CHAPTER xciii.

An Act to enable the Corporation of the borough of Swindon to acquire lands to run omnibuses to extend their limits of supply for electricity and for other purposes. [4th August 1926.] A.D. 1926.

WHEREAS the borough of Swindon in the county of Wilts (hereinafter called "the borough") is subject to the Acts relating to municipal corporations and is under the local government of the mayor aldermen and burgesses of the borough (hereinafter called "the Corporation"):

And whereas it is expedient that the Corporation should be authorised to acquire compulsorily certain lands and close certain footpaths:

And whereas it is expedient that the Corporation should be authorised to run omnibuses within the borough:

And whereas it is expedient that the area within which the Corporation are authorised to supply electricity should be extended as in this Act provided:

And whereas it is expedient that further powers should be conferred on the Corporation with respect to their tramway and other undertakings as in this Act provided:

And whereas it is expedient that the other provisions in this Act should be made:

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

[*Price* 1*s.* 6*d. Net.*]

A.D. 1926.

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

	£
For the provision of omnibuses - -	8,000

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

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Swindon Corporation Act 1926.

Act divided into Parts.

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

Part I.—Preliminary.
Part II.—Lands.
Part III.—Omnibuses and tramways.
Part IV.—Electricity.
Part V.—Parks and pleasure grounds &c.
Part VI.—Financial and miscellaneous.

Incorporation of

3. The following Acts (so far as the same are applicable for the purposes and are not inconsistent with the

provisions of this Act) are hereby incorporated with this Act namely :— A.D. 1926.

general Acts.

(1) The Lands Clauses Acts with the following exception and modification—

(*a*) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(*b*) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section :

(2) The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as amended by the Electricity Supply Acts 1909 to 1922.

Interpretation.

4. In this Act unless the subject or context otherwise requires—

Terms to which meanings are assigned by enactments incorporated with this Act or by the Public Health Acts or which have therein special meanings have in this Act and for the purposes of this Act (except where otherwise expressly provided) the same respective meanings ;

"The borough" means the borough of Swindon;

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

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

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

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

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

"The Act of 1904" means the Swindon Corporation Act 1904;

"The Act of 1914" means the Swindon Corporation (Wilts and Berks Canal Abandonment) Act 1914 :

A.D. 1926.

"The Order of 1895" means the Swindon New Town Electric Lighting Order 1895;

"The Order of 1901" means the Swindon Corporation Tramways Order 1901;

"The Corporation tramways" means the tramways authorised by the Order of 1901 and any tramways for the time being belonging to or worked by the Corporation;

"Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing 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;

"Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation.

PART II.

LANDS.

Power to acquire lands.

5. Subject to the provisions of this Act the Corporation may enter upon take and use all or any part of the lands delineated on the deposited plans required for or in connection with street improvements and for the other

purposes of this Act and described in the deposited book of reference. A.D. 1926.

Certain lands to form part of Coate Reservoir.

6. The lands numbered 11 on the deposited plans in the parish of Chisledon in the county of Wilts shall when acquired by the Corporation be deemed to form part of the Coate Reservoir as defined by section 3 (Interpretation) of the Act of 1914 and the provisions of section 15 (Use of Coate Reservoir as a public park &c.) of that Act shall apply thereto accordingly.

For protection of Mrs. Horton.

7. The following provisions for the protection of Mrs. Horton and her successors as owners of Day House Farm in the parish of Chisledon (hereinafter in this section referred to as " the owner ") shall unless otherwise agreed in writing between the owner and the Corporation apply and have effect (that is to say) :—

(1) If the Corporation in the exercise of the powers of the section of this Act of which the marginal note is " Power to acquire lands " interfere in any way with the facilities at present enjoyed by the owner for the watering of the cattle on Day House Farm at the Coate Reservoir of the Corporation the Corporation shall at their own expense provide and maintain a reasonable supply of water for the owner for the watering of cattle in lieu of the facilities for the watering of cattle at present enjoyed by the owner at that reservoir :

(2) If any difference shall arise between the Corporation and the owner under this section such difference shall be determined under the provisions of the Acquisition of Land (Assessment of Compensation) Act 1919.

Correction of errors in deposited plans and book of reference.

8. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices acting for the county of Wilts for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission

A.D. 1926.

and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Wilts and a duplicate thereof shall also be deposited with the town clerk and with the clerks of district councils and clerks or chairmen of parish councils of the districts or parishes in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerk of the peace and town clerk or clerks or chairmen of councils respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate.

Limit of time for compulsory purchase of lands.

9. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease on the thirty-first day of October one thousand nine hundred and twenty-nine.

Compensation in case of recently acquired interest.

10. For the purpose of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the first day of November one thousand nine hundred and twenty-five if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Extinction of private rights of way.

11.—(1) All private rights of way over any lands which the Corporation are authorised by this Act to acquire compulsorily shall as from the date of the acquisition of such lands by the Corporation be extinguished.

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any such rights and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement.

Retention and dis-

12.—(1) Notwithstanding anything in any other Act or Acts or otherwise to the contrary the Corporation

may retain hold and use for such time and for such purposes as they may think fit or (with the consent of the Minister of Health) may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Act or any general or local Act from time to time in force in the borough and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange Provided that this section shall not apply to the pleasure grounds known as the County Ground and the Town Gardens including the children's playground nor without the consent of the county council of the administrative county of Wilts to any lands vested in the Corporation for the purposes of higher education. A.D. 1926. Disposal of lands.

(2) Nothing in this section shall be taken to dispense with the necessity for obtaining the consent of any Government department to any sale lease appropriation or other disposition of any lands of the Corporation in any case in which such consent would be required if this Act had not been passed.

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

13.—(1) The Corporation may so far as they consider necessary apply subject to the approval of the Proceeds of sale of

A.D. 1926.

surplus lands.

Minister of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act or any existing or future Act or Order of the Corporation or under any other powers and such application shall be in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health.

(2) Any capital moneys received by the Corporation on the re-sale or exchange of or by leasing any lands acquired under any Act other than this Act shall be applied in the same manner as capital moneys received under that Act are applicable or in such other manner as may be approved by the Minister of Health.

Closing of footpaths.

14.—(1) (*a*) The Corporation may stop up and discontinue as footpaths the footpaths across the recreation ground known as the Rodbourne Recreation Ground between a point at the south-west corner of that recreation ground and a point near the northern end of those footpaths one hundred yards or thereabouts measured in a southerly direction from Ferndale Road as shown on the deposited plans and marked respectively "Footpath to be closed."

(*b*) The Corporation shall make and maintain in substitution for such footpaths in the manner shown on the deposited plans a footpath commencing at a point on the existing footpath leading from Ferndale Road at a point one hundred yards or thereabouts measured in a southerly direction from that road and terminating at a point in the footpath adjoining the gasworks of the Great Western Railway Company at a point one hundred and seventy-three yards or thereabouts from the point of commencement above described.

(2) The stopping up of the footpaths referred to in subsection (1) (*a*) of this section or any portion thereof shall not take place until two justices shall have certified that the new footpath referred to in subsection (1) (*b*) of this section has been completed to their satisfaction and is open for public use.

A.D. 1926.

(3) (*a*) The Corporation may also stop up and discontinue that part of the footpath from the road from Moredon Bridge to Moredon in the parish of Rodbourne Cheney and rural district of Highworth between the commencement of the said footpath at its junction with that road at a point on that road one hundred and ninety-three yards or thereabouts measured in a north-easterly direction along that road from Moredon Bridge and a point on the said footpath four hundred and ten yards or thereabouts measured in a south-easterly direction along the said footpath from its commencement.

(*b*) The Corporation shall construct a new footpath four feet in width and metalled throughout from the commencement of the said footpath along the southern side of the said road from Moredon Bridge to Moredon to a point on that road three hundred and fifty-four yards or thereabouts measured in a north-easterly easterly and south-easterly direction along that road from the commencement of the said footpath thence in a south-easterly direction to the said point on the said footpath four hundred and ten yards or thereabouts measured in a south-easterly direction along the said footpath.

(4) The stopping up of the footpath referred to in subsection (3) (*a*) of this section or any portion thereof shall not take place until the new footpath referred to in subsection (3) (*b*) of this section is completed to the satisfaction of the rural district council of Highworth and is open for public use or in case of difference between the Corporation and the said council until two justices have certified that the said new footpath has been completed to their satisfaction and is open for public use Before applying to the justices for their certificate the Corporation shall give the said council seven days' notice in writing of their intention to apply for the same.

(5) As from the dates of the certificate referred to in subsection (2) of this section and of the opening for public use of the new footpath referred to in subsection (3) (*b*) of this section respectively all public rights of way over or along the existing footpaths or portions thereof stopped up under the powers of subsections (1) (*a*) and (3) (*a*) of this section shall be extinguished.

A.D. 1926.

(6) The Corporation may also stop up and discontinue the footpath between a point on the east side of Drove Road two hundred and sixty yards or thereabouts measured in a southerly direction along that road from Drove Road Bridge and the point of termination of that footpath at its junction with the footpath which leads across the Wilts and Berks Canal (authorised to be abandoned) to Shrivenham Road and thereupon all rights of way over or along the existing footpath so stopped up shall be extinguished.

Owners may be required to sell parts only of certain properties.

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

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

(*b*) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise ;

(*c*) If within such twenty-one days the owner shall by notice in writing to the Corporation allege

that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled properties specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed;

(*d*) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal;

(*e*) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner;

(*f*) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not it shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and

A.D. 1926.

expenses reasonably and properly incurred by him in consequence of such notice;

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

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

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

PART III.

OMNIBUSES AND TRAMWAYS.

Power to provide and run omnibuses.

16.—(1) Subject to the provisions of this Act the Corporation may provide and maintain (but shall not manufacture) and may run omnibuses within the borough.

(2) The Corporation may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them 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 equipment maintenance and repair 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.

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

(4) The Corporation shall perform in respect of the omnibuses provided under this section such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

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

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

As to bridges and roads of railway companies.

17. Nothing in this Act shall impose any obligation on any railway company to strengthen adapt alter or reconstruct any bridge or road maintainable by them or enlarge any existing obligation.

Fares and charges.

18.—(1) The Corporation may demand and take for passengers and parcels carried on the omnibuses fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport Before approving any maximum fares or charges or any revision thereof under this section the Minister of Transport may direct an inquiry to be held Where the Minister causes any such inquiry as aforesaid to be held all expenses incurred by the Minister in relation to that inquiry shall be paid as the Minister may by order direct either by the Corporation or by any of the parties on whose representation the inquiry is held or partly by the Corporation and partly by any of such parties and the Minister may certify the amount of the expenses so incurred and any sum so certified and directed by the Minister to be paid shall be a debt due to the Crown.

A.D. 1926.

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

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

(4) The fares and charges for the time being authorised under the provisions of this Act shall be paid to such persons and in such manner as the Corporation may by notice annexed to the list of fares and charges appoint.

Amendment of section 36 of Tramways Order 1901.

19. Subsection (1) of section 36 (Cheap fares for labouring classes) of the Order of 1901 shall be read and have effect as if the following provision were inserted at the end thereof Provided that the Corporation shall not be bound to accept a less fare than one penny for a single journey or one penny halfpenny for a return journey.

Omnibuses to form part of tramway undertaking.

20. The omnibus undertaking authorised by this Act shall be deemed to form part of the tramway undertaking of the Corporation Provided that the Corporation shall keep the accounts in respect of their tramway undertaking so as to show separately (so far as may be reasonably practicable) the receipts and expenditure in regard to their tramways and omnibuses and in such accounts capital shall be distinguished from revenue.

Shelters or waiting-rooms.

21. The Corporation may erect and maintain shelters or waiting-rooms for the accommodation of passengers on the Corporation tramways and on the omnibuses of the Corporation and may use for that purpose portions of the public streets or roads Section 32 (Tramway waiting-rooms) of the Act of 1904 is hereby repealed.

Cloak-rooms &c.

22. The Corporation may provide cloak-rooms and rooms or sheds for the storage of bicycles tricycles and other vehicles at any depôt or building used by

them in connection with their tramway and omnibus undertakings and at suitable places on any of their tramway routes or any omnibus route and the Corporation may make charges for the use of such cloak-rooms rooms and sheds and for the deposit of articles and things and bicycles tricycles and other vehicles therein.

Power to reserve cars for special purposes.

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

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

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

Stopping and starting places.

24. The Corporation may appoint the stations and places from which the cars on the Corporation tramways and the omnibuses of the Corporation shall start or at which they may stop for the purposes of taking up or setting down passengers and may fix the time during which such cars and omnibuses shall be allowed to remain at any such place.

For protection of Great Western Railway Company.

25. The Corporation shall not under the powers of the sections of this Act of which the marginal notes respectively are "Shelters or waiting-rooms" "Cloak-rooms &c." and "Stopping and starting places" (except with the consent in writing of the Great Western Railway Company under the hand of their secretary or general manager) erect maintain or provide any shelter waiting-room cloak-room room or shed or

A.D. 1926.

appoint any starting or stopping station or place so as to cause interference with or render less convenient the access to or exit from any station depôt or property belonging to the Great Western Railway Company nor without the like consent shall any such cloak-room room or shed be erected maintained or provided on any bridge carrying any street or road over the railways of the Great Western Railway Company or on the approaches to any such bridge.

Through cars and omnibuses.

26. The Corporation may run through cars along any of the routes of the Corporation 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 or charge authorised or chargeable for and in respect of the whole of such route or the whole of the portion thereof traversed by any such car or omnibus Provided that during the running of such through cars or omnibuses the Corporation shall maintain a reasonably sufficient ordinary service of cars or omnibuses.

Power to use trailer and coupled carriages.

27.—(1) The Corporation may with the consent of the Minister of Transport provide (but shall not manufacture for any purpose) maintain work and use trailer carriages and coupled carriages on the Corporation tramways under such conditions for the safety of the public as the Minister of Transport may from time to time approve.

(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 Minister of Transport may approve and no trailer carriage or coupled carriage shall be used by the Corporation unless the design thereof has been approved by the Minister of Transport.

(3) The number of carriages or vehicles which may be used or run attached together shall not in any case exceed two.

Lost property.

28. Any property found in any tramcar or omnibus or any cloak-room shed shelter or waiting-room 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 of the Corporation.

Removal of obstructions.

29. If any obstruction to the traffic on any of the Corporation 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 provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction.

Power to Corporation to suspend traffic.

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

Penalty for malicious damage.

31. If any person wilfully and unlawfully does or causes to be done with respect to any omnibus of the Corporation anything which is calculated to obstruct or interfere with the working thereof 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 an offence shall be liable to a penalty not exceeding twenty pounds.

A.D. 1926.

As to byelaws &c. under Part III.

32. Any byelaws and regulations made by the Corporation under the provisions of this Part of this Act shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

Accounts to be furnished to Minister of Transport.

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

Application of revenue of tramway undertaking.

34.—(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;

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

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

Fourthly—In providing the reserve fund which the Corporation are authorised to provide by virtue of the powers conferred on them by the section of this Act of which the marginal note is "Reserve fund for tramway undertaking":

And the Corporation shall carry to the credit of the borough fund and borough rate 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.

PART IV. A.D. 1926.

ELECTRICITY.

Application of Electric Lighting (Clauses) Act 1899.

35.—(1) Subject to the provisions of this Act sections 2 and 3 of the Electric Lighting Act 1888 relating to the purchase of the undertaking by the local authority shall not apply to the Corporation or to their electricity undertaking.

(2) The undertaking authorised by the Order of 1895 and this Part of this Act and the Corporation in respect thereof shall be subject to the provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Act and so much of the Order of 1895 as is inconsistent with those provisions or this Act is hereby repealed without prejudice to anything done or suffered thereunder :

Provided that sections 23 and 65 of that schedule shall apply to the undertaking within the area added by this Act as if the undertakers were the local authority.

Extension of limits for supply of electricity.

36.—(1) There shall be added to the area of supply of the Corporation as defined by the Order of 1895 the parish of Rodbourne Cheney in the rural district of Highworth in the county of Wilts which is hereinafter referred to as " the added area."

(2) The Corporation may within or in respect of the added area exercise all or any of the powers in relation to the electricity undertaking conferred upon the Corporation by the Order of 1895 as amended or extended by Part III. of the Act of 1904 and this Act.

(3) The Corporation shall within six months from the passing of this Act deposit at the office of the Electricity Commission an ordnance map on a scale of not less than six inches to the mile showing the boundaries of the area which is added to the said area of supply under the provisions of this section.

(4) The Corporation shall within eighteen months from the passing of this Act lay down distributing mains in the following streets in the parish of Rodbourne Cheney Pinehurst Road Limes Avenue Linden Avenue Beech Avenue Laburnum Road Whitworth Road and Hurst Crescent.

A.D. 1926.

(5) The Minister of Transport may if he thinks fit revoke the powers conferred by this section as respects any parish or district comprised in the added area if suitable and sufficient distributing mains shall not have been laid down or placed in such parish or district within three years from the passing of this Act.

Revocation of Order made under section 6 of Electric Lighting Act 1909.

37. The order made by the Electricity Commissioners under section 6 of the Electric Lighting Act 1909 and dated the twenty-fourth day of August one thousand nine hundred and twenty permitting the undertakers to give a supply of electricity to certain premises within the added area shall be revoked as from the passing of this Act but without prejudice to anything done or suffered thereunder and the Corporation shall (subject to the provisions of this Act) in respect of such supply and all electric lines and apparatus provided by them for the purpose of giving the supply have the same rights and powers and be subject to the same duties and obligations as if the supply had been given and the electric lines and apparatus had been so provided by them after the passing of this Act.

As to offices and showrooms.

38. The Corporation may in connection with and for the purposes of their electricity undertaking fit up showrooms and offices and exhibit specimen installations and give demonstrations of the uses to which electrical energy can be put and may appoint and pay persons for the purposes aforesaid.

Power to lay electric mains in private streets.

39. The Corporation may upon the application of the owner or occupier of any premises abutting on or being erected in any street laid out but not repairable by the inhabitants at large within their area for the supply of electricity supply such premises with electrical energy and may lay down take up alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1922 of the Order of 1895 and this Act with respect to the breaking up of streets for the purposes of laying mains so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof Provided that a local authority shall for the purposes of this section be deemed to be (in addition

to any other person) persons having the control or management of any street to which this section applies and which is situate within the area of that authority Provided further that nothing in this section contained shall apply to any street belonging to and forming the approach to any station or depôt of a railway company nor shall the Corporation in carrying out the works authorised by this section obstruct or interfere with the convenient access to any such street.

Byelaws as to apparatus and fittings.

40. The Corporation may make byelaws for the purpose of preventing fire in any building or premises supplied with electricity by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and the provisions of section 6 of the Electric Lighting Act 1882 shall apply to any byelaws made under this section Provided that nothing contained in this section or in any byelaw to be made thereunder shall apply to or in respect of any building or premises (other than a dwelling-house) belonging to a railway company and used only as railway premises.

Provisions as to supply of electricity by agreement.

41.—(1) If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement:

Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

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

A.D. 1926.

section shall apply to the supply afforded by the Corporation under such agreement unless the provisions of that section are expressly excluded from application in any such agreement and if the Corporation fail to supply energy to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation Provided that the provisions of this sub-section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

As to maximum power which may be demanded.

42.—(1) The maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of energy taken only on extraordinary occasions or as a stand-by supply unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for those premises the sum so to be paid to be determined in default of agreement by arbitration in the manner provided by section 28 (Arbitration) of the Electric Lighting Act 1882.

(2) The provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

Entry upon premises Penalty for obstruction.

43.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises within their area for the supply of electricity in pursuance of section 24 of the Electric Lighting Act 1882 or from exercising the powers contained in that section shall be liable to a penalty not exceeding forty shillings.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to the Corporation and if he cannot

be ascertained by them after diligent inquiry after affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage. A.D. 1926.

Period of error in defective meters.

44.—(1) In the event of a meter of a construction and pattern approved by the Board of Trade or the Minister of Transport used by any consumer of electricity within the Corporation's area for the supply of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

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

Power to recover charge for reconnecting.

45. Any expenses reasonably incurred by the Corporation in re-connecting any electric line or other work through which electricity may be supplied which may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the Corporation in like manner as expenses lawfully incurred by them in such cutting off or disconnecting.

Power to refuse to supply electrical energy in certain cases.

46.—(1) The Corporation may refuse to supply electrical energy to any person whose payments for the supply of electrical energy or meter rent in respect of the supply of electrical energy are for the time being in arrear whether any such payments be due to the Corporation in respect of a supply to the premises in respect of which such supply is demanded or in respect of other premises.

(2) Section 20 (Corporation may refuse to supply electrical energy in certain cases) of the Act of 1904 is hereby repealed.

Power to construct electrical

47.—(1) The Corporation may with the consent of the local and road authority subject to the provisions of the Electricity (Supply) Acts 1882 to 1922 the Order

A.D. 1926.

substations under streets.

of 1895 as amended by this Act and this Act construct and maintain in or under any street repairable by the inhabitants at large or dedicated to public use within the Corporation's area for the supply of electricity sub-stations and transforming stations in connection with their electricity undertaking and may in any such street provide and maintain all such means of access and approach to such sub-stations and transforming stations as may be necessary or convenient:

Provided that the consent of the local and road authority shall not be unreasonably withheld and any question which may arise as to whether or not such consent has been unreasonably withheld shall be referred to and settled by an arbitrator to be agreed upon between the parties to the dispute and failing such agreement to be appointed on the application of either party after notice to the other by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 or any statutory amendment thereof shall apply to the reference.

(2) No sub-station or transforming station shall be constructed so as to interfere with or render less convenient the access to or exit from any station or depôt of any railway company or upon or under any bridge of a railway company or the approaches thereto except with the consent in writing of such company.

Amendment of section 21 of Act of 1904.

48.—(1) The provisos to subsection (1) of section 21 (Power to supply electrical fittings &c.) of the Act of 1904 are hereby repealed.

(2) The said section 21 shall be read and have effect as if the following provisions were inserted at the end of subsection (1) thereof:

Provided as follows:—

(*a*) The Corporation shall not sell such electric lines fuses switches fittings meters lamps lampholders motors and other apparatus except at retail prices to be determined failing agreement as hereinafter provided;

(*b*) The Corporation shall not sell any such electric lines fuses switches fittings meters lamps lampholders motors or other apparatus to the trade save where there is an electrical

contractor of whom the consumer or prospective consumer is a customer or prospective customer in which case they shall sell to the electrical contractor at trade price or at such other price as failing agreement shall be determined as hereinafter provided;

(*c*) Such retail and trade prices if not agreed shall be determined by a committee representative of the interests concerned who shall be appointed by the Electricity Commissioners on the application of any such interest;

(*d*) The Corporation shall so far as practicable adjust such prices and the charges made by them for materials provided and work done as to meet any expenditure by them under the powers of this section in connection therewith (including interest upon any moneys borrowed for those purposes and all sums to be applied to sinking fund for repayment of moneys so borrowed);

(*e*) The total sums received and expended by the Corporation under this section in each year (including the amount required for interest and sinking fund) shall be separately shown in the published accounts of the electricity undertaking of the Corporation for that year.

Receipts and expenses.

49.—(1) Any expenses incurred by the Corporation in carrying into effect the provisions of this Part of this Act and not otherwise provided for shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and the provisions of section 7 (Expenses of local authority) and section 8 (Power of local authority to borrow money) of that Act shall extend and apply accordingly to such expenses.

(2) Any moneys received by the Corporation under the said provisions shall be applied in manner provided by section 7 (Application of money received by local authority as undertakers) of the Electric Lighting (Clauses) Act 1899 Provided that subsection (1) (*e*) of the said section 7 shall be read and have effect as if the words "fifteen per centum" were inserted therein in lieu of the words "one-tenth" occurring therein.

A.D. 1926.

PART V.

PARKS AND PLEASURE GROUNDS &c.

Closing public footpaths across parks &c.

50. The Corporation may close any public footpath or right of way across any public park garden or recreation ground when the same is closed pursuant to the provisions of section 44 of the Public Health Acts Amendment Act 1890 or this Part of this Act.

Closing public footpaths across pleasure grounds.

51. The Corporation may close any public footpath across any portion of any park garden or pleasure ground belonging to them set apart for any of the purposes mentioned in section 100 (Power to set apart and close pleasure grounds for games) of the Act of 1904 for such period as such park garden or pleasure ground is being used for the purposes for which it is so set apart.

Setting apart pleasure grounds for use of scholars attending certain schools.

52.—(1) The Corporation may set apart any portion of any park garden or pleasure ground for the time being belonging to or held by them for such time during school hours in any school term as they may think fit for the exclusive use of scholars attending elementary and secondary schools in the borough.

(2) On setting apart any portion of any park garden or pleasure ground under the provisions of this section the Corporation shall give public notice thereof by causing placards to be posted and maintained in some conspicuous position at the entrance to or in any such park garden or pleasure ground so long as any portion thereof is so set apart.

(3) Nothing in this section shall prohibit the use of any such portion of any park garden or pleasure ground by persons other than such scholars when the same is not being prepared for use or is not being used by scholars as aforesaid.

Prosecution of offences in parks and recreation grounds.

53. Notwithstanding anything contained in section 253 of the Public Health Act 1875 the Corporation shall have power to take proceedings under that Act for any offence committed in any park and recreation ground belonging to the Corporation situated partly or wholly beyond the borough as if such park and recreation ground formed part of and were within the borough.

Removing doubts

54. For the removal of doubts it is hereby enacted that the Corporation shall hold and they and their prede-

cessors the Wilts and Berks Canal Company shall be deemed always to have held the footpaths along the eastern and northern sides of the Coate Reservoir of the Corporation leading to Coate Road as private footpaths and to have and always to have had power to charge for admission to the said reservoir by such footpaths as provided by the Act of 1914. A.D. 1926. — respecting rights in Coate Reservoir.

55. Notwithstanding anything contained in section 44 (Parks and pleasure grounds) of the Public Health Acts Amendment Act 1890 the Corporation may close the recreation grounds known as the Park and the Mannington Recreation Ground on Sundays provided that neither of such recreation grounds shall be closed for more than two Sundays during any calendar year. Closing certain parks on Sundays.

PART VI.

FINANCIAL AND MISCELLANEOUS.

56.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with 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 fund and rate 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) :— Power to borrow and repayment of borrowed money.

1	2	3	4
Purpose.	Amount.	Charge.	Period for repayment.
(*a*) For the purchase of lands.	The sum requisite.	The district fund and general district rate.	Sixty years from the date or dates of borrowing.
(*b*) For the provision of omnibuses.	£8,000	The revenue of the Corporation tramway undertaking and the borough fund and borough rate.	Eight years from the date or dates of borrowing.

1	2	3	4
Purpose.	Amount.	Charge.	Period for repayment.
(*c*) For paying the costs charges and expenses of this Act.	The sum requisite.	As to one-half the borough fund and borough rate and as to the remaining half the district fund and general district rate.	Five years from the passing of this Act.

(2) (*a*) The Corporation may also with the consent of the Minister of Transport borrow such further money as may be necessary for any of the purposes of Part III. (Omnibuses and tramways) of this Act and with the consent of the Electricity Commissioners such further money as may be necessary for any of the purposes of Part IV. (Electricity) of this Act and with the consent of the Minister of Health 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 (in this Act referred to as "the prescribed period") as may be prescribed by the Minister or Commissioners with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

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

(3) The provisions of this section shall not limit the powers conferred upon the Corporation by section 152 (Security for principal moneys) of the Act of 1904.

Use of moneys forming part of sinking and other funds.

57. Notwithstanding anything contained in any previous enactment the Corporation may use for the purpose of any statutory borrowing power exerciseable by them any moneys forming part but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals depre-

ciation contingent insurance superannuation or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:— A.D. 1926.

(1) The moneys so used shall be repaid to the lending fund within the period by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be repayable:

Provided that the Corporation shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding as the case may be as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be made out of the fund rate or revenue aforesaid or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power:

(2) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power:

(3) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

Return to Minister of Health with respect to repayment of debt.

58.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

A.D. 1926.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the town clerk or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid 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 any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the town clerk shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) Any other provision (other than the foregoing provisions of this section) of any enactment now in force in the borough requiring an annual return to be made to the Minister with regard to the repayment of debt is hereby repealed.

Application of certain provisions of Act of 1904.

59. The following provisions of the Act of 1904 shall extend and apply to and for the purposes of this Act as if those provisions were with all necessary modifications re-enacted in this Act (namely) :—

Section 144 (Mode of raising money);

Section 146 (Provisions of Public Health Act as to mortgages to apply);

Section 152 (Security for principal moneys):

Section 153 (Mode of payment off of money borrowed);
Section 154 (Sinking fund);
Section 155 (Protection of lender from inquiry);
Section 156 (Corporation not to regard trusts);
Section 157 (Appointment of receiver);
Section 158 (Power to re-borrow);
Section 159 (Application of money borrowed);
Section 160 (Scheme for fixing equated periods for repayment of loans);
Section 162 (Expenses of execution of Act);
Section 166 (Inquiries by Local Government Board) with the omission of the words "not exceeding three guineas a day" occurring therein;
Section 171 (Application of section 262 of Public Health Act 1875 to notices orders &c.);
Section 173 (Informations &c. by whom to be laid);
Section 176 (Recovery of penalties &c.);
Section 177 (Penalties to be paid over to treasurer).

Reserve fund for tramway undertaking.

60.—(1) The Corporation may if they think fit provide a reserve fund in respect of their tramway undertaking by setting aside such an amount as they may from time to time think reasonable and investing the same in statutory securities and accumulating the same until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation in respect of their tramway undertaking.

(2) Any such reserve fund shall be applicable to answer any deficiency at any time happening in the income of the Corporation from their tramway undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or for payment of the cost of renewing improving or extending any part of the tramways of the Corporation or of the works connected therewith or otherwise for the benefit of that undertaking and so that if that fund be at any time reduced it may thereafter be again

A.D. 1926.

restored to the prescribed maximum and so from time to time as often as such reduction happens.

(3) Resort may be had to the reserve fund under the foregoing provisions although such fund may not at any time have reached or may have been reduced below the prescribed maximum.

Date for payment of water rates.

61. Notwithstanding anything contained in section 70 (Rates to be paid quarterly in advance) of the Waterworks Clauses Act 1847 the Corporation may by resolution declare that their water rates and charges shall be payable at such date or dates as the Corporation may from time to time appoint:

Provided that no person shall be compellable to pay water rates or charges so demanded for any longer period in advance than three months.

Supply of water to houses partly used for trade &c.

62.—(1) The Corporation shall not be bound to supply with water otherwise than by measure (*a*) any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required or (*b*) any workhouse public institution hospital asylum (whether public or private) sanatorium club hotel public-house or inn or (*c*) any boarding-house capable of accommodating twenty or more persons including the persons usually resident therein or (*d*) any school not maintained by the local education authority.

(2) Where a supply of water to a farmhouse is used for farming purposes the Corporation may require that the supply for farming purposes shall be taken by meter but nothing in this section shall authorise the Corporation to refuse a supply of water for domestic purposes only to a farmhouse at the ordinary rate calculated on the rateable value thereof.

(3) The minimum quarterly charge for a supply of water by measure to any of the premises in this section mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling-house of the same rateable value.

Charges for hose pipes.

63. Where water supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in premises where horses carriages or

motor cars are kept for private use the Corporation may if a hose pipe or other similar apparatus is used charge any additional sum not exceeding one pound per annum and (where more motor cars than one are ordinarily kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first and any sum chargeable under the provisions of this section shall be paid quarterly in advance and be recoverable in all respects with and as the water rate.

Power to Corporation to repair communication pipes.

64.—(1) If by reason of any injury to or defect in any communication pipe which the Corporation are not under obligation to maintain there is any waste or risk of waste of water or injury or risk of injury to person or property or to the health of any person it shall be lawful for the Corporation by and under the direction of their duly authorised officer to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Corporation in executing such repairs shall be recoverable by the Corporation from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier.

(2) Provided that except in case of emergency the Corporation shall not under the powers of this section enter into any house or private premises unless they shall have given notice to the occupier of such house or premises and in any case where the communication pipe is repairable by the owner thereof to such owner not less than twenty-four hours' previous notice of their intention so to enter.

Maintenance of common pipe.

65. When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the waterworks engineer of the Corporation or other officer duly authorised in that behalf by the Corporation.

A.D. 1926.

Provision as to gas meter testing.

66. Notwithstanding anything contained in the Sale of Gas Act 1859 or the Sale of Gas Act 1860 the Corporation may at any time after the passing of this Act by resolution adopt the said Acts of 1859 and 1860.

Compensation for injuring lamps &c.

67. Every person who negligently or wilfully breaks throws down or otherwise damages any public lamp or lamp-post or electric tramway standard or street orderly bin or other receptacle for the temporary deposit and collection of dust ashes and rubbish or street sand bin shall make full compensation to the Corporation for the damage done and the amount of such compensation to an amount not exceeding twenty pounds shall be recoverable summarily as a civil debt.

Canal towing paths restricted to pedestrians.

68.—(1) Notwithstanding anything contained in section 4 (Transfer to Corporation of Swindon Canal and lands and Coate Reservoir) of the Act of 1914 the towing-paths adjoining the Wilts and Berks Canal (authorised to be abandoned) in the borough shall be used only for pedestrian traffic and no person shall propel a bicycle whether by mechanical power or otherwise along such towing-paths except at a walking pace.

(2) Any person contravening the provisions of this section shall be liable to a penalty of forty shillings.

Service of summons on members of council.

69. Notwithstanding anything contained in the Second Schedule to the Municipal Corporations Act 1882 the summons to members of the council may be delivered at the usual place of abode of every member of the council by post by prepaid letter at the ordinary rate of postage.

Apportionment of items.

70. In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Inquiries by Minister of Transport.

71. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any existing Act or Order of the Corporation the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as

if in section 4 of that Act the words "under seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board". A.D. 1926.

Costs of Act.

72. The costs charges and expenses preliminary to and of and incidental to 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 moneys to be borrowed under this Act for that purpose or out of the borough fund and borough rate and the district fund and general district rate or partly in one way and partly in the other.

The SCHEDULE referred to in the foregoing Act.

DESCRIPTIONS OF PROPERTIES OF WHICH PORTIONS ONLY MAY BE REQUIRED BY THE CORPORATION referred to in the section of this Act of which the marginal note is "Owners may be required to sell parts only of certain properties".

Borough.	Numbers on Deposited Plans.
Swindon - - - - -	2 3 4 and 10.

Printed by EYRE and SPOTTISWOODE, LTD.,
FOR
WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C. 2; York Street, Manchester;
1 St. Andrew's Crescent, Cardiff; or 120, George Street, Edinburgh;
or through any Bookseller.