CHAPTER ccvii.

An Act to extend the Borough of Margate in the Isle of Thanet and County of Kent, and to enable the Mayor, Aldermen, and Burgesses thereof to build a Sea Wall, to improve Streets, and to construct a New Road and other Works within the Borough, and to make further provisions for the improvement and good government thereof; and for other purposes. [6th August 1877.] A.D. 1877.

WHEREAS by royal charter bearing date the twenty-ninth day of July one thousand eight hundred and fifty-seven (in this Act referred to as the "royal charter") the inhabitants of the town of Margate in the county of Kent (within the limits of such town as specified in the said charter) were incorporated by the name of the mayor, aldermen, and burgesses of the borough of Margate, and the powers and provisions of the Municipal Corporations Acts were extended to the town and borough thereby constituted:

And whereas by letters patent under the Royal Sign Manual bearing date the twenty-third day of October one thousand eight hundred and sixty-nine (in this Act referred to as "the letters patent") Her Majesty the Queen was pleased to grant unto the said borough that a separate court of quarter sessions of the peace should be holden in and for the said borough according to the provisions of the Municipal Corporations Acts:

And whereas upon and after such grant as aforesaid, in pursuance of an Act passed in the session of Parliament held in the eighteenth and nineteenth years of Her Majesty's reign, intituled "An Act for "the better administration of justice in the Cinque Ports," and of the Acts amending the same, the said borough ceased to be of the members or liberties of Dover, and was severed therefrom:

And whereas the Corporation by the Council of the said borough are the sanitary authority for the district of the said borough, with the powers and obligations of an urban sanitary authority:

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And whereas the provisions of certain local and personal Acts and provisional orders specified in the First Schedule to this Act annexed are wholly or partially in force within the said borough:

And whereas the population of certain places outside of and adjacent to the said borough, and situated in the parish of Saint John the Baptist (Margate), has increased and is still increasing, and it is expedient that the boundaries of the said borough should be extended in manner by this Act prescribed, and that the area so added to the said borough should cease to be of the members or liberties of Dover, and should be severed therefrom:

And whereas it would be for the improvement of the said borough if the Corporation were authorised to make a sea wall, a new street, and in part to widen and improve certain existing streets and places in the said borough, and it is expedient that for such purpose they should have the powers by this Act conferred upon them:

And whereas it is expedient that the Corporation should be authorised to enlarge or rebuild the town hall in the manner and subject to the conditions by this Act prescribed:

And whereas the Corporation are indebted in respect of moneys from time to time expended for the purposes of street improvements, amounting in the whole to the sum of ten thousand two hundred and fifty pounds or thereabouts (in this Act referred to as "the debts of the Corporation"), and it is expedient that they should be empowered to pay off the same:

And whereas it is expedient that the powers herein-after contained should be granted to the Corporation for the acquisition of lands, the borrowing of money, and the improving and better governing of the said borough as extended by this Act, and generally for the execution of the powers and discharge of the duties of the Corporation in their municipal and sanitary capacities and under the local Acts:

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

And whereas estimates have been prepared by the Corporation for the purchase of land for and for the execution of the following works by this Act authorised, and such estimates are as follows; (namely,)

With respect to the sea wall, ten thousand pounds;

With respect to the new road and widening of the parade, forty thousand pounds;

With respect to street widening and improvements, sixty-six thousand pounds;

With respect to the town hall, five thousand pounds:

And those several works are permanent works within the meaning of section two hundred and thirty-four of "The Public Health Act, 1875":

And whereas an absolute majority of the whole number of the Council of the said borough, at a meeting held on the twentieth day of June one thousand eight hundred and seventy-six, after ten clear days notice by public advertisement of such meeting, and of the purposes thereof, in Keble's Margate and Ramsgate Gazette, a local newspaper published or circulating in the said borough (such notice being in addition to the ordinary notices required for summoning such meeting), resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate:

And whereas such resolution was published twice in the said Keble's Margate and Ramsgate Gazette, a local newspaper circulating in the said borough, and in respect of matters under the jurisdiction of the Local Government Board has received the approval of that Board, and in respect of other matters has received the approval of one of Her Majesty's Principal Secretaries of State:

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

And whereas the owners and ratepayers of the borough, by resolution in the manner provided by Schedule III. annexed to "The Public Health Act, 1875," consented to the promotion of the Bill for this Act:

And whereas plans and sections describing the lines, situations, and levels of the works authorised by this Act, and a book of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of lands in the line of those works or within the limits of deviation as defined on the plans, have been deposited with the clerk of the peace for the county of Kent, and are in this Act referred to as the deposited plans, sections, and book of reference:

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

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Preliminary.

Short title.

1. This Act may be cited as "The Margate Extension and Improvement Act, 1877."

Commencement of Act.

2. For the purposes of proceedings preliminary to the municipal elections of November one thousand eight hundred and seventy-seven this Act shall take effect on its passing, and for all other purposes this Act shall commence and take effect from and immediately after the thirty-first day of October one thousand eight hundred and seventy-seven (which last-mentioned time is in this Act referred to as "the commencement of this Act").

Incorporation of Acts.

3. The following Acts and parts of Acts, so far as they are applicable for the purposes of and are not varied by or inconsistent with this Act, are hereby incorporated with this Act; (that is to say,)

"The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," and the provisions "with respect to the construction of the railway and the works connected therewith" and "with respect to the temporary occupation of lands near the railway during the construction thereof" of "The Railways Clauses Consolidation Act, 1845," and sections thirteen, eighteen, and nineteen of "The Railways Clauses Act, 1863," and the provisions of the two last-named enactments shall apply to and extend to the works below high water by this Act authorised.

And the said Acts and parts of Acts shall respectively apply to the acquisition of lands for the purposes of this Act, and to the Corporation as if they were a company, and to the construction of works authorised by this Act as if the same were a railway.

Interpretation.

4. In this Act,—

"The existing borough" means the borough as existing immediately before the passing of this Act:

"The existing Marine Ward," "the existing Cecil Ward," "the existing Fort Ward," and "the existing Pier Ward" mean respectively the Marine Ward, the Cecil Ward, the Fort Ward, and the Pier Ward as existing immediately before the passing of this Act:

"The added area" means such parts of the parish of Saint John the Baptist and of the seashore or extra-parochial land as are added to the existing borough by this Act:

"The borough" means the municipal borough of Margate as extended by this Act:

"The Corporation" means the mayor, aldermen, and burgesses of the borough:

"The Council" means the Council of the borough:

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

"The district fund" and "the general district rates" mean respectively the district fund and general district rates for the district of the borough:

"The Municipal Corporations Acts" means the Act of the session of the fifth and sixth years of the reign of King William the Fourth, intituled "An Act to provide for the "regulation of municipal corporations in England and Wales," and all Acts for the time being in force amending the same or otherwise relating to municipal corporations in England and Wales:

"The Public Health Acts" means the Public Health Act, 1875, and all Acts for the time being in force amending or extending the same:

"Local Acts" means the provisions of the several Acts specified in the First Schedule to this Act annexed, and includes the provisional order in the said schedule also specified, and the royal charter and the letters patent:

"The Cinque Ports Act" means an Act passed in the session of the eighteenth and nineteenth years of Her Majesty's reign, intituled "An Act for the better administration of justice in "the Cinque Ports."

Terms to which meanings are assigned in enactments wholly or partially incorporated with this Act, or which have therein special meanings, have in this Act the same respective meanings, unless there be something in the subject or context repugnant to such construction, and in this Act and (for the purposes of this Act) in enactments incorporated with this Act the terms "superior courts" or "court of competent jurisdiction," or any other like term, shall have effect as if the debt or demand with respect to which it is used were a common simple contract debt, and not a debt or demand created by statute.

Extension of Borough.

Extension of borough.

5. The borough shall comprise the district described in the Second Schedule to this Act annexed.

Deposit of borough plan.

6. The borough boundary plan mentioned in the Second Schedule to this Act annexed, signed in duplicate by Ralph Assheton, Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred, shall, within one week after the passing of this Act, be deposited in the Private Bill Office of the House of Commons and with the town clerk at his office.

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Authority of corporation, &c. extended.

7. Subject to the provisions of this Act, the powers, rights, privileges, authorities, and duties of the Corporation as a municipal body, and of the Corporation acting in the execution of such of the provisions of the Local Acts as were at the commencement of this Act in force within the existing borough, and of the Corporation acting by the Council as the sanitary authority for the district of the existing borough, and of all officers and servants of the Corporation, shall extend to and throughout the borough, and, subject to the provisions of this Act, all enactments, regulations, and orders immediately before the commencement of this Act in force within or applicable to the existing borough shall extend and apply to the borough.

Jurisdiction, &c. of recorder, borough justices, &c. extended.

8. The jurisdiction, powers, authorities, rights, privileges, and duties of the recorder, justices of the peace, clerk of the peace, and other officers appointed for the existing borough, and of the court of quarter sessions of the peace granted to the existing borough, and of all constables of the existing borough, shall extend to and throughout the borough, and with respect to matters in relation to which the Corporation are authorised to make byelaws to any place seawards beyond the boundary of the borough, and within one thousand yards from the nearest point of such boundary, and throughout the borough, and in any such place seawards as aforesaid, all byelaws immediately before the commencement of this Act in force within or applicable to the existing borough, and all byelaws which after the commencement of this Act may be made by the Corporation, shall extend.

Severance of added area from Dover.

9. On the commencement of this Act section five of the Cinque Ports Act shall come into force with respect to the added area in like manner in every respect as if the same had been comprised in the royal charter, and in the grant of a court of quarter sessions for the existing borough of Margate, and such charter and grant shall be deemed to extend and apply to the added area in like manner in every respect as if the same were part of the existing borough, and sections six, seven, and eight of that Act shall, in relation to the added area, have effect as if the grant of a court of quarter sessions had been therein referred to instead of the grant of a charter of incorporation, and the Commissioners of Her Majesty's Treasury shall (notwithstanding anything in the Cinque Ports Act) ascertain and determine the capital amount that ought to be paid in respect of the added area by the borough in discharge of the liability of the borough continued or created by the Cinque Ports Act as amended by this Act, and what other expenses (if any) in respect of the added

area the borough will become liable to pay on the severance thereof from Dover to the borough of Dover, and the amount thereof, unless the councils of those boroughs agree on the matters so to be ascertained and determined (which they are hereby empowered to do); and the Council of the borough shall, within such time as the councils agree, or (in default of their agreement) the Commissioners of Her Majesty's Treasury direct, pay out of the borough fund or borough rate of the borough, or out of moneys borrowed on the security of the said borough fund and borough rate, the amounts so agreed or ascertained and determined, and on payment thereof the borough shall be by virtue of this Act absolutely discharged from all such liability.

All rates which on the commencement of this Act are due and payable by the churchwardens and overseers of the poor of the parish of Saint John the Baptist, in the Isle of Thanet, in respect of the added area to the treasurer of the town and port of Dover shall be paid to the deputy or high constable of the liberty wherein that parish is situate, and shall be recoverable as if this Act had not been passed.

That portion of the parish of Saint John the Baptist, in the Isle of Thanet, which is not comprised within the borough shall (notwithstanding the grant of a court of quarter sessions to the borough or this Act) remain and be subject to the provisions of section ten of the Act of the session of the sixth and seventh years of the reign of King William the Fourth (chapter one hundred and five), intituled "An Act for the better administration of justice in certain boroughs," and to such proportionate liability as it would have been subject to under section six of the Cinque Ports Act if that portion of the parish had been originally a separate parish and had been specified as such in that section, and that section had in terms extended to the debt for the time being charged on the rates in the nature of county rates therein mentioned, which liability shall be satisfied and enforced in manner in that section prescribed, with the substitution only of the police rates for the rates made for the relief of the poor.

Cinque Ports justices not affected by exemption of borough from liberties of Cinque Ports.

10. Notwithstanding the exclusion of the borough from the liberties of the Cinque Ports, the justices of the peace acting for the liberties of the Cinque Ports shall have full power to act as such justices in petty sessions or otherwise within the borough of Margate, and to do all acts and to hear and determine all matters and things arising within or relating to the liberties of the Cinque Ports, and all acts heretofore done and which shall be so done by such justices within the said borough of Margate shall be good, valid, and

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effectual to all intents and purposes as the same would have been if the same had been done by such justices within the liberties of the Cinque Ports.

Corporation to construct sewers and light roads.

11. And whereas certain parts of the lands situate in the added area at present consist of arable or other land used for agricultural purposes, and it is probable that such lands will shortly be used for building purposes, therefore the Corporation, acting as the urban sanitary authority of the borough, shall, upon receiving notice in writing from the owner of any such lands that the same are intended to be built over, with all reasonable despatch, construct the system of main drainage shown by dotted lines upon a plan deposited with the Local Government Board in reference to the drainage of the borough, and signed by the borough surveyor and Messieurs Clutton, for the purpose of carrying off the sewage from the houses to be from time to time erected on such lands, and shall also cause the roads and streets abutting on such lands or leading to such houses to be properly lighted with gas, and in case any difference shall at any time arise under this enactment the same shall be referred to and determined by the Local Government Board, whose decision shall be final and binding upon the parties.

Borough divided into four wards.

12. The borough shall continue to have four aldermen and twelve councillors, and shall be divided into four wards having the names and boundaries set forth and described in the Third Schedule to this Act annexed, and shown upon the borough boundary plan mentioned in the Second Schedule to this Act annexed.

Copies of deposited plan showing boundaries to be evidence.

13. Copies of the borough plan deposited with the town clerk, or any extract therefrom, certified by him to be true, shall be received in all courts of justice or elsewhere as evidence of the contents of such plans respectively; and such plans shall at all reasonable times be open to the inspection of the persons liable to rates imposed by the Corporation, and all persons so liable shall be entitled to a copy of or extract from such plan, certified by the town clerk, upon payment of a reasonable fee for every such copy or extract.

Burgess list.

14. For the purpose of the burgess list, burgess roll, and other lists to be made after the commencement of this Act under the Municipal Corporations Acts, and in relation to the functions of overseers, and of the mayor, town clerk, and revising assessors under those Acts, the added area shall be deemed to have always formed part of the borough.

First councillors.

15. The first councillors for the Marine Ward, the Cecil Ward, the Cliftonville Ward, and the Pier Ward, as constituted by this

Act, shall be such of the councillors for the existing Marine Ward, the existing Cecil Ward, the existing Fort Ward, and the existing Pier Ward respectively who, but for the passing of this Act, would have continued as such, and one councillor for each of the four first-mentioned wards to be elected under this Act.

Rotation of councillors.

16. The first councillors elected for the several wards under this Act shall continue in office until the first day of November one thousand eight hundred and eighty, and the remaining councillors shall retire on the days on which they would have retired respectively if they had continued councillors of the existing wards and this Act had not been passed.

Elections of councillors for wards of borough.

17. The first election of councillors for the wards of the borough respectively shall take place on the first day of November one thousand eight hundred and seventy-seven, and on such day one councillor shall be elected for each ward.

Returning officer at first election of councillor for Cliftonville Ward.

18. At the first election of a councillor for the Cliftonville Ward the returning officer shall be the alderman of the existing Fort Ward, and in case of such alderman being unable or unwilling to act then such other person as the mayor shall appoint.

First aldermen.

19. The aldermen of the existing borough shall, on and after the commencement of this Act, become and be aldermen of the borough, and they shall respectively retire on the days on which they would have retired respectively if they had continued aldermen of the existing borough and this Act had not been passed.

Election of first mayor.

20. The first mayor of the borough under this Act shall be elected on the ninth day of November one thousand eight hundred and seventy-seven from and out of the aldermen and councillors of the borough.

General provisions as to election, &c. of aldermen and councillors.

21. All the retiring aldermen and councillors shall, if duly qualified, be eligible for re-election, and, subject to the provisions of this Act, all elections, vacations of office, and rotations shall be governed by the Municipal Corporations Acts.

Added area exempt from county rates, highway rates, &c.

22. From and after the commencement of this Act, all lands, houses, and hereditaments within the added area shall be exempt from all county rates and from all highway rates to be made in respect of the said parish of Saint John the Baptist (Margate), and from the jurisdiction of and all rates to be made by any sanitary authority or school board (as such) having jurisdiction in such parish.

Arrears of county rates, highway rates, &c.

23. All arrears existing at the commencement of this Act of county rates, highway rates, or rates in respect of any precept issued

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by a sanitary authority or school board as aforesaid, leviable within the added area, may be levied and collected as if this Act had not been passed.

Land brought within borough by this Act to contribute towards existing county debt.

24. And whereas the lands and hereditaments to be added to the borough will cease to be liable to the payment of rates to the county of Kent; and whereas those rates are now charged by way of mortgage with the principal sum of two hundred and fifty-four thousand three hundred and eighty-three pounds, payable by annual instalments, with interest, and it is just that the said lands and hereditaments should still be liable to their proportion of the said mortgage debt: Therefore, notwithstanding this Act, the said lands and hereditaments shall remain liable to the payment of a fair and equal portion with the other rateable lands in the said county of the said mortgage debts, and of the interest thereof, and the justices of the said county shall from time to time, at their discretion, when they shall think that the amount accrued due has become sufficiently large, levy and raise upon and from the rateable property of the inhabitants of the said lands and hereditaments so added to the borough such sums of money on account of the instalments of principal and interest then due or accruing due as shall in their opinion from time to time be in proportion to the annual value of the rateable property of the said land and hereditaments, as compared with the rateable annual value of the remainder of the county then liable to the payment of the said mortgage debt, and the said justices shall have the same powers and remedies for making, levying, and recovering the said rates as they now or for the time being may by law have for making, levying, and recovering the county rates from parishes lying partly within the said jurisdiction of the justices of the said county, subject to all rights and remedies of appeal and otherwise to which county rates are or may be liable.

No tolls to be collected on roads in added area.

25. The trustees of any turnpike road shall not collect any toll in respect of so much of any road as is within the added area, or lay out any money thereon.

Execution of Act.

Act to be executed by Council.

26. This Act shall be carried into execution by the Corporation acting by the Council, and according to the Municipal Corporations Acts, Public Health Acts, and Local Acts respectively for the time being affecting the Corporation as a municipal body and a sanitary authority respectively, and with all the rights, powers, privileges, exemptions, and authorities conferred by those Acts respectively on the Corporation, or on the Council and Committees of the Council, and

the officers, agents, and servants of the Corporation, with respect to matters provided for by or comprised in the Municipal Corporations Acts, Public Health Acts, and Local Acts respectively, and (subject to the provisions of this Act) as nearly as may be in all respects as if the powers, duties, exemptions, and property vested in, imposed on, or enjoyed by the Corporation by or under this Act were vested in, imposed on, or enjoyed by them by or under the Municipal Corporations Acts, Public Health Acts, and Local Acts respectively.

Validity of meetings.

27. Every meeting of the Council or of any Committee of the Council shall be presumed to have been duly convened and held, and all members attending any such meeting shall be presumed to have been duly qualified, and every question at any such meeting shall be determined by a majority of votes of the members attending such meeting and actually voting on the question, or in case of an equality of votes by the casting vote of the chairman of such meeting.

Proof of debt in bankruptcy.

28. If any person against whom the Corporation have any claim or demand becomes bankrupt, the town clerk, in all proceedings in relation to the estate of such bankrupt, may represent the Corporation and act in their behalf in all respects as if such claim or demand had been the claim or demand of the town clerk and not of the Corporation.

Sea Wall and Street Improvements.

Power to make sea wall, street improvements, and other works.

29. Subject to the provisions of this Act and to the powers of deviation hereby given, the Corporation may, if they think fit, in the lines and situation and upon the lands in that behalf delineated on the deposited plans and described in the book of reference; and according to the levels in that behalf shown on the deposited sections, make and maintain the works and improvements and do the things following; (that is to say,)

A sea wall or embankment on the beach or foreshore for the protection of the cliffs and foreshore within the limits of the borough, and for the formation of a carriage roadway and footway, or promenade thereon, which said sea wall or embankment will commence at a point near the gun platform on the Fort Green, from and out of the north-eastern end of the sea wall or works of the Margate Skating Rink, Concert Hall, Swimming Baths, and Aquarium Company, Limited, proceeding thence in an easterly direction and terminating at and adjoining the wall and premises on the western side of the Clifton Baths, all in the parish of Saint John the Baptist and extra-parochial district adjoining thereto, or one of them.

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A new road, and widening and improving of the parade, all in the said parish of Saint John the Baptist:

No. 1. The widening and improving of the parade on the western or north-western side thereof from the Slipway to Horn Corner:

No. 2. A new road or street (in continuation of the parade) commencing at Horn Corner and terminating in the Marine Terrace, 300 feet or thereabouts west of the Iron Bridge.

The widening and improving of the following roads, streets, and places in the said parish of Saint John the Baptist:

No. 3. The widening and improving of Paradise Street on the north side thereof from the west corner of a house and shop belonging or reputed to belong to William Read, and in the occupation of Henry Wootton, to the south-western side of Fort Parade, and on the southern side of such street from the northern corner of a house and premises belonging or reputed to belong to the devisees of Thomas Dalby Reeve (deceased), and in the occupation of William Campany, to the eastern corner of a forecourt adjoining certain houses and premises belonging or reputed to belong to Frederick Edwards, and in the occupation of Robert Yeomans, and Edmund Randall, —— Town, Thomas Watler, and G. Young, or some or one of them:

No. 4. The widening and improvement of Fort Road on the western side thereof from the corner of Mansion Street on the northern side thereof to the northern corner of a house and premises belonging or reputed to belong to Anne Hewett, and in the occupation of James William Hewett:

No. 5. The widening and improvement of Broad Street on the eastern side thereof from Love Lane to King Street:

No. 6. The widening and improvement of Lombard Street on the northern side of the whole length thereof:

No. 7. The widening and improvement of High Street on the eastern side thereof from Bilton's Court to Queen Street, and from the northern corner of a house and premises belonging or reputed to belong to Thomas Smith Rowe, and in the occupation of Margaret Stokes, to the southern corner of a house or premises belonging or reputed to belong to Richard Quested, and in the occupation of Jane Fawcett, and from the southern corner of the house or premises belonging or reputed to belong to the trustee of Henry William Hemsworth, and in the occupation of Robert Ansell, to the northern corner of a house or premises belonging or reputed to belong to Edward Bridger, and in the occupation of George Ingmire, and on the western side thereof from the northern side or front of the Elephant

Hotel to Mill Lane, and from the northern corner of building land belonging or reputed to belong to Abraham Putley to the northern corner of a house or premises belonging or reputed to belong to William Bentley, and in the occupation of George Harlow :

No. 8. The widening and improvement of Queen Street on the northern side thereof from High Street to Cecil Square :

No. 9. The widening and improvement of Cranbourne Alley on the eastern side thereof from St. John's Road to the southern corner of garden land opposite to Churchfield House belonging or reputed to belong to Mary Lewis, and in the occupation of Misses Brooke, and on the western side thereof from the south-eastern corner of garden land situate on the north of Churchfield House belonging or reputed to belong to the said Mary Lewis, and in the occupation of the said Misses Brooke, to the south-eastern corner of another piece of garden land situate on the south side of Churchfield House belonging or reputed to belong to E. Dark, and in the occupation of Robert Paramor :

No. 10. The widening and improvement of King Street on the north-eastern side thereof between the southern corner of a yard belonging or reputed to belong to Thomas Setterfield, and in the occupation of the said Thomas Setterfield, to a house or premises belonging or reputed to belong to George Savin, and in the occupation of Frederick Ardley :

No. 11. The widening and improvement of Wilderness Hill on the eastern side thereof from Clarendon Road to the Dane Road :

No. 12. The widening and improvement of the Northumberland Road and the Ethelbert Road by the setting back of the fence of the garden of Danehill House School :

And all necessary approaches, retaining walls, piers, abutments, embankments, arches, goits, culverts, stairs, and other conveniences and works connected with the foregoing works, or any of them.

Power to stop up a certain passage.

30. The Corporation may stop up the passage or footway leading from Bankside to Paradise Street, and thereupon the site and soil of the same shall vest in the Corporation so far as they are owners of the land on both sides thereof, and all rights of way over the same shall be extinguished.

Power to make subsidiary works.

31. Subject to the provisions of this Act, and within the limits defined on the deposited plans, the Corporation in connexion with the said works and improvements by this Act authorised, or any of them, and for the purposes thereof, may make junctions and

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communications with any existing streets which may be intersected or interfered with by or be contiguous to the said works or improvements, or any of them, and may make diversions, widenings, or alterations of lines or levels of any existing streets for the purpose of connecting the same with the said works or improvements, or any of them, or of crossing under or over the same, or any of them or otherwise.

Power to deviate vertically or laterally.

32. In making the said works and improvements the Corporation may deviate vertically to any extent not exceeding three feet from the levels defined on the deposited sections, and may deviate laterally to any extent within the limits of deviation defined on the deposited plans, and the Corporation may deviate beyond the last-mentioned limits with the consent of the persons through whose lands any such deviation is proposed to be made.

Power to alter and divert sewers, &c.

33. The Corporation from time to time may alter and divert, either temporarily or permanently, all sewers, drains, mains, and pipes within the borough which they find it necessary or convenient for any of the purposes of this Act so to interfere with, making to all persons who sustain any damage thereby compensation in that behalf, such compensation in case of dispute to be ascertained in manner prescribed by "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," with respect to the settlement of questions of disputed compensation for lands.

For protection of the postal telegraphs. Restriction on works affecting Post Office telegraph system.

34. With respect to the Post Office telegraph system the following provisions shall take effect:

(A.) The Corporation shall not by any work or thing interfere with any telegraph post, wire, tube, apparatus, or work of Her Majesty's Postmaster General, or execute or do any work or thing causing or likely to cause any interruption of or impediment to postal telegraphic communication, unless and until the Corporation have given to the Postmaster General one calendar month's previous notice in writing of their intention to execute or do the proposed work or thing, specifying all necessary and proper particulars relating thereto, and unless and until the Postmaster General has approved of the proposed work or thing by writing delivered to the Corporation, or has failed to approve or to disapprove of the same for one calendar month after service of such notice and particulars on him; provided that in case of such disapproval the same shall be referred at the request of either party to an engineer to be appointed by the President for the time being of the

Institution of Civil Engineers, whose decision upon all matters in difference between the parties shall be final and conclusive; and provided always, that this section shall not be deemed to prevent the Corporation executing any repairs or other works or things which shall be necessary to prevent accidents, and in any such case the Corporation shall forthwith give notice to the Postmaster General of any such interference and the reason for the same:

Power for Postmaster General to annex conditions.

(B.) Her Majesty's Postmaster General may annex to his approval under this Act of any work or thing such reasonable terms and conditions as to the time and mode of execution of any such work or thing as he thinks fit, and the Corporation shall observe and perform the same:

Power of entry for Postmaster General.

(C.) The engineer and other officers and servants and workmen of Her Majesty's Postmaster General may at and for all reasonable times enter on and into and remain on any of the lands and works of the Corporation for the purpose of examining, repairing, altering, or removing any telegraph post, wire, tube, apparatus, or work the property of the Postmaster General being thereon:

Compensation by Corporation to Postmaster General, and penalty.

(D.) The Corporation shall from time to time make full compensation to Her Majesty's Postmaster General for any expense, loss, or damage which he is put to or sustains by reason of the Corporation by any work or thing executed or done by them interfering with any telegraph post, wire, tube, apparatus, or work of the Postmaster General; and if at any time any such work or thing causes an interruption of or impediment to postal telegraphic communication, the Corporation shall, in addition to making compensation as aforesaid, be liable to forfeit a sum not exceeding twenty pounds for every twenty-four hours during which that interruption or impediment continues, and the amount of any such expense, loss, damage, or forfeiture shall be a debt due from the Corporation to the Crown, and be recoverable accordingly with costs, or the same may be recovered with costs on behalf of the Postmaster General as a penalty is recoverable from the Corporation:

Limiting period during which this section shall remain in force.

(E.) Inasmuch as it is contemplated to introduce a general measure for the better protection of the national telegraphs, and to enlarge the powers of the Postmaster General in relation thereto, this section shall only remain in force for one year from the date of the passing of this Act and to the end of the then next session of Parliament.

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Alterations consequent on changing levels of streets to be made at expense of Corporation.

35. Where by reason of the execution of any of the works by this Act authorised the level of any street is raised or otherwise changed, or any alteration of any step, door, or entrance into any house or building, or of any pavement, sewer, drain, or culvert adjoining or belonging to any premises in the street, is rendered necessary the alteration shall be made by and at the expense of the Corporation out of the moneys applicable under this Act to street improvements.

Damage to buildings to be compensated for by Corporation.

36. Where by reason of the alteration of the level of any street, or the execution of any other work by this Act authorised, any house, building, or premises be damaged or otherwise injuriously affected, the Corporation shall, out of the moneys applicable under this Act to street improvements, make good the damage done, and pay to the owner and occupier of the house, building, or premises such compensation as shall be agreed on between the owner and occupier and the Corporation, or failing their agreement such compensation as shall be ascertained in manner prescribed by "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," with respect to the settlement of questions of disputed compensation for lands.

Alterations of gas and water pipes, &c.

37. In executing any works by this Act authorised the Corporation may raise, sink, or otherwise alter the position of any watercourse, water pipe, or gas pipe belonging to or connected with any building adjoining or near to the site of any such work, and also any main or other pipe laid down or used for carrying a supply of water or gas, and also any pipe, tube, wire, or apparatus laid down for telegraphic or other purposes, and may remove any other obstruction, causing as little detriment and inconvenience as circumstances admit, and making full compensation for damage caused by any such alteration.

Streets disused vested in Corporation for sale.

38. Where any street or ground abutting on any street, and dedicated to public use or open to the passage of the public, becomes in consequence of any improvement effected by the Corporation under the powers of this Act, and shown on the deposited plans, no longer required for public use or for approach to any property adjoining thereto, the same is hereby vested in the Corporation, freed and discharged from the public use thereof: Provided that if any land be injuriously affected by such street or ground being so vested in the Corporation, the Corporation shall pay to the owner and occupier of such land such compensation as shall be agreed on between such owner and occupier and the Corporation, or failing their agreement such compensation as shall be ascertained in manner prescribed by "The Lands Clauses Consolidation Acts, 1845, 1860,

and 1869," with respect to the settlement of questions of disputed compensation for lands.

Elevation of buildings fronting streets to be as Corporation approve.

39. All buildings from time to time erected or altered towards any street made, widened, or improved under the powers of this Act shall be erected or altered in such line to the street and in accordance with such elevation fronting to or towards the street as the Corporation approve, and if the owner, lessee, or occupier of any building which on the making of any such new street, or on the widening or improving of any such street, acquires a frontage to the street make any door or entrance opening upon or communicating with the street, or any wall or fence by the side of the street, every such owner, lessee, or occupier shall make the building, wall, or fence in a line, and the elevation thereof fronting to or towards the street, in accordance with a plan approved by the Corporation: Provided that the Corporation shall make to every person who shall suffer any damage or loss by reason of his being deprived of any land under the provisions of this section such compensation therefor as shall be agreed on between such person and the Corporation, or failing their agreement such compensation as shall be ascertained in manner prescribed by "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," with respect to the settlement of questions of disputed compensation for lands.

Enlargement and Rebuilding of Town Hall.

Power to Corporation to enlarge and improve or rebuild Town Hall.

40. Subject to the provisions of this Act, the Corporation may from time to time enlarge and improve the Town Hall in such manner as they shall think fit, or they may pull down the same and build, erect, and maintain a new Town Hall, with all necessary or convenient offices, buildings, and other works connected therewith, upon the site of the existing Town Hall, or upon any of the lands now belonging to them or which may hereafter be acquired by them.

Local Government of Borough.

Provision for regulating places for dancing, music, and other public entertainments.

41. No house, room, garden, or place within the borough shall be kept or used for public dancing, music, or other public entertainment of the like kind without a license first had and obtained from the justices of the peace for the borough (which said license such justices are hereby authorised and empowered at their discretion to grant) on their general annual licensing day, and under the hands and seals of a majority of the justices then assembled, and any house, room, garden, or place kept and used for such purposes as

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aforesaid without such license first had and obtained shall be deemed a disorderly house, and the person occupying or rated as the occupier of the same shall on conviction before any two justices be liable to a penalty not exceeding ten pounds for every day on which he shall so offend: Provided always, that in order to give public notice what places are licensed pursuant to this Act there shall be affixed and kept up in some conspicuous place on the door or entrance of every house, room, garden, or place kept or used for any of the said purposes, and so licensed as aforesaid, an inscription in large capital letters of such dimensions as shall be prescribed in such license in the words following "licensed pursuant to Act of Parliament," and no such house, room, garden, or place kept or used for any of the said purposes, although licensed as aforesaid, shall be opened for any of the said purposes except between the hours stated in the license, and the affixing and keeping up of such inscription as aforesaid and the said limitation in point of time shall be inserted in and made conditions of every such license, and in case of any breach of any of the said conditions of any such license such license shall be liable to be forfeited and revoked by the justices of the peace for the borough at any general annual licensing day or some adjournment therefrom: Provided also, that it shall be lawful for every person who shall think himself aggrieved by any order of such justices to appeal therefrom to the Queen's Bench Division of the High Court of Justice (which court shall have power to hear and determine the same), whose order therein shall be final.

As to certain roads, sewers, drains in the added area.

42. Every road in the added area (not being a highway repairable by the inhabitants at large) now repaired and maintained by any local or other body, or by any person, shall, if at any time within two years after the commencement of this Act the Corporation determine to repair and maintain the same, and of such determination give two months notice to such local or other body or person, be and continue to be repaired and maintained by the Corporation as ordinary public highways within the borough, and such of the sewers and drains thereunder as are not then vested in the Corporation shall thereafter vest in and be repaired and maintained by the Corporation in like manner as ordinary sewers and drains within the borough; and from and after the repair and maintenance by the Corporation of such roads such local or other body or person shall, with respect to the said roads, sewers, and drains, and the repair and maintenance thereof, cease to have or exercise or be subject to any powers, jurisdictions, authorities, duties, or liabilities whatsoever.

Power to license.

43. The Corporation may from time to time, on such terms as to forfeiture or otherwise as they think fit, grant licenses empowering the persons to whom the same are granted to carry on the business of hawkers, marine store dealers, ticket porters, and shoeblacks within the borough; and any person who shall, without such license or contrary to the conditions on which such license is granted, carry on such business as aforesaid within the borough shall be subject to a penalty not exceeding forty shillings.

For the purposes of this section the term marine store dealer shall mean a person dealing in, buying, and selling anchors, cables, sails, or old junk, old iron, metal, scrap metal, broken metal, or partly manufactured metal goods, or defaced or old metal goods, or marine stores of any description, and the term "ticket porter" shall mean any person plying for hire as messenger, or for carrying or conveying parcels or luggage by hand or in or on any wheelbarrow, truck, or other vehicle drawn or propelled by any person or persons.

Terms of granting licenses.

44. The Corporation may demand and take in respect of any licenses granted by them in pursuance of the last preceding section any sum not exceeding in the case of a shoeblack one shilling, and in every other case five shillings, and no such license shall be in force for more than one year from the granting thereof.

Power of Corporation to contribute to expenses of band.

45. The Corporation may, if they think fit, contribute in any year any sum not exceeding one hundred and fifty pounds towards the expenses of maintaining a public band, subject to such terms and conditions as they may from time to time determine.

Power to vary direction, level, &c. of new streets.

46. The Corporation may vary the intended position or direction of any intended new street for the purpose of causing it to communicate in a direct line with any other street adjoining or leading thereto, or for the purpose of making the same communicate therewith at a more convenient level. Every new street shall be formed at such level as the Corporation in each case determine.

Crossings for horses or vehicles over footways.

47. Every person desirous of forming a communication for horses or vehicles across any footpath so as to afford access to any premises from a street shall first submit to the Corporation a plan of the proposed communication showing where it will cut the footpath, and what provision (if any) is made for kerbing and for a paved crossing, and the dimensions and gradients of the necessary works, and after having obtained the sanction of the Corporation may execute the works at his own expense, under the supervision and to the satisfaction of the surveyor, and not otherwise, and if any person drives or permits or causes to be driven any horse or vehicle

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across any footway, unless and until such a communication as aforesaid has been so made, he shall be liable to a penalty not exceeding forty shillings.

Power to regulate materials and workmanship.

48. The Corporation shall have control over the materials and workmanship employed in every new building, and may from time to time, with the approval of the Local Government Board, make, alter, and repeal regulations in respect thereof, and may reject or disapprove of any materials or workmanship not in accordance with such regulations, and if any person uses or continues to use materials or workmanship so rejected or disapproved he shall be liable to a penalty not exceeding ten pounds, and a further penalty of five pounds for each day during which he shall act in contravention of the provisions of this enactment: Provided always, that this section shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament.

Means of ingress and egress in public buildings.

49. Every new building used or intended to be used as a hotel, church, chapel, or school, or a place of public amusement or entertainment, or for holding large numbers of persons for any purpose, shall be provided with ample and convenient means of ingress and egress respectively to the satisfaction of the Corporation, and all doors affording means of egress shall be constructed so as to open outwards, and in case any such building shall not be provided with such means of ingress and egress as aforesaid the owner and occupier of the same shall be liable to a penalty of twenty pounds, and to a further penalty of five pounds for every day during which such building shall continue without such means of ingress and egress.

Certificate of fitness for habitation.

50. Any new building shall not be occupied as a dwelling-house until the drainage thereof has been completed, nor until the building has after examination been certified by the surveyor or a person appointed by the Corporation by writing under his hand to be fit for human habitation, but if the surveyor or such person as aforesaid for seven days after notice in writing to him fails to make such examination or without due cause refuses to give such certificate, nothing in this section shall prevent the building from being so occupied: Provided always, that in case the surveyor or such person refuses to give such certificate, any person aggrieved by such refusal may appeal to the Corporation, who shall decide whether or not such certificate has been without due cause refused by the surveyor or such person. If any person, as owner or acting as the agent of any owner, lets as a dwelling-house any new building

before the same is so certified, or after the certificate has been refused, he shall be liable to a penalty not exceeding five pounds, and to a daily penalty not exceeding forty shillings in respect of each day during which such building shall continue let contrary to the provisions of this enactment.

Value of existing sewers and streets may be allowed for.

51. In ascertaining the proportion to be paid by any owner of the expenses of freeing from obstruction, sewering, draining, levelling, paving, or macadamising any street or any part thereof, the value and efficiency of any such work theretofore done by him or by any preceding owner may be taken into consideration, and the Corporation may make such allowance as they think fit to him.

Prevention of lock-up, shops, &c. being used for habitation.

52. Where in the plan of a building submitted to and approved by the Corporation a building is described as a lock-up, shop, workshop, shed, or place of business, the use thereof or of any part thereof for the purposes of habitation shall be an offence against this Act, and shall be deemed to be committed on the day when the user thereof is first detected, and every person using the same or knowingly permitting the same to be so used shall be liable to a penalty not exceeding five pounds, and also to a daily penalty not exceeding forty shillings for every day during which the same shall be so used. The mayor for the time being of the borough may from time to time by warrant under his hand authorise any officer of the Corporation to enter into at any time and examine any building suspected of being so used. If any person obstructs an officer so authorised in his entry or examination he shall be liable to a penalty not exceeding forty shillings.

Byelaws.

53. The Corporation from time to time may make and when made may repeal, amend, or alter such byelaws, and may make such new byelaws in lieu thereof or in addition thereto as they may think fit:

For the good government and management of any house, room, garden, or place licensed under this Act for public dancing, music, or other entertainment; and

For the prevention of disorderly conduct therein;

For regulating and limiting the number of Bath chairs or other vehicles drawn or propelled by any person or persons or vehicles drawn by goats and plying for hire within the borough, and the places upon which the same may stand, and the charges to be made for the use of the same;

For regulating the business of hawkers, ticket-porters, and shoeblacks, and the places in and the times during which such business may be carried on, and the charges to be made by ticket porters and shoeblacks;

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For the prevention of the removal or disturbance of any chalk, rock, sand, clite, and other material or thing from the sea shore within the limits of the borough;

And may impose penalties for the breach or non-observance thereof not exceeding five pounds for each offence, and for each and every day on which such offence shall continue.

As to byelaws under this Act.

54. Nothing in this Act contained shall authorise the making of any byelaw repugnant to law or to this Act.

All byelaws made by the Corporation under this Act shall be so framed as to allow of part only of the maximum penalty thereby imposed being inflicted.

All byelaws made by the Corporation under this Act shall be made subject to the provisions of the Public Health Acts with respect to byelaws.

ACQUISITION OF LANDS.

Power to take lands.

55. Subject and according to the provisions of this Act, the Corporation may from time to time enter upon, take, and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference, and any easement, right, or privilege in or over the same.

Corporation may extinguish rights of way over streets and footpaths.

56. The Corporation may discontinue and stop up any and every street and footpath in or over any lands acquired by them under the powers of this Act, and described in the deposited book of reference, and thereupon all rights of way over such streets and footpaths shall be extinguished.

Corporation to give notice before taking dwellings of labouring classes.

57. The Corporation shall, not less than eight weeks before they take in the borough fifteen houses or more occupied either in whole or in part by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses; and the Corporation shall not enter upon, take, or use any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Corporation have in manner required by this section made known their intention to take the same.

Corporation to provide accommodation for persons of the labouring class to be displaced.

58. Before taking fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, who may for the time being be the occupier or occupiers of any house or part of any house which the Corporation are by this Act authorised to acquire, the Corporation shall (unless the

Corporation and such person or persons otherwise agree) provide sufficient accommodation elsewhere for such person or persons, and they may contribute towards the costs or expenses of erecting or providing houses or buildings for such accommodation by any company, body, or person: Provided always, that if any question shall arise as to the sufficiency of such accommodation, the same shall be determined by a justice, and the Corporation may apply for the purposes of this section any moneys they may have already raised or are authorised to raise and which are not required for the purposes for which they were raised.

Owners may be required to sell parts only of certain lands and buildings.

59. And whereas in the construction of the works by this Act authorised it may happen that portions only of the lands, buildings, or manufactories shown on the deposited plans will be sufficient for the purposes of the same, and that such portions may be severed from the remainder of the said properties without material detriment thereto; therefore, notwithstanding section ninety-two of the Lands Clauses Consolidation Act, 1845, the owners of and persons interested in the lands, buildings, or manufactories described in the Fourth Schedule to this Act, and whereof parts only are required for the purposes of this Act, may, if such portions can, in the judgment of the jury, arbitrator, or other authority assessing or determining the compensation under that Act, be severed from the remainder of the said properties without material detriment thereto, be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof, the Corporation paying for the portions required by them, and making compensation for any damage sustained by the owners thereof or other persons interested therein by severance or otherwise.

Limitation of time for compulsory purchase of lands, &c.

60. The powers of the Corporation for the compulsory purchase of lands or any estate in lands for the purposes of this Act shall not be exercised after the expiration of five years after the commencement of this Act.

Power to acquire additional lands by agreement.

61. The Corporation may (in addition to the lands they are authorised to acquire and hold by the other powers of this Act) from time to time, for all or any of the purposes of this Act, by agreement, acquire in fee, either by purchase or by way of exchange or otherwise, any land not exceeding in the whole five acres, or any easement, power, or privilege therein, thereunder, thereover, or thereupon (not being an easement or privilege of water) which shall be deemed necessary by the Corporation, and may appropriate all or any part thereof for all or any of the purposes of this Act.

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Consideration for such acquisition.

62. The consideration for any such acquisition may be either money or land, or any yearly sum or rentcharge or other rent, or a mixed consideration of money and land, and on any exchange the Corporation may give or take any money for equality of exchange.

Corporation may use their own lands for purposes of Act.

63. The Corporation from time to time may appropriate and use for any of the purposes of this Act any lands from time to time vested in them, and being part of their corporate estates, or vested in them as a sanitary authority.

Corporation may sell or lease lands not required for purposes of Act.

64. Subject to the provisions of this Act, the Corporation from time to time, if and when they think fit, may sell or exchange all or any part of any lands vested in them at the commencement of this Act or acquired by them under the authority and not required for the purposes of this Act, or they may lay out the same for building purposes and sell or exchange the same, or otherwise at their option they may demise or grant upon lease for any yearly rent, with or without fine, for such estate, term, or interest, not exceeding a term of ninety-nine years, and to such persons, and with, subject to, on, and under such reservations, covenants, terms, and conditions as the Corporation think fit (and in case of sale, in consideration of a gross sum or of an annual rent, or of both, or of any payment in any other form), all or any part of such lands, and the Corporation may make any such sale or lease by public auction, public tender, or private contract, and with or without special conditions and stipulations as to evidence or commencement of title or otherwise, and may fix reserved biddings and prices, buy in at auctions, and alter or rescind on terms or gratuitously any contract or agreement for sale or lease, and the consideration or rent fixed thereby, and accept surrender of any lease, and either before or after such conveyance or lease is granted may in like manner sell and dispose of any rent reserved or agreed to be reserved for any such lands, and the reversion and inheritance in fee simple in possession (subject to any such lease or agreement of or concerning such lands) of any such lands, and execute and do all deeds and things necessary to effect the several purposes aforesaid.

Consent of Treasury to sale, &c. of lands.

65. No sale or exchange, nor any lease of any lands now vested in the Corporation, shall be made without the consent of the Commissioners of Her Majesty's Treasury, after due notice in accordance with the provisions of the Municipal Corporations Acts, except such leases as the Corporation are authorised to grant by virtue of the Municipal Corporations Acts, Local Acts, and this Act without such consent.

FINANCIAL.

Corporation to pay off debts.

66. The Corporation shall, as soon as may be after the commencement of this Act, pay off the debts of the Corporation.

Costs of execution of Act.

67. All costs, charges, and expenses from time to time incurred by the Corporation in or about the execution of the purposes of this Act, the payment of which is not otherwise charged and provided for by this Act, with respect to the enlarging, improving, or rebuilding the town hall, shall be a charge on the borough fund and borough rate, and with respect to the sea wall and the new street and street improvements, and in payment of the unsecured debts of the Corporation, shall be a charge on the general district rates or district fund, and all other costs, charges, and expenses from time to time incurred by the Corporation in or about the execution of the other purposes of this Act shall, save as otherwise expressly provided, be a charge on the borough fund or borough rate or the general district rates or district fund, at the discretion of the Corporation.

As to assessment of borough rate.

68. The Corporation may, if they think fit, assess, levy, collect, and recover the borough rate in the same manner as and with and under the same provisions (except as to exemptions from and reductions in the assessment) with which they assess, levy, collect, and recover general district rates.

As to expenses of sea wall.

69. The Corporation may, in case it shall appear to them that the expenses incurred by them in respect of the sea wall by this Act authorised to be constructed, or any part thereof, have been incurred for the special benefit of any part of the borough, or have not been incurred for the equal benefit of the whole borough, cause the sum or sums necessary for defraying such expenses to be assessed upon and levied off such part of the borough only, or they may wholly or partially exempt any part of the borough from assessment in respect of such expenses, or they may apportion such expenses or any part of the same between the owners of the properties benefited by the construction of the said sea wall according to the benefit which will result therefrom to such properties respectively, and declare the sums so apportioned to be private improvement expenses within the meaning of the said term, and subject to the provisions in that behalf prescribed, and with the like right of appeal conferred by the Public Health Act, 1875, and thereupon the same shall be defrayed accordingly: Provided always, that the amount of such rates shall be calculated so that such expenses and the interest thereon shall be discharged in such period not exceeding sixty years as the Corporation may determine.

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Power to borrow.

70. The Corporation may from time to time borrow at interest (not exceeding the rate of five pounds per centum per annum) such moneys as they may think requisite for the purposes of this Act to an amount not exceeding in the aggregate the amounts by this Act authorised.

Limitation of borrowing powers.

71. The moneys to be borrowed by the Corporation under the authority of this Act shall not in connexion with the following purposes exceed the following sums; (that is to say,)

With respect to the sea wall, ten thousand pounds;

With respect to the new road and widening of the parade, forty thousand pounds;

With respect to the street widening and improvements, sixty-six thousand pounds;

With respect to the enlarging, improving, or rebuilding the town hall, five thousand pounds;

With respect to the debts of the Corporation, ten thousand two hundred and fifty pounds;

With respect to the liability of the borough under the Cinque Ports Act in relation to the added area, the sum agreed upon or ascertained and determined as the capital amount to be paid in discharge of such liability;

With respect to the costs, charges, and expenses of and incident to the applying for, obtaining, and passing of this Act, such sum as shall be certified by the taxing officer who shall tax and certify the same;

And with respect to the other purposes of this Act such sum as the Local Government Board shall approve, not exceeding five thousand pounds:

Provided always, that in case further moneys shall be required for any of the aforesaid purposes the Local Government Board may, at the request of the Corporation, authorise them to borrow such further sums as the Local Government Board may from time to time think fit.

Power to mortgage.

72. For securing the repayment of moneys borrowed under the authority of this Act for any of the purposes of this Act the Corporation may mortgage the rate or fund or rates or fund upon which the costs, charges, and expenses from time to time incurred by the Corporation in the execution of such purpose are made a charge by this Act, and in case the Corporation shall secure the repayment of such moneys by mortgage the provisions of "The Public Health Act, 1875," with respect to mortgages to be executed by urban authorities, shall apply, except where the same are herein-after expressly altered or varied:

Coupons for interest on mortgages.

(1.) The Corporation may from time to time, if they think fit, issue to holders of their mortgages coupons for the interest from time to time to fall due thereon in such form as the Corporation think fit, so as every coupon do refer to the mortgage to which it relates, and do specify the amount and time of payment of one half year's interest to fall due on the principal money secured by the mortgage, and be authenticated by the signatures of two persons thereunto expressly authorised by the Corporation (which authorisation shall be presumed until the contrary is shown), and on presentation to the treasurer of a coupon he shall pay to the person presenting it the amount of interest thereon expressed and thereby appearing to be payable, and on audit of the treasurer's accounts the coupon shall be accepted as a sufficient warrant for his payment of the amount for which it was issued; but the treasurer shall not be bound to make any payment of interest beyond the amount of the money of the Corporation then in his hands and applicable in that behalf:

Money borrowed on mortgage may be paid by instalments.

(2.) All moneys borrowed or re-borrowed by the Corporation by mortgage under the authority of this Act may be borrowed and re-borrowed for any term not exceeding the terms specified in the Fifth Schedule to this Act annexed, and, subject as aforesaid, shall be repaid by yearly or half-yearly instalments or by means of a sinking fund: Provided that when the payment shall not be made by equal instalments, the instalment or instalments payable in each year, together with the interest payable in such year in respect of the principal moneys owing, of which such instalment or instalments form part, shall in every year amount to the same sum:

Sinking fund for payment of money borrowed on mortgage.

(3.) The Corporation, in case they borrow any moneys repayable by a sinking fund, shall, within twelve months after the borrowing of the same, and thenceforth annually on the same day, set apart as a sinking fund for the payment of moneys borrowed on mortgage under this Act, out of the rate or fund or the rates or fund upon the security of which such moneys have been borrowed, such a sum as will be sufficient to pay within the period stipulated with the lender (not exceeding the terms specified in the Fifth Schedule to this Act annexed) such proportion of the principal moneys so borrowed as shall not be repayable by yearly or half-yearly instalments (after giving credit for

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moneys received in respect of the sales of land acquired under the powers of this Act), to be accumulated in the way of compound interest, by investing in Exchequer bills or Government securities, and the Corporation shall from time to time apply the said sinking funds respectively in repayment of such portion of those respective principal moneys until thereby or otherwise the whole of such portions have been fully paid: Provided always, that whenever any of such principal moneys have been so paid off, the Corporation shall thenceforward, until the whole of such principal moneys have been paid off, pay into the sinking fund every year, in addition to the other sums herein-before required to be set apart and appropriated, a sum equal to the annual interest of the principal money so paid off: Provided further, that whenever and so long as the yearly income arising from the sinking fund shall be equal to the annual interest of the principal moneys then due and outstanding, the Corporation may, in lieu of investing the said yearly income, apply the same in payment of such interest, and may during such periods discontinue the payment to the sinking fund of the yearly sums herein-before required to be paid thereto:

Annual return to Local Government Board with respect to sinking fund in respect of moneys borrowed on mortgage.

(4.) The town clerk shall, within twenty-one days after the first day of January of each year during which any sum is required to be set apart for a sinking fund or to be paid as an instalment in respect of moneys borrowed on mortgage under this Act, transmit to the Local Government Board a return in such form as may be prescribed by that Board, and verified by statutory declaration if so required by them, showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return, and the description of such securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund, and the interest thereon, have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return, such clerk shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Local Government Board, by such return or otherwise, that the Corporation have failed to pay any instalment

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

Power to mortgagees to obtain a receiver.

(5.) With respect to a receiver the following provisions shall have effect; (namely,)

The mortgagees of the Corporation under this Act may enforce payment of arrears of interest or principal, or principal and interest, by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall be not less than five thousand pounds:

Power to re-borrow.

(6.) If the Corporation pay off any part of any money borrowed by them under this Act or under any former Act, and remaining unpaid at the commencement of this Act, otherwise than by instalments or by means of a sinking fund they may re-borrow the same, and so from time to time: Provided always, that all moneys so re-borrowed shall be repaid within the same time as the moneys originally borrowed were required to be repaid:

Protection of lenders from inquiry.

(7.) A person lending money to the Corporation secured by mortgage shall not be bound or entitled to inquire as to observance by them of any provision of this Act, or be bound to see to the application or be answerable for any loss or non-application of the money lent, or of any part thereof.

Power to borrow under Local Loans Act, 1875.

73. The Corporation, if they think fit, in lieu of borrowing on the security of mortgages as herein-before provided, may borrow the moneys which they are by this Act authorised to borrow, or any part thereof, under the powers and subject to the provisions of the Local Loans Act, 1875, by means of a loan or loans to be raised by the issue of debentures, debenture stock, or annuity certificates, or partly in one way and partly in another.

Any moneys borrowed in manner by this section authorised for any of the purposes of this Act shall be a charge upon and shall be

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paid out of the rate or fund or rates or fund upon which the costs, charges, and expenses from time to time incurred by the Corporation in the execution of such purpose are made a charge by this Act, and such rate or fund or rates or fund shall be the local rate within the meaning and for the purposes of the Local Loans Act, 1875.

Every such loan shall be discharged within the period specified in the Fifth Schedule to this Act annexed, and such discharge or any part thereof shall be effected by means of a sinking fund, if the Corporation shall so think fit; and if the Corporation at any time think fit to form any such sinking fund, all sums paid into the same shall, as soon as may be, be invested by the Corporation in any manner in which trustees are by law for the time being authorised to invest trust moneys.

GENERAL.

Separate account for sea wall, new road, and street improvements, and town hall.

74. The Corporation shall keep a separate account in respect of the new sea wall, new road, and street improvements, and town hall, showing all moneys from time to time expended thereon or received in respect thereof.

Application of money borrowed.

75. All moneys borrowed under this Act shall be appropriated to purposes for which it is authorised to be borrowed, and shall be expended exclusively on works or objects on which capital may properly be expended, and not in defraying the expenses of maintenance of any works or other ordinary current expenses of or connected with any work or establishment. All money received by the Corporation, either as purchase moneys of lands sold or for equality of exchange, or as consideration for a lease, shall be applied to such works or objects as aforesaid, or the same may, in the discretion of the Corporation, be applied towards the reduction of the debt owing by the Corporation, or towards the increase of the sinking fund.

Recovery and application of penalties.

76. All penalties and forfeitures imposed by this Act, or any bye-law thereunder, shall be recovered and applied in like manner as penalties and forfeitures are by the Public Health Acts recoverable and applicable, and the information or complaint for any offence may be made as in those Acts authorised, or by any inspector of nuisances or other officer authorised in that behalf by the Council.

Saving for existing charges.

77. Nothing in this Act shall prejudicially affect any charge on the corporate estates of the Corporation, and the borough fund and borough rates, and the district fund account and general district rates, or any of them, by way of annuity, mortgage, or otherwise, subsisting at the commencement of this Act, and every annuitant,

mortgagee, or incumbrancer, or person for the time being entitled to the benefit of any such charge, shall have the same priority of charge and all the like rights and remedies in respect of the property subject to the charge as if this Act had not been passed, and all such charges created before the commencement of this Act shall, during the subsistence thereof, have priority over any annuity, certificate, mortgage, debenture, or debenture stock granted under this Act.

Limiting operation of 53 Geo. 3. c. 82. s. 4.

78. Nothing in this Act contained shall be construed to extend the exemption from rates contained in section four of the Local and Personal Act fifty-third George Third, chapter eighty-two, beyond the limits within which the same was in force immediately before the passing of this Act, and except within such limits the same shall not be in force or have effect.

Expenses of Act.

79. The costs, charges, and expenses of and incidental to the applying for, obtaining, and passing this Act shall, subject to the provision of the Act 35 and 36 Victoria, chapter 91, section 6, be paid by the Corporation, and shall be charged upon the borough fund and borough rates or district fund and general district rates, and be debited to the accounts kept by the Corporation, in such proportions as they shall think just.

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SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

Setting forth the provisions of Acts and provisional orders referred to in the foregoing Act as Local Acts.

The sections numbered respectively in the copies of the Act twenty-seventh George the Third, chapter forty-five (local and personal), printed by the King's Printers, eight and sixteen.

The section numbered forty-four in the copies of the Act of the thirty-ninth George the Third, chapter two (local and personal), of the same reign, so printed as aforesaid.

The sections numbered respectively in the copies of the Act forty-ninth George the Third, chapter one hundred and seventeen (local and personal), so printed as aforesaid, thirty-six, thirty-seven, and forty-seven (except so much thereof as provides that the byelaws to be made under section forty-seven as to fares, rates, and prices shall not extend to distances beyond one mile from the front door of the Royal Hotel Assembly Room).

The sections numbered respectively in the copies of the Act fifty-second George the Third, chapter eighty-six (local and personal), printed as aforesaid, two (except so much thereof as vests the town hall and site thereof therein mentioned equally in the Company of Proprietors therein-after mentioned and the commissioners for paving and lighting the town of Margate for the time being) and seventy (except so much thereof as gives the court of directors therein named powers to make byelaws for the regulation of porters); and the section numbered in the copies of the said Act of the seventh year of George the Fourth, chapter thirty-one (local and personal), printed as aforesaid, six (except so much thereof as gives the court of directors therein named powers to make byelaws for the regulation of porters, carters, carmen, and others carrying goods or using or driving horses, waggons, carts, drays, trucks, sledges, or other carriages to or from the said pier or jetty, or any part of the said harbour, or the quays, wharves, or landing-places belonging or to belong thereto, and for protecting, preserving, and keeping clear and unincumbered the said pier, jetty, and Marine Parade). And all and every the other sections of the said Acts of the fifty-second year of the reign of George the Third and the seventh George the Fourth (not repealed as aforesaid) which relate to the property, rights, powers, authorities, and interests of the Company of Proprietors of Margate Pier and Harbour constituted under and by virtue of such Acts.

The sections numbered respectively in the copies of the Act fifty-third George Three, chapter eighty-two (local and personal), printed as aforesaid, three to fifteen both inclusive (but only until all debts due and owing under the provisions of the said Act and of the Act sixth George Four, chapter twenty (local and personal), and all interest thereon, shall have been paid and satisfied), and twenty-six to thirty both inclusive.

The sections numbered respectively in the copies of Act sixth George Four, chapter twenty (local and personal), printed as aforesaid, nine to thirteen and fourteen to seventeen, all inclusive, twelve, twenty, twenty-two to twenty-four, both inclusive, twenty-five, twenty-eight, twenty-nine, thirty-two, thirty-three, thirty-six, thirty-seven, thirty-nine, forty-three, fifty-one, sixty to sixty-six, and sixty-seven to seventy-five, all inclusive, eighty, eighty-five to ninety-two, both inclusive.

A provisional order bearing date the fourth day of July one thousand eight hundred and fifty-one confirmed by the Public Health Supplemental Act, 1851 (No. 2).

Sections one, two, three, and four of the Local Government Supplemental Act, 1867 (No. 4).

THE SECOND SCHEDULE.

Boundaries of District comprised in the Borough as extended by the foregoing Act.

A boundary line commencing on the eastern side of the existing municipal borough boundary at the eastern side of the footpath opposite to the eastern end of Hodges's Bridge, and proceeding thence in a southerly direction along the eastern side of such footpath into and along the eastern side of an occupation road leading from the sea shore to Northdown Road to the point of junction with such road, and thence in a southerly direction across Northdown Road and across a certain field or arable land belonging or reputed to belong to Jesus Hospital, and in the occupation of Charles Dunt, and numbered six hundred and three on the tithe commutation map and book of reference for the said parish of Saint John the Baptist, to and across the public highway leading from the Dane Margate to Northdown at the point where the road from West Northdown leading to the Thanet Collegiate School crosses such road; thence in a south-westerly direction along the south-easterly side of the last-named road to its junction with and then across the highway leading from Northdown to the Thanet Collegiate School and the bridge over the London, Chatham, and Dover Railway; thence along the southern side of such highway to the said railway bridge; thence across the said railway bridge on the eastern side thereof and across the Saint Peter's Road to the southern side of the highway leading from the said railway bridge to the cemetery, and thence along the southern side of such highway to its junction with the road leading from Tivoli to Nash Court; thence in a north-westerly direction across the said highway (leading from the said railway bridge to the cemetery) to the southern side of the highway leading from Salmstone to Hartsdown; thence along the south-western side of such highway to the western corner of Tivoli Gardens, and thence in a direct northerly direction until it unites with the existing borough boundary where the same crosses the western fence of the South-eastern Railway on the western side of such railway; thence in a westerly direction along the existing borough boundary to where the same meets the southern fence of the London, Chatham, and Dover Railway, and thence along the southern fence of such railway (to and across the Canterbury

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Road), and thence for a distance of four hundred and fifty yards measured from the western side of the Canterbury Road; thence in a straight line in a northerly direction across the London, Chatham, and Dover Railway and the highway leading from Rancorn to Westgate to a point on the beach or foreshore situate one hundred yards, measured in a northerly direction, from the base of the cliff; thence in a straight line in a north-easterly direction to the extreme northern end of the jetty as extended, and thence in a straight line in an easterly direction to a point on the beach or foreshore situate at a distance of one hundred yards, measured in a northerly direction, from the eastern side of the footpath at the eastern end of Hodges's Bridge; thence in a southerly direction to the point firstly described at the said eastern side of the footpath at Hodges's Bridge. The boundaries as herein-before described are shown on the borough plan signed in duplicate by the Chairman of the Committee of the House of Commons to whom the Bill was referred.

THE THIRD SCHEDULE.

NAMES AND BOUNDARIES OF NEW WARDS.

THE PIER WARD.

A line commencing at a point on the edge of the cliff near the Paragon and proceeding thence in rear of the same, and in a southerly direction, along the centre of Zion Place across Northumberland Road, and along the centre of Dane Hill across King Street, and along the centre of Addington Street to the centre of Union Crescent; then in a westerly direction along the centre of the last-named road across Cecil Street to and along the centre of Cecil Square and Queen Street to and across High Street; thence along the centre of the Elephant Hill and Upper Marine Terrace to the bottom of Albert Terrace Green; thence in a north-westerly direction along the centre of the footway adjoining the same to and across the beach or foreshore until the same meets the boundary line of the borough at a point situate one thousand four hundred and twenty feet or thereabout (measured in a south-westerly direction) from the extreme northern point of the jetty as extended; thence along the said boundary line in an easterly direction to a point situate two thousand feet or thereabout measured from the extreme northern point of the jetty as extended, and thence in a southerly direction to and terminating at the first-named point at the edge of the cliff near the Paragon.

THE CLIFTONVILLE WARD.

A line commencing at a point at the edge of the cliff near the Paragon and proceeding thence in rear of the same, and in a southerly direction, along the centre of Zion Place across Northumberland Road and along the centre of Dane Hill to the centre of King Street; thence in a south-easterly direction along the centre of the Dane Road to and along the centre of a public footway leading from the aforesaid road to the highway leading from the Dane to Northdown; thence in the same direction along the centre of such highway to where the borough boundary crosses the same, and thence in a northerly and westerly

direction along the said borough boundary to a point measured two thousand feet or thereabouts east of the north end of the jetty as extended, and thence in a southerly direction to and terminating at the first-named point at the edge of the cliff near the Paragon.

THE CECIL WARD.

A line commencing from and out of the borough boundary line as extended at a point where the same crosses the highway from the Dane to North Down, and proceeding thence in a westerly direction along the centre of such highway to and along the centre of a public footway leading from such highway to the Dane Road; thence along the centre of the Dane Road to a point opposite to the centre of Addington Street; thence to and along the centre of Addington Street to a point opposite to the centre of Union Crescent; thence along the centre of Union Crescent to and across Cecil Street to the centre of Cecil Square; thence through Cecil Square to and along the centre of Queen Street to the centre of High Street; thence in a southerly direction along the centre of High Street to and across Ramsgate Road to the centre of Saint Peter's Road; thence along the centre of Saint Peter's Road to where the same meets the borough boundary; thence in an easterly direction along the borough boundary to and terminating at the first-named point where the said boundary crosses the highway from the Dane to North Down.

THE MARINE WARD.

A line commencing from and out of the borough boundary where the St. Peter's Road crosses over the centre of the bridge across the London, Chatham, and Dover Railway, proceeding thence in a north-westerly direction along the centre of St. Peter's Road across the Ramsgate Road to and along the centre of High Street to and opposite the centre of Elephant Hill; thence in a westerly direction along the centre of Elephant Hill to a point near the south-western corner of Albert Terrace Green; thence in a straight line in a north-westerly direction to where the same meets and unites with the borough boundary; thence in a south-westerly direction and continuing along the borough boundary to and terminating at the point first named at the centre of the bridge across the London, Chatham, and Dover Railway.

THE FOURTH SCHEDULE.

DESCRIBING LANDS AND OTHER PROPERTY OF WHICH PORTIONS ONLY ARE REQUIRED.

Plan No. II., New Road.

Number on Plan.	Description of Property.
1	Passage.
38	Enclosed green.

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Number on Plan.	Description of Property.
Plan No. VII., High Street.	
30	Yard, shed, and stables.
35	Forecourt or yard.
38	Garden, yard, and stables.
46	Forecourt.
51	Land.
61	Forecourt.
Plan No. IX., Cranbourne Alley.	
9	Garden ground.
10	Garden ground.
11	Garden ground.
12	Forecourt.
Plan No. XI., Wilderness Hill.	
1	Plantation.
2	Arable.
3	Plantation.

THE FIFTH SCHEDULE.

SPECIFYING TERMS FOR WHICH MONEYS MAY BE BORROWED FOR THE SEVERAL PURPOSES OF THIS ACT.

Purposes.	Terms.
Payment of debts of corporation -	15 years from the date of the loan.
Payment of all other debts, charges, and expenses of corporation in execution of foregoing Act.	60 years from the date of the loan.

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