CHAPTER xiii.

An Act to enable the Mayor Aldermen and Burgesses of the Borough of Bolton to construct additional Tramways in and adjacent to the Borough and for other purposes. A.D. 1891.

[11th May 1891.]

WHEREAS the mayor aldermen and burgesses of the borough of Bolton (herein-after referred to as "the Corporation") under the powers of the Bolton and Suburban Tramways Order 1878 (confirmed by the Tramways Orders Confirmation (No. 1) Act 1878 and in this Act referred to as "the Order of 1878") have constructed various tramways in and adjacent to the borough: 41 & 42 Vict. c. ccxxxi.

And whereas by the Bolton and Suburban Tramways Order 1888 (confirmed by the Tramways Orders Confirmation (No. 2) Act 1888 and in this Act referred to as "the Order of 1888") the carriages used on the said tramways were authorised to be worked by steam electrical or mechanical power including haulage by means of wire ropes or other appliances subject to the conditions in that Order specified: 51 & 52 Vict. c. xcv.

And whereas it is expedient that the Corporation be empowered to construct and maintain additional tramways in and adjacent to the borough:

And whereas it is expedient that further borrowing and other powers be conferred upon the Corporation:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

And whereas by the Bolton Improvement Act 1882 the Corporation were empowered to exercise their statutory borrowing powers for the time being by means of the creation and issue of Corporation stock: 45 & 46 Vict. c. ccxliv.

And whereas estimates have been prepared by the Corporation for the construction of the said tramways and works by this Act authorised and such estimates amount to seventeen thousand three hundred and ninety-one pounds:

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And whereas the works included in such estimates are permanent works within the meaning of the two hundred and thirty-fourth section of the Public Health Act 1875:

And whereas an absolute majority of the whole number of the council at a meeting held on the third day of December one thousand eight hundred and ninety after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the "Bolton Chronicle" a newspaper published and circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate of the borough:

And whereas such resolution was published twice in the said newspaper and has received the approval of the Local Government Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the fourth day of February one thousand eight hundred and ninety-one being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act;

And whereas plans and sections showing the lines situation and levels of the tramways and works by this Act authorised have been deposited with the clerk of the peace for the county of Lancaster and are in this Act referred to as the deposited plans and sections:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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):—

Short title.

1. This Act may be cited as the Bolton Corporation Tramways Act 1891.

Incorporation of Acts.

2. The following Acts and parts of Acts (that is to say):—

The Lands Clauses Acts (except the provisions of the Lands Clauses Consolidation Act 1845 with respect to the entry upon purchase and taking of lands otherwise than by agreement);

Section 3 (interpretation of terms) section 19 (local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870; and

The provisions of the Commissioners Clauses Act 1847 with respect to the mortgages to be executed by the commissioners (except section eighty-four);

as far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act.

Interpretation.

3. In this Act unless the subject or context otherwise require—

Terms to which meanings are assigned by enactments incorporated with this Act or which have therein special meanings have in this Act and for the purposes of this Act the same respective meanings;

"The borough" means the borough of Bolton;

"The Corporation" means the mayor aldermen and burgesses of the borough;

"The town clerk" means the town clerk of the borough;

"The borough fund" and "the borough rate" mean respectively the borough fund and the borough rate of the borough;

"The tramways" means the tramways by this Act authorised and any part thereof;

"The tramway undertaking" means the tramways and tramway undertaking of the Corporation authorised by the Order of 1878;

"Tramway revenue" means all revenue of the tramway undertaking;

"Statutory security" means and includes any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock corporation stock annuity rentcharge rent or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation (other than the Corporation) or of any other local authority within section 34 of the Local Loans Act 1875:

In the Commissioners Clauses Act 1847 for the purposes of this Act "commissioners" shall mean the Corporation and "clerk to the commissioners" the town clerk.

Act to be executed by council.

4. This Act shall be carried into execution by the Corporation acting by the council of the borough.

Power to make tramways.

5. Subject to the provisions of this Act the Corporation may make form lay down use and maintain wholly within the county of Lancaster the tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all such rails plates sleepers junctions turntables turnovers crossings

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passing-places stables carriage-houses sheds works and conveniences connected therewith as may be necessary or proper therefor and for connecting and using the same with the authorised tramways of the Corporation.

The tramways herein-before referred to and authorised by this Act will be of the gauge of four feet eight and a half inches but the Corporation shall not run thereon carriages or trucks adapted for use upon railways Tramway No. 1 Tramway No. 2 Tramway No. 3 and Tramway No. 4 will be laid as single lines except at and by reason of the passing-places herein-after described where they will be double lines.

The following are the tramways (that is to say) :—

Tramway No. 1 (1 mile 3 furlongs 8·68 chains in length whereof 7 furlongs 9·70 chains are single and 3 furlongs 8·98 chains are double lines) wholly in the township of Little Bolton in the parish of Bolton-le-Moors and the townships of Heaton and Halliwell in the parish of Deane commencing in the said township of Little Bolton by a junction with Tramway No. 5 authorised by the Order of 1878 at or near the junction of Chorley Old Road with Chorley New Road and St. George's Road passing along Chorley Old Road and terminating in the said township of Halliwell in that road at or near its junction with Church Road :

Tramways Nos. 1 (a) 1 (b) 1 (c) 1 (d) 1 (e) 1 (f) 1 (g) 1 (h) 1 (i) 1 (j) 1 (k) and 1 (l) passing-places wholly in Chorley Old Road commencing and terminating in and subsidiary to Tramway No. 1 :

Tramway No. 2 (2 furlongs 3·18 chains in length whereof 2 furlongs are single and 3·18 chains are double lines) wholly in Chorley New Road in the township of Lostock in the parish of Deane commencing by a junction with Tramway No. 5 authorised by the Order of 1878 at the point where the said road is crossed by the township boundary dividing Lostock from Heaton and terminating at the boundary between the townships of Lostock and Horwich :

Tramway No. 2 (a) being a passing-place wholly in Chorley New Road commencing and terminating in and subsidiary to Tramway No. 2 :

Tramway No. 3 (1 mile 4 furlongs 1 chain in length whereof 1 mile 1 furlong 1·56 chains are single and 2 furlongs 9·44 chains are double lines) partly in the township of Great Bolton in the parish of Bolton-le-Moors and partly in the township of Rumworth in the parish of Deane commencing in the said township of Great Bolton by a junction with

Tramway No. 4 authorised by the Order of 1878 at the northern end of Moor Lane passing southerly along Moor Lane to its junction with Blackburn Street thence along Blackburn Street Pikes Lane and Wigan Road and terminating in the said township of Rumworth in that road at about twenty-two yards south-west of the junction thereof with Deane Church Lane:

Tramway No. 3 (a) (wholly in Blackburn Street) Tramway No. 3 (b) (partly in Blackburn Street and partly in Pikes Lane) Tramways Nos. 3 (c) 3 (d) and 3 (e) (wholly in Pikes Lane) Tramways Nos. 3 (f) 3 (g) 3 (h) and 3 (i) (wholly in Wigan Road) being passing-places commencing and terminating in and subsidiary to Tramway No. 3:

Provided that the Corporation shall not without the consent in writing of the county council of Lancashire under the hand of their clerk construct any portion of Tramway No. 3 outside the borough until the roadway upon which the same is to be constructed shall have been widened to the satisfaction of the said county council:

Tramway No. 4 a single line (8·8 chains in length) wholly in the said township of Great Bolton in the parish of Bolton-le-Moors commencing by a junction with Tramway No. 3 at a point in Blackburn Street seventeen yards north-west of the north corner of the White Swan beer-house and proceeding thence along Crook Street into Weston Street and there terminating by a junction with the existing Tramway No. 3 authorised by the Order of 1878 at the point where Crook Street is crossed by Weston Street:

Provided that Tramways 1 (g) and 3 (f) respectively shall be so constructed as to be not less than four chains in length but Tramway 1 (g) shall not be constructed except with the consent in writing of the owners lessees and occupiers of all houses abutting on the part of the road where a less space than nine feet six inches shall intervene between the outside of the footpath and the nearest rail of that tramway.

Period for completion of tramways.

6. If the tramways be not completed within the following periods (that is to say):—

Tramway No. 2 and the said passing-place subsidiary to that tramway within five years from the passing of this Act; and

The other tramways within two years from the passing of this Act;

then on the expiration of those respective periods the powers by this Act granted to the Corporation for constructing the same or

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otherwise in relation thereto shall cease except as to so much of the tramways respectively as is then completed.

Tramways not to be opened until certified by Board of Trade.

7. No part of the tramways shall be opened for public traffic until the same has been inspected by an officer of the Board of Trade and certified under the hand of a secretary or an assistant secretary of the said Board to be fit for such traffic.

As to rails of tramways.

8. The rails of the tramways shall be such as the Board of Trade approve.

Further provision as to construction of tramways.

9. In addition to the requirements of section 26 of the Tramways Act 1870 the Corporation before they proceed to open or break up any road for the purpose of constructing laying down maintaining and renewing any of the tramways shall lay before the Board of Trade a plan showing the proposed mode of constructing laying down maintaining and renewing such tramways and a statement of the materials intended to be used therein and the Corporation shall not commence the construction laying down maintenance and renewal of any of the tramways or part of any of the tramways respectively except for the purpose of necessary repairs until such plan and statement have been approved by the Board of Trade and after such approval the works shall be executed in accordance in all respects with such plan and statement.

Power to alter level of rails.

10. The Corporation may from time to time alter and maintain the level of the rails of any tramway so that they shall correspond with the level of the street wherein such tramway is laid.

Tramways to form part of Corporation tramway undertaking.

11. Subject to the provisions of this Act the tramways shall form part of the tramway undertaking and the Corporation and their lessees and licensees may in respect of the tramways exercise and enjoy all and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are respectively subject and liable to with respect to the tramway undertaking or any part thereof and may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds as they are by the Order of 1878 authorised to demand and take in respect of the tramway undertaking.

Provision for protection of the Post-master-General.

12. Section 12 of the Order of 1888 is hereby repealed and in the event of any of the tramways of the Corporation being worked by electricity the following provisions shall have effect:—

1. The Corporation and their lessees and the licensees or any person owning or working any of the tramways of the

Corporation (all of whom are herein-after included in the expression "the Corporation") shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein If any question arises as to whether the Corporation have constructed their electric lines or other works or work their undertaking in contravention of this sub-section such question shall be determined by arbitration and the Corporation shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator:

2.—(A) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work:

(B) Any difference which arises between the Postmaster-General and the Corporation or their agents with respect to any requirements so made shall be determined by arbitration:

3. In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues:

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4. Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice:

5. For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work:

41 & 42 Vict. c. 76.

6. For the purposes of this section and subject as therein provided sections 2 8 9 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act as if the Corporation were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section 7 of the Telegraph Act 1878 in relation to the matters mentioned in that section:

7. The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882:

8. Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act:

31 & 32 Vict. c. 119.

9. Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid.

For the protection of telegraph

13. The following provisions shall have effect in the event of any tramways of the Corporation being worked by electricity otherwise

than by electrical power carried along with the carriages (that is to say):—

and telephone wires.

(1) The Corporation shall so construct their electric circuits and other works of all descriptions and shall so work their tramway in all respects as to prevent any injurious interference by induction or otherwise with other electric circuits from time to time used for the purpose of telegraphic telephonic or electric signalling communication or with the currents in such circuits Provided that as regards electric circuits erected or laid down after the construction of the works of the Corporation this subsection shall only apply if reasonable and proper precautions have been taken in the erection or laying down of such circuits and if they have not been erected or laid down in unreasonably close proximity to the lines or works of the Corporation:

(2) Seven days before commencing to lay down any electric line or to supply electricity through any electric line in any manner whereby the work of telegraphic telephonic or electric signalling communication through any wires or lines lawfully laid down or placed in any position may be injuriously affected the Corporation shall unless otherwise agreed with the parties interested give to the body or person for the time being entitled to such wires or lines notice in writing specifying the course nature and gauge of such electric line and the amount and nature of the current intended to be sent along the same and the Corporation shall conform with such reasonable requirements as may from time to time be made by such body or person as aforesaid for the purpose of preventing the communication through such wires or lines from being injuriously affected as aforesaid:

(3) If any difference arises between the Corporation and any such body or person with respect to anything in this section contained such difference shall be determined by the Board of Trade whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation and such body or person as aforesaid were companies within the meaning of that Act:

(4) Nothing in this section shall apply to repairs or renewals of any electric line so long as the course nature and gauge of such electric line and the amount and nature of the current sent along the same are not altered:

(5) The expression "the Corporation" in this section shall include their lessees and the licensees or any person owning or working any of the tramways of the Corporation.

Power to acquire additional lands by agreement

14. The Corporation may (in addition to the lands they are authorised to acquire and hold under any other Act) from time to

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time by agreement acquire in fee or otherwise any land not exceeding in the whole for the purposes of this Act two acres or any easement power or privilege therein thereunder thereover or thereupon (not being an easement or privilege of water) which shall be deemed necessary by the Corporation but the Corporation shall not deal with any such lands so as to create or permit a nuisance.

Restriction on taking houses of labouring class.

15. The Corporation shall not under the powers of this Act without the consent of the Local Government Board take ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Power to borrow.

16. The Corporation may from time to time (in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under any other Act passed in this present session of Parliament) borrow at interest on the security of the borough fund and borough rate the sum necessary for paying the taxed costs of this Act and on the security of the tramway revenue and the borough fund and borough rate for tramway purposes any sum not exceeding twenty thousand pounds and in calculating the sum the Corporation may borrow under any other enactment any sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing shall not be restricted by any of the provisions of the Municipal Corporations Acts or of the Public Health Act 1875 or of the Local Government Act 1888.

Certain provisions of Bolton Improvement Act 1882 extended to this Act.

17. Part XI. (Corporation stock) of the Bolton Improvement Act 1882 shall subject to the provisions of this Act extend and apply mutatis mutandis to and in relation to all moneys borrowed under the powers of this Act:

Provided as follows:—

(1) The repayment of moneys borrowed under the powers of this Act shall be effected—

By equal yearly or half-yearly instalments of principal or of principal and interest;

Or by means of a sinking fund;

Or partly by such instalments and partly by means of a sinking fund:

(2) And the sinking fund shall be provided as follows:—

The Corporation in every year after the date in that behalf ~~by this section~~ prescribed shall appropriate and set apart out of the tramway revenue or out of the borough fund or borough rate such equal sum as will with the accumulations thereof by way of compound interest at three per centum per annum be sufficient to pay off the whole of the principal moneys borrowed on such security within the periods by this Act prescribed:

(3) The first payment by instalments or to the said sinking fund as the case may be shall be made on the thirty-first day of March next following the expiration of one clear year after the date of the borrowing of such moneys:

(4) The Corporation shall repay moneys borrowed under the powers of this Act within the following periods from the date of the borrowing of the said moneys respectively (that is to say):—

For the purpose of paying the costs of this Act within any period not exceeding ten years;

For tramway purposes within any period not exceeding thirty years:

(5) The sums to be annually appropriated and set apart to any sinking fund exclusive of accumulations shall be equal throughout the whole period allowed for repayment:

(6) The Corporation shall not create or issue any irredeemable stock:

The following provisions shall extend and apply to and in relation to the sinking fund (that is to say):—

The yearly sums to be appropriated and set apart for the sinking fund shall be invested from time to time and accumulated in the way of compound interest by investing the same respectively in any statutory security:

The Corporation may at any time apply the whole or part of the sinking fund in or towards the repayment of the borrowed moneys for the repayment of which the sinking fund was set apart in such order and manner as they deem proper Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of the borrowed moneys to which such sinking fund is applicable are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied at the rate of

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three pounds per centum per annum Provided also that whenever and so long as the securities constituting any sinking fund shall be equal in value at the market price of the day to the principal moneys then outstanding and to be paid off by means of such fund the Corporation may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums required to be so paid thereto.

Power to re-borrow.

18. If the Corporation pay off any part of any money borrowed by them under the powers of this Act otherwise than by means of a sinking fund or out of the proceeds of the sale exchange or disposition of lands or other moneys received on capital account (other than borrowed moneys) they may re-borrow the same and so from time to time Provided that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing shall have been made and any amounts from time to time re-borrowed shall be deemed to form the same loan as the moneys in lieu of which such re-borrowing shall have been made and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

Sinking funds may be adjusted in certain events.

19. If the Corporation out of any moneys received on any exchange of lands or other moneys received on capital account other than borrowed moneys repay any principal moneys borrowed under the powers of this Act the payments to the sinking fund applicable to the repayment of such principal moneys may be reduced to such extent and upon such terms as may from time to time be approved by the Local Government Board.

For appointment of a receiver.

20. The mortgagees of the Corporation under this Act may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Power to borrow under Local Loans Act 1875.

21. The Corporation may if they think fit borrow any moneys which they are by this Act authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another Any moneys borrowed by the Corporation in manner by this section authorised shall be a charge upon and shall be paid out of the same funds and rates as they would be charged upon and paid out

of if raised by way of mortgage under the powers of this Act and such funds and rates shall be deemed to be the local rate as defined by the Local Loans Act 1875 Every such loan shall be discharged within the time prescribed in that behalf by this Act The forms set forth or referred to in the Sixth Schedule to the Bolton Improvement Act 1877 may be used by the Corporation for the purposes of the Local Loans Act 1875.

Corporation not to regard trusts.

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

Annual return to Local Government Board with respect to sinking funds &c.

23. The town clerk shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form as may be prescribed by that board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the town clerk shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act :

If it appear to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or

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any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court:

The provisions of this section shall extend and apply mutatis mutandis to appropriations and to annual repayments.

Application of moneys borrowed.

24. All moneys borrowed by the Corporation under this Act shall be applied to the purposes of this Act in respect of which the same were respectively borrowed and to which capital is properly applicable and to no other purpose.

Composition for stamp duty.

25. Subject to the provisions of the Customs and Inland Revenue Act 1887 the Corporation may agree with the Commissioners of Inland Revenue for payment to them of composition for the stamp duty on transfers of stock issued under the powers of this Act.

Expenses of executing Act.

26. All expenses incurred by the Corporation in carrying into execution the provisions of this Act (except such of those expenses as are to be paid out of borrowed moneys or as are incurred in relation to Corporation stock) shall be paid out of tramway revenue and all deficiencies in the said revenue shall be met out of the borough fund and all moneys payable to or receivable by the Corporation under this Act shall be carried to the borough fund and to the proper account therein.

Costs of Act.

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

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