CHAPTER xl.

An Act to empower the Corporation of Stockton-on-Tees to work tramways to purchase and provide and run omnibuses to establish and work ferries across the River Tees and for other purposes. A.D. 1919.

[15th August 1919.]

WHEREAS the borough of Stockton-on-Tees in the county of Durham (hereinafter called "the borough") is under the government of the mayor aldermen and burgesses of the borough (hereinafter called "the Corporation"):

And whereas by the Middlesbrough Stockton-on-Tees and Thornaby Tramways Order 1897 and by section 43 of the Tramways Act 1870 the Corporation are empowered with the approval of the Board of Trade to purchase the tramways of the Imperial Tramways Company Limited (hereinafter called "the company") in the borough within six months after the sixth day of August nineteen hundred and eighteen:

And whereas the company own certain motor omnibuses which they run in the borough and the borough of Middlesbrough and adjoining districts and for the purposes thereof the company own omnibus depôts and workshops:

And whereas the agreement set out in the Second Schedule hereto has been entered into with reference to the sale by the company and the purchase by the Corporation and the mayor aldermen and burgesses of the county borough of Middlesbrough and the mayor aldermen and burgesses of the borough of Thornaby-on-Tees of the tramway undertaking of the company and for the sale by the company and the purchase by the first

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two mentioned authorities of the omnibus undertaking of the company and it is expedient that such agreement should be confirmed:

And whereas it is expedient to empower the Corporation to work the said tramways when acquired by them and to confer further powers upon the Corporation in regard to their tramway undertaking:

And whereas it is expedient to authorise the Corporation to provide and work motor omnibuses within and beyond the borough and to confer upon the Corporation all necessary powers with regard thereto:

And whereas it is expedient to empower the Corporation to establish ferries across the River Tees between the borough and the borough of Thornaby-on-Tees:

And whereas the Corporation are about to provide a three-phase high-tension system of electrical supply and it is expedient to empower them to borrow the moneys for that purpose authorised by this Act:

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:—

	£
(*a*) For the purchase of land for the purposes of the tramways omnibuses ferries and electricity undertaking - - -	882
(*b*) For the purposes of the tramway undertaking of the Corporation - - -	4,000
(*c*) For the provision of tramway rolling stock -	16,800
(*d*) For the provision of omnibuses - -	21,000
(*e*) For the provision of boats machinery and landing stages and other works in connexion with the ferries - - -	2,512
(*f*) For the provision of a three-phase high-tension system of electrical supply -	12,275

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

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

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):—

PRELIMINARY.

Short title.

1. This Act may be cited as the Stockton-on-Tees Corporation Act 1919.

Incorporation of Acts.

2. The following Acts and parts of Acts so far as they 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 (namely):—

The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) with the following modification:—

Any question of disputed compensation under this Act or any Act incorporated herewith (other than a question required to be determined by two justices) shall be determined by a single arbitrator to be agreed upon between the Corporation and the person claiming the compensation or in default of such agreement appointed by the Board of Trade on the application of either party:

Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) except so much of the said section as prohibits the local authority from placing or running carriages upon a tramway and demanding and taking tolls and Parts II. and III. of the Tramways Act 1870.

Interpretation.

3. 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 Act 1875 have the

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same respective meanings unless there be something in the subject or context repugnant to such construction.

And in this Act unless the subject or context otherwise requires—

"The Corporation" means the mayor aldermen and burgesses of the borough of Stockton-on-Tees;

"The borough" means the borough of Stockton-on-Tees;

"The council" means the council of the borough;

"The mayor" "the town clerk" "the treasurer" "the borough fund" "the borough rate" "the district fund" and "the general district rate" mean respectively the mayor the town clerk the borough treasurer the borough fund the borough rate the district fund and the general district rate of the borough;

"The company" means the Imperial Tramways Company Limited;

"The tramways" means the tramways authorised by the Middlesbrough Stockton-on-Tees and Thornaby Tramways Acts and Order 1897 to 1911 or any of them when acquired by the Corporation;

"Mechanical power" includes steam electric and every other motive power not being animal power;

"Engine" includes motor;

"Omnibus" means any stage carriage other than a tramcar moved by animal power or by mechanical power including in that expression steam electrical and every other motive power not being animal power;

"The river" means the River Tees;

"The Tees Commissioners" means the Tees Conservancy Commissioners;

"The Act of 1889" means the Stockton-on-Tees Extension and Improvement Act 1889;

"The scheduled agreement" means the agreement contained in the Second Schedule to and confirmed by this Act;

"Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under

any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 (Definitions) of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

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

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

Maintenance of Tramways.

Maintenance of tramways.

4. Subject to the provisions of this Act the Corporation may use and maintain the tramways with all proper rails plates works and conveniences connected therewith.

As to electrical works.

5.—(1) The Corporation may in under or over the surface of the streets or roads in which the tramways are situate or in which it may be necessary so to do in order to connect the tramways with any generating station construct lay down place erect maintain renew and repair electric wires conductors posts tubes boxes and other electrical apparatus and may make and maintain openings and ways for the purpose of working the tramways by electrical power and may for that purpose subject to the provisions contained in Part II. (Construction of tramways) of the Tramways Act 1870 and in this Act open and break up any such street or road and any sewers drains water

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or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder:

Provided that no post or other apparatus shall be erected upon the carriageway of any public street or road except with the consent of the Board of Trade.

(2) Nothing in the provisions of this Act relating to tramways shall extend to or authorise any interference with electric lines and works of any undertakers under the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 (Power to undertakers to alter position of pipes and wires) of the former Act apply except in accordance with and subject to the provisions of that section.

Plan of proposed mode of construction.

6. In addition to the requirements of section 26 (Power to break up streets &c.) of the Tramways Act 1870 the Corporation shall before they open or break up any road for the purpose of reconstructing and renewing any of the tramways lay before the Board of Trade a plan showing the proposed mode of constructing laying down and renewing such tramways and a statement of the materials intended to be used therein and the Corporation shall not commence the reconstruction and renewal of any of the tramways or part of any of the tramways respectively 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.

Gauge of tramways.

7.—(1) The tramways shall be maintained on a gauge of three feet and six inches or such other gauge as may from time to time be approved by the Board of Trade Provided that so much of section 34 (Power for promoters to use tramways with flange-wheeled carriages &c.) of the Tramways Act 1870 as limits the extent of the carriages used on any tramways beyond the outer edge of the wheels of such carriages shall not apply to carriages used on the tramways but no engine or carriage used on the tramways shall exceed six feet four inches in width or such other width as may from time to time be allowed by the Board of Trade.

(2) No carriages or trucks adapted for use upon railways shall be used upon the tramways.

Rails of tramways.

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

Tramways to be kept on level of surface of road.

9. If and whenever after the passing of this Act any road authority alters the level of any road along or across which any part of the tramways is laid or authorised to be laid the Corporation may and shall alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Penalty for not maintaining rails and roads.

10.—(1) The Corporation shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways and the substructure upon which the same rest and if the Corporation at any time fail to comply with this provision or with the provisions of section 28 (Repair of part of road where tramway is laid) of the Tramways Act 1870 they shall be subject to a penalty not exceeding five pounds and to a further penalty not exceeding five pounds for every day on which such non-compliance continues after conviction thereof.

(2) In case it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the borough that the Corporation have made default in complying with the provisions in this section contained or with any of the requirements of the said section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Corporation to such penalty or penalties in respect thereof as is or are by this section imposed.

Cross-overs to be constructed in certain cases.

11. Where in any road in which a double line of tramway is laid there shall be less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than nine feet six inches the Corporation shall if and where required by the Board of Trade construct a cross-over or cross-overs connecting the one tramway with the other and by the means of such cross-over or cross-overs the traffic shall when necessary be diverted from one tramway to the other.

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Additional cross-overs and alteration of tramways.

12.—(1) The Corporation may subject to the provisions of this Act with the consent of the Board of Trade make maintain alter and remove such cross-overs passing-places sidings junctions and other works in addition to those already existing on the tramways as they find necessary or convenient for the efficient working of the tramways or for providing access to any warehouses stables or carriage-houses or works of the Corporation.

(2) The Corporation may with the consent of the Board of Trade lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines in lieu of double or single lines on any of the tramways and may with the like consent at any time alter the position in the road of any of the tramways or any part thereof and reconstruct the same in such position as they may think fit.

(3) Provided that if in the construction of any works under this section any rail is intended to be laid nearer to the footpath than previously authorised in such a manner that for a distance of thirty feet or upwards a less space than nine feet six inches would intervene between it and the outside of the footpath on either side of the road the Corporation shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses shops or warehouses abutting on the place where such less space would intervene and such rail shall not be so laid if the owners or the occupiers of one third of such houses shops or warehouses by writing under their hands addressed and delivered to the Corporation within three weeks after receiving the notice from the Corporation express their objection thereto.

Temporary tramways may be made where necessary.

13. When by reason of the execution of any work affecting the surface or soil of any road along or across the carriageway of which any of the tramways is laid it is in the opinion of the Corporation necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Corporation may construct in the same or any adjacent road and maintain so long as occasion may require a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued.

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Motive power.

14. The carriages used on the tramways may be moved by animal power or subject to the following provisions by mechanical power (that is to say) :—

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

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

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

(4) The Board of Trade if they are of opinion—

(*a*) That the Corporation or such person have or has made default in complying with the provisions of this Act or of the Board of Trade regulations whether a penalty in respect of such non-compliance has or has not been recovered ; or

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

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

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Supply of electrical energy.

15. The Corporation for the purpose of working the tramways may supply electrical energy from any generating station constructed under powers conferred or to be conferred upon them or from any generating station purchased by them in connexion with the tramways of the Company in the borough and may take a supply of electrical energy for that purpose from the mayor aldermen and burgesses of the borough of Middlesbrough the mayor aldermen and burgesses of the borough of Thornaby-on-Tees and the Cleveland and Durham County Electric Power Company or the successors in title of either of those corporations or of the said company but the Corporation shall not construct a generating station under the powers of this Act.

Special provisions as to use of electrical power.

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

(1) The Corporation shall employ either insulated returns or uninsulated metallic returns of low resistance:

(2) The Corporation shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus:

(3) The electrical power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return:

(4) The Corporation shall be deemed to take all reasonable precautions against interference with the working of

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any wire line or apparatus if and so long as they adopt and employ at the option of the Corporation either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking:

(5) At the expiration of two years from the passing of this Act the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents:

(6) If any difference arises between the Corporation and any other party with respect to anything hereinbefore in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be:

(7) The expression "Corporation" in this section shall include lessees licencees and any person owning working or running carriages over any tramway of the Corporation.

For protection of Postmaster-General.

17.—(*a*) Notwithstanding anything in this Act contained if any of the works authorised to be executed by this Act involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions

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of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

(*b*) In the event of the tramways being worked by electricity the following provisions shall have effect:—

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

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

(3) 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) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being

injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Corporation as to any requirement so made shall be determined by arbitration:

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

(5) 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:

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

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(7) 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:

(8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act:

(9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882:

(10) 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 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act:

(11) 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:

(12) In this section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the tramways.

Use of tramway posts by Postmaster-General.

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

(*a*) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:

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(*b*) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided :

(*c*) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expense of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section :

(*d*) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided :

(*e*) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near to the centre of any street or public road :

(*f*) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair :

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(*g*) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants:

(*h*) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided:

(*i*) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants:

(*j*) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connexion with the tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connexion with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

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

(4) In this section the expression "the Corporation" includes their lessees and the expression "telegraph" has the same meaning as in the Telegraph Act 1869 Other expressions have the same meaning as in the Telegraph Act 1878.

Attachment of brackets &c. to buildings for tramways.

19. The Corporation may with the consent of the owner of any building attach to that building such brackets wires and apparatus as may be required for the working of the tramways:

Provided that—

(1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid:

(2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after the owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent

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owner shall have given to the Corporation notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1):

(3) The owner may require the Corporation temporarily to remove the attachments where necessary during any reconstruction or repair of the building.

For the purpose of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rackrent shall be deemed to be the owner.

Notwithstanding anything contained in this section no brackets wires or apparatus shall without the previous consent in writing of the North Eastern Railway Company be attached to any bridge or building of that company forming part of their railway undertaking.

Mechanical power works to be subject to section 30 of Tramways Act 1870.

20. All works to be executed by the Corporation in any street or road for working the tramways by mechanical power in pursuance of the powers of this Act shall be deemed to be works of a tramway subject in all respects to the provisions of section 30 (Provision as to gas and water companies) of the Tramways Act 1870 as if they had been therein expressly mentioned.

Byelaws.

21.—(1) Subject to the provisions of this Act the Board of Trade may make byelaws with regard to any of the tramways upon which mechanical power may be used for all or any of the following purposes (that is to say):—

(*a*) For regulating the use of any bell whistle or other warning apparatus fixed to the engine or carriages:

(*b*) For regulating the emission of smoke or steam from engines used on the tramways:

(*c*) For providing that engines and carriages shall be brought to a stand at the intersection of cross streets and at such places and in such cases of horses being frightened or of impending danger as the Board of Trade may deem proper for securing safety:

(*d*) For regulating the entrance to exit from and accommodation in the carriages used on the tramways and

the protection of passengers from the machinery of any engines used for drawing or propelling such carriages:

(*e*) For providing for the due publicity of all byelaws and Board of Trade regulations in force for the time being in relation to the tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

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

Amendment of Tramways Act 1870 as to byelaws by local authority.

22. The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramways shall not authorise the local authority to make any byelaws sanctioning a higher rate of speed than that authorised by the Board of Trade regulations at which carriages are to be driven or propelled on the tramways under the authority of this Act but the byelaws of the local authority may restrict the rate of speed to a lower rate than that so authorised.

RATES.

Rates for passengers.

23. The Corporation may demand and take for every passenger travelling upon the tramways or any part or parts thereof including every expense incidental to the conveyance any rates or charges not exceeding one penny per mile and in computing the said rates and charges the fraction of a mile shall be deemed a mile but the Corporation may charge for any less distance than two miles and not being less than half a mile a sum not exceeding twopence.

Passengers' luggage.

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

Rates for parcels.

25. The Corporation may demand and take in respect of parcels conveyed by them on the tramways including every

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expense incidental to the conveyance any rates or charges not exceeding those specified in the First Schedule to this Act subject to the regulations in that behalf therein contained.

Corporation not bound to carry parcels.

26. The Corporation shall not be bound unless they think fit to carry on the tramways passengers' luggage exceeding twenty-eight pounds in weight nor any parcel and they shall not carry passengers' luggage or parcels exceeding fifty-six pounds in weight.

As to fares on Sundays or holidays.

27. The Corporation shall not take or demand on Sunday or any public holiday any higher rates or charges than those levied by them on ordinary weekdays.

Cheap fares for labouring classes.

28.—(1) The Corporation or their lessees at all times after the acquisition by the Corporation of the tramways shall and they are hereby required to run a proper and sufficient service of carriages for artisans mechanics and daily labourers each way every morning and every evening (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than eight o'clock in the morning or earlier than four o'clock in the evening respectively as may be most convenient for such workmen going to and returning from their work at fares not exceeding one halfpenny for every mile or fraction of that distance Provided nevertheless that the Corporation shall not be required to take any fare less than one penny On Saturdays the Corporation or their lessees in lieu of running such carriages after four o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

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

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

Periodical revision of rates and charges.

29. If at any time after three years from the opening for public traffic of the tramways or any portion thereof or after three years from the date of any order made in pursuance of

this section in respect of the tramways or any portion thereof it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the borough as the case may be or by the Corporation that under the circumstances then existing all or any of the rates and charges demanded and taken in respect of the traffic on the tramways or on such portion should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if the referee reports that it has been proved to his satisfaction that all or any of the rates and charges should be revised the said Board may by order in writing alter modify reduce or increase all or any of the rates and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section.

PROVISIONS AS TO WORKING TRAMWAYS.

Power to work tramways.

30. Notwithstanding anything in the Tramways Act 1870 to the contrary the Corporation may place and run carriages on and may work and may demand and take tolls and charges in respect of the tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks harness engines machinery apparatus horses steam cable electric and other plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the tramways by animal or mechanical power and may sell or dispose of such of the last-mentioned articles and things as from time to time may no longer be required but nothing in this section shall empower the Corporation to create or permit a nuisance or to manufacture any such plant appliances and conveniences required for the working or user of the said tramways.

Running powers.

31. So soon as the purchases provided for by the scheduled agreement shall have been completed the following provisions shall apply and have effect:—

(1) In this section the expression "the corporations" means the Corporation the corporation of Middlesbrough

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and the corporation of Thornaby-on-Tees and any corporation company or person lawfully working or using the existing tramways of any of the corporations and the expression "the existing tramways" means the existing tramways in the borough the existing tramways and the tramway authorised by the Thornaby-on-Tees Corporation Tramways Order 1919 in the borough of Thornaby-on-Tees or the existing tramways in Stockton Road Newport Road Corporation Road and North Ormesby Road and Tramways No. 5 and No. 6 authorised by the Middlesbrough Corporation Act 1919 in the borough of Middlesbrough as the context may require:

(2) For the purpose of affording a through route from the termination of the existing tramways at Norton in the borough to the termination of the existing tramway in North Ormesby Road in the borough of Middlesbrough each of the corporations may with their engines carriages and waggons and officers and servants in charge of engines carriages and waggons and for the purposes of traffic of every description run over and use the existing tramways of the other corporations together with all passing-places junctions plant machinery motive power apparatus works and conveniences on or connected with the same and as regards traffic of every description conveyed by them each of the corporations may demand and take upon and in respect of the tramways run over the rates and charges which the owners of such tramways are entitled to demand and take:

(3) The terms conditions and regulations to be observed and fulfilled and the tolls charges rent or other considerations to be paid by each of the corporations for and in respect of the use of the tramways works and conveniences run over and used shall be such as may be agreed upon between the corporation exercising such running powers and the owners of such tramways or failing agreement as may be determined in manner provided by the Tramways Act 1870 with respect to differences between promoters and a local authority:

(4) In running over and using the existing tramways of another of the corporations and using any apparatus works and conveniences in accordance with the provisions hereinbefore contained the regulations and byelaws for the time being in force on the tramways so used shall be at all times observed by the corporation running over or using the same so far as such byelaws shall be applicable.

Working agreements.

32.—(1) The Corporation on the one hand and the mayor aldermen and burgesses of the borough of Middlesbrough the mayor aldermen and burgesses of the borough of Thornaby-on-Tees (together in this section referred to as "the Middlesbrough and Thornaby Corporations") and any other local authority company body or person having statutory powers to own or work any tramways which may now or hereafter be connected with the tramways or with any tramways of the Corporation or of the Middlesbrough and Thornaby Corporations respectively on the other hand may enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say):—

(*a*) The formation of junctions between the tramways of the contracting parties:

(*b*) The leasing working running over using maintaining and managing by a joint committee of the contracting parties or by any or all of the contracting parties of the tramways or any of the tramways of any or all of the contracting parties and the fixing collecting apportionment and distribution of the rates and profits arising therefrom:

(*c*) The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working of the tramways of the contracting parties of rolling stock necessary for the purposes of such agreement and the employment of officers and servants:

(*d*) The supply of motive power for the working of the tramways of the contracting parties:

(*e*) The payments to be made and the conditions to be performed with respect to the matters aforesaid:

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(*f*) The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways of the contracting parties.

(2) During the continuance of any agreement under this or the preceding section for the working running over or user by one of the contracting parties of the tramways of the other the tramways of the parties so contracting shall for the purposes of calculating maximum rates and charges or fares in respect of conveyance partly over the tramways of the one party and partly over those of the other be considered as one tramway and the maximum charge for each portion of the entire distance shall be calculated at the maximum which according to the scale applicable to each portion would be chargeable for the entire distance.

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

Regulations.

33. The regulations authorised by the Tramways Act 1870 to be made by the promoters of any tramway and their lessees may with respect to any tramways or portions of tramways for the time being belonging to and worked by the Corporation be made by the Corporation alone.

Power to use trailer and coupled carriages.

34.—(1) The Corporation may with the consent of the Board of Trade provide (but shall not manufacture) maintain work and use trailer carriages and coupled carriages on the tramways on such routes and at such times as the Board of Trade may approve and for such periods and on such terms and conditions as may be expressed in such approval and the Board of Trade may revoke any such approval or alter the terms and conditions of any such approval.

(2) The trailer carriages and coupled carriages used by the Corporation under the provisions of this section shall be fitted with such brakes and safety appliances as the Board of Trade may approve and no trailer carriage or coupled carriage shall be used by the Corporation unless the design thereof has been approved by the Board of Trade.

(3) Except so far as the Board of Trade may otherwise allow the number of carriages or vehicles which may be used or run attached together shall not in any case exceed two.

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35. For the protection of the North Eastern Railway Company (hereinafter called "the company") the following provisions shall apply and have effect:—

For protection of North Eastern Railway Company.

(1) The Corporation shall not in any way alter or interfere with the structure of any bridge carrying any road over any railway of the company or of the approaches thereto and they shall so construct and maintain the tramways and all works connected therewith over such bridge and the approaches thereto as not injuriously to affect the same:

(2) In the relaying or construction as the case may be of Tramway No. 10 authorised by the Middlesbrough Stockton-on-Tees and Thornaby Tramways Order 1897 across the rails of the railway company now laid upon the level of Bridge Road at the St. John's level crossing and in the execution and maintenance of works in connexion therewith authorised by that order or this Act the same shall be relaid constructed executed and maintained as the case may be in accordance with a plan to be agreed upon by the engineers for the time being of the company and of the Corporation and under the superintendence and to the reasonable satisfaction of the engineer for the time being of the company and such works shall be carried out under the superintendence of the said engineer at the cost of the Corporation unless after seven days' notice given by the Corporation of their intention to commence such works such superintendence is refused or withheld and the said tramway at the said level crossing and the said works in connexion therewith including the roadway between the rails of the tramways and so much of the road as extends eighteen inches beyond the rails of and on each side of the tramways shall be maintained and kept in constant and efficient repair by the Corporation:

(3) The Corporation shall not stop their carriages on or otherwise interfere with or obstruct the traffic of the company on the said level crossing and the traffic of the company shall at all times have precedence of the traffic of the Corporation subject to

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such rules byelaws and regulations relating thereto as shall be agreed upon between the Corporation and the company or in case of difference settled by the Board of Trade:

(4) In the event of any injury or damage being caused to any such bridge or approaches or the railway or works of the company by the construction maintenance repairing user or removal of any of the said tramways and works the company may at the expense of the Corporation make good the same and restore such bridge and approaches railways and works or the part or parts thereof which may be injured to as good a state and condition as they were in before such injury or damage was occasioned and the Corporation shall indemnify the company against all sums costs and expenses which they may pay or be put to in repairing and maintaining so much of the road over such bridge and approaches as the Corporation are liable to maintain and repair under section 28 (Repair of part of road where tramway is laid) of the Tramways Act 1870 or under this section and the company may recover from the Corporation all such sums costs and expenses with full costs and charges by all and the same means as any simple contract debt of like amount may be recovered:

(5) Whenever and so often as the company shall require to widen lengthen strengthen reconstruct alter or repair any such bridge or approaches or to widen or alter their railways or to substitute a bridge for the said level crossing or to repair renew or alter the gates of the said level crossing and their connexions and they shall find it necessary for effecting any of such purposes that the working and user of any of the said tramways over such bridge or approaches or level crossing shall be wholly or partly stopped or delayed or that such tramways shall be temporarily diverted or be wholly or in part taken up or removed and shall except in cases of emergency give to the Corporation seven clear days' notice in writing requiring such stoppage delay

or diversion taking up or removal the working and user of such tramways shall be stopped or delayed or such tramways shall be diverted or taken up or removed accordingly at the expense of the Corporation and under the superintendence of their engineer (if such engineer shall give such superintendence) but only for so long as the company may find it to be absolutely necessary for effecting such purpose and the company shall not be liable for any compensation claims demands damages costs and expenses for or in respect of such stoppage or delay or in any way relating thereto:

(6) In case the engineer of the company shall be of opinion that any strengthening or reconstruction of any bridge is desirable or necessary owing to the carriages or other vehicles on any of the said tramways being or being intended to be moved by electrical or any mechanical power such strengthening shall be effected in all things at the expense of the Corporation who shall also pay to the company all additional expense which they may incur or be put to in effecting any such widening lengthening strengthening reconstruction alterations repairs lifting or supporting by reason of the existence of the tramway so passing or any of the works connected therewith the amount of such expenditure to be recoverable as aforesaid by the company from the Corporation with full costs and charges by all the same means as any simple contract debt of like amount may be recovered:

(7) All works which may be necessary in constructing and maintaining any of the said tramways and works over any bridge works or property of the company shall be constructed and maintained in all things at the expense of the Corporation and to the reasonable satisfaction of the engineer of the company or in case of difference of an engineer to be appointed by the Board of Trade on the application of the company or the Corporation:

(8) If any difference shall under this section arise between the Corporation and the company the matter in

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difference shall unless otherwise agreed be determined (save where by this section otherwise provided) by the Board of Trade whose decision shall be final.

OMNIBUSES.

Power to provide and run omnibuses.

36.—(1) The Corporation may provide and maintain (but shall not manufacture) and may run omnibuses within the borough and (with the consent of the Board of Trade and the local and road authority of the district or in the case of any private street or road with the consent of the owner thereof) along any route outside the borough and may erect omnibus carriage and motor houses buildings and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such omnibuses but the Corporation shall not create or permit any nuisance on any lands upon which they erect any such houses buildings or sheds Any consent given by a local authority to the running of omnibuses by the Corporation under the powers of this section shall endure for a period of seven years from the date upon which such consent shall be given Provided that at any time within twelve months before the expiration of the said period the local authority may extend such consent for a further period of seven years from the termination of the then unexpired period of seven years and the local authority may also grant further extensions for similar periods of such consent within twelve months before the expiration of every successive period of seven years Provided that any such consent shall not be unreasonably withheld and any difference as to whether or not any such consent is unreasonably withheld shall be determined by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers.

(2) The Corporation may demand and take for the conveyance of passengers in any omnibuses run under the powers of this section the same fares and charges as they are for the time being authorised to demand and take for passengers travelling on the tramways and may also demand and take for the carriage of parcels not exceeding fifty-six pounds in weight the same rates and charges as they are for the time being authorised to demand and take for parcels of the same weight carried on the tramways.

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(3) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in or upon their omnibuses Provided that any such byelaw shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

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

(5) The provisions of section 48 (Power to local authority to license drivers conductors &c.) of the Tramways Act 1870 shall apply to the omnibuses of the Corporation as if such omnibuses were carriages used on tramways.

(6) For the purposes of this section the expression "road authority of the district" with reference to any road bridge or level crossing owned maintained or repaired by a railway company shall mean such railway company.

(7) The Corporation shall not run omnibuses until after the completion of the purchases provided for by the scheduled agreement.

Omnibuses to form part of tramway undertaking.

37. The omnibus undertaking authorised by this Act shall be deemed to form part of the tramway undertaking of the Corporation Provided that in the accounts of the Corporation relative to their tramway undertaking the income and expenditure upon and in connexion with omnibuses shall (so far as may be reasonably practicable) be distinguished from the income and expenditure upon or in connexion with the remainder of such undertaking.

For protection of Tees Commissioners.

38.—(1) Until the new road from Haverton Hill to Seaton Carew (including the bridges) constructed under the authority of the Tees Conservancy Act 1912 shall have been transferred to the county council of Durham or taken over by the local authority or local authorities having charge of public highways in the district or districts in which such road is situate the Corporation shall if and so long as they shall run omnibuses thereon and except so far as it may otherwise be agreed between the Corporation and the Tees Commissioners pay in each half-year to the Tees Commissioners an amount equivalent to so much of the cost of the maintenance and repair of

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the said road as shall be due to the running of the omnibuses of the Corporation which amount in default of agreement between the Corporation and the Tees Commissioners shall be determined by arbitration under the Arbitration Act 1889 or any statutory modification of that Act by a surveyor or engineer appointed by the Board of Trade on the application of either party.

(2) Any contribution paid to the Tees Commissioners under this section shall be applied in discharge of the cost incurred by the Commissioners in maintaining and repairing the said road.

GENERAL PROVISIONS AS TO TRAMWAYS AND OMNIBUSES.

Confirming scheduled agreement.

39. The scheduled agreement is hereby confirmed and made binding on the parties thereto and shall be carried into effect accordingly except so far (if at all) as the same may be varied or altered by agreement between the parties thereto.

Shelters or waiting-rooms.

40. The Corporation may erect and maintain within and with the consent of the local and road authorities beyond the borough sheds shelters or waiting-rooms and gangways for the accommodation of passengers on the tramways and the omnibus routes by this Act authorised and may use for that purpose portions of the public streets or roads Provided that no shed shelter waiting-room or gangway shall be erected or maintained in any private street or road except with the consent of the owner thereof Provided further that the Corporation shall not erect any sheds shelters waiting-rooms or gangways in such position as to cause or be likely to cause any interference with or damage to the works or apparatus of the Cleveland and Durham County Electric Power Company or to render the same difficult of access.

Notwithstanding anything contained in this section no sheds shelters or waiting-rooms and gangways shall be erected or maintained in any street or road so as to interfere with or render less convenient the proper working of the railway or the access to or exit from any station or depôt of any railway company except with the consent in writing of that company nor except with the like consent on any bridge carrying any street or road over such railway.

Power to reserve cars for special purposes.

41.—(1) Notwithstanding anything contained in any Act to the contrary the Corporation may on days on which racing takes place or on any other special occasion run and reserve carriages on any of the tramways and omnibuses on any of the omnibus routes for any special purpose which the Corporation may consider necessary or desirable and the Corporation may make byelaws and regulations for prohibiting the use of any such carriages or omnibuses by any persons other than those for whose conveyance the same are reserved Provided that the running of such carriages and omnibuses shall in no way curtail the ordinary service of carriages and omnibuses.

(2) The provisions of the Tramways Act 1870 as to byelaws shall apply to any byelaws made under this section.

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

Penalty for malicious damage.

42. If any person wilfully does or causes to be done with respect to any apparatus used for or in connexion with the working of any of the tramways anything which is calculated to obstruct or interfere with the maintenance or working of such tramway or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence or of any offence under section 50 (Penalties for wilful injury or obstruction to tramways &c.) of the Tramways Act 1870 with respect to any of the tramways shall be liable to a penalty not exceeding twenty pounds.

Lost property.

43. Any property found in any tramcar or omnibus of the Corporation shall forthwith be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed within six months after the finding thereof it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof carried to the revenue account of the tramway undertaking.

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Payment of fares rates and charges.

44. The fares rates and charges by this Act authorised shall be paid to such persons and at such places upon or near to the tramways or the omnibuses as the case may be and in such manner and under such regulations as the Corporation may by notice to be annexed to the list of fares rates and charges appoint.

Stopping and starting places.

45. The Corporation may appoint the stations and places from which the carriages on their tramways and their omnibuses shall start or at which they may stop for the purposes of taking up or setting down passengers and may make regulations for fixing the time during which such carriages and omnibuses shall be allowed to remain at any such place:

Provided always that the Corporation shall not appoint any such stations or places so as to interfere with or render less convenient the proper working of the railway or the access to or exit from any station or depôt belonging to the North Eastern Railway Company.

Through cars and omnibuses.

46. The Corporation may run through cars along any of the routes of the tramways or any specified portion thereof and through omnibuses along any route and such cars and omnibuses shall be distinguished from other cars and omnibuses in such manner as may be directed by the Corporation and they may demand and take for every passenger by such cars and omnibuses a fare or charge not exceeding the maximum fare authorised for and in respect of the whole of such route or the whole of the portion thereof traversed by any such car or omnibus Provided that the running of such through cars shall in no way curtail the ordinary service.

Attachment of signs indicating stopping places to lamp-posts &c.

47.—(1) The Corporation may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the tramways or omnibuses of the Corporation signs or directions indicating the position of stopping places for tramcars and omnibuses:

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

for damage occasioned to any person or property by or by reason of such attachment.

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

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

(4) The Corporation shall not attach any such sign or direction to any lamp-post pole standard or other similar erection belonging to a railway company except with their consent in writing.

Removal of obstructions.

48. If any obstruction to the traffic on any of the tramways is caused by any vehicle breaking down or any load falling from a vehicle the person in charge of the vehicle shall forthwith remove the vehicle or load so as to prevent the continuance of the obstruction and if he fails to do so the Corporation may so remove the vehicle or load and may remove any other obstruction to such traffic and may provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction and the Corporation shall in removing such obstruction conform to the reasonable requirements of the police.

Conveyance of mails.

49. The Corporation shall perform in respect of the omnibuses all the services in regard to the conveyance of mails which are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway as defined by that Act and authorised as in that Act stated.

Existing tramways not to be interfered with until acquired.

50. Notwithstanding anything contained in this Act the Corporation shall not in the exercise of the powers thereby conferred upon them interfere with any tramway constructed under the powers of the Middlesbrough Stockton-on-Tees and Thornaby Tramways Acts and Order 1897 to 1911 (except with the consent of the company) until after the completion of the purchases provided for by the scheduled agreement.

Repeal of recited Tramway Acts.

51. Upon the acquisition by the Corporation of any of the tramways constructed under the powers of the Middlesbrough Stockton-on-Tees and Thornaby Tramways Acts and Order 1897

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to 1911 the provisions of those Acts and Orders shall cease to apply to the tramway acquired.

Power to acquire patent rights.

52. 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.

Orders &c. of Board of Trade.

53. All orders regulations and byelaws made by the Board of Trade under the authority of this Act shall be signed by a secretary or an assistant secretary of the Board of Trade.

FERRIES.

Purchase and establishment of ferries.

54. The Corporation may—

(1) purchase take and use any ferries or ferry rights over the River Tees between the borough and the borough of Thornaby-on-Tees together with the property (real and personal) rights powers and privileges held or enjoyed by the owners and lessees of those ferries or ferry rights respectively if any for the purposes thereof and the provisions of the Lands Clauses Acts with reference to the purchase and taking of lands otherwise than by agreement shall so far as applicable extend and apply to the purchase and taking of such ferries property rights powers and privileges as if the same were lands within the meaning of those Acts:

(2) establish a new ferry or new ferries across the River Tees between the borough and the borough of Thornaby-on-Tees at such point or points as they may deem expedient and abolish or discontinue any ferries or rights of the nature of ferry rights between the said boroughs existing on the first day of December nineteen hundred and eighteen and for that purpose may purchase any lease of or licence to use land on the banks of the River Tees in the borough or the borough of Thornaby-on-Tees :

(3) purchase hire provide maintain use and work electric steam motor and other boats and construct and maintain landing stages piers and other works and

conveniences for the purposes of their ferries in the borough and in the borough of Thornaby-on-Tees Provided that no new nor extension of an existing landing stage pier or other work or convenience shall be placed or constructed in or on or project into or over the river or the foreshore or banks thereof without the consent in writing of the Tees Commissioners:

(4) purchase lands in the borough of Thornaby-on-Tees for the purpose of working their ferries for improving the approaches to such ferries and for other purposes in connexion with such ferries and execute all works necessary for all or any of the purposes aforesaid.

Plans to be submitted to Tees Commissioners before works commenced.

55.—(1) All works to be placed or constructed under the powers of this Act in or on or to project into or over the river or the foreshore or banks thereof within the jurisdiction of the Tees Commissioners shall be carried out in accordance with detail plans and sections and other sufficient particulars respecting the construction and the position and depth of the foundations thereof approved by the Tees Commissioners and such works shall not be commenced unless and until the Tees Commissioners shall have approved such plans sections and particulars Provided that if the Tees Commissioners shall not within one month after the receipt of such plans sections and particulars signify to the Corporation in writing their approval with or without alteration or their disapproval thereof they shall be deemed to have approved the said plans sections and particulars.

(2) All such works shall be constructed repaired and maintained by the Corporation so as not to interfere with the navigation of the river or any work of the Tees Commissioners and to their reasonable satisfaction and in accordance with their reasonable requirements with respect to the times and modes of carrying out any such work.

(3) When any such works have been constructed the Corporation shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the consent and approval in writing of the Tees Commissioners.

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(4) If any work be commenced or carried out by the Corporation contrary to the provisions of this Act the Tees Commissioners may remove and abate the same and restore the site thereof to its former condition at the costs and charges of the Corporation.

(5) If any work constructed by the Corporation on in over through or across any works or lands or tidal waters within the jurisdiction of the Tees Commissioners is abandoned or suffered to fall into decay the Corporation shall take such means for preventing danger to navigation as the Tees Commissioners shall direct and the Corporation shall and the Commissioners may at their option and at the expense of the Corporation abate and remove the work or any part thereof and restore the site thereof to its former condition.

(6) If any difference shall arise between the Corporation and the Tees Commissioners under subsections (1) (2) or (4) of this section or anything to be done or not to be done thereunder the same shall be referred to and determined by an arbitrator to be appointed in default of agreement by the Board of Trade and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

(7) The reasonable amount of any costs charges and expenses incurred by the Tees Commissioners under the provisions of this section shall be a debt due to them from the Corporation and be recoverable accordingly as an ordinary debt or at the option of the Tees Commissioners summarily as a civil debt.

(8) Nothing in this Act contained shall extend to prejudice diminish alter or take away any of the powers rights privileges or authorities vested in or exerciseable by the Tees Commissioners or their harbour master.

Corporation to exhibit lights.

56. The Corporation shall upon and in connexion with every ferry ferry landing stage pier or other work and convenience acquired constructed provided or maintained by them under the authority of this Act and with respect to new works both before and after the completion thereof lay down and maintain such buoys or moorings and exhibit and keep burning from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Tees Commissioners shall from time to time direct.

If the Corporation fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds and any such penalty may be recovered by the Tees Commissioners summarily.

Saving for Trinity House of Deptford Strond.

57. Nothing in this Act contained shall prejudice or affect the powers rights and privileges of the Corporation of Trinity House of Deptford Strond.

Power to take tolls for ferries.

58.—(1) The Corporation may demand and receive for the use of any ferry purchased or established by the Corporation under this Act any tolls not exceeding the sums mentioned in the Third Schedule to this Act.

(2) Without prejudice to any existing right of His Majesty and save as provided by the Army Act nothing in this Act shall extend to authorise any ferry rates or tolls to be demanded or received for the conveyance of any person when on duty in the service of the Crown (including in such expression any Government department) or his baggage or of any goods for the service or being the property of the Crown or of any mail bag as defined by the Post Office Act 1908 or of any bicycle used for the service of the Crown.

Lists of tolls to be exhibited.

59. Lists of the tolls from time to time appointed by the Corporation to be taken for the use of any ferry shall be exhibited in conspicuous places where such tolls shall respectively be payable.

Taking and recovery of tolls.

60. The tolls shall be paid to such persons and at such places upon or near the ferry and in such manner and under such regulations as the Corporation shall by notice annexed to the lists of tolls appoint and the Corporation may recover such tolls in a summary manner as a civil debt or by action in any court of competent jurisdiction.

Disputes as to tolls.

61. If any dispute arise concerning the amount of the tolls due to the Corporation for the use of any ferry the same shall be ascertained by a court of summary jurisdiction.

Penalties on persons practising frauds.

62. If any person shall knowingly and wilfully and with intent to defraud refuse or neglect to pay his toll when the same shall be payable for the use of any ferry he shall for

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every such offence be liable to a penalty not exceeding forty shillings.

Penalties on toll collectors.

63. Every toll collector who shall commit any of the following offences shall forfeit a sum not exceeding ten pounds for each such offence (that is to say) :—

If he refuse to tell his Christian name and surname to any person demanding the same who shall have paid or tendered the tolls demanded of him or if he give a false name to any such person :

If he wilfully and with intent to defraud demand or take a greater or less toll from any person than he shall be authorised to do by virtue of this Act and of the orders of the Corporation made in pursuance thereof.

Power to make byelaws as to ferries.

64. The Corporation may make byelaws for all or any of the purposes following (that is to say) :—

(1) For regulating controlling limiting and prescribing the times for the use of any ferry acquired or established by the Corporation :

(2) For preventing the commission of any nuisances in or upon any vessels works or premises of the Corporation used for any of the purposes of the ferries :

(3) For preventing injuries or damages to any works or property of the Corporation so used :

(4) For regulating the conveyance of passengers the number of passengers to be conveyed at one time on any boat passengers' luggage goods and vehicles in or upon any such vessels as aforesaid and the embarkation and disembarkation of the same respectively and for prohibiting the embarkation of any goods or vehicles in any such vessel which may in the opinion of the Corporation be injurious to or prejudicially affect the use of the same or the traffic to be carried therein.

Appointment of officers &c.

65. The Corporation may appoint employ remunerate and dismiss such officers servants toll collectors and other persons as in their opinion may be required for any of the purposes of the ferries.

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Works below high-water mark to be subject to approval of Board of Trade.

66. Subject to the provisions of this Act any of the works authorised by this Act to be constructed on over or under tidal lands below high-water mark of ordinary spring tides shall be constructed only in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade.

Any alteration or extension of any such works shall be subject to the like approval.

If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the Corporation and the amount of such cost shall be a debt due from the Corporation to the Crown and shall be recoverable as a Crown debt or summarily.

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Power to Corporation to provide part of purchase money for Thornaby tramways.

67. Whereas the Corporation the mayor aldermen and burgesses of the borough of Thornaby-on-Tees and the mayor aldermen and burgesses of the borough of Middlesbrough have applied to the Board of Trade for their approval of the purchase by those corporations under section 43 (Future purchase of undertaking by local authority) of the Tramways Act 1870 of the respective parts of the tramway undertaking of the company in the boroughs of the said corporations And whereas it is expedient that the Corporation should be empowered to provide part of the purchase money in respect of so much of the said undertaking as is within the borough of Thornaby-on-Tees Now therefore the Corporation are hereby empowered to borrow and pay to the company (in addition to the sum payable by the Corporation under the said section 43) such sum as will be equal to the difference between the value of the tramways and all lands buildings works materials and plant of the company suitable to and used by them for the purposes of their said undertaking within the borough and three fourths of the total value of the tramways and all lands buildings works materials and plant of the company suitable to and used by them for the purposes of their said undertaking within the borough and the borough of Thornaby-on-Tees.

Power to borrow.

68.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest

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for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the respective revenue funds and rates mentioned in the third column of the said table and they shall pay off all moneys so borrowed within the respective periods (each of which is in this Act referred to as "the prescribed period") mentioned in the fourth column thereof (namely):—

1. Purpose.	2. Amount.	3. Charges.	4. Period for Repayment.
(*a*) For the purchase of land for the purposes of the tramways omnibuses ferries and electricity undertaking.	£882	The borough fund and borough rate.	Sixty years from the date or dates of borrowing.
(*b*) For the purposes of the tramway undertaking of the Corporation.	£4,000	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Thirty years from the date or dates of borrowing.
(*c*) For the provision of tramway rolling stock.	£16,800	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Fifteen years from the date or dates of borrowing.
(*d*) For the provision of omnibuses.	£21,000	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Five years from the date or dates of borrowing.
(*e*) For the provision of landing stages and other works in connexion with the ferries.	£512	The revenue of the ferries undertaking of the Corporation and the district fund and general district rate or either of those securities.	Thirty years from the date or dates of borrowing.
(*f*) For the provision of boats and machinery in connexion with the ferries.	£2,000	The revenue of the ferries undertaking of the Corporation and the district fund and general district rate or either of those securities.	Fifteen years from the date or dates of borrowing.
(*g*) For the provision of a three-phase high-tension system of electrical supply.	£12,275	The revenue of the electricity undertaking of the Corporation and the district fund and general district rate or either of those securities.	Twenty-five years from the date or dates of borrowing.

1. Purpose.	2. Amount.	3. Charges.	4. Period for Repayment.
(*h*) For the purchase authorised by this Act of part of the omnibus undertaking of the Company.	The sum requisite.	The revenue of the tramway undertaking of the Corporation and the borough fund and borough rate.	Five years from the date or dates of borrowing.
(*i*) For the purchase of ferry rights and any lease of or licence to use land in connexion with the ferries.	The sum requisite.	The revenue of the ferries undertaking of the Corporation and the district fund and general district rate or either of those securities.	Thirty years from the date or dates of borrowing.
(*j*) For part of the purchase money in respect of tramways in Thornaby-on-Tees.	The sum requisite.	The tramway undertaking of the mayor aldermen and burgesses of the borough of Thornaby-on-Tees and the borough fund and borough rate of that borough.	Thirty years from the date or dates of borrowing.
(*k*) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	The borough fund and borough rate.	Five years from the passing of this Act.

(2)—(*a*) The Corporation may also with the consent of the Local Government Board borrow such further money as may be necessary for the purpose (*g*) of this Act and may with the consent of the Board of Trade borrow such further money as may be necessary for any of the other purposes of this Act:

(*b*) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Board with whose consent it is borrowed and that period shall be the prescribed period for the purposes of the enactments incorporated herewith:

(*c*) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Board with whose consent it is borrowed.

(3) The provisions of this section prescribing the revenue funds or rates which may be mortgaged or charged shall not limit the powers conferred upon the Corporation by the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes."

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Section 234 of Public Health Act 1875 not to apply.

69. The powers of borrowing money given by this Act shall not be restricted by any of the regulations contained in section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 and in calculating the amount which the Corporation may borrow under that Act any sums which they may borrow under this Act shall not be reckoned.

Mode of raising money.

70.—(1) The Corporation may raise all or any moneys which they are authorised to borrow under this Act by mortgage or by the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875 or partly in one way and partly in another or others:

(2) Provided that the provisions of this Act relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of section 15 (Discharge of loan by sinking fund) of that Act.

Provisions of Act of 1869 as to mortgages to apply.

71. Subject to the provisions of the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" the following sections of the Stockton-on-Tees Extension and Improvement Act 1869 shall extend and apply to mortgages granted under this Act (that is to say):—

Section 284 Form of mortgage (Register of mortgages).
Section 285 Transfer of mortgages (Register of transfers).

Mode of payment off of money borrowed.

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

Sinking fund.

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

(*a*) By payment to the fund throughout the prescribed period of such equal annual sums as will together

amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or

(*b*) By payment to the fund of such equal annual sums as with accumulations at the rates hereinafter mentioned will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed (namely)—

(i) For a period of ten years after the thirty-first day of March nineteen hundred and twenty three pounds ten shillings per centum per annum;

(ii) For the remainder of the prescribed period three pounds per centum per annum;

or in either case such higher rate as may from time to time be approved by the Local Government Board A sinking fund so formed is hereinafter called an accumulating sinking fund.

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

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

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

(5)—(*a*) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate

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per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Corporation.

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

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

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

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

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

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(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may with the consent of that Board discontinue the annual payments to such sinking fund until the Board shall otherwise direct.

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

Appointment of receiver.

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

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

Application of money borrowed.

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

Application of revenue of tramway undertaking.

76.—(1) The Corporation shall apply all money received by them on account of revenue in respect of their tramway undertaking in the manner and in the order following (that is to say):—

First In payment of the working and establishment expenses and cost of maintenance of the undertaking (including the maintenance of so much of the roads in which the tramways are laid as is required to be maintained and kept in good repair and condition by the promoters of tramways by section 28 of the Tramways Act 1870):

Secondly In payment of the interest on moneys borrowed by the Corporation for the purposes of the undertaking:

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Thirdly In providing the requisite appropriations instalments or sinking fund payments for the purposes of the undertaking:

Fourthly In extending and improving (if the Corporation think fit) any works for the purposes of the undertaking:

Fifthly In providing a reserve fund (if the Corporation think fit) by setting aside such money as they think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding a sum equal to one fifth of the aggregate capital expenditure for the time being by the Corporation upon the undertaking, which fund shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for payment of the cost of renewing any part of the tramways of the Corporation or of the works connected therewith and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens Provided that resort may be had to the reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum:

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

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

Power to use one form of mortgage for all purposes.

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

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

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

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

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

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

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed.

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Every such register shall be open to public inspection during office hours at the said office without fee or reward and the town clerk or other the person having the custody of the same refusing to allow such inspection shall be liable to a fine not exceeding five pounds.

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

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

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

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

Power to use sinking fund instead of borrowing.

78.—(1) Where the Corporation are authorised by any statutory borrowing power to raise moneys for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said moneys either wholly or partially by using for such purpose so much of any moneys for the time

being forming part of a sinking fund as shall be available for the repayment of—

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

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

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

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

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

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

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

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

Returns as to sinking funds.

79.—(1) The treasurer shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to the sinking fund in respect of any of the moneys raised by the Corporation in pursuance of any statutory borrowing power and not raised by the issue of stock and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may be prescribed by the Board and if required by the Board verified by a statutory declaration of the treasurer showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year together with such further information (if any) as the Board shall require and in the event of his failing to make such return the treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

(2) If it appears to the Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for the sinking fund (whether such instalment or annual payment or sum is required by the Act in pursuance of which the moneys are raised or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of the

sinking fund to any purposes other than those authorised the Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

Power to reborrow.

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

(*a*) To borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or

(*b*) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

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

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

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

(*a*) By instalments or annual payments; or

(*b*) By means of a sinking fund; or

(*c*) Out of moneys derived from the sale of land; or

(*d*) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

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(5) Section 181 (Power to reborrow) of the Act of 1889 is hereby repealed.

Power to invest all sinking funds in statutory securities.

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

Corporation not to regard trusts.

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

Scheme for fixing equated periods and consolidating loans.

83.—(1) The Corporation may at any time hereafter and from time to time make a scheme for prescribing one or more equated periods within which all or any loans contracted by them under statutory borrowing powers including the loans borrowed or taken over by the body formerly known as the Stockton-on-Tees School Board the liability in respect of which was by the provisions of the Education Act 1902 transferred to the Corporation shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may make provision in regard to all matters incidental thereto.

(2) No scheme made by the Corporation under this section shall have any force or effect until confirmed by the Local Government Board who may by order confirm the same with or without modifications and when so confirmed the scheme

shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act.

(3) Nothing in any scheme made under this section shall prejudice or affect the security rights or remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any corporation stock existing at that time except with the consent of such mortgagee or holder.

(4) The Corporation may with the sanction of the Local Government Board and on the security of the revenues funds or rates respectively on the security of which the moneys included in the scheme were respectively authorised to be borrowed borrow such moneys as may be necessary for the purpose of giving effect to such scheme and for compensating the holders of securities of the Corporation for their consent thereto and any moneys so borrowed shall be repaid within such period as the Local Government Board shall sanction.

(5) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

Expenses of execution of Act.

84. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made shall be defrayed by the Corporation out of the borough fund or as the Corporation having regard to the nature of the expenditure shall deem just.

Audit of accounts.

85. The accounts of the receipts and expenditure of the Corporation under this Act shall be audited examined and published in like manner and with the same consequences as the other accounts of the Corporation are audited examined and published under the Municipal Corporations Act 1882.

Miscellaneous.

Purchase of residual products &c. for purposes of conversion.

86. The Corporation may purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith manufacture other products of the same kind as the Corporation are manufacturing from their own residual

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products and may also purchase from other gas undertakers and elsewhere and use the materials required to work up and convert the residual products arising from the manufacture of gas Provided that the quantity of any residual product so purchased by the Corporation in any year shall not exceed one third of the quantity of the like residual product which shall in that year arise directly or indirectly from the manufacture of gas by them Provided also that the Corporation shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residual products produced by the Corporation or purchased from other gas undertakings is merely subsidiary.

Amendment of section 36 of Stockton-on-Tees (Quay and Markets) Act 1878.

87. Section 36 (Application of revenue) of the Stockton-on-Tees (Quay and Markets) Act 1878 shall be read and have effect as if the following words were inserted in that section after the words "or by the Local Loans Act 1875" (namely):—

"Fourthly (if the Corporation think fit) in providing a reserve fund by setting aside such moneys as the Corporation think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the sum so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding the sum equal to one tenth of the aggregate capital expenditure for the time being by the Corporation upon such quay and other works which fund shall be applicable to meet any deficiency at any time happening in the income of the Corporation from the said quay or other works or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the said quay or other works or for payment of the cost of renewing any part of such quay or other works and if that fund at any time be reduced it may thereafter again be restored to the prescribed maximum and so from time to time as often as such reduction happens Provided that resort may be had to the reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum."

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Purchase of lands.

88. The Corporation may by agreement purchase take on lease acquire and hold for any of the purposes of this Act any lands not exceeding in the whole ten acres and with the consent of the Local Government Board may appropriate to such purposes lands vested in the Corporation and not wanted for the purposes for which they were acquired Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired or appropriated in pursuance of this section.

Evidence of appointments authority &c.

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

Application of Arbitration Act 1889.

90. Where under this Act any question or dispute is to be referred to an arbitrator or to arbitration other than questions or disputes to which the provisions of the Lands Clauses Acts apply then unless other provision is made the reference shall be subject to the provisions of the Arbitration Act 1889.

Recovery of fines and expenses.

91.—(1) Save as otherwise by this Act expressly provided all offences against this Act and all fines forfeitures penalties costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner.

(2) Provided that costs and expenses except such as are recoverable along with a fine shall not be recovered as penalties but may be recovered summarily as civil debts.

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Recovery of demands in county court.

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

Informations by whom to be laid.

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

Powers of Act cumulative.

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

(2) Provided that no person shall incur more than one fine (other than a daily fine for a continuing offence) for the commission of the same offence.

General provisions as to yelaws.

95. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to byelaws authorised to be made by the Corporation under the powers of this Act Provided that the confirming authority in respect of such byelaws shall be the Board of Trade.

Application of provisions of Act of 1889.

96. The following provisions of the Act of 1889 shall apply and have effect as if they were with the necessary alterations re-enacted in this Act (namely):—

Section 239	Form and service of notices by Corporation;
Section 244	Damages and charges in case of dispute to be settled by justices;
Section 245	Compensation how to be determined;
Section 249	Penalties to be paid over to the treasurer; and
Section 250	Saving for indictments &c.

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Judges not disqualified.

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

Crown rights.

98. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Costs of Act.

99. 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 borough fund or out of money to be borrowed under this Act for that purpose.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

MAXIMUM RATES AND CHARGES FOR PARCELS.

	Any Distance.
	s. *d.*
For any parcel not exceeding 7 lbs. in weight - - -	0 6
For any parcel exceeding 7 lbs. and not exceeding 14 lbs. in weight - - - - - - -	0 10
For any parcel exceeding 14 lbs. and not exceeding 28 lbs. in weight - - - - - - -	1 2
For any parcel exceeding 28 lbs. and not exceeding 56 lbs. in weight - - - - - - -	1 6

With respect to all articles the weight shall be determined according to the Imperial avoirdupois weight.

THE SECOND SCHEDULE.

AN AGREEMENT made the 17th day of June 1919 between the MAYOR ALDERMEN AND BURGESSES OF THE COUNTY BOROUGH OF MIDDLESBROUGH (hereinafter referred to as "the Middlesbrough Corporation") of the first part the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF THORNABY-ON-TEES (hereinafter referred to as "the Thornaby Corporation") of the second part the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF STOCKTON-ON-TEES (hereinafter referred to as "the Stockton Corporation") of the third part and the IMPERIAL TRAMWAYS COMPANY LIMITED whose registered office is situate at Clare Street House Bristol (hereinafter referred to as "the company") of the fourth part.

WHEREAS the company are the owners of the tramway undertaking authorised by the Middlesbrough Stockton-on-Tees and Thornaby Tramways Acts and Order 1897 to 1911 and now situate wholly in the boroughs of Middlesbrough Thornaby and Stockton-on-Tees:

And whereas pursuant to section 43 of the Tramways Act 1870 which is incorporated with the said Acts and Order the Middlesbrough Corporation the Thornaby Corporation and the Stockton Corporation (hereinafter together referred to as "the Corporations") on or about

the 29th day of January 1919 served upon the company separate notices requiring the company to sell to them respectively so much of the said undertaking as is situate within their respective boroughs upon the terms prescribed by the said section 43:

And whereas the company own certain motor omnibuses which they run in the said boroughs of Middlesbrough and Stockton-on-Tees and adjoining districts and for the purposes thereof the company own omnibus depôts and workshops:

And whereas the Middlesbrough Corporation and the Stockton Corporation are each promoting a Bill in Parliament and the Thornaby Corporation have applied to the Board of Trade for and have been granted an order under the Tramways Act 1870 whereby the Corporations are respectively seeking powers to work the portions of the said tramway undertaking within their respective boroughs when purchased from the company and to make and carry into effect agreements for maintaining the existing through service of cars and the Middlesbrough Corporation and the Stockton Corporation are also seeking powers to acquire the omnibus undertaking of the company or parts thereof:

And whereas the company have deposited petitions against the said Bills in which they submit that the price of the whole tramway undertaking of the company should be settled by one arbitration and the undertaking handed over as one undertaking at one and the same time and further that the omnibus undertaking of the company should be purchased by the Middlesbrough Corporation and the Stockton Corporation:

And whereas the Corporations are willing that there should be one arbitration to ascertain the total amount due to the company for their tramway undertaking in one sum and that the purchase of the said tramway undertaking should be completed and the said tramway undertaking handed over at one and the same time but desire that there should be separate conveyances to the Corporations of the respective parts of the said undertaking as hereinafter provided:

And whereas the Middlesbrough Corporation and the Stockton Corporation are willing to purchase the omnibus undertaking of the company as hereinafter provided:

Now it is hereby agreed as follows:—

1. All necessary steps shall with all convenient speed be taken by the parties hereto to determine or have determined according to and in manner provided by section 43 of the Tramways Act 1870 the value as at the date of the service of the said notices of the tramway undertaking of the company as a whole as if the Corporations had been authorised to serve and had served at the said date upon the company

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2. The sum so found to be payable to the company (hereinafter referred to as "the total tramway price") shall as between the Corporations and the company be deemed to be due and payable from the Corporations jointly but as between the respective Corporations the total tramway price shall be provided by the Corporations in such proportions or shares and the whole tramway undertaking of the company shall be divided between the Corporations in such manner as they shall agree Provided that if the Corporations shall not have come to agreement in these respects by the time when the total tramway price shall have been fixed by agreement or by the time when the referee appointed pursuant to the said section 43 shall be in a position to make his award determining the total tramway price then such proportions or shares shall be determined as between the three Corporations by the said referee and he shall also determine as between and after hearing the three Corporations how much of the said undertaking is within each of the respective boroughs and how much of the lands buildings works materials and plant of the company are suitable to and used by the company for the respective portions of the said undertaking in the said three boroughs respectively.

3. The Middlesbrough Corporation and the Stockton Corporation shall purchase the whole of the omnibus undertaking of the company as the same now exists upon the terms of section 43 of the Tramways Act 1870 as if such omnibus undertaking were a tramway undertaking situate wholly in the said boroughs of Middlesbrough and Stockton-on-Tees and as if the Middlesbrough Corporation and the Stockton Corporation were authorised to serve and had served upon the company one joint notice to purchase such omnibus undertaking and the value of such undertaking shall be determined in one sum accordingly under the said section as at the date of this agreement.

4. The sum to be payable to the company in respect of the omnibus undertaking (hereinafter referred to as "the total omnibus price") shall if not previously determined by agreement be fixed by the referee so to be appointed pursuant to the said section 43 for the purpose of fixing the total tramway price and the said two total prices shall be determined in one and the same reference.

5. The total omnibus price shall as between the Middlesbrough Corporation and the Stockton Corporation on the one hand and the company on the other hand be deemed to be payable by such Corporations jointly but as between the said Corporations themselves shall be provided by such Corporations in such proportions or shares and the

whole omnibus undertaking of the company shall be divided between such two Corporations in such manner as they shall agree Provided that if the said two Corporations shall not have come to agreement in these respects by the time when the total omnibus price shall have been fixed by agreement or by the time when the referee so to be appointed pursuant to the said section 43 shall be in a position to make his award determining such price then such proportions or shares shall be determined as between the two Corporations by the said referee and he shall also determine as between and after hearing the two Corporations how many of the omnibuses and how much of the lands buildings works materials and plant shall be allocated to the Stockton Corporation as suitable to and used by the company for providing the service between Stockton and Yarm in the one case and how many of the omnibuses and how much of the lands buildings works materials and plant shall be allocated to the Middlesbrough Corporation as suitable to and used by the company for providing the services between Middlesbrough and Great Ayton Stokesley Kirby and Broughton in the other case.

6. The sale and purchase of the tramway and omnibus undertakings of the company shall be completed simultaneously at the expiration of a period of three calendar months after the total prices shall have been fixed by agreement or determined by the decision of the referee as aforesaid and upon such completion there shall if the Corporations concerned so direct be three separate conveyances or assurances by the company to the three Corporations respectively of so much of the said tramway undertaking as the Corporations shall direct and in the case of the Middlesbrough Corporation and the Stockton Corporation the conveyances or assurances shall also be of so much of the omnibus undertaking as those Corporations shall direct.

7. Until the completion of the said sale and purchase the company shall continue to carry on and maintain the said tramway and omnibus undertakings in a usual and proper manner and shall retain the receipts derived from the said tramway and omnibus undertakings for their own benefit and shall not claim interest on the purchase price as from the date of service of the said notices.

8. The Corporations shall be jointly represented by one set of counsel only at any reference between the Corporations and the company for fixing the total price of the tramway undertaking and the omnibus undertaking but may be separately represented by counsel on any questions subsequently arising under this agreement between the Corporations.

9. The Middlesbrough Corporation and the Stockton Corporation shall cause this agreement to be scheduled to the Bills promoted by them as aforesaid and insert in such Bills clauses confirming this

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agreement and making the same binding on the parties hereto and they shall use their best endeavours to obtain the passing of such clauses and the confirmation by Parliament of this agreement and the company shall not if and so long as such clauses shall remain in the said Bills oppose either of the said Bills or the said Order further than may be necessary to secure the insertion therein of clauses or amendments to prevent any of the Corporations interfering with the tramways of the company or running omnibuses until after the completion of the purchases herein provided for and the Corporations shall agree to the insertion in the said Bills of clauses to provide accordingly.

10. This agreement is subject to such alterations as Parliament may think fit to make therein Provided that if the Committee of either House of Parliament to whom the Bill may be referred make any material alteration therein it shall be competent to any party thereto to withdraw the same.

In witness whereof the common seals of the Middlesbrough Corporation the Thornaby Corporation the Stockton Corporation and the company were hereunto affixed the day and year first above written.

The common seal of the Middlesbrough Corporation was hereunto affixed in the presence of
PRESTON KITCHEN Town Clerk.

Seal.

The common seal of the Thornaby Corporation was hereunto affixed in the presence of
W. R. WHITWELL Mayor.
THOS. K. DOBSON Town Clerk.

Seal.

The common seal of the Stockton Corporation was hereunto affixed in the presence of
THOMAS DOWNEY Town Clerk.

Seal.

The common seal of the Imperial Tramways Company Limited was hereunto affixed in the presence of
SAML. WHITE Director.
T. H. WITHERS Secretary.

Seal.

THE THIRD SCHEDULE.

Ferry Tolls.

Toll which may be demanded and taken by the Corporation for passengers crossing the River Tees by means of a ferry of the Corporation for each crossing either way :—

For every person - - - - - - 1*d.*

Provided that between the hours of half-past eight in the evening and half-past five in the morning the toll which may be demanded and taken as aforesaid may be double the amount hereinbefore mentioned.

THE FOURTH SCHEDULE.

Form of Mortgage.

Borough of Stockton-on-Tees.

By virtue of the Stockton-on-Tees Corporation Act 1919 and of other their powers in that behalf them enabling the mayor aldermen and burgesses of the borough of Stockton-on-Tees (hereinafter referred to as "the Corporation") in consideration of the sum of pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the borough by (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee (his) executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee (his) executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of per centum per annum from the day of nineteen hundred and until payment of the principal sum such interest to be paid half-yearly on the day of and the day of in each year And it is hereby agreed that the principal sum shall be repaid at the Town Hall in the said borough [(subject as hereinafter provided) on the day of nineteen hundred and] [by]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned

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rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon between the Corporation and the mortgagee and mentioned in an endorsement to be made hereon under the hands of the town clerk and treasurer of the borough for the time being and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this day of nineteen hundred and .

Borough Treasurer. Town Clerk.

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named consenting the within-mentioned time for repayment of the within-mentioned principal sum of is hereby extended to the day of nineteen hundred and [and the interest to be paid thereon on and from the day of nineteen hundred and is hereby declared to be at the rate of per centum per annum].

Dated this day of nineteen hundred and .

FORM OF TRANSFER OF MORTGAGE.

I (the within-named) (of) in consideration of the sum of pounds paid to me by of (hereinafter referred to as "the transferee") do hereby transfer to the transferee (his) executors administrators and assigns (the within-written security) (the mortgage number of the revenues of the mayor aldermen and burgesses of the borough of Stockton-on-Tees bearing date the day of) and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the

transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions. A.D. 1919.

Dated this day of nineteen hundred and .

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