CHAPTER lxxiv.

An Act to empower the lord mayor aldermen and citizens of the city and county of Kingston upon Hull to construct bridges across the River Hull and the Hedon Haven tramways and waterworks to extend their limits for the supply of water to make further provision in regard to their water undertaking and for other purposes. [4th August 1926.] A.D. 1926.

WHEREAS it is expedient to empower the lord mayor aldermen and citizens of the city and county of Kingston upon Hull (in this Act called "the Corporation") to construct an opening bridge across the River Hull together with approaches and works incidental thereto in substitution for the North Bridge and to empower them to construct the tramways authorised by this Act:

And whereas in pursuance of an agreement dated the fifteenth day of December nineteen hundred and twenty-four and made between the Sculcoates Rural District Council of the first part the Patrington Rural District Council of the second part and the Corporation of the third part and of an agreement dated the sixth day of February nineteen hundred and twenty-six and made between the London and North Eastern Railway Company of the one part and the Corporation of the other part a road is about to be constructed by the Corporation from the Hedon Road in the city to the parish of Paull and

A.D. 1926. it is expedient to empower the Corporation to construct a bridge for carrying the road across the Hedon Haven :

And whereas it is expedient to extend the limits of the Corporation for the supply of water to empower them to purchase certain waterworks of the Sculcoates Rural District Council in pursuance of an agreement with that council and to construct further waterworks :

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*) The construction of Works Nos. 1 2 and 3 authorised by Part III. of this Act - - - - - - - -	103,500
(*b*) The construction of Work No. 4 authorised by Part III. of this Act -	3,000
(*c*) The construction of the tramways authorised by this Act - - -	8,500
(*d*) The provision of electrical equipment and the construction of other works necessary for working the tramways authorised by this Act - - -	3,000
(*e*) The purchase of waterworks and mains from the Sculcoates Rural District Council - - - -	2,000
(*f*) The construction of the waterworks authorised by this Act - - -	40,000

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the Corporation should be empowered to borrow money for those purposes as provided by this Act :

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 and sections showing the lines and levels of the works authorised by this Act and also

a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the respective clerks of the peace for the east riding of Yorkshire and for the city and county of Kingston upon Hull and are in this Act respectively referred to as the deposited plans sections and book of reference : A.D. 1926.

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 :—

Part I.

Preliminary.

Short title.

1. This Act may be cited as the Kingston upon Hull Corporation Act 1926.

Division of Act into Parts.

2. This Act is divided into Parts as follows (that is to say) :—

Part I.—Preliminary.
Part II.—Lands.
Part III.—Bridges and tramways.
Part IV.—Water.
Part V.—Finance and miscellaneous.

Incorporation of Acts.

3. The following enactments (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 :—

(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 Land Clauses Consolidation Act 1845 shall

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be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section :

(2) The Waterworks Clauses Act 1847 except—

(*a*) The words " with the consent in writing " of the owner or reputed owner of any such " house or of the agent of such owner " in section 44 of the Waterworks Clauses Act 1847 ;

(*b*) Sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts :

(3) Sections 13 to 21 of the Waterworks Clauses Act 1863 :

(4) Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 Provided that the following words in the said section 19 shall not apply to the Corporation (namely) " but nothing in this Act contained " shall authorise any local authority to place " or run carriages upon such tramway and to " demand and take tolls and charges in respect " of the use of such carriages."

Interpretation.

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

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

(*a*) " The Corporation " means the lord mayor aldermen and citizens of the city and county of Kingston upon Hull;

(*b*) " The city " means the city and county of Kingston upon Hull;

(*c*) " The borough fund " " the borough rate " " the district fund " and " the general district rate "

mean respectively the borough fund the borough rate the district fund and the general district rate of the city;

(*d*) "The Lands Clauses Acts" means the Lands Clauses Acts as amended by the Acquisition of Land (Assessment of Compensation) Act 1919;

(*e*) "The conservancy board" means the Humber Conservancy Board;

(*f*) "High-water mark" means high-water mark of ordinary spring tides;

(*g*) "Telegraphic line" has the same meaning as in the Telegraph Act 1878;

(*h*) "The Act of 1897" "the Act of 1906" and "the Act of 1911" mean respectively the Kingston upon Hull Corporation Act 1897 the Kingston upon Hull Corporation Act 1906 and the Kingston upon Hull Corporation Act 1911.

PART II.

LANDS.

Acquisition of lands.

5. Subject to the provisions and for the purposes of this Act (including the provision of space for the erection of buildings adjoining or near to any street) the Corporation may enter on take appropriate and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference Provided that in the case of the adits authorised by this Act where the same will be situate under highways the Corporation shall only acquire an easement under the next following section.

Acquisition of easements.

6.—(1) The Corporation may in lieu of acquiring any lands for the purposes of the works authorised by Part IV. (Water) of this Act (including the subsidiary works and conveniences thereby authorised) acquire such easements only in such lands as they may require for such purposes (including the making maintaining repairing inspecting cleansing managing using working and obtaining access to such works and conveniences) and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the

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acquisition of such easements as fully as if the same were lands within the meaning of those Acts.

(2) As regards any lands in respect of which the Corporation have acquired easements only under the provisions of this section the Corporation shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements have the same rights to use and cultivate the said lands at all times as if this Act had not been passed.

(3) Provided always that (except in the case of works situate in or under a highway) nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they shall have given notice to treat for an easement only.

(4) Every notice to treat for the acquisition of an easement shall either contain or be endorsed with notice of this provision.

Period for compulsory purchase of lands.

7. 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 December nineteen hundred and twenty-nine.

PART III.

BRIDGES AND TRAMWAYS.

Power to make works.

8. Subject to the provisions of this Act the Corporation may in the lines and according to the levels shown upon the deposited plans and sections relating thereto make and maintain in the city and the rural districts of Sculcoates and Patrington the works hereinafter mentioned with all proper and necessary junctions connections approaches sewers drains machinery works and conveniences in connection therewith (that is to say):—

Work No. 1 An opening bridge in the city across the River Hull together with approaches thereto commencing in Charlotte Street and terminating in Witham;

Work No. 2 A tunnel or tunnels in the city under the River Hull for the purpose of carrying pipes cables and other works and conveniences commencing in the west approach of Work No. 1 and terminating in the east approach thereof;

Work No. 3 A diversion in the city of Foredyke Stream (Holderness Drainage) commencing at the River Hull and terminating at the east wall of Lime Street Bridge;

Work No. 4 An opening bridge with a central span of not less than 30 feet across the Hedon Haven in the parish of Preston in the rural district of Sculcoates and in the parish of Paull in the rural district of Patrington together with approaches thereto for a proposed new road from Hedon Road to Paull commencing at the north-west bank of the Hedon Haven at a point 269 yards or thereabouts measured in a southerly direction from the south-west corner of the dwelling-house of Pollard Farm and terminating at the south-east bank at a point 34 yards measured in the said direction from the centre line of the Hedon Haven;

and the Corporation may work the said bridges.

Power to make tramways.

9. Subject to the provisions of this Act the Corporation may make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections with all proper rails plates junctions turnouts crossings passing places posts poles brackets wires waiting rooms carriage houses sheds depôts buildings engines works and conveniences connected therewith.

The tramways hereinbefore referred to and authorised by this Act will be situate in the city and are:—

Tramway No. 1 (double line 1 furlong 9 chains in length) commencing in Charlotte Street by a junction with the existing tramway passing thence over Work No. 1 authorised by this Act and terminating in Witham by a junction with the existing tramway;

Tramway No. 2 (double line 4·4 chains in length) commencing at the east approach road of Work

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No. 1 authorised by this Act by a junction with Tramway No. 1 passing thence in a south-easterly direction and terminating in Great Union Street:

Provided that the Corporation shall not lay any portion of the tramways authorised by this Act so that for a distance of thirty feet or upwards a less space than nine feet six inches shall intervene between the outside of the footpath on either side of the road and the nearest rail of the tramway.

Power to deviate.

10. Subject to the provisions of this Act the Corporation in constructing the works and tramways authorised by this Part of this Act may deviate to any extent not exceeding the limits of deviation shown on the deposited plans and may deviate from the levels shown on the deposited sections to any extent not exceeding five feet but shall not as respects any work affecting the navigation of the River Hull deviate downwards from those levels:

Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Time for completion of works.

11.—(1) If Work No. 4 (the Hedon Haven Bridge) authorised by this Act is not completed by the thirty-first day of December nineteen hundred and thirty-one then on that date the powers granted by this Act for constructing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

(2) If the tramways authorised by this Act are not completed within five years from the date of the completion of Work No. 1 authorised by this Act and the opening thereof for public use then on the expiration of that period the powers granted by this Act for constructing the same or otherwise in relation thereto shall cease except as to so much of the tramways respectively as shall then be completed.

Byelaws as to North Bridge.

12.—(1) The provisions of section 34 (Byelaws as to bridges) and of section 35 (Penalty for breach of byelaws) of the Act of 1897 shall extend and apply to the bridge (Work No. 1) authorised by this Act and

the existing byelaws made by the Corporation thereunder shall extend and apply to that work until they are altered or revoked.

(2) Within six months after the completion and opening for traffic of the bridge (Work No. 1) authorised by this Act the Corporation shall consider the advisability of making new byelaws relative thereto and if they are of opinion that new byelaws are necessary or desirable they shall proceed to make such byelaws and apply for the necessary approval thereof.

(3) If within nine months from the completion and opening for traffic of the said bridge (Work No. 1) the Corporation have not proceeded to make any new byelaws or at any time after the Corporation shall have decided that new byelaws are not necessary or desirable any person interested either in the road traffic or the river traffic may make application to the Minister of Transport inviting him to hold an inquiry into the question of the suitability of the existing byelaws to the said bridge (Work No. 1) and if as a result of such inquiry the Minister of Transport decides that new byelaws are necessary or desirable the Corporation shall at once proceed to make such new byelaws and apply for the necessary approval thereof.

(4) The provisions of the Public Health Act 1875 hereinafter mentioned so far as they relate to byelaws made by an urban sanitary authority shall apply to any byelaws that may be made hereafter under section 34 of the Act of 1897 or under that section as applied by this Act but in the application of those provisions the Minister of Transport shall be substituted for the Local Government Board. The said provisions are—

Section 182 (Authentication and alteration of byelaws);

Section 184 (Confirmation of byelaws); and

Section 185 (Byelaws to be printed &c.).

Removal of existing North Bridge.

13.—(1) Upon the completion of work No. 1 authorised by this Act and the final opening thereof for road traffic the Corporation shall at once close the existing North Bridge to road traffic and open it to river traffic and shall proceed with all reasonable despatch to remove that bridge and may appropriate and dispose of the materials thereof.

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(2) When removing the said existing bridge the Corporation shall free the bed of the river to the level of ten feet at least below Ordnance datum from all piles stonework and obstructions so as to restore the full width of the river for the use of navigation.

(3) The powers of the Board of Trade contained in the section of this Act whereof the marginal note is "Abatement of work abandoned or decayed" shall apply to the removal of the said existing bridge as though such bridge were an abandoned or decayed work on the completion of Work No. 1 authorised by this Act.

(4) Upon the completion of the said Work No. 1 the Corporation shall also discontinue and remove the existing tramways in Charlotte Street and Witham between the commencement and termination of Tramway No. 1 constructed under the powers of this Act.

Stopping up of approaches to existing bridge.

14.—(1) Upon the completion of Work No. 1 authorised by this Act the Corporation may stop up and discontinue as public highways—

(*a*) so much of Charlotte Street as is situate between Dock Office Row and the existing North Bridge;

(*b*) so much of Witham as is situate between Great Union Street and the existing North Bridge; and

(*c*) so much of Trippett Street as will lie to the south of Work No. 1 constructed under the powers of this Act.

(2) Provided that the Corporation shall not stop up any part of the highways referred to in this section unless they are the owners in possession of the lands abutting thereon or obtain the consent of the owners lessees and occupiers of such lands to such stopping up.

(3) The Corporation may purchase the lands abutting upon the highways the stopping up of which is authorised by this section.

(4) Notwithstanding the stopping up of the parts of Charlotte Street and Witham referred to in this section the Postmaster-General may if he so desires (without derogation from any other right vested in him) remove from the said parts of the said streets any telegraphic line of the Postmaster-General which

is in under upon along over or across the same and the Corporation shall pay to the Postmaster-General the expenses incurred by him of and incidental to the removal of such telegraphic line and of any telegraphic line connected therewith which in consequence will be rendered useless and the substitution of a telegraphic line in such other place as the Postmaster-General may require :

Provided that any such removal as aforesaid shall be effected within six months of the receipt by the Postmaster-General of a notice in writing from the Corporation requesting such removal.

Further provision as to closing highways.

15. For the prevention of doubt be it enacted that section 68 of the Lands Clauses Consolidation Act 1845 shall apply to any lands which adjoin any part of Charlotte Street or Witham lying between the junction of Charlotte Street with Trippett Street and the junction of Witham with Great Union Street and are not acquired by the Corporation under the powers of this Act and are shown to have been depreciated in market value owing to the construction of Work No. 1 authorised by this Act and the closing of the existing North Bridge in pursuance of this Act :

Provided that if in any case the compensation claimed shall exceed the sum of fifty pounds the sum shall be settled by arbitration under and in accordance with the provisions of the Acquisition of Land (Assessment of Compensation) Act 1919.

For protection of Postmaster-General.

16. The Corporation shall in constructing the tunnel or tunnels Work No. 2 by this Act authorised provide for the telegraphic lines of the Postmaster-General such reasonable accommodation as shall be sufficient for nine lead-covered cables each with an external diameter of three inches or thereabouts The accommodation shall be provided in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the Postmaster-General :

Provided that if within one month of the receipt of the said plans sections and particulars the Postmaster-General shall not have intimated to the Corporation his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same :

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Provided further that any extra cost which the Corporation may reasonably incur in complying with the provisions of this section shall be borne and paid by the Postmaster-General.

Byelaws as to Hedon Haven.

17.—(1) The Corporation may and if required by the Minister of Transport shall make byelaws—

(*a*) with respect to the opening and closing of the Hedon Haven Bridge and the time and mode of vessels passing through the same and the notice to be given by the master or person having command or charge of any such vessel;

(*b*) with respect to the traffic along the bridge and for regulating the bridge and for prohibiting the use thereof in certain cases and by certain engines carriages or vehicles or other classes of traffic and for providing that the bridge may be temporarily closed to road traffic for repairs or other emergencies;

and such byelaws may impose reasonable penalties for the breach thereof not exceeding the sum of ten pounds for each offence.

(2) If any vessel is wilfully or negligently detained at the bridge or unreasonably obstructed contrary to the provisions of any such byelaw the Corporation or the person in charge of the bridge shall be liable to a penalty not exceeding ten pounds for each offence which shall be recoverable summarily by the owner or person in charge of such vessel Any such vessel shall not be entitled to the benefit of this subsection unless the byelaws are and have been complied with by the master or person having command or charge of the vessel.

(3) If the master or person having command or charge of any vessel shall be guilty of wilful neglect or unreasonable delay in passing or preparing to pass through the bridge he shall be liable to a penalty not exceeding five pounds for each offence.

(4) The provisions of the following sections of the Public Health Act 1875 namely :—

Section 182 (Authentication and alteration of byelaws);

Section 184 (Confirmation of byelaws); and

Section 185 (Byelaws to be printed &c.);

so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this section but in the application of those provisions the Minister of Transport shall be substituted for the Local Government Board.

(5) The Corporation shall furnish the conservancy board with a copy of all byelaws proposed to be made under this section and that board shall be entitled to make representations to the Minister of Transport objecting thereto.

Works to form part of tramway undertaking.

18.—(1) The tramways authorised by this Act and the works connected therewith shall for all purposes form part of the tramway undertaking of the Corporation and the provisions of Part II. (Tramways) of the Act of 1906 as amended by this Act and of the enactments incorporated therewith and (until they are altered or revoked) any byelaws and regulations made in pursuance thereof respectively shall extend and apply to the said tramways and works as if they had formed part of the tramways and works authorised by the Act of 1906 and were Corporation tramways within the meaning of that Act.

(2) Provided that—

(*a*) In the exercise of the powers of section 8 (As to electrical works &c.) of the Act of 1906 no post or other apparatus shall be erected on the carriageway except with the consent of the Minister of Transport;

(*b*) The powers of subsection (1) of section 19 (Power to make additional cross-overs and to double tramway lines) of the Act of 1906 shall not be exercised except with the consent of the Minister of Transport.

(3) The provisions of section 9 (Use of tramway posts by Postmaster-General) of the Act of 1911 shall extend to the tramways authorised by this Act.

For further protection of Postmaster-General.

19. Subsection (4) of section 23 (For protection of Post Office telegraph lines) of the Act of 1906 shall be read and have effect as if the words "generated or used by or supplied to the Corporation" were inserted in that subsection in substitution for the words "generated by the Corporation."

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

20.—(1) Subject to the provisions of this Act any work authorised by this Act shall only be constructed so far as the same shall be on under or over tidal waters or tidal lands below high-water mark in accordance with plans and sections approved by the Board of Trade under the hand of one of the secretaries or assistant secretaries of the Board of Trade and subject to such restrictions and regulations as the said Board may prescribe before such work is begun.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) 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 either as a debt due to the Crown or by the Board of Trade summarily as a civil debt.

Survey of works by Board of Trade.

21. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of any work constructed or site of any work removed by the Corporation under the powers of this Act which shall be on under or over tidal waters or tidal lands below high-water mark or of the site upon which it is proposed to construct any such work the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Corporation to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt.

Abatement of work abandoned or decayed.

22.—(1) Where any work constructed by the Corporation under the powers of this Act and situate wholly or partially on under or over the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark is abandoned or suffered to fall into decay the Board of Trade may by notice in writing either require the Corporation at their own expense to repair and restore such part of such work as is situate below high-water mark or any portion thereof or require them to abate or remove the same and restore the site thereof to its former condition to such an extent and within such limits as the Board of Trade may think proper.

(2) Where any part of any such work which has been abandoned or suffered to fall into decay is situate above high-water mark and is in such condition as to interfere or to cause reasonable apprehension that the same may interfere with the right of navigation or other public rights over the foreshore the Board of Trade may include any such part of such work or any portion thereof in any notice under this section.

(3) If during the period of thirty days from the date when the notice is served upon the Corporation they have failed to comply with such notice the Board of Trade may execute the works required to be done by the notice at the expense of the Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and shall be recoverable either as a debt due to the Crown or summarily as a civil debt.

Lights on works during construction.

23.—(1) The Corporation shall at or near such part of the works by this Act authorised to be constructed or removed as shall be below high-water mark during the whole time of the construction alteration removal or extension of the same exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade shall from time to time require or approve.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Permanent lights on works.

24.—(1) After the completion of the works below high-water mark by this Act authorised the Corporation shall at the outer extremities of those works exhibit and keep burning every night from sunset to sunrise such lights and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an

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additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

As to lamps on bridges.

25. All street lamps or other lights used upon the bridges by this Act authorised which are not required in connection with the navigation of the river or the haven shall be effectually screened on the side facing the River Hull or Hedon Haven.

Provision against danger to navigation.

26.—(1) In case of injury to or destruction or decay of the works by this Act authorised or any part thereof so far as the same shall be constructed on under or over any tidal waters or tidal lands below high-water mark the Corporation shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond or in the case of the Hedon Haven the conservancy board and shall apply to that corporation or board (as the case may be) for directions as to the means to be taken.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Lifebuoys &c. to be kept.

27. The Corporation shall at all times keep at the bridges by this Act authorised and in accordance with any requirements made by the Board of Trade a sufficient number of lifebuoys and life lines in good order and fit and ready for use.

For protection of river craft interests.

28.—(1) Notwithstanding anything contained in this Act or shown on the deposited plans and sections—

(*a*) The new bridge (Work No. 1) shall be constructed so that the clear headway between any part of the underside thereof and high-water mark is not less than seven feet three inches and the underside of the said bridge shall be straight;

(*b*) The said bridge shall be constructed so that the opening span thereof shall be of a navigable width of not less than sixty-five feet and the

Corporation in constructing the said bridge shall provide and fix all such apparatus machinery and appliances as shall be necessary for the opening and closing of the said opening span;

(*c*) The foundations of the said bridge shall be constructed and maintained at such a level as to allow the bed of the river around or near to the said foundations to be dredged to a level of ten feet below ordnance datum without endangering the safety of the said bridge;

(*d*) No piers (other than such temporary structures as may be reasonably necessary for the purposes of and during the construction of the bridge) shall be placed in the waterway of the river except such as are shown on the deposited plans or elsewhere than in the position marked on those plans.

(2) For the purpose of guiding vessels into the opening span the Corporation shall contemporaneously with the construction of the said bridge provide suitable dolphins or other protection for craft at each side of the river below and above the said bridge and shall at all times thereafter maintain in good order and condition the dolphins or other protection so provided.

(3) The Corporation during the construction of the said bridge and the removal of the existing North Bridge shall provide such facilities in the form of dolphins bollards or similar appliances as may be reasonably necessary for the purpose of navigation through the openings of the two bridges.

(4) The Corporation shall at all times after the completion of the said bridge maintain in good repair and condition the structure thereof and all such works in connection therewith as affect or would if not so maintained affect the navigation of vessels through or under the bridge.

(5) The works authorised by this Act (so far as they affect the navigation of the River Hull) when commenced shall be proceeded with and completed as early as practicable and upon completion of the permanent works the Corporation shall remove the whole and every part of any temporary work and material for temporary

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works which may have been placed in the river in connection with the construction of such permanent works and the removal of the existing North Bridge and if the Corporation fail so to do the Board of Trade after giving reasonable notice to the Corporation requiring them so to do may remove the same and may recover the cost reasonably incurred by them in so doing from the Corporation.

(6) In constructing executing maintaining and working the said bridge and in removing the existing North Bridge the Corporation shall not interrupt the navigation of the river and shall not to any greater extent than is necessary interfere with or obstruct such navigation and the free passage of the stream and flow of the river and navigable width shall be maintained during the construction repair or alteration of the said bridge and during the removal of the existing North Bridge.

For protection of conservancy board.

29. Notwithstanding anything contained in this Act or shown on the deposited plans the following provisions for the protection of the conservancy board shall apply and have effect (that is to say) :—

(1) Before commencing the construction of the Hedon Haven Bridge (Work No. 4) authorised by this Act and any works in connection therewith plans and sections showing the general mode of construction thereof shall be furnished by the Corporation to the clerk to the conservancy board and the approval of the conservancy board to such plans and sections or in case of difference the approval of the arbitrator to be appointed as hereinafter provided shall be obtained before commencing the work and the said bridge and works shall be executed to the reasonable satisfaction of the engineer to the conservancy board :

(2) All temporary structures in Hedon Haven which may be necessary to enable the said bridge and works to be constructed shall be constructed to the reasonable satisfaction of the engineer to the conservancy board in accordance with plans to be submitted to and approved by the conservancy board or in case of difference approved

by an arbitrator to be appointed as hereinafter provided before the commencement of any such temporary structures and so as not to interfere more than may be reasonably necessary with the navigation of or the traffic on the Hedon Haven and after the purpose for which such temporary structures were constructed has been accomplished the Corporation shall with all despatch or after fourteen days' notice in writing thereafter from the conservancy board so to do remove any such temporary structures or any materials for the same which may have been placed in the Hedon Haven by the Corporation and on their failing so to do the conservancy board may remove the same charging the Corporation with the reasonable expense of so doing and the Corporation shall repay to the conservancy board all the expenses so incurred :

(3) In the event of the conservancy board omitting to express their disapproval of any plans or sections within two months after the same shall have been furnished to the conservancy board in pursuance of this section the conservancy board shall be deemed to have approved the same :

(4) The Corporation shall allow at all times free access both by water and by land to the conservancy board their officers and servants on to and over the said bridge without payment or hindrance whilst in the execution of their duties :

(5) The provisions of the sections of this Act whereof the marginal notes are respectively "Abatement of work abandoned or decayed" "Lights on works during construction" and "Permanent lights on works" shall as regards Work No. 4 authorised by this Act apply with the necessary modifications to the conservancy board as if that board were named therein in addition to the Board of Trade and any expenses incurred by the conservancy board in pursuance of the said sections shall be a debt due to them and be recoverable summarily :

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(6) The Corporation and the conservancy board may agree in writing for any variation or alteration in the provisions of this section :

(7) In the event of any question or difference arising between the conservancy board and the Corporation under the provisions of this section such question or difference shall be referred to an engineer or other fit person to be appointed as arbitrator by the Corporation and the conservancy board or failing agreement by the Board of Trade on the application of the Corporation or of the conservancy board :

(8) Except as in this Act otherwise expressly provided nothing contained in this Act shall prejudice or alter or be deemed to prejudice or alter any of the provisions of the Humber Conservancy Acts 1852 to 1907 or any of them or any title of the conservancy board in to or over any lands or foreshore held or acquired by them under the said Acts or any of them or under any lease or agreement made under the powers thereof or confirmed thereby or any other of the rights powers privileges or authorities of the conservancy board.

For protection of Beverley and Barmston Drainage Commissioners.

30.—(1) The Corporation shall maintain the bed of the river under both the centre span and the side spans of the bridge (Work No. 1) at a level corresponding with the levels which prevail from time to time immediately above or below the bridge so as to maintain a uniform longitudinal fall in all parts of the bed of the river.

(2) If at any time the Beverley and Barmston Drainage Commissioners arrange for any general improvement or lowering of the bed of the river the Corporation shall if requested excavate that portion of the bed of the river which is under the bridge so that the level in the opening span shall not be higher than ten feet below ordnance datum and the level in the side openings not higher than six feet below ordnance datum but should the commissioners at any time arrange to dredge the bed of the river contiguous to the bridge to a level not lower than ten feet below ordnance datum they shall not by so doing render themselves liable for any part of the structure of the bridge :

Provided that the Corporation shall not be called upon to execute any excavation or dredging which may endanger the wharves buildings or other structures contiguous to the bridge works. A.D. 1926.

For protection of Holderness Drainage Trustees.

31. For the protection of the Holderness Drainage Trustees (hereinafter referred to as "the trustees") the following provisions shall unless otherwise agreed in writing apply and have effect (that is to say) :—

(1) The new outfall culverts for the water from the Foredyke stream (which outfall culverts and part of which stream form part of Work No. 3 by this Act authorised and are hereinafter in this section called "the new culverts" and "the drain" respectively) shall be constructed with proper gates to prevent the influx of tidal waters into the new culverts and the new culverts shall each be internally rectangular in section and have an internal width throughout of not less than eleven feet six inches and an internal height throughout of not less than eleven feet six inches The level of the inverts of the new culverts where the same join the existing sill of the cloughs at Lime Street Bridge shall not be higher than the level of that sill and the new culverts shall have a fall of not less than six inches from that junction to the sill of the tidal gates of the trustees when refixed as hereinafter provided :

(2) The Corporation shall purchase from the trustees their existing tidal gates at Lime Street Bridge at the price of three hundred and fifty pounds to be paid on the commencement of the said Work No. 3 and those gates shall then be refixed by the Corporation to the satisfaction of the engineer to the trustees in a position to be agreed by the said engineer at the end of the new culverts and not less than ten feet from the junction of the outfall of the drain with the River Hull and in such a manner as to prevent the influx of any tidal water into the new culverts :

(3) The Corporation shall at all times after the completion of the new culverts maintain the

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structure thereof (including the apron and outer works between the tidal gates and the River Hull) and keep clear the same (but not the tidal gates) and shall during the period of two years from the refixing of the tidal gates maintain those tidal gates so as at all times to afford a full discharge of the water of the drain through the same and to prevent the influx into the new culverts of water from the River Hull and in case the Corporation shall at any time make default in such maintenance the trustees after forty-eight hours' notice in writing thereof to the Corporation (through either the city engineer or the town clerk) may themselves perform the work as to which there shall be default and recover the expense thereof with costs in any court of competent jurisdiction After the expiration of the said period of two years all responsibility of the Corporation with reference to the said tidal gates shall cease and determine save as to any damage arising thereto from any structural defect in the new culverts or the masonry thereof :

(4) During the construction of the work and until the completion of the new culverts the Corporation shall maintain and keep clear the existing outfall of the drain so as at all times to afford a free flow and discharge of the water thereof and in case the Corporation shall at any time make default in properly maintaining and keeping clear the said existing outfall during such time as aforesaid the trustees after forty-eight hours' notice in writing to the Corporation (through either the city engineer or the town clerk) may themselves perform the work as to which there shall be default and recover the expense thereof with costs in any court of competent jurisdiction Provided that with the previous consent of the engineer to the trustees suitable arrangements may be made for carrying out works which necessitate a temporary obstruction of the waters in the drain :

(5) Subject to any requirements made by the Board of Trade under the provisions of this Act all

works to be made in pursuance of this section shall be made in accordance with plans sections details and specifications previously submitted to and approved by the trustees and shall be completed to the reasonable satisfaction of their engineer:

(6) The new culverts tidal gates and the outfall and the site thereof between the new culverts and the junction with the River Hull shall from and after the completion and opening of the same be vested by virtue of this Act and without any conveyance from the Corporation in the trustees and be under their jurisdiction and control in all respects subject to the obligations of the Corporation as to structural maintenance hereinbefore contained:

(7) The Corporation shall cut in the new masonry both at the entrance to the new culverts and at the outlet from the same and in places easy of access and view gauges to record the height of water in the drain standing on the sill of the tidal gates and the height of water standing on the sill down stream of the tidal gates The trustees and their authorised officers shall have full and free access at all times to such gauges:

(8) The Corporation shall at their own expense erect such permanent steps ladders footbridges and handrails as may be necessary to enable the trustees their authorised officers and workmen to inspect with ease and safety the tidal gates and the new culverts and the inlet and outlet of the same and the gauges and shall give the trustees their authorised officers and workmen free and uninterrupted access for such inspections and for repairs and all other purposes and shall provide the trustees with any keys that may be necessary for those purposes:

(9) The Corporation shall fix along the line of junction between the outfall and the River Hull a guard boom to be constructed to the reasonable satisfaction of the engineer to the trustees:

(10) The Corporation shall at all times keep the trustees and the owners and occupiers of lands

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within the trustees' drainage area indemnified against all claims damages losses costs and expenses which they may sustain or incur or be liable for by reason or in consequence of any negligence on the part of the Corporation their officers or servants in the exercise of any of the powers relating to Work No. 3 by this Act authorised:

(11) No deviation shall be made from the centre lines shown on the deposited plans in the case of Work No. 2 by this Act authorised or the new culverts without the consent of the trustees which shall not be unreasonably withheld:

(12) Except as by this Act expressly provided nothing in this Act contained shall be construed to take away lessen prejudice alter or affect any of the rights privileges powers or authorities of the trustees:

(13) If any difference or dispute shall arise between the Corporation and the trustees under this section the same shall be referred to and determined by a single arbitrator to be appointed (in default of agreement) on the application of either party after notice in writing to the other by the President for the time being of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protection of London and North Eastern Railway Company.

32. For the protection of the London and North Eastern Railway Company (in this section called "the company") the following provisions shall unless otherwise agreed between the Corporation and the company be observed and have effect (that is to say):—

(1) Notwithstanding anything contained in this Act or shown upon the deposited plans Work No. 4 authorised by this Act shall not be constructed otherwise than in accordance with and subject to the terms and conditions set forth in the agreement between the company of the one part and the Corporation of the other part dated the sixth day of February nineteen hundred and twenty-six and the said Work

No. 4 as shown on the deposited plans shall be constructed as an opening bridge:

(2) At least one month before applying to the Minister of Transport for confirmation of any byelaws in regard to the said Work No. 4 the Corporation shall give notice to the company of their intention to make such application and such notice shall be accompanied by a copy of the proposed byelaws but no such byelaws shall prohibit the use of the said work by engines carriages or vehicles of the company having an axle weight of not exceeding fifteen tons nor shall the Corporation make any byelaws which shall in any way restrict the free use of Hedon Haven by vessels navigating the same.

Saving for Trinity House Deptford Strond.

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

PART IV.

WATER.

Extension of water limits.

34. From and after the passing of this Act the limits within which the Corporation are authorised to supply water shall be extended so as to include—

(1) the parishes of North Ferriby Melton Swanland Wauldby Welton and West Ella in the rural district of Sculcoates; and

(2) the parishes of Rowley Skidby Thearne Wawne Meaux Weel Tickton Eske Routh and Leven in the rural district of Beverley and so much of the parish of Woodmansey and Beverley Parks in that district as lies to the south of a straight line drawn from the point at which the boundary between that parish and the parish of Rowley crosses the main Beverley–Cottingham Road (about forty-five yards to the south of the Beverley Barracks) to the most southerly point on the main Beverley–Hull Road at which that road is contiguous

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to the boundary of the borough of Beverley (about eight hundred and twenty-five yards to the south of Figham Gatehouse);

and the Acts relating to the water undertaking of the Corporation and the supply of water by them shall have effect as if the said parishes and part of a parish had been included in the new limits of supply as defined in section 33 (Extension of limits of supply) of the Act of 1911.

Purchase of waterworks and mains.

35. The Corporation shall pay to the Sculcoates Rural District Council the sum of two thousand pounds for the waterworks and mains in the parishes of Swanland North Ferriby and Welton belonging to that council (including the works and mains and the lands and property held in connection therewith short particulars of which are set forth in the schedule hereto) and thereupon the said works mains lands and property shall vest in and become the property of the Corporation and the power of the said council to construct waterworks in those parishes and to provide them with a supply of water shall cease.

Power to make waterworks.

36. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and according to the levels shown upon the deposited plans and sections and upon the lands delineated on those plans and described in the deposited book of reference the following works in the east riding of Yorkshire (namely):—

Water Work No. 1 A service reservoir in the parish of North Ferriby in the rural district of Sculcoates in the field adjacent to and on the south side of the Swanland and Melton road and numbered 158 in the said parish on the $\frac{1}{2500}$ Ordnance map (edition 1910) of the parish of North Ferriby;

Water Work No. 2 A conduit comprising one or more lines of pipes in the parishes of Kirk Ella West Ella Swanland and North Ferriby in the rural district of Sculcoates commencing in the highway opposite to the Kirk Ella Church of England Elementary School and terminating in the service reservoir authorised by this Act;

Water Work No. 3 A conduit comprising one or more lines of pipes in the urban district of Hessle and in the parishes of Swanland and North Ferriby in the rural district of Sculcoates commencing in Ferriby Road at the junction of Heads Lane and Woodfield Lane and terminating in the highway at the junction of Ferriby Road and High Street North Ferriby;

Water Work No. 4 A pumping station together with a well or wells bores adits headings and other works and conveniences to be situate in the parish of Swanland in the rural district of Sculcoates in the land numbered 77 and in the road numbered 90 and 102 on the $\frac{1}{2500}$ Ordnance map (edition 1910) of the said parish.

Power to deviate.

37.—(1) In the construction of the works authorised by this Part of this Act the Corporation may deviate to any extent not exceeding the limits of deviation shown on the deposited plans (and where on any street or road no such limits are shown the boundaries of such street or road shall be deemed to be such limits) and they may also deviate from the levels shown on the deposited sections to any extent not exceeding ten feet upwards and to any extent downwards.

(2) Provided that except for the purposes of crossing over a stream or railway no part of the conduits authorised by this Act shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

Period for completion of water-works and enlargement of works.

38.—(1) If the works authorised by this Part of this Act and shown on the deposited plans and sections are not completed by the thirty-first day of December nineteen hundred and thirty-one then subject to the provisions of subsection (2) of this section the powers granted by this Act for constructing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

(2) The Corporation may extend enlarge alter reconstruct renew or remove any of the works and plant constructed or acquired under this Part of this Act and in the case of the pumping stations make additional wells shafts bores adits headings machinery works and

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conveniences in connection with such pumping stations and in the case of the conduits authorised by this Act lay down additional lines of pipes as and when occasion may require.

Works to form part of water undertaking.

39. Subject to the provisions of this Act the waterworks to be constructed or acquired by the Corporation under the authority of this Act shall for all purposes be deemed part of the water undertaking of the Corporation.

Provision where existing wells affected.

40.—(1) If it shall be proved that the pumping by the Corporation at the pumping station (Water Work No. 4) by this Act authorised and the pumping stations of the Sculcoates Rural District Council by this Act vested in the Corporation or at any of those pumping stations has caused any diminution of the supply in any private well existing at the date of the erection of the said pumping station (Water Work No. 4) or of the construction enlargement alteration or reconstruction by the Corporation under the powers of this Act of any well or work from which water is pumped such private well being situate within a distance of two miles from any such well or work of the Corporation the Corporation shall upon the written request of the owner of such private well (in this section referred to as "the owner" which term shall include any lessee or occupier) afford to the owner a supply of water equal to the amount of such diminution as so proved at such cost or rate as that the total cost to the owner of obtaining his full supply shall be the same after as before the occurrence of such diminution and upon such other terms as may be agreed or failing agreement may be settled by arbitration under the provisions of this section.

(2) The provisions of subsections (2) (3) (4) and (5) of section 30 (Provision where existing wells affected) of the Act of 1911 shall extend and apply to and for the purposes of this section as if those subsections had been in terms included in this section.

For protection of wells at Hessle.

41.—(1) If it shall be proved that by reason of the pumping by the Corporation at the pumping station (Water Work No. 4) by this Act authorised and the pumping stations of the Sculcoates Rural District Council by this Act vested in the Corporation or at

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any of those pumping stations the quality or quantity of the water obtainable prior to the passing of this Act at the wells situate at Hessle and belonging to the London and North Eastern Railway Company (in this section referred to as "the company") is prejudicially affected the Corporation shall upon the written request of the company afford to them such a supply of water as will secure to them a supply equal in quality and quantity to that obtainable at the said wells prior to the passing of this Act at such cost or rate as that the total cost to the company of obtaining their full supply shall be the same after as before such prejudicial affection and upon such other terms as may be agreed or failing agreement may be settled by arbitration under the provisions of this section.

(2) If the Corporation do not afford such a supply as aforesaid they shall make compensation in money to the company the amount of compensation to be settled in case of difference by arbitration as hereinafter provided.

(3) The Corporation shall not be liable in respect of any claim made by the company under this section if the company shall have failed to afford to the officers servants or other representatives of the Corporation at all reasonable times after the passing of this Act access to their said wells for the purpose of ascertaining particulars thereof and the level of the water therein.

(4) Any question or dispute arising under this section shall be referred to and determined by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers.

Guarantees by East Riding County Council.

42. Section 46 (Guarantees by East Riding County Council) of the Act of 1911 shall have effect as if so much of the east riding of Yorkshire as is for the time being included within the limits of the Corporation for the supply of water were therein referred to instead of the rural district of Patrington.

For further protection of London and North

43. For the protection of the London and North Eastern Railway Company (in this section called "the company") the following provisions shall unless other-

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Eastern Railway Company.

wise agreed between the Corporation and the company be observed and have effect (that is to say) :—

(1) In the exercise of the powers of section 12 (Subsidiary works) of the Act of 1911 as applied to the purposes of this Part of this Act the Corporation shall not construct any such works as may affect or interfere with any railway or work of the company save in accordance with plans sections and specifications to be previously submitted to and reasonably approved by the engineer of the company :

(2) The powers of section 21 (Temporary discharge of water into streams) of the Act of 1911 as applied to the purposes of this Part of this Act shall not be exercised so as to damage or injuriously affect the railways or works of the company :

(3) In the exercise of the powers of section 22 (Application of Waterworks Clauses Act 1847 to conduits discharge pipes telephones &c.) of the Act of 1911 as applied to the purposes of this Part of this Act the Corporation shall not construct lay down erect or maintain any such discharge pipes telephones or telegraph posts wires conductors or apparatus in through across or under any street road bridge or approach belonging to the company except with the consent of the company in writing which consent shall not be unreasonably withheld and under the superintendence (if given) and to the reasonable satisfaction of the engineer of the company :

(4) The provisions of section 28 (For further protection of North Eastern Railway Company) of the Act of 1911 shall extend and apply to and within the limits of supply of the Corporation as extended by this Act :

(5) Any difference which may arise between the Corporation and the company under this section shall be referred to arbitration under and in accordance with the provisions of the Arbitration Act 1889.

Part V.

Finance and Miscellaneous.

Power to borrow.

44.—(1) The Corporation may (in addition to the other sums which they are authorised to raise) borrow or raise at interest for and in connection with the purposes mentioned in the first column of the following table any sums of money not exceeding in the whole the respective sums mentioned in the second column thereof and shall repay all moneys so borrowed within the respective periods mentioned in the third column thereof (namely) :—

1	2	3
Purposes.	Amount.	Period for repayment from date or dates of borrowing.
(*a*) The purchase of lands for the purposes of Part III. (Bridges and tramways) of this Act the payment of compensation for the execution of the works authorised by that Part and the payment of any sums in respect of closing of highways.	The sum requisite	Sixty years.
(*b*) The construction of Works Nos. 1 2 and 3 authorised by Part III. of this Act.	£ 103,500	Fifty years.
(*c*) The construction of Work No. 4 authorised by Part III. of this Act.	3,000	Thirty years.
(*d*) The construction of the tramways authorised by this Act.	8,500	Twenty-five years.
(*e*) The provision of electrical equipment and the construction of other works necessary for working the tramways authorised by this Act.	3,000	Twenty years.
(*f*) The purchase of waterworks and mains from the Sculcoates Rural District Council.	2,000	Twenty years.
(*g*) The purchase of lands and easements for the purposes of Part IV. (Water) of this Act.	The sum requisite	Sixty years.
(*h*) The construction of the waterworks authorised by this Act.	40,000	Fifty years.
(*i*) The payment of the costs charges and expenses of this Act.	The sum requisite	Five years from the passing of this Act.

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(2) 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 the tramway undertaking of the Corporation and may with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act other than purposes of that undertaking.

Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister with whose consent it is borrowed.

Mode of borrowing.

45.—(1) The Corporation may raise all or any of the moneys which they are authorised to borrow by the creation and issue of Hull Corporation redeemable stock in accordance with the provisions of the Hull Corporation Loans Act 1881 as amended by any subsequent Act or Order confirmed by Parliament or by any of the methods provided by the Local Loans Act 1875 or by mortgage:

Provided that the provisions of the Kingston upon Hull Corporation Act 1901 relating to sinking funds shall apply to sinking funds formed for the repayment of moneys borrowed under the Local Loans Act 1875 instead of the provisions of section 15 of that Act.

(2) The contributions to the sums directed by the said Act of 1881 to be carried to the Hull Corporation loans fund in respect of interest on and of redemption of stock shall be payable out of the funds rates and revenues following (that is to say):—

(*a*) As to stock created and issued for the purposes (*a*) mentioned in the section of this Act whereof the marginal note is "Power to borrow" (except so much thereof as is created and issued for the purchase of lands for the purpose of Work No. 4 authorised by Part III. of this Act) and for the purpose (*b*) mentioned in the said section out of the borough fund and borough rate;

(*b*) As to stock created and issued for the purchase of lands for the purpose of Work No. 4 authorised by Part III. of this Act and as to stock created and issued for purpose (*c*)

mentioned in the said section out of the district fund and general district rate;

(*c*) As to stock created and issued for the purposes (*d*) and (*e*) mentioned in the said section or with the consent of the Minister of Transport out of the revenue of the tramway undertaking of the Corporation and the borough fund and the borough rate;

(*d*) As to stock created and issued for the purposes (*f*) (*g*) and (*h*) out of the revenue of the water undertaking of the Corporation and the borough fund and borough rate;

(*e*) As to stock created and issued for the purpose (*i*) mentioned in the said section out of the borough fund and borough rate and the district fund and general district rate in such proportions as the Corporation may by resolution determine;

(*f*) As to stock created and issued in respect of moneys raised with the consent of the Minister of Health out of such revenue fund or rate as may be prescribed by the Minister.

(3) In the case of any moneys raised under this Act by any of the methods provided by the Local Loans Act 1875 the local rate for the several purposes aforesaid shall be the fund rate or revenue out of which the contributions mentioned in subsection (2) of this section are payable.

(4) In the case of moneys borrowed on mortgage for the several purposes aforesaid the Corporation may mortgage or charge the fund rate or revenue out of which the contributions specified in subsection (2) of this section would be payable if the moneys were raised by stock:

Provided that the provisions of this subsection shall not limit the powers conferred upon the Corporation by section 152 (Power to use one form of mortgage for all purposes) of the Kingston upon Hull Corporation Act 1903.

Amendment of section 66 of Act of 1897.

46. As from the passing of this Act section 66 (Contribution to band of music) of the Act of 1897 shall have effect as if the words "one thousand pounds" had been contained therein instead of the words "five hundred pounds."

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Inquiries by Minister of Transport.

47. 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 the 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."

Incorporation of sections from existing Acts.

48.—(1) The following sections of the Acts hereinafter mentioned shall so far as they are applicable for the purpose extend and apply with the necessary modifications to and in relation to this Act and be incorporated with and form part of this Act (that is to say):—

The Public Health Act 1875—

Section 265 (Protection of local authority and their officers from personal liability).

The Kingston upon Hull Corporation Act 1897—

Section 42 (Correction of errors &c. in deposited plans and book of reference);

Section 44 (Persons empowered by Lands Clauses Acts to sell lands may grant easements &c.);

Section 47 (Provision for payment to trustees);

Section 48 (Owners may be required to sell parts only of certain properties);

Section 54 (Protection of lenders from inquiry).

The Kingston upon Hull Corporation Act 1901—

Section 12 (Power to make subsidiary works);

Section 13 (Power to alter steps areas pipes &c.);

Section 15 (Temporary stoppage of streets);

Section 17 (Corporation empowered or may be required to underpin or otherwise strengthen houses near works);

Section 19 (For protection of gas companies);

Section 23 (Power to retain sell &c. lands);

Section 24 (Proceeds of sale of surplus lands);
Section 26 (Provisions as to compensation);
Section 48 (Provisions of Public Health Act as to mortgages);
Section 49 (Mode of payment off of money borrowed);
Section 50 (Sinking fund).

The Kingston upon Hull Corporation Act 1903—
Section 162 (Expenses may be declared private improvement expenses);
Section 172 (Informations by whom to be laid).

The Kingston upon Hull Corporation Act 1906—
Section 72 (Application of money borrowed);
Section 74 (Corporation not to regard trusts);
Section 75 (Certain regulations of Public Health Act 1875 as to borrowing not to apply);
Section 76 (Appointment of receiver);
Section 78 (Expenses of execution of Act);
Section 81 (Recovery of penalties);
Section 83 (Audit of accounts).

The Kingston upon Hull Corporation Act 1907—
Section 22 (Recovery of demands);
Section 23 (Saving for indictment &c.);
Section 24 (Powers of Act cumulative).

The Kingston upon Hull Corporation Act 1911—
Section 12 (Subsidiary works);
Section 20 (Application of Kingston upon Hull Corporation Act 1901);
Section 21 (Temporary discharge of water into streams);
Section 22 (Application of Waterworks Clauses Act 1847 to conduits discharge pipes telephones &c.);
Section 23 (For protection of Postmaster-General).

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The Kingston upon Hull Corporation Act 1922—

Section 10 (Extinction of private rights of way); and

Section 31 (Inquiries by Minister of Health).

(2) Provided that—

(*a*) In the application of section 48 of the Act of 1897 the premises numbered 2 3 4 5 32 39 40 113 117 118 127 129 130 and 131 on the deposited plans shall be deemed to be referred to instead of the premises described in the Third Schedule to that Act;

(*b*) Section 26 of the said Act of 1901 shall be read and have effect as if the twentieth day of November nineteen hundred and twenty-five were therein mentioned instead of the first day of June nineteen hundred and one;

(*c*) The Corporation shall not under any provision incorporated by this section alter or otherwise interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except under and subject to the provisions of the said Act.

Crown rights.

49. Except as hereinafter expressly provided 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 Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Crown minerals.

50. Notwithstanding the provisions contained in the section of this Act of which the marginal note is "Crown rights" or in any public statute His Majesty and His lessees for their respective interests may work

any minerals belonging to His Majesty in right of His Crown under or adjacent to lands and works of the Corporation authorised to be taken or constructed by this Act but in the event of any such right being at any time intended to be exercised sections 77 to 85 (both inclusive) of the Railways Clauses Consolidation Act 1845 as amended by the Mines (Working Facilities and Support) Act 1923 and the First Second and Third Schedules to such last mentioned Act shall apply as if the same were in relation to such minerals incorporated in this Act and as if the Corporation were a railway company and the said lands and works were the railway and works of such railway company and as if the Commissioners of Crown Lands were the mine owners or royalty owners as the case may be and so that any compensation payable by the Corporation to or for the benefit of His Majesty as the mine owner or royalty owner or payable to the Corporation by His Majesty as such owner shall be payable to or by the Commissioners of Crown Lands as the case may be.

Costs of Act.

51. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund and borough rate and the district fund and general district rate in such proportions as the Corporation may by resolution determine or out of money to be borrowed under this Act for that purpose.

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SCHEDULE.

WATERWORKS AND MAINS PURCHASED FROM THE SCULCOATES RURAL DISTRICT COUNCIL.

1. A piece of land (two acres or thereabouts in extent) situate on the south side of the Swanland and Melton road and being part of field numbered 158 on the $\frac{1}{2500}$ Ordnance map (edition 1910) of the parish of North Ferriby.

2. The Swanland pumping station in the parish of Swanland with land building well bore engines pumps tanks pipes valves gear receivers plant and tools.

3. The North Ferriby pumping station in the parish of North Ferriby with land building well adit water-tower engines pumps tanks pipes valves gear receivers plant and tools.

4. The Swanland water-tower in the parish of Swanland with land building tank pipes valves gear and plant.

5. All water mains pipes hydrants valves services standpipes casings and fittings in the parishes of Swanland and North Ferriby.

6. All tanks water mains valves standpipes and fittings in the parish of Welton.

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