or works.

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Application
of previous
enactments.

11.—(1) The following provisions of the Order of 1878 the Order of 1899 and the Act of 1913 shall extend and apply to the trolley vehicles authorised by the Act of 1914 and this Act as if those provisions were with all necessary modifications re-enacted in the Act of 1914 and in this Act respectively (that is to say) :—

The Order of 1878—

Section 24 (Cheap fares for labouring classes).

The Order of 1899—

Section 16 (Temporary tramways);

Section 17 (Application of road materials excavated in construction of works);

Section 18 (Tramways not to be opened until certified by Board of Trade);

Section 21 (Provisions as to motive power);

Section 23 (Mechanical power works to be subject to section 30 of Tramways Act 1870);

Section 24 (Byelaws);

Section 25 (Amendment of Tramways Act 1870 as to byelaws by local authority);

Section 26 (Special provisions as to use of electrical power);

Section 29 (As to fares on Sundays or holidays);

Section 30 (Periodical revision of tolls);

Section 34 (Regulations);

Section 35 (Working agreements);

Section 42 (Provisions as to arbitration);

Section 43 (Saving for general Acts).

The Act of 1913—

Section 49 (Attachment of brackets to buildings for tramways) :

Provided that for the purposes of such extension and application those provisions shall be read and have effect as if the trolley vehicle equipment were tramways within the meaning of the said provisions and as if trolley vehicles were carriages used on the Corporation tramways or

tramcars and as if the trolley vehicle undertaking formed part of the tramway undertaking of the Corporation. A.D. 1935.

(2) The following provisions of the Act of 1914 shall extend and apply to the trolley vehicles authorised by this Act as if those provisions were with all necessary modifications re-enacted in this Act :—

- Section 11 (Corporation to have exclusive right of using apparatus for working trolley vehicles);
- Section 13 (Licence duties on trolley vehicles);
- Section 14 (Approval of vehicles and equipment by Board of Trade);
- Section 18 (For protection of Postmaster-General) as amended by this Act;
- Section 19 (Use of tramway or trolley vehicle posts by Postmaster-General);
- Section 21 (Fares rates and charges);
- Section 22 (Power to appoint stages);
- Section 23 (Corporation may appoint stopping and starting places);
- Section 24 (Payment of fares rates and charges);
- Section 26 (Penalty for malicious damage);
- Section 27 (Shelters or waiting-rooms);
- Section 28 (Lost property);
- Section 29 (Posts are not to be used for advertisements);
- Section 30 (Attachment of signs indicating stopping places to lamp-posts &c.);
- Section 31 (Conveyance of mails);
- Section 33 (For protection of Great Western Railway Company) except subsections (1) (7) and (15) thereof Provided that subsection (8) of that section shall apply and have effect as if the words "adjoin or" were inserted after the words "the wires of the Great Western Company";
- Section 35 (For protection of Reading Gas Company).

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(3) Subsection (2) (*d*) of section 18 (For protection of Postmaster-General) of the Act of 1914 shall be read and have effect as if the words “generated or used by or supplied to the Corporation” were inserted in that subsection in substitution for the words “generated by the Corporation.”

Minister of
Transport
may
authorise
new routes.

12.—(1) If at any time hereafter the Corporation desire to provide maintain equip and use trolley vehicles upon any road as defined by the Tramways Act 1870 (other than the streets and roads along and upon which they are for the time being authorised to use trolley vehicles) they may make application to the Minister of Transport and the Minister of Transport is hereby empowered to make a Provisional Order authorising the use by the Corporation of trolley vehicles subject to such conditions and restrictions (if any) as he may think fit upon any road or roads to which such application relates and containing such incidental provisions as the said Minister may deem expedient and subject to the terms of the Provisional Order the provisions of this Act shall apply as if the use of trolley vehicles upon such road or roads were authorised by this Act.

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

- (a) have published once in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the borough;
- (b) have also published such notice once in the months of October or November in the London Gazette;
- (c) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads to which such application relates a notice of their intention to make such application;

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

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

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

(5) No order authorising the use of trolley vehicles on any road in an area outside the borough shall be made without the consent of the local authority of such area and the road authority having jurisdiction over such road but such consent shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport.

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

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

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

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

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

A.D. 1935. — of any such Provisional Order and any expenses incurred by the Minister of Transport in connection with any inquiry under this section shall be paid by the Corporation.

Power to reserve trolley vehicles for special purposes.

13.—(1) Notwithstanding anything contained in this or any other Act to the contrary the Corporation may on any occasion run and reserve trolley vehicles on any of their trolley vehicle routes for any special purpose which the Corporation may consider necessary or desirable provided that such special trolley vehicles shall be distinguished from other trolley vehicles in such manner as may be directed by the Corporation and that during the running of such special trolley vehicles the Corporation shall maintain a reasonably sufficient ordinary service of trolley vehicles.

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

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

Through vehicles.

14. The Corporation may run through trolley vehicles between specified points on the trolley vehicle routes and such vehicles shall be sufficiently distinguished from other trolley vehicles in such manner as may be directed by the Corporation and they may demand and take for every passenger for each journey by such vehicles or any part of such journey any fare or charge not exceeding the maximum fare or charge authorised or chargeable for the distance between such points :

Provided that during the running of such through trolley vehicles the Corporation shall maintain a reasonably sufficient ordinary service of trolley vehicles.

Cloak-rooms &c.

15. The Corporation may provide cloakrooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depot or building used by them in connection with their trolley vehicle undertaking and at any suitable places on the trolley vehicle routes and the

Corporation may make charges for the use of such cloak-rooms rooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein :

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Provided that the Corporation shall not provide any cloakroom room or shed so as to cause interference with the access to or exit from any station depot or property belonging to a railway company nor shall such cloakroom room or shed be erected maintained or provided on any bridge carrying any street or road over the railways of such railway company or on the approaches to any such bridge so far as the same are maintained by such company except with the consent in writing of that company under the hand of their secretary or general manager.

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

Use for
sanitary
purposes.

17. The Corporation may for the execution of any works by the Corporation or during the time of any public meeting procession or demonstration or for any other purpose which the Corporation having regard to the good government of the borough or the safety of the public may deem necessary order that the running of trolley vehicles on any trolley vehicle route or part thereof shall be stopped delayed or suspended but so that such stoppage delay or suspension shall continue only so long as may reasonably be necessary for the purposes aforesaid or any of them and the Corporation shall not be liable to pay compensation for damages in respect thereof.

Power for
Corporation
to suspend
traffic.

18. For the purpose of using mechanical power the Corporation may acquire hold and exercise patent and other rights or licences relating to motive power or otherwise but not so as to acquire any exclusive right therein.

Power to
acquire
patent
rights.

19. All regulations and byelaws relating to the Corporation tramways made in pursuance of the Tramways Act 1870 or of any other statutory enactment so far as the same are applicable shall with the necessary

Tramway
regulations
to apply to
trolley
vehicles.

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As to byelaws relating to road transport undertaking.

20. Notwithstanding the provisions of any Act or Order relating to the procedure for the making of byelaws by the Corporation the provisions of section 250 of the Act of 1933 shall apply to all byelaws to be made by the Corporation (whether under this Act or otherwise) in respect of the road transport undertaking and in the application of such last-mentioned provisions the Minister of Transport shall be the confirming authority.

Trolley vehicle undertaking to form part of road transport undertaking.

21. Subject to the provisions of this Act the trolley vehicle undertaking shall be deemed to form part of the road transport undertaking.

PART III.

ELECTRICITY.

Acquisition of land for sub-stations.

22.—(1) The Corporation may be authorised to purchase land within the electricity limits compulsorily for the purpose of the erection thereon in pursuance of the powers of the Acts and Orders relating to the electricity undertaking of a station for transforming converting or distributing electricity by means of an order made by the Corporation and submitted to the Minister of Transport and confirmed by him in accordance with the provisions (so far as they are applicable) of sections 161 162 and 174 and paragraphs (a) (b) and (c) of section 179 of the Act of 1933 and of the Sixth Schedule to that Act and the provisions of those sections and that schedule with any necessary modifications shall have effect for the purposes of this section with the substitution of the Minister of Transport for the Minister.

(2) Nothing in this section or in any order made thereunder shall authorise the compulsory acquisition of any land which at the date of the order forms part of any land which is in use as an aerodrome licensed pursuant to an order made under the Air Navigation Act 1920 or any Act amending replacing or consolidating the same.

(3) If an order is made under this section for the purchase of land which any person has specific statutory

power to acquire compulsorily such person shall be entitled to make objection to the Minister of Transport to the confirmation of such order and any such objection if duly made shall for the purpose of the said section 161 as applied by this section be deemed to have been made by a person upon whom notice is required to be served.

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23. In its application to the Corporation and the electricity undertaking section 8 of the schedule to the Electric Lighting (Clauses) Act 1899 shall have effect as if the words "ten acres" were inserted therein instead of the words "five acres."

Modification
of section 8
of Electric
Lighting
(Clauses)
Act 1899.

24. The Corporation may agree with the owner or occupier of any land across which any electric line has been placed or across which it is intended by the Corporation to place any such line (in either case under the provisions of section 22 of the Electricity (Supply) Act 1919) that a term or condition upon which they may place the said line across such land shall be the payment by the Corporation to such owner or occupier of a sum of money in gross and the payment of such sum of money shall if so agreed between the parties secure for the Corporation as against such owner or occupier (as the case may be) and his executors administrators successors and assigns the right to retain and maintain such line across the said land for such period as may be agreed.

Further
provisions
as to way-
leaves.

25. Where the electricity limits are bounded by or abut upon any street wholly or for part of its width outside those limits the Corporation may for the purpose of supplying electricity to the owner or occupier of any premises within the electricity limits exercise with respect to the whole width of the street the like powers of breaking up the street for the purpose of laying maintaining inspecting repairing and renewing electric lines and works as are exerciseable by them in respect of streets within the electricity limits and subject to the like conditions :

As to streets
on boundary
of electricity
limits.

Provided that nothing in this section shall entitle or require the Corporation to supply electricity to the owner or occupier of any premises outside the electricity limits.

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Removal of
restriction
on breaking
up streets.

26. For the purposes of section 13 of the Electric Lighting Act 1882 and section 12 of the schedule to the Electric Lighting (Clauses) Act 1899 in their application to the Corporation a county council shall be deemed to be a local authority.

Power to
construct
electrical
sub-stations
under
streets.

27. Subject to the provisions of the Electricity (Supply) Acts 1882 to 1935 and to the provisions of the schedule to the Electric Lighting (Clauses) Act 1899 the Corporation may in or under any street repairable by the inhabitants at large or dedicated to public use and (with the consent of the persons liable to repair the same) in or under any street not so repairable or not dedicated to the public use and being in either case a street within the electricity limits construct and maintain sub-stations transforming stations and other works in connection with the electricity undertaking and may in any such street as aforesaid provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient Provided that—

(a) Where in the opinion of the Corporation the consent of the person liable to repair any street not repairable by the inhabitants at large or not dedicated to the public use is unreasonably withheld the Corporation may appeal to a court of summary jurisdiction who shall have power to allow the construction and maintenance of such sub-stations transforming stations and works subject to such terms and conditions as they may think reasonable or to disallow the same; and

(b) The Corporation shall not construct any such sub-station transforming station or work (i) in or upon any bridge carrying a street over a railway of a railway company or the immediate approaches to any such bridge or under any bridge carrying a railway of a railway company over a street or within fifteen feet of any portion of any abutment or wing wall of any such bridge without the consent of the railway company which consent shall not be unreasonably withheld or (ii) so as to interfere with or render less convenient the access to or exit from any station or depot of a railway company.

28. If the owner or occupier of any premises erected or in process of erection within the electricity limits on land abutting on any street laid out as such but not dedicated to the public use or if so dedicated not repairable by the local authority (including a county council) applies to the Corporation for a supply of electricity to those premises then—

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—
Power to
break up
private
streets.

- (a) so much of any Act or Order applying to the Corporation as requires the consent of the person by whom the street is repairable to the breaking up by the Corporation of the street shall not have effect in relation to the street;
- (b) the Gasworks Clauses Act 1847 in its application to the Corporation shall have effect in relation to the land comprised in that street as if section 7 thereof had been excepted from incorporation with the enactments applying to the Corporation; and
- (c) except in the case of such streets as are referred to in the first proviso to this section the authority who would be responsible for the maintenance and repair of the street if it were repairable by the inhabitants at large shall have the like rights under section 15 of the schedule to the Electric Lighting (Clauses) Act 1899 as are thereby conferred on the person by whom the street is repairable:

Provided that nothing in this section shall apply to any street belonging to and forming the approach to any station or depot of any railway company nor shall the Corporation in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street:

Provided also that the Corporation shall not under the provisions of this section break up any part of the towpath of the river Thames for the purpose of laying down any new electric line or other work without the consent in writing of the conservators of the river Thames but—

- (i) such consent shall not be unreasonably withheld and any question as to whether any such consent has been unreasonably withheld shall be determined by the Minister of Transport;

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—

- (ii) such consent shall not be required for the purpose of enabling the Corporation to inspect maintain repair or renew or to make connections with any electric line or other work which is for the time being existing in or under any such towpath :

Provided further that nothing in this section shall authorise the breaking up of any street which is repairable by the gas company unless the consent in writing of the gas company has been obtained by the Corporation but such consent shall not be unreasonably withheld Any question as to whether any such consent has been unreasonably withheld shall be determined by the Minister of Transport.

Attachment
of brackets
&c. to
buildings
and
bridges.

29.—(1) Notwithstanding anything contained in section 7 of the Gasworks Clauses Act 1847 the Corporation may with the consent in writing of the owner of any building or any bridge over any street affix thereto such brackets electric lines and attachments (in this section called “attachments”) as may be required for the purposes of the electricity undertaking.

(2) Where in the opinion of the Corporation any consent under subsection (1) of this section is unreasonably withheld they may make complaint to a court of summary jurisdiction who may by order either allow the attachments subject to such terms (if any) as to compensation or rent or otherwise as they may think fit or disallow the attachments.

(3) Any person aggrieved by an order made by a court of summary jurisdiction under the provisions of this section may appeal against the order to a court of quarter sessions and the Corporation may likewise appeal against the refusal of a court of summary jurisdiction to make any such order.

(4) The provisions of subsection (2) of this section shall not apply in relation to—

- (a) any building forming part of an aerodrome licensed pursuant to an order made under the Air Navigation Act 1920 or any Act amending replacing or consolidating that Act; or
- (b) any building which the owner thereof alleges to be a building of architectural or historic interest;

but if in the opinion of the Corporation any consent under subsection (1) of this section is unreasonably withheld in relation to any such building they may appeal to the Minister of Transport and the said Minister may by order either allow the attachments subject to such terms (if any) as to compensation or rent or otherwise as he thinks fit or disallow the attachments :

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—

Provided that the Minister of Transport shall—

- (i) before exercising his powers under this section in relation to any building forming part of such an aerodrome as aforesaid consult with the President of the Air Council;
- (ii) before exercising his powers under this subsection with respect to any building alleged to be of architectural or historic interest consult with the Commissioners of Works.

(5) No attachments shall be affixed to any bridge of any county council or any bridge or other work of any railway company without the previous consent in writing of that county council or company as the case may be.

(6) The Corporation shall not affix any attachments to any part of a building belonging to the gas company without the consent in writing of that company but such consent shall not be unreasonably withheld and any question as to whether or not such consent is unreasonably withheld shall be determined by the Minister of Transport.

(7) Where any attachments have been affixed to a building or bridge under this section and the person who gave the consent or who was the owner when the order allowing the attachments was made ceases to be the owner of the building or bridge the subsequent owner may give to the Corporation notice in writing requiring them to remove the attachments and subject to the provisions of this subsection the Corporation at their own expense shall within three months after the service of the notice remove the attachments :

Provided that the provisions of subsection (2) and subsection (3) of this section shall apply in relation to any such notice as they apply in relation to a refusal of a consent to the making of attachments.

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(8) Where any attachments have been made under this section to any building or bridge the owner of the building or bridge may require the Corporation at their own expense temporarily to remove the attachments where necessary during any reconstruction or repair of the building or bridge.

(9) In this section the expression "owner"—

(a) in relation to a building occupied under a tenancy for a term of years whereof five years or more remains unexpired means the occupier of the building;

(b) in relation to a building occupied under any other tenancy means the person who is receiving the rack rent or who would receive the rack rent if the building were let at a rack rent;

(c) in relation to a building forming part of an aerodrome licensed pursuant to an order made under the Air Navigation Act 1920 or any Act amending replacing or consolidating that Act means (notwithstanding anything in this subsection) the person having control of the aerodrome;

and the expression "rack rent" means in relation to a building a rent which is not less than two-thirds of the full net annual value of the building.

30.—(1) For the purpose of supplying electricity to any premises to which the Corporation are for the time being authorised to supply electricity the Corporation may lay down place maintain and use electric lines in order to connect such premises to a service line already laid by the Corporation for the purpose of affording a supply of electricity to adjoining premises and for that purpose may cut or otherwise interfere with any party wall or fence to such premises and adjoining premises.

(2) In relation to any such electric lines as aforesaid the Corporation shall have the powers and be subject to the provisions of sections 17 18 20 and 77 of the schedule to the Electric Lighting (Clauses) Act 1899 and those provisions so far as applicable shall be incorporated with this Act and the Corporation shall be deemed to be the undertakers :

Power to
lay down
connecting
lines in
certain
cases.

A.D. 1935.

Provided that section 20 of the said schedule in its application to the powers conferred by this section shall have effect as if after the words "electric signalling communication" wherever they occur there were inserted the words "or electrical control of railways."

(3) The provisions of section 14 of the said schedule so far as they relate to the Postmaster-General shall extend and apply to the laying down or construction by the Corporation of any electric line under the provisions of this section.

(4) In this section the expression "electric line" shall have the same meaning as in the Electric Lighting Act 1882.

(5) The provisions of this section shall not apply to any premises (not being a dwelling-house) belonging to a railway or canal company.

31.—(1) The powers conferred on the Corporation by section 24 of the Electric Lighting Act 1882 of entering premises shall be extended as follows:—

Further powers as to entry upon premises.

(a) The premises which may be entered shall include all premises in the electricity limits in which electric fittings are being or have been installed with a view to taking a supply of electricity from the Corporation;

(b) The purposes for which premises may be entered shall include the following purposes that is to say the inspection of all meters and electric fittings on the premises whether belonging to the Corporation or not the ascertainment of whether or not there is or has been any contravention of any of the Acts or Orders applying to the Corporation or of any regulation or byelaw made thereunder and (where the Corporation are authorised under the provisions of any such Act Order regulation or byelaw to cut off the supply of electricity to the premises) the cutting off of such supply.

The Corporation shall not have any power of entry into any such premises except through an officer duly authorised by the Corporation who shall if so required produce his authority.

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—

(2) Any person who shall refuse to admit any such officer of the Corporation to any premises which they are entitled to enter in pursuance of the said section 24 as amended by this section or shall hinder any such officer from entering any such premises or from exercising the powers conferred by the said section as so amended shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not apply to or in respect of any building or premises (not being a dwelling-house) belonging to and used by (a) any railway company for the purposes of their railway and forming part of any station or goods depot or (b) the gas company for the purposes of their gas undertaking and forming part of any gas works.

(4) For the purposes of this section "electric fittings" include electric lines meters accumulators fittings works and apparatus for the supply of electricity.

Penalty for
interference
with works.

32. If any person without lawful excuse (the proof whereof shall lie on him) shall wilfully interfere with any electric line or other work or apparatus used for or in connection with the supply of electricity by the Corporation or do or cause to be done anything which is calculated to interfere with or damage any such work or apparatus he shall for every such offence (without prejudice to any other liability or cause of action which may arise out of or by reason of such act) be liable to a penalty not exceeding five pounds.

Interfer-
ence with
works with
intent to
cut off
supply of
electricity.

33.—(1) Any person who unlawfully and maliciously cuts injures or tampers with any electric line or work of the Corporation with the intent to cut off or injuriously affect the supply of electricity by the Corporation shall be guilty of a felony and be liable to penal servitude for any term not exceeding five years but nothing in this section shall exempt the person from any proceeding for any offence which is punishable under any provision of the Electricity (Supply) Acts 1882 to 1935 or under any other Act or the common law but so that no such person be punished twice for the same offence.

(2) The Electric Lighting Act 1882 in its application to the Corporation shall be read and have effect as if section 22 of the said Act was hereby repealed.

34. A consumer supplied with electricity by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be and are required to supply energy within the meaning of section 30 of the schedule to the Electric Lighting (Clauses) Act 1899 and—

A.D. 1935.
—
Provisions
as to supply
of electricity
by agree-
ment.

- (a) the provisions of that section shall apply to the supply afforded by the Corporation under such agreement;
- (b) any failure on the part of the Corporation to supply energy to such consumer under the agreement shall not render them liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation :

Provided that—

- (i) the provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions; and
- (ii) nothing in this section shall apply in relation to any agreement which expressly excludes the application of this section.

35. Where a separate transformer is provided at the expense of the Corporation for the purpose of affording a supply of electricity to any consumer the Corporation may subject to the provisions of the agreement under which the transformer was provided use such transformer for the purpose of affording a supply of electricity to other consumers so long as such use does not prejudice or interfere with the supply for which such transformer was originally provided so however that the powers conferred by this section shall not enable the Corporation to extend the transformer so provided beyond the limits of the original site thereof.

As to use
of trans-
formers.

36. Except in the case of electricity supplied in pursuance of any agreement the maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of

As to maxi-
mum power
which
may be
demanded.

A.D. 1935. — electricity taken on extraordinary occasions unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for the premises in respect of which any such supply is required and any question as to whether the provisions of this section apply and if so the sum to be paid shall be determined in default of agreement by arbitration in the manner provided by section 28 of the Electric Lighting Act 1882.

Use for one purpose of electricity supplied for another purpose.

37.—(1) Where the charges made by the Corporation for electricity supplied by them for one purpose are less than the charges made by them for electricity supplied for another purpose electricity supplied by the Corporation for the first-mentioned purpose shall not without the consent in writing of the Corporation be used (whether after transformation or conversion or not) for the last-mentioned purpose and if any person to whom any electricity is supplied uses it or suffers it to be used in contravention of the provisions of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(2) Where a person is convicted of an offence under this section in respect of the use of electricity for any purpose the court may direct that all or any portion of the electricity which has been supplied to him by the Corporation within one year previous to the date when the proceedings were instituted at a rate of charge lower than the rate of charge appropriate for electricity supplied for the said purpose shall be charged for at the last-mentioned rate.

(3) For the purposes of this section electricity shall not be deemed to be used for lighting purposes by reason only that it is used for the purposes of some electrical apparatus which contains a lamp if the purposes of the apparatus as a whole are not lighting purposes.

Corporation may refuse to supply electricity in certain cases.

38. The Corporation may refuse to supply electricity to any person from whom payment for the supply of electricity or meter rent is for the time being in arrear (not being the subject of a bona fide dispute) whether the payment be due to the Corporation in respect of

the premises for which a supply is demanded or in respect of other premises. A.D. 1935.

39.—(1) If any consumer uses or deals with the electricity supplied to him by the Corporation in such manner as to interfere improperly with the efficient supply of electricity by the Corporation to any other consumer the Corporation may if they think fit in case of emergency cut off the supply of electricity to the first-mentioned consumer and discontinue the supply of electricity to him until he has agreed to cease to use or deal with the electricity supplied to him in the manner complained of but no longer.

For prevention of improper use.

(2) If any difference arises under this section as to any improper use of electricity the same shall be determined by arbitration.

40. The minimum charges per quarter which are specified in the Third Schedule to the Reading and District Electric Supply Act 1910 shall if so required by the Corporation be paid to them by the occupier of any premises connected to a distributing main of the Corporation in respect of each quarter of any year during the whole or any part of which quarter such premises are so connected whether electricity has actually been consumed on such premises or not during the currency of such quarter.

Minimum charges for electricity.

41.—(1) If the Corporation commence proceedings for the summary recovery of a sum due for the supply of electricity any other payment due to the Corporation for the sale hire connection repair or maintenance of meters and electric fittings may be included in the same summons and may be recovered summarily provided the amount due or payable in respect thereof does not exceed twenty pounds.

As to recovery summarily of sums due for fittings.

(2) In this section the expression "electric fittings" has the same meaning as in section 48 of the Electricity (Supply) Act 1926.

42. If any question shall arise under section 23 of the Electricity (Supply) Act 1922 as to whether a supply of electricity is demanded or received for the purpose of a stand-by supply only or as to whether a supply of electricity or of gas steam or other form of energy is in use or ready for use for the purposes for

For determining stand-by supplies.

A.D. 1935.

which a stand-by supply of electricity is required the same shall in default of agreement be determined by arbitration under section 28 of the Electric Lighting Act 1882.

Period of error in defective meters.

43.—(1) Where a meter supplied by the Corporation to a consumer is found on a test to register erroneously to a degree exceeding the degree permissible as respects meters of the class to which the meter belongs it shall in the absence of agreement to the contrary be deemed to have registered erroneously to the degree so found from the penultimate date on which the register of the meter was ascertained before the date on which the meter was tested or removed for the purpose of the test except in a case where the meter is proved to have begun to register erroneously as aforesaid on some date after such penultimate date.

(2) The amount of the allowance to be paid to or the surcharge to be made upon such consumer by the Corporation shall be paid by or to the Corporation as the case may be and in the case of a surcharge shall be recoverable in the like manner as charges for electricity are recoverable.

(3) Nothing in this section shall affect the rights of any undertakers under section 38 of the Gasworks Clauses Act 1871 (which relates amongst other things to the injuring of meters).

(4) The Corporation shall notify the consumer at least forty-eight hours in advance of any test of his meter and shall notify the consumer of the result of the test.

Charges for special readings of electricity meters.

44. The Corporation may levy and recover such charges as they think fit for taking the reading of any electricity meter fixed in a house which is either in whole or in part let furnished at the request of and for the convenience of consumers at times other than those of the periodical readings Provided that such charges shall not exceed the sum of two shillings and sixpence for each reading.

Protection of seals &c. belonging to Corporation.

45.—(1) The provisions of section 38 of the Gasworks Clauses Act 1871 incorporated with the Electric Lighting Act 1882 shall apply to any person who wilfully fraudulently or by culpable negligence injures or detaches

or suffers to be injured or detached any of the sealing or locking devices attached to any sealed or locked receptacle meter or apparatus inserted by the Corporation in any electric line within a consumer's premises or opens or suffers to be opened any such sealed or locked receptacle meter or apparatus.

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(2) If any person accidentally injures or detaches or suffers to be injured or detached any such sealing or locking device as aforesaid he shall within forty-eight hours of such injury or detachment give notice in writing thereof to the Corporation and any person who fails to comply with the provisions of this subsection shall be liable to a penalty not exceeding five pounds.

46.—(1) A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and left with or sent by post to the Corporation.

Form of notice by consumer to discontinue supply.

(2) Notice of the effect of this section shall be endorsed on any demand note for charges for electricity.

47. The provisions of section 59 of the Rating and Valuation Act 1925 relating to the sending or service of demand notes shall apply to demand notes for any charges made in connection with the electricity undertaking.

Service of electricity demand notes.

PART IV.

FINANCE.

48.—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time to borrow without the consent of any sanctioning authority for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of the said table and they shall pay off all money so borrowed within such periods as the Corporation may determine not exceeding

Power to borrow.

A.D. 1935. those respectively mentioned in the third column of the said table (namely) :—

(1)	(2)	(3)
Purpose.	Amount.	Period for repayment calculated (except when otherwise stated) from the date or dates of borrowing.
	£	
(a) The provision of trolley vehicles -	60,000	10 years.
(b) The provision of electrical equipment and the construction of other works necessary for working trolley vehicles.	27,730	20 years.
(c) The adaptation or erection and equipment of buildings for the purposes of the trolley vehicles of the Corporation.	13,500	30 years.
(d) The removal of the tramway track and reconstruction of the roads upon which the tramways to be removed or discontinued under the provisions of this Act are situate.	64,500	22 years.
(e) The payment of the costs charges and expenses of this Act.	The sum requisite.	5 years from the passing of this Act.

(2) The provisions of Part IX of the Act of 1933 so far as they are not inconsistent with this Part of this Act shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

(3) In the application of the said provisions of the Act of 1933 to the borrowing of any further money for the purposes of Part II (Trolley vehicles) of this Act the Minister of Transport shall be the sanctioning authority.

Power to borrow by issue of bonds.

49.—(1) In addition to any other form of borrowing the Corporation may exercise any statutory borrowing power by the issue of bonds to be called "Reading Corporation bonds" (and in this Act referred to as "bonds") in accordance with the provisions of this Act.

(2) Where the Corporation raise money by the issue of bonds sections 209 210 211 212 213 and 214 of the Act of 1933 shall apply as if the money had been raised by borrowing by mortgage under that Act and bonds were mortgages within the meaning of that Act.

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(3) The provisions set out in the schedule to this Act shall have effect with regard to bonds.

(4) Bonds shall be deemed to be loan capital or funded debt within the meaning of section 8 of the Finance Act 1899 as amended by section 10 of the Finance Act 1907.

(5) The provisions of section 115 of the Stamp Act 1891 (which relates to the composition for stamp duty) shall with the necessary adaptations apply in the case of bonds as if those bonds were stock or funded debt within the meaning of that section.

50. Sections 213 and 214 of the Act of 1933 shall apply with respect to any sinking fund formed by the Corporation for the repayment of any money borrowed (otherwise than by the issue of stock) before the passing of this Act under any statutory borrowing power as if it had been borrowed by way of mortgage and the Corporation shall make such adjustments of any existing sinking funds as may be proper.

Application
of Act of
1933 to
existing
sinking
funds.

51.—(1) The Corporation may give notice to any person being registered as a holder of any authorised security that they intend to send interest or dividends to him by post if he does not object and if such person does not within fourteen days from the receipt of such notice give notice to the Corporation of such objection the Corporation may from time to time send letters containing orders for the payment of interest or dividend warrants to the address of such person appearing in the register Provided that if such person give notice to the Corporation that he desires such orders or warrants to be sent to another person at a given address the Corporation may from time to time send letters containing the same to such other person at such address.

Dividend
warrants
by post.

(2) Where more persons than one are registered as joint holders of any authorised security any one of them may for the purpose of this section be regarded as the holder of the security unless contrary notice has been given to the Corporation by any other of them.

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(3) The posting by the Corporation of a letter containing an order for the payment of interest or a dividend warrant in pursuance of this section shall as respects the liability of the Corporation be equivalent to the delivery of the order or warrant to the registered holder of the authorised security.

(4) Every order or warrant so sent by post shall be deemed to be a cheque and the Corporation shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

Closing of
transfer
books.

52.—(1) The Corporation may close any transfer books or the registers of transfers of authorised securities (other than stock) on any day not more than thirty days next before the date on which any instalment of interest on such authorised securities is payable but so that the books or registers be not at any time kept closed for more than thirty days.

(2) The persons who on the day of such closing are entered in any book or register as holders of any securities of the class of which the book or register is so closed shall as between them and the transferees of those securities be entitled to the interest or dividends next payable thereon.

Amendment
of section 68
of Act of
1930.

53. The provisions of section 68 (Consolidated loans fund) of the Act of 1930 shall be read and have effect as if—

(i) the words “including the accumulations arising from the investments thereof” were omitted from subsection (2) of that section;

(ii) the following subsections were inserted therein (namely):—

“(6) There shall also be transferred to the consolidated loans fund such sums as are necessary to meet the interest charges and the financing and other revenue expenses connected with the management of that fund and separate account shall be kept of these sums and their application.

(7) The Corporation may pay into the consolidated loans fund any moneys forming part of any reserve renewals depreciation contingency insurance lands capital or other

similar fund (hereinafter referred to as "the lending fund") and not for the time being required and such moneys shall be deemed to be moneys borrowed by the Corporation within the meaning of subsection (1) of this section and shall be used accordingly subject to the following conditions:—

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(a) The moneys so used shall be repaid to the lending fund as and when required for meeting the obligations for which the said fund was established; and

(b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the average rate of interest payable by the Corporation on their current borrowings.

(8) Any such scheme as is referred to in subsection (5) of this section may be altered amended or revoked by a further scheme made in like manner as the original scheme."

54. The sections of this Act of which the marginal notes are—

"Receipts and expenses";

"Accounts";

"Application of revenue of undertakings"; and

"Provisions as to surplus electricity revenue";

shall be deemed to have come into operation on the first day of April nineteen hundred and thirty-five.

As to
operation
of certain
provisions
of this Part
of Act.

55.—(1) Notwithstanding anything contained in any previous enactment all money received by the Corporation whether on capital or revenue account including (but without prejudice to the generality of this provision)—

Receipts
and
expenses.

(a) all money received by the Corporation on account of the revenue of any of the Corporation undertakings; and

A.D. 1935.
—

(b) interest and other annual proceeds from time to time received by the Corporation on the investments or balances forming part of any fund accumulated for the redemption of debt or as a reserve renewals depreciation contingency insurance consolidated loans lands capital or other similar fund (including any interest payable to any such fund in pursuance of section 66 (Use of moneys forming part of sinking and other funds) of the Act of 1930 or of section 68 (Consolidated loans fund) of that Act as amended by the section of this Act of which the marginal note is "Amendment of section 68 of Act of 1930");

shall be carried to and form part of the general rate fund and all payments and expenses made and incurred by the Corporation in respect of any such undertaking or in carrying into execution the powers and provisions of this or any other Act whether public or local (including interest on moneys borrowed by the Corporation and all sums required by law to be paid or transferred or which the Corporation may determine to pay apply or transfer to any such fund as is referred to in paragraph (b) of this subsection) shall be paid or transferred out of the general rate fund.

(2) Nothing in this section shall authorise the Corporation to apply capital money to any purpose other than a purpose to which capital money is properly applicable.

Accounts.

56.—(1) The Corporation notwithstanding the provisions of any Act or Order to the contrary shall keep their accounts so as to distinguish capital from revenue and shall keep separate accounts in respect of each of the Corporation undertakings and as to revenue shall show under a separate heading or division on the one side all receipts in respect of the undertaking (including the income from any such fund as is referred to in paragraph (b) of subsection (1) of the last preceding section of this Act provided in connection with the undertaking) and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show the amounts representing—

(a) the working and establishment expenses and cost of maintenance of the undertaking;

- (b) the interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;
- (c) the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of or connected with the undertaking;
- (d) all other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) any money expended or applied for any of the purposes mentioned in the section of this Act of which the marginal note is "Application of revenue of undertakings."

A.D. 1935.
—

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

(3) The Corporation shall so far as reasonably practicable apportion between the accounts of separate undertakings or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

(4) The Corporation shall keep the accounts in respect of the road transport undertaking so as to show separately (so far as may be reasonably practicable) the receipts and expenditure in regard to (a) the tramways (b) the trolley vehicles and (c) the omnibus and the public service vehicles undertakings of the Corporation.

57.—(1) If in respect of any year the moneys received by the Corporation on account of the revenue of any of the Corporation undertakings (including the interest and other annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is "Receipts and expenses" and as is provided in connection with the undertaking) shall exceed the moneys expended or applied by the Corporation in respect of that undertaking for the several purposes mentioned in paragraphs (a) (b) (c) and (d) of subsection (1) of the last preceding section

Application
of revenue
of under-
takings.

A.D. 1935. — of this Act the Corporation may in respect of that year (if they think fit) apply out of the general rate fund a sum not exceeding the amount of such excess to any of the following purposes :—

- (a) In the reduction of capital moneys borrowed for the purposes of the undertaking;
- (b) In the renewal and (subject in the case of the electricity undertaking to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) the construction extension or improvement of any works and conveniences for the purposes of the undertaking;
- (c) In providing a reserve fund in respect of the undertaking by setting aside such an amount as they may from time to time think reasonable and (unless the amounts so set aside are used under the provisions of section 66 (Use of moneys forming part of sinking and other funds) of the Act of 1930 or of section 68 (Consolidated loans fund) of that Act as amended by the section of this Act of which the marginal note is "Amendment of section 68 of Act of 1930") investing the same in statutory securities until the fund so provided amounts—

(i) in the case of the water and electricity undertakings respectively to a sum equal to one-tenth of the aggregate capital expenditure of the Corporation on those undertakings respectively;

(ii) in the case of the road transport undertaking to a sum equal to one-fifth of the aggregate capital expenditure of the Corporation on that undertaking; and

(iii) in the case of any other undertaking to the maximum reserve fund for the time being prescribed by the Corporation. Provided that any reserve fund provided in respect of the markets undertaking of the Corporation shall not exceed the sum of five hundred pounds.

(2) The Corporation shall in every year so long as any reserve fund provided in respect of the electricity

undertaking is less than the prescribed maximum transfer to that reserve fund out of the general rate fund an amount equal to the interest and other proceeds received by the Corporation in respect of all investments forming part of the said reserve fund and carried to the general rate fund.

(3) Any reserve fund which has been provided in respect of any of the Corporation undertakings and which is in existence on the first day of April nineteen hundred and thirty-five shall be carried to and form part of any reserve fund provided under this section in respect of such undertaking.

(4) Any reserve fund provided under this section may be applied—

- (a) in making good to the general rate fund any deficiency at any time happening in the income of the Corporation from the undertaking in connection with which it is formed; or
- (b) in meeting any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking; or
- (c) (subject in the case of the electricity undertaking to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) in or towards the payment of the cost of renewing improving or extending any works forming part of the undertaking or otherwise for the benefit thereof;

and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(5) Resort may be had to a reserve fund provided under this section although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

58.—(1) In lieu of the provisions of subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 and of the amendments to that subsection set out in the Fifth Schedule to the Electricity (Supply) Act 1926 the following provisions shall apply with respect to the electricity undertaking (in addition to the provisions of the section of this Act of which

Provisions
as to surplus
electricity
revenue.

A.D. 1935. the marginal note is "Application of revenue of undertakings") (namely):—
—

If in any year the moneys received by the Corporation on account of the revenue of the undertaking (including the interest and annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is "Receipts and expenses" and as is provided in connection with the undertaking) shall exceed the aggregate of the moneys paid or expended by the Corporation in respect of the undertaking for the several purposes mentioned in paragraphs (a) to (e) of subsection (1) of the section of this Act of which the marginal note is "Accounts" then—

(a) if the reserve fund in respect of the undertaking does not amount to more than one-twentieth of the aggregate capital expended for the time being upon the undertaking a sum equal to the amount of such excess shall be credited to the revenue account of the undertaking for the next following year and the charges for electricity supplied by the Corporation shall be reduced by such amount or respective amounts as will as nearly as reasonably practical be equivalent in the aggregate to the said excess;

(b) if the said reserve fund amounts to more than one-twentieth of the said aggregate capital such amount as the Corporation may think fit (not being less in cases where the said excess is more than a sum equal to one and a half per centum of the outstanding debt of the undertaking than the difference between the said excess and that sum) shall be credited to the revenue account of the undertaking for the next following year and the charges for electricity supplied by the Corporation shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount so credited to revenue.

A.D. 1935. section 7 of the Telegraph Act 1878 shall apply to the alteration as though the Corporation or the owner of the land (as the case may be) were "undertakers" within the meaning of the said Act.

Amendment
of section 81
of Act of
1930.

62. Section 81 (Recovery of rates from persons removing) of the Act of 1930 shall be read and have effect as if the words "or electricity charge" were therein inserted after the words "water rate rent or charge."

For further
protection
of gas
company.

63. The following provisions for the further protection of the gas company shall unless otherwise agreed in writing between the Corporation and the gas company apply and have effect in relation to the exercise by the Corporation of the powers of this Act which are therein referred to (that is to say):—

- (1) If any structure erected by the Corporation under the powers of the section of this Act of which the marginal note is "~~Clockrooms &c.~~" is situate in any highway over any main pipe work or other apparatus of the gas company (in this section called "apparatus") laid or placed before the erection of the structure and the gas company give to the Corporation notice in writing of their desire to obtain access to such apparatus the Corporation shall either remove temporarily the structure or so much thereof as shall require to be so removed in order to afford such access or (if the Corporation determine not to remove the structure or part thereof) bear any additional expense due to the existence of the structure which may be reasonably incurred by the gas company in obtaining such access.

The Corporation shall give to the gas company fourteen days' notice of their intention to erect any such structure at any place under which the gas company have laid apparatus:

- (2) (a) Not less than fourteen days before commencing any of the works authorised by the section of this Act of which the marginal note is "Power to construct electrical sub-stations under streets" (other than works to which section 18 of the schedule to the Electric Lighting (Clauses) Act 1899 applies) in or under any

(2) Subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be deemed to have ceased to be incorporated with any of the Acts or Orders relating to the electricity undertaking.

A.D. 1935.

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

Accounts to be furnished to Minister of Transport.

60. For the purposes of section 66 (Use of moneys forming part of sinking and other funds) and section 68 (Consolidated loans fund) of the Act of 1930 the definition of "statutory borrowing power" which is referred to in section 4 (Interpretation) of that Act shall have effect as if the words "but shall not include the power to borrow by way of temporary loan or overdraft which is conferred by paragraph (a) of subsection (1) of section 215 of the Act of 1933" were inserted at the end thereof.

Meaning of "statutory borrowing power" for certain purposes.

PART V.

MISCELLANEOUS.

61.—(1) The Corporation may agree with the owner of any land in any street to give up land for the purpose of widening opening enlarging or otherwise improving such street or any other street in exchange for any part of any street which shall front other land belonging to such owner and shall be behind the general line of such street or which shall in the opinion of the Corporation be no longer required for public use or for approach to any property adjoining the same and for such other consideration (if any) as may be agreed and all public rights of way over any portion of any street so exchanged shall be extinguished.

Exchange of parts of streets disused.

(2) Notwithstanding any agreement under this section the Postmaster-General shall continue to have the same powers and rights in respect of any telegraphic line belonging to or used by him which remains in under upon over along or across the site of any part of a street exchanged for land as if the same had continued to be part of the street and if by reason or in consequence of any such agreement it becomes necessary to alter any such telegraphic line the enactments contained in

A.D. 1935.

street in which any apparatus is situate the Corporation shall deliver to the gas company all reasonable particulars of such works and the gas company may within fourteen days after the receipt of such particulars give notice to the Corporation as to any objections which they may have to the construction of the works or to the proposed position thereof or as to any conditions which should reasonably apply in regard to the construction of such works by reference to the effect of such works upon any existing apparatus;

(b) The Corporation shall not execute any works to which this subsection applies otherwise than as may be agreed between the Corporation and the gas company or determined by arbitration as hereinafter provided:

(3) (a) Whenever under the powers of the section of this Act of which the marginal note is "Exchange of parts of streets disused" any part of any street within the limits of supply for the time being of the gas company in which there is situate any apparatus is exchanged for any land the Corporation shall forthwith give notice in writing to the gas company of such exchange with a plan showing the position and dimensions of the portion of the street so exchanged;

(b) The gas company may alter the position of such apparatus to such other position as may be reasonable having regard to the circumstances and the statutory obligations of the gas company to maintain a supply of gas and the Corporation shall repay to the gas company the reasonable expense of and in connection with such alteration of position;

(c) The gas company shall give to the Corporation not less than twenty-one days' notice in writing of their intention to alter the position of any apparatus under the provisions of this subsection and shall at the same time deliver to the Corporation a plan section and specification of the proposed alteration. If such plan section and specification are not disapproved in writing

A.D. 1935.

by the Corporation within the said period of twenty-one days from the receipt thereof the said plan section and specification shall be deemed to be approved by the Corporation:

- (4) If any difference shall arise between the Corporation and the gas company under the provisions of this section such difference shall be referred to and determined by a single arbitrator to be appointed on the application of either party after notice in writing to the other by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such reference and determination.

Inquiries
by Minister
of Trans-
port.

64. The Minister of Transport may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents under this Act and section 290 of the Act of 1933 shall apply accordingly.

Application
of provisions
of previous
Acts.

65.—(1) The following provisions of the Act of 1913 and the Act of 1914 shall extend and apply to and for the purposes of this Act as if those provisions were with all necessary modifications re-enacted in this Act (namely):—

The Act of 1913—

Section 4 (Application of Reading Corporation Act 1881);

Section 12 (Persons under disability may grant easements &c.);

Section 13 (Power to retain sell &c. lands);

Section 14 (Proceeds of sale of surplus lands);

Section 54 (Application of section 265 of Public Health Act 1875); and

Section 55 (Powers of Act cumulative).

The Act of 1914—

Section 88 (Recovery of penalties &c.).

(2) Provided that for the purposes of such application—

(a) In the exercise of the powers of section 13 of the Act of 1913 as applied to this Act the

Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any lands or interests therein at a price or rent or for a consideration of a value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained;

A.D. 1935.
—

- (b) Nothing in section 13 of the Act of 1913 shall release the Corporation or any person purchasing or acquiring any lands from them under that section as applied to this Act from any rents covenants restrictions reservations terms or conditions made payable by or contained in any conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Corporation or any person from or through whom the Corporation may have derived or may hereafter derive title to the same but all such rents covenants restrictions reservations terms and conditions shall remain and be of as full force and effect and may be recovered exercised enjoyed and enforced in like manner and to the same extent as if this Act had not been passed.

66.—(1) The following provisions of the Act of 1930 are hereby repealed as from the first day of April nineteen hundred and thirty-five :—

Subsections (1) and (2) of section 71 (Application of revenue and payment of expenses of undertakings);

Section 72 (Separate accounts to be kept);

Section 73 (Reserve funds).

(2) The following enactments are hereby repealed as from the date of this Act :—

Reading Corporation Act 1881—

Section 6 (Regulations as to committees of council);

A.D. 1935.
—

Reading and District Electric Supply Act 1910—

Section 23 (Power to break up streets not dedicated to public use).

The Act of 1914—

Section 10 (As to electrical works);

Section 12 (Vehicles not to be deemed light locomotives or motor cars);

Section 15 (Application of certain provisions of Tramways Act 1870 to trolley vehicles);

Section 16 (Applying certain provisions of recited Acts to trolley vehicles);

Section 17 (Board of Trade may authorise new routes);

Section 32 (Trolley vehicles and omnibuses to form part of tramway undertaking).

The Act of 1930—

Paragraph (d) of subsection (1) and paragraph (c) of subsection (2) of section 68 (Consolidated loans fund);

Section 75 (Power to borrow by issue of bonds);

The Fourth Schedule.

Costs of
Act.

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

The SCHEDULE referred to in the
foregoing Act.

A.D. 1935.
—

PROVISIONS AS TO READING CORPORATION BONDS.

1. Bonds shall be issued in such amounts in denominations of five pounds and multiples of five pounds and for such periods not being less than five years as the Corporation may determine.

2. (a) Bonds may be issued at such price and at such rates of interest as the Corporation may from time to time determine.

(b) The nominal amount of bonds issued shall not exceed in the aggregate according to the price of issue such amounts as will together produce the actual amount of money for the time being authorised to be borrowed by the Corporation.

(c) Where a bond has been issued at a price lower than par so much of the issue as represents the difference between the price of the bond as issued and its nominal value shall be treated as a loan authorised by a statutory borrowing power and repayable out of the revenues of the Corporation on or before the date for repayment specified in the certificate issued in respect of the bond.

3. Bonds shall be repayable at par (unless the same shall have been previously cancelled by purchase in the open market or by agreement with the bondholder) at the offices of the Corporation on the dates specified in the certificates issued in respect of the bonds and no interest shall be payable thereon in respect of any period after the date upon which the bond is repayable.

4.—(1) The borough accountant shall keep a register of all persons who are holders for the time being of bonds.

(2) The register shall contain the following particulars:—

(a) The name address and description of each holder a statement of the denomination of the bonds held by him the price at which and the periods for which they are issued and the numbers and dates of the certificates issued to him as hereinafter provided ;

(b) The date of registration of each holder and the date on which he ceased to be so registered.

A.D. 1935.
—

(3) The register shall be prima facie evidence of any matter entered therein in accordance with the provisions of this Act and of the title of the persons entered therein as holders of bonds.

5.—(1) The Corporation shall issue to each holder of a bond a certificate in respect thereof duly numbered and dated and specifying the denomination of the bond and the period for which it is issued.

(2) If a certificate is worn out or damaged the Corporation on the production thereof may cancel it and issue a new certificate in lieu thereof.

(3) If a certificate is lost or destroyed the Corporation on proof thereof to their satisfaction and if they so require on receiving an indemnity against any claims in respect thereof may give a new certificate in lieu of the certificate lost or destroyed.

(4) An entry of the issue of a substituted certificate shall be made in the register.

(5) A certificate shall be in the following form or in a form substantially to the like effect :—

No.

COUNTY BOROUGH OF READING.

Reading Corporation bonds.

per centum Reading Corporation bond repayable at
par on the 19 at the offices of the
Corporation.

This is to certify that of is
the registered holder of a Reading Corporation bond for
pounds (£) issued by the
mayor aldermen and burgesses of the borough of Reading
under the Reading Corporation Act 1935 at

The common seal of the mayor aldermen and burgesses
of the borough of Reading was hereunto affixed in the
presence of

Mayor.

Town clerk.

Date

6. The certificate shall be prima facie evidence of the title of the person therein named his executors administrators or assigns to the bond therein specified but the want of a certificate if accounted for to the satisfaction of the Corporation shall not prevent the holder of the bond from disposing of and transferring the bond.

7.—(1) The transfer of a bond shall be by deed in the following form or in a form substantially to the like effect :— A.D. 1935.

FORM OF DEED OF TRANSFER.

Reading Corporation bonds.

I
in consideration of the sum of
paid by
(hereinafter called "the transferee") do hereby assign and
transfer to the transferee
To hold unto the transferee his executors administrators and
assigns subject to the several conditions on which I held the
same immediately before the execution hereof and I the
transferee do hereby agree to accept and take the said
subject to the conditions aforesaid.

As witness our hands and seals this
day of _____ in the year of our Lord
one thousand nine hundred and _____ .

(2) A bond may be transferred in whole or in part so however that any part transferred shall not be for an amount other than an amount for which a bond may be issued by the Corporation.

(3) The deed of transfer shall be delivered to and retained by the Corporation and the Corporation shall enter a note thereof in a book to be called the "Register of transfers of Reading Corporation bonds" and shall endorse on the deed of transfer a notice of that entry.

(4) The Corporation shall upon receipt of the deed of transfer duly executed and properly stamped together with the certificate issued in respect of the bond enter the name of the transferee in the register and shall issue a new certificate or certificates to the transferee or to the transferor and transferee as the case may require.

(5) Until the deed of transfer and the certificate have been delivered to the Corporation as aforesaid the Corporation shall not be affected by the transfer and the transferee shall not be entitled to receive any payment of interest on the bond.

(6) The Corporation before registering a transfer of a bond may if they think fit require evidence by statutory declaration or otherwise of the title of any person claiming to make the transfer.

8.—(1) Any person becoming entitled to a bond by reason of the death or bankruptcy of a holder or by any lawful means other than a transfer may by the production of such evidence of title as the Corporation may require either be registered as holder or

A.D. 1935. — the bond or instead of being himself registered may make such transfer of the bond as the holder could have made and the Corporation shall issue a certificate accordingly.

(2) Until such evidence as aforesaid has been furnished to the Corporation the Corporation shall not be affected by the transmission of the bond and no person claiming by virtue thereof shall be entitled to receive any payment of interest thereon.

(3) Where two or more persons are registered as holders of a bond they shall be deemed to be joint holders with right of survivorship between them.

9. The Corporation shall not be required to pay any executors or administrators any interest on bonds held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation for registration.

10. The Corporation before paying any interest on any bonds may if they think fit require evidence by statutory declaration or otherwise of the title of any person claiming a right to receive the interest.

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