

[3 EDW. 7.]

Kingston-upon-Hull Corporation
Act, 1903.

[Ch. ccxlv.]

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CHAPTER ccxlv.

An Act to empower the corporation of Kingston-upon-Hull to make a certain street work and bridge to construct additional tramways and to confer further powers on them in regard to streets buildings and sewers and the health local government and improvement of the city and for other purposes. A.D. 1903.

[14th August 1903.]

WHEREAS it is expedient that the mayor aldermen and citizens of the city and county of Kingston-upon-Hull (herein-after called "the Corporation") should be empowered to make the street work and bridge in this Act described :

And whereas the Corporation have laid down and are working the existing tramways within the city and it is expedient that they should be empowered to construct and maintain the additional tramways in this Act described and that they should be empowered to work the same :

And whereas divers powers in regard to the improvement and government of the city have been conferred upon the Corporation by the local Acts and Orders confirmed by Parliament and specified in the First Schedule to this Act and such Acts and Orders are referred to in this Act as the recited Acts and each of those Acts and Orders is separately referred to as the Act or Order of the year in which it was passed or confirmed :

And whereas it is expedient that better provision should be made with reference to streets buildings and sewers within the city and that the powers of the Corporation in relation to their markets and to the health local government and improvement of the city should be enlarged as by this Act provided :

[Price 4s. 6d.]

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And whereas the Corporation are the owners of lands and buildings vested in them as their corporate estate and have under statutory powers applied parts of such lands and buildings for and in connexion with street improvements and they have become possessed of surplus lands in connexion with street improvements and are or will be entitled to certain moneys arising from the sale of part of their corporate lands to the North Eastern Railway Company and it is expedient that the Corporation should be empowered to hold the surplus lands in this Act mentioned or referred to as corporate lands within the meaning of the Municipal Corporations Act 1882 and to erect thereon buildings and to apply the proceeds of sale of the said un-mentioned corporate lands in the erection of such buildings as this Act provided :

And whereas it is expedient that the Corporation should be empowered to borrow the moneys therein this Act mentioned :

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

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

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

	£
For the purchase of lands and for the execution of the street work and bridge authorised by this Act - - - - -	2000
For the construction and equipment of the tramways authorised by this Act - - - - -	24000

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

And whereas an absolute majority of the whole number of the council at a meeting held on the twenty-second day of December one thousand nine hundred and two after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Daily Mail a local newspaper published and circulating in the city 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 as to one-half thereof be charged on the borough fund and borough rate and as to the remaining half on the district fund and general district rate :

And whereas such resolution published twice in the said newspaper and has received the approval of the Local Government Board : A.D. 1903.

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 second day of February one thousand nine hundred and three being not less than fourteen days after the deposit of the Bill in Parliament

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

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes of the powers of this Act were duly deposited with the clerk of the peace for the East Riding of the county of York and with the clerk of the peace for the city and county of Kingston-upon-Hull and are in this Act respectively referred to as the deposited plans, sections and book of reference :

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

PART I.

PRELIMINARY.

1. This Act may be cited as the Kingston-upon-Hull Corporation Act 1903. Short title.

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

- Part I.—Preliminary.
- Part II.—Street Work Bridge and Lands.
- Part III.—Tramways.
- Part IV.—Streets Buildings and Sewers.
- Part V.—Advertisements.
- Part VI.—Sanitary Provisions.
- Part VII.—Infectious Diseases.

Division of
Act into
parts.

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- Part VIII.—Milk (Tuberculosis).
 Part IX.—Common Lodging-Houses.
 Part X.—Town Recreation Grounds.
 Part XI.—Hackney Carriages.
 Part XII.—Police Force Brigade &c.
 Part XIII.—Markets.
 Part XIV.—Finance and Rating.
 Part XV.—Miscellaneous.

Incorporation of
general Acts.

3. The following Acts and parts of Acts so far as the same are applicable for the purposes of and are not inconsistent with the provisions of this Act are hereby incorporated with this Act namely:—

The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845):

Section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 Provided that section 19 shall be read and have effect as if the words “but nothing in this Act contained shall authorise any local authority to place and run carriages upon such tramways and to demand and take tolls and charges in respect of the use of such carriages” were omitted from that section:

Provided that the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any alteration to or interference with any telegraphic line belonging to or used by the Postmaster-General.

The expression “telegraphic line” in this Act has the same meaning as in the Telegraph Act 1878.

Interpreta-
tion.

4. The several words and expressions to which by the Acts wholly or partially incorporated with this Act (including the Orders of 1896 and 1900) or by the Act of 1901 or by the Public Health Acts meanings are assigned shall in this Act have the same respective meanings unless there be something in the subject or context repugnant to or inconsistent with such construction And in this Act unless the subject or context otherwise requires—

“The Corporation” means the mayor aldermen and citizens of the city and county of Kingston-upon-Hull;

“The city” means the city and county of Kingston-upon-Hull;

“The council” means the council of the city;

- “The mayor” “the town clerk” “the treasurer” “the surveyor” and “the inspector of nuisances” mean respectively the mayor the town clerk the treasurer the surveyor and the inspector of nuisances of the city and respectively include any person duly authorised to discharge temporarily the duties of those offices ;
- “The medical officer” means the medical officer of health of the city and includes any person duly authorised to act temporarily as medical officer of health of the city ;
- “The borough fund” “the borough rate” “the district fund” and “the general district rate” mean respectively the borough fund and borough rate district fund and general district rate of the city ;
- “Dairy” means any farm farmhouse cowshed milk store milk shop or other place from which milk is supplied or in which milk is kept for purposes of sale ;
- “Dairyman” means any cowkeeper purveyor of milk or occupier of a dairy ;
- “Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the city ;
- “Daily penalty” means a penalty for each day on which any offence is continued by a person after conviction.

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PART II.

STREET WORK BRIDGE AND LANDS.

5. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the street work and bridge herein-after mentioned together with all necessary approaches arches embankments walls works and conveniences connected therewith or incident thereto.

Power to
make street
work and
bridge.

The street work and bridge above referred to and authorised by this Act are—

Street Work.—A widening and improvement of Hedon Road in the parish of Sculcoates in the city on the south side of such road commencing at the west side of the road known as Earles Road and terminating at the east side of the said road and which work is described on the deposited plans and sections as Street Work No. 2 :

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Bridge.—A new bridge in substitution for the existing bridge known as Leads Bridge carrying Leads Road across the Foredyke Stream (otherwise the Sutton Drain) commencing in the parish of Sculcoates in the city in Leads Road and terminating in the parish of Sutton without in Leads Road and which bridge is described on the deposited plans and sections as New Bridge No. 1.

As to construction cost and maintenance of bridge.

6. The bridge by this Act authorised shall be constructed in accordance with detailed plans and specifications to be agreed upon between the Corporation and the Sculcoates Rural District Council or in default of agreement to be settled by an arbitrator to be appointed in case of difference by the Board of Trade and the cost of and in connexion with the construction of such bridge shall be borne by the Corporation and the Sculcoates Rural District Council in equal shares. The cost of maintaining the structure of the bridge shall be borne by the Holderness Drainage Trustees.

Deviation.

7. In the construction of the street work and bridge authorised by this Act the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding two feet upwards or downwards.

Period for completion of works.

8. If the street work and bridge authorised by this Act are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for executing those works or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as are then completed.

Power to acquire lands.

9. Subject to the provisions of this Act and for the purpose of constructing the bridge by this Act authorised and for the purposes of any street work (including the providing of space for the erection of buildings adjoining or near to any street or intended street) and for the purpose of the tramway undertaking of the Corporation and for other the purposes of this Act the Corporation may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference. Provided that nothing in this Act contained shall authorise the Corporation to enter upon and take the lands shown upon the deposited plans in respect of the work thereon described as Street Work No. 1 and described in the deposited book of reference in relation to that work

being the properties mentioned on pages 1 to 12 inclusive of the said book of reference except the properties thereon and therein numbered 152 and 154 in the parish of Holy Trinity and St. Mary. A.D. 1903.

10. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act. Period for compulsory purchase of lauds.

11. The Corporation in addition to any other lands which they are by this Act authorised to acquire may by agreement purchase take on lease acquire and hold for the purpose of any street work or for tramway purposes any lands not exceeding in the whole five acres Provided that the Corporation shall not create or permit the creation or the continuance of any nuisance upon any such lands. Additional lands by agreement.

12. The Corporation shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied. Restriction on taking houses of labouring class.

If the Corporation acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

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

13.—(1) In lieu of the corporate lands which the Corporation have appropriated for or in respect of certain street improvements coloured blue on the plan herein-after mentioned the Corporation Appropriation of surplus lands as corporate lands.

A.D. 1903. — may hold as corporate lands the surplus lands in King Edward Street and Jameson Street coloured pink on the said plan acquired by them for or in respect of certain authorised street improvements and they may (notwithstanding the provisions of the Lands Clauses Acts) receive and apply any moneys not exceeding twenty thousand pounds arising or to arise from the sale of any corporate lands to the North Eastern Railway Company in or towards the erection of buildings on the lands coloured pink on the said plan and such lands and any buildings erected thereon shall be held by the Corporation subject to the provisions relating to corporate lands of the Municipal Corporations Act 1882 or any Act amending the same.

(2) The plan herein-before in this section referred to is the plan signed in duplicate by John Heywood Johnstone Esquire the Chairman of the Committee to whom the Bill for this Act was referred.

(3) The Corporation may with the approval of the Local Government Board substitute any other surplus lands in King Edward Street or Jameson Street for an equal quantity of the land coloured pink on the said plan and in that case the provisions of subsection (1) of this section shall apply to such substituted lands in lieu of the lands for which they are substituted.

Incorporation of sections of Acts of 1897 and 1901.

14. The following sections of the Acts of 1897 and 1901 shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Act extend and apply with the necessary modification to and in relation to the works by this Act authorised and to the lands which the Corporation are authorised to enter upon and take under the provisions of this Act The incorporated provisions are as follows:—

Act of 1897.

- Section 42 Correction of errors &c. in deposited plans and book of reference.
- Section 44 Persons empowered by Lands Clauses Acts to sell lands may grant easements &c.
- Section 46 Single arbitrator to determine compensation.
- Section 47 Provision for payment to trustees.
- Section 48 Owners may be required to sell parts only of certain properties Provided that the said section 48 shall apply in respect of the houses buildings or manufactories described or referred

to in the Second Schedule to this Act and which . A.D. 1903.
the Corporation are by the Act of 1901 and
this Act respectively empowered to enter upon
and take.

Act of 1901.

- Section 12 Power to make subsidiary works.
Section 13 Power to alter steps areas pipes &c.
Section 15 Temporary stoppage of streets.
Section 17 Corporation empowered or may be required to
underpin or otherwise strengthen houses near
work.
Section 19 For protection of gas companies.
Section 23 Power to retain sell &c. lands.
Section 24 Proceeds of sale of surplus lands.
Section 26 Provisions as to compensation.
Section 27 Costs of arbitration &c. in certain cases.

PART III.

TRAMWAYS.

15. Subject to the provisions of this Act the Corporation may make form lay down use and maintain in the lines and situations and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections the tramways within the city herein-after described with all necessary and proper rails plates sleepers channels passages and tubes for ropes cables wires and electric lines junctions turntables turnouts crossings and passing-places stables carriage-houses engine boiler and dynamo houses sheds buildings engines dynamos posts poles brackets wires works and conveniences connected therewith respectively.

Power to
make tram-
ways.

The tramways herein-before referred to and authorised by this Act are as follows :—

Tramway No. 1.—A double line (4 furlongs 5·50 chains in length) commencing in Alfred Gelder Street by a junction with the existing tramway passing thence in a north-easterly direction along a new street intended to be constructed to High Street and thence in an easterly direction along the west approach to Drypool Bridge over that bridge and along Clarence Street and a new street intended to be constructed

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to Holderness Road and terminating in that road by a junction with the existing tramway :

Tramway No. 2.—A double line (1 furlong 7·58 chains in length) commencing in Beverley Road by a junction with the existing tramway passing thence in a westerly direction along Cottingham Road and terminating in that road :

Provided that the Corporation shall not construct any part of Tramway No. 2 until Cottingham Road shall have been widened to such an extent that no rail shall for a distance of thirty feet or upwards be so laid that a less space than nine feet six inches shall intervene between such rail and the outer side of the footpath on either side of the road.

Time for
completion
of tramways.

16. If the tramways by this Act authorised be not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for constructing the same or otherwise in relation thereto shall cease except as to so much of the tramways respectively as is then completed.

Lands for
generating
station.

17. Subject to the provisions of this Act the Corporation may so soon as they shall have acquired the following lands appropriate and use the same as stations for generating electrical energy and for providing and working thereon engines dynamos and other electrical plant and works namely :—

Certain lands in the parish of Holy Trinity and St. Mary in the city on the north side of Osborne Street containing one hundred and one square yards or thereabouts with the public-house known as Tynemouth Castle standing thereon.

Power to
make addi-
tional cross-
overs and to
double tram-
way lines.

18.—(1) The Corporation may subject to the provisions of this Act make maintain alter and remove such cross-overs passing-places sidings junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the tramways by this Act authorised or for providing access to any engine-house stables or carriage-house or works of the Corporation.

(2) Notwithstanding anything shown on the deposited plans the Corporation may with the consent of the Board of Trade lay down double lines in lieu of single lines or single lines in lieu of double lines or interlacing lines in lieu of double or single lines on any of the tramways by this Act authorised and if at any time the road in which any tramway or part thereof is authorised to be laid

or is laid has been or shall be altered or widened the Corporation may with the like consent construct such tramway or part thereof or (as the case may be) take up or reconstruct the same in such position as they may think fit. A.D. 1903.

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

19. The following sections and schedule of the Order of 1896 the Order of 1900 and the Act of 1901 shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Act extend and apply with the necessary modifications to and in relation to the tramways by this Act authorised and in construing the said sections for the purposes of this Act the expression "promoters" shall mean the Corporation and the expression "lessees" shall include the Corporation The incorporated sections and schedule herein-before referred to are—

Incorporation of provisions of Orders of 1896 and 1900 and Act of 1901.

Order of 1896.

- Section 5 Lands by agreement.
- Section 9 Gauge of tramways.
- Section 10 Provisions as to construction of tramways.
- Section 12 As to rails of tramways.
- Section 14 Penalty for not maintaining rails in good condition.
- Section 16 Removal of existing tramways.
- Section 18 Temporary tramways may be made when necessary.
- Section 19 Application of road materials excavated in construction of works.
- Section 20 Tramways not to be opened until certified by Board of Trade.
- Section 24 Byelaws.

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- Section 25 As to recovery of penalties.
 Section 26 Amendment of the Tramways Act 1870 as to byelaws by local authority.
 Section 27 Orders and byelaws to be signed &c.
 Section 28 Provisions as to use of electric power.
 Section 29 For protection of the Postmaster-General (as amended by this Act).
 Section 30 Promoters not to carry goods.
 Section 31 Interchange of traffic.
 Section 32 Tolls for passengers.
 Section 33 As to fares on Sundays and holidays.
 Section 34 Passengers' luggage.
 Section 36 Tolls for parcels &c.
 Section 37 As to payment of tolls.
 Section 38 Power to Corporation to work tramways.
 Section 40 Provisions as to arbitration.
 Section 41 Form and delivery of notices.
 Section 42 Section 265 of the Public Health Act 1875 incorporated.
 Section 45 Saving for general Acts.
 The Second Schedule.

Order of 1900.

- Section 9 Provisions as to motive power.
 Section 10 Mechanical power works Except the provision authorising the affixing to houses or buildings of brackets and other apparatus.
 Section 11 Mechanical power works to be subject to section 30 of Tramways Act 1870.

Act of 1901.

- Section 33 Attachment of brackets to buildings.
 Section 36 Tramways to form part of tramway undertaking of Corporation.

Amendment
of provision
for protec-
tion of
Postmaster-
General.

20. Section 29 (For protection of the Postmaster-General) of the Order of 1896 shall be and is hereby amended as follows:—

- (A) Subsection (3) thereof shall be read as if the words within brackets “or the laying of lines crossing the lines of the
 “ Postmaster-General at right angles at the point of shortest
 “ distance and so continuing for a distance of six feet on

“ each side of such point ” were omitted and such words shall be deemed to be omitted from the said subsection : A.D. 1903.

(B) The following provision shall have effect in addition to and shall be read with the provisions contained in the said section.

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

21. The Corporation may in connexion with their tramway undertaking erect and maintain sheds or shelters or waiting-rooms for the accommodation of passengers and of the Corporation's servants and may use for that purpose portions of the public streets within the city. Shelters or waiting-rooms.

22.—(1) The Corporation may from time to time make regulations with respect to those streets to be specified in the regulations in which tramways are constructed or which are specially liable to be obstructed by reason of the amount or nature of the traffic requiring the drivers of slow-moving vehicles to keep their vehicles to a particular portion of the street. Regulation as to street traffic.

(2) All regulations under this section shall be subject to the approval of the Secretary of State.

(3) Any person who shall contravene any such regulation after warning given by word or signal by a police constable stationed in the street to direct the traffic shall be liable to a penalty not exceeding forty shillings.

23.—(1) The Corporation or their lessees shall and they are hereby required to run upon all tramways which are now being worked by the Corporation or which may hereafter be worked by them or their lessees a proper and sufficient service of carriages for artizans mechanics and daily labourers each way every morning Cheap fares for labouring classes.

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and every evening (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than eight in the morning or earlier than five in the evening respectively as may be most convenient for such workmen going to and returning from their work at fares not exceeding one half-penny for every mile or fraction of that distance on any one route (provided that the Corporation shall not be bound to accept a less sum than one penny) On Saturdays the Corporation or their lessees in lieu of running such carriages after five o'clock in the evening shall run the same at such hours between noon and two o'clock in the afternoon as may be most convenient for the said purposes.

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

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

(4) Section 13 (Cheap fares for labouring classes) of the Order of 1900 is hereby repealed.

PART IV.

STREETS BUILDINGS AND SEWERS.

Power to vary position or direction of new streets.

24.—(1) The Corporation may by order vary or alter the position direction gradient or level of any intended new street for the purpose of causing it to communicate in a direct or more direct line or at a more convenient angle or level with any other street adjoining or leading thereto The Corporation shall make compensation to any person who may be injuriously affected by the exercise of the powers conferred by this section.

(2) Any person who shall lay out a street and not adhere to or observe any such order made by the Corporation shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

Prevention of formation of culs-de-sacs.

25.—(1) The Corporation may (if in the circumstances of the case they think it expedient so to do) make it a condition of approving the plans of any new street that such street shall be so laid out and formed that the same shall not terminate with a dead end or cul-de-sac and in any such case the street shall not be laid out and formed except in accordance with such

condition unless the person laying out such street can show that it would be unreasonable or impracticable for him to comply therewith. A.D. 1903.

(2) Any person who shall offend against this enactment shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

(3) This section shall not apply to any street constructed or to be constructed by any railway company or dock company on lands belonging to them and only used or intended to be used by such company as part of their undertaking.

26. The Corporation may by resolution declare the point or limits at or within which any street is to be taken as beginning or ending. Corporation may declare where streets begin and end.

27. Every continuation of an existing street shall for the purposes of the Public Health Acts the recited Acts and this Act and of any byelaws made thereunder and for the time being in force within the city be deemed to be a new street. Continuation of existing streets to be deemed new streets.

28.—(1) In cases where urgent repairs are required to any street not being a highway repairable by the inhabitants at large and where for want of such repairs danger exists to passengers or vehicles in such street the Corporation may give notice in writing to the owners of the premises fronting adjoining or abutting on such parts thereof as may require such repairs requiring them to execute within a time to be specified in such notice such repairs. Urgent repairs to private streets.

(2) If within such reasonable time as the Corporation may in such notice have specified repairs are not executed the Corporation may execute the repairs and may recover the cost of so doing from the owner or owners in default or if there be more than one owner in proportion to frontage summarily as a civil debt.

(3) If the Corporation are unable to discover the name or abode of any owner the Corporation may execute such repairs without having served upon him any notice.

29.—(1) No person except with the consent of the Corporation shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to the satisfaction of the Corporation to indicate the approved line and level thereof. No buildings allowed until street formed.

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(2) Any person who shall offend against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Corporation
may define
future line
of streets.

30.—(1) Where any street or road in the city for the time being repairable by the inhabitants at large is in the opinion of the Corporation narrow or inconvenient or without any sufficiently regular line of frontage or where in their opinion it is necessary or desirable that the line of frontage should be altered the Corporation may from time to time prescribe and define what shall thereafter be the line of frontage to be observed on either side of such street or road. The line which in any case the Corporation propose so to prescribe and define shall be distinctly marked and shown on a plan to be signed by the town clerk and deposited with the surveyor and such plan shall be at all reasonable times thereafter open for the inspection of the public without charge and one month at least before the Corporation formally prescribe and define the line they shall give notice in writing of the deposit of the said plan to every owner interested whose name and address they can with reasonable diligence ascertain. No new building erection excavation or obstruction shall be made nearer to the centre of the street or road than such line.

(2) The Corporation may and if required by the owner shall purchase the land for the time being unbuilt upon lying between any such line as aforesaid and the street or road and the same when purchased shall vest in the Corporation as part of the street or road and the amount of purchase money shall in case of difference be settled by arbitration under the Arbitration Act 1889.

(3) Whenever in any of the above cases the Corporation shall require the said line to be observed and kept they shall make compensation to the owner of and other persons interested in any land for any loss or damage they may sustain in consequence of such line of frontage being set back and the Corporation shall also make to the owner of any adjoining land and to all other persons interested in any such land compensation in respect thereof for all damage loss or injury (if any) sustained by them to such land by reason of the Corporation requiring the said line to be observed and kept.

(4) In estimating the amount of compensation or purchase money to be paid by the Corporation under this section the benefits accruing to the person to whom the same shall be paid by reason of the widening or improvement of the street or road

shall be fairly estimated and shall be set off against the said compensation or purchase money. A.D. 1903.

(5) If after any such line shall be so defined and prescribed as aforesaid any person shall act contrary to this enactment he shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty of the like amount.

31. The Corporation may require the corner of any building intended to be erected at the corner of two streets to be rounded off or splayed off to the height of the first storey or to the full height of the building and to such extent otherwise as they may determine and for any loss which may be sustained through the exercise of the powers by this section conferred upon the Corporation they shall pay compensation in accordance with the provisions of the Lands Clauses Acts. Buildings at corner of streets.

32. The powers of the Corporation under section 39 of the Public Health Act 1875 shall extend to authorise them to provide and maintain sanitary conveniences and lavatories in or under any street repairable by the Corporation for the use of the public and to employ and pay attendants and to make reasonable charges for the use of any sanitary conveniences (other than a urinal) or of any lavatory so provided and the Corporation may make byelaws for the management of such sanitary conveniences and lavatories and as to the conduct of persons resorting to the same and may let any such sanitary conveniences and lavatories for such periods and upon and subject to such terms and conditions as they may think fit. Public conveniences and lavatories.

33.—(1) The Corporation may with the consent of two-thirds in number and value of the ratepayers in any street alter the name of such street or any part of such street The Corporation may cause the name of any street or of any part of a street to be painted or otherwise marked on a conspicuous part of any building or other erection. Power to alter names of streets.

(2) Any person who shall wilfully and without the consent of the Corporation obliterate deface obscure remove or alter any such name shall be liable to a penalty not exceeding forty shillings.

34. The Corporation may upon such terms as they think fit convey any portion of a public street to the owner of any land adjoining it for the purpose of obtaining a uniform line of frontage and of improving such street and any moneys received by the Corporation from the owner under this section shall be applied in Power of Corporation to convey portions of street to adjoining owners.

A.D. 1903. or towards repayment of moneys borrowed for street improvement purposes.

Prevention
and removal
of projec-
tions over
streets.

35. Sections 69 and 70 of the Towns Improvement Clauses Act 1847 (incorporated with the Public Health Acts) shall with respect to the city extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projection from or at any building and whether erected before or after the passing of this Act which the Corporation may determine to be dangerous or an obstruction to the safe and convenient use of any street.

Fencing
lands
adjoining
streets.

36. If any land adjoining any street be allowed to remain unfenced or the fences thereof to be or remain out of repair and such land is in the opinion of the Corporation owing to the absence or inadequate repair of such fence a source of danger to passengers or is used for any immoral or indecent purposes or for any purpose causing inconvenience or annoyance to the public then after the expiration of fourteen days notice from the town clerk to the owner or occupier of the same or without any notice if the Corporation are unable after diligent inquiry to discover the name or place of abode of such owner or occupier the Corporation may cause the same to be fenced or may cause the fences to be repaired in such manner as they think fit and the expenses thereby incurred shall be recoverable from such owner or occupier summarily as a civil debt Provided that this section shall not apply to the unfenced lands or drains of the Beverley and Barmston Drainage Commissioners the Holderness Drainage Trustees the Beverley and Skidby Drainage Trustees and the Cottingham Drainage Trustees adjoining any street within the city nor to the dock undertakings of the North Eastern Railway Company and of the Hull Barnsley and West Riding Junction Railway and Dock Company respectively.

Dangerous
places to be
repaired or
enclosed.

37. With respect to the repairing or enclosing of dangerous places the following provisions shall have effect namely :—

(1) If any building wall steps structure or other thing or any well excavation reservoir pond stream dam or bank is in the opinion of the Corporation for want of sufficient repair protection or inclosure dangerous to the passengers along any street or footpath the Corporation may order the owner within the period specified in such order to repair remove protect or inclose the same so as to prevent any danger therefrom :

(2) If after service of the order on the owner he shall neglect to comply with the requirements thereof within the prescribed

period the Corporation may cause such works as they think proper to be done for effecting such repair removal protection or inclosure and the expenses thereof shall be payable by the owner and may be recovered summarily :

- (3) Nothing in section 75 of the Towns Improvement Clauses Act 1847 shall render it incumbent upon the surveyor to cause a hoard or fence to be put up in the case of a dangerous chimney :

Provided that this section shall not apply to the drains and works of the Beverley and Barmston Drainage Commissioners the Holderness Drainage Trustees the Beverley and Skidby Drainage Trustees and the Cottingham Drainage Trustees nor to the dock undertakings of the North Eastern Railway Company and the Hull Barnsley and West Riding Junction Railway and Dock Company respectively.

38. From and after the passing of this Act—

- (1) The conversion of two or more buildings originally constructed as separate dwelling-houses into one dwelling-house ;
- (2) The reconversion into a dwelling-house of any building which has been discontinued as and appropriated for any purpose other than that of a dwelling-house ;
- (3) The conversion of a dwelling-house into any other building not intended for human habitation ;
- (4) The conversion of a building which when originally erected was legally exempt from the operation of any building byelaws in force within the city into a building which had it been originally erected in its converted form would have been within the operation of those byelaws ;
- (5) The making of any addition to a building by raising any part thereof or making any projection therefrom but (provided such addition do not increase the number of storeys) so far as regards such addition only ; and
- (6) The roofing or covering over an open space between walls or buildings ;

What to be
deemed new
buildings.

shall for all the purposes of any Act or Provisional Order for the time being in force within the city and of the Public Health Acts and of any byelaws made thereunder respectively be deemed to be the erection of a " new building."

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Entrances to
courts not to
be closed.

39.—(1) The entrance to any court or similar place shall not at any time after the passing of this Act be closed or narrowed or built over or the height or headway thereof lowered.

(2) Any person who shall offend against this section shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Restriction
on erection
of buildings
in courts.

40.—(1) No building shall except with the consent of the Corporation be erected in any court on any land on which a dwelling-house was not standing at the commencement of this Act Provided that if the Corporation shall under the provisions of this subsection require any such land upon which a new building could be erected in compliance with the byelaws of the Corporation for the time being in force in the city to remain vacant or unbuilt upon the Corporation shall make compensation to the owner of such land for any loss or damage sustained by him in consequence of not being allowed to erect a new building upon such land.

(2) When in any court any building is burnt or pulled down to or below half the front thereof such building shall if required by the Corporation be entirely pulled down and removed and shall not be rebuilt Provided that the Corporation shall make compensation to the owner of such building for any loss or damage sustained by him under this subsection.

(3) Nothing in this section contained shall be deemed to affect any other powers of the Corporation with respect to buildings in courts.

Power of
surveyor on
inspecting.

41. If the surveyor on inspecting any building or work finds that the same is so advanced that he cannot ascertain whether anything has been done contrary to any enactments or byelaws in force in the city or to the plans and sections approved by the Corporation in pursuance of any such byelaws or whether anything required by any such enactments byelaws or plans and sections has been omitted to be done the surveyor may within twenty-four hours after such inspection give to the owner or his agent or to the builder or person engaged in erecting such building or doing such work notice in writing requiring such builder or person within forty-eight hours from the service of such notice to cause so much of any building or work as prevents such surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid to be to a sufficient extent cut into laid open or pulled down and such builder or other person shall forthwith comply with the notice so given Provided that the expense of cutting into laying open or

pulling down as the case may be any such building or work and of reinstating the same and a reasonable sum for any unnecessary delay occasioned thereby shall be borne and paid by the Corporation if it shall appear on inspection that such enactments byelaws plans and sections have not been infringed or if the surveyor failed or omitted to inspect the building or work within three days after having had notice from such owner agent builder or person so to do before the building or work was so advanced. A.D. 1903.

42. The Corporation may make byelaws with respect to the quality of the materials with which new buildings shall be constructed and with respect to the manner in which and the materials with which grates stoves and fire-places shall be set in new buildings. The provisions of this section shall not apply to buildings (other than dwelling-houses) belonging to the North Eastern Railway Company and used for the purposes of their dock undertaking or belonging to the Hull Barnsley and West Riding Junction Railway and Dock Company and used for the purposes of their railway or dock undertaking. Byelaws as to building materials.

43.—(1) Every new dwelling-house shall be provided with at least one living room with a floor area of not less than one hundred and fifteen square feet and one bedroom with a floor area of not less than one hundred and ten square feet. Area of habitable rooms.

(2) No bedroom or other habitable room in any such dwelling-house shall have less floor area than seventy square feet.

(3) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

44.—(1) All buildings or parts of buildings which may in future be erected on the site of any building or on any land which site or land in consequence of any improvement made by the Corporation becomes land abutting upon a street shall be erected according to such elevation as the Corporation approve and if the owner lessee or occupier of any building or land which on the making of any such improvement acquires a frontage to the street makes any door or entrance opening upon or communicating with the street or erects 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 and in case the Corporation for the space of one month after any plan or drawing of such elevation is submitted to them neglect to notify Elevation of buildings erected on front land to be subject to approval of Corporation.

A.D. 1903. — their determination in writing with reference thereto they shall be deemed to have approved thereof.

(2) The Corporation shall make compensation to the owner of any building or land for any loss or damage he may suffer by reason of the setting back or bringing forward of such building wall or fence in pursuance of any requirement made by the Corporation upon approving any plan or drawing under this section.

(3) Any person who shall offend against subsection (1) of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Restriction
on deposit
of building
materials
and excava-
tions.

45.—(1) It shall not be lawful for any person without the consent in writing of the Corporation first obtained to lay any building materials rubbish or other thing or make any excavation on or in any street and when with such consent any person lays any building materials rubbish or other thing or makes any excavation on or in any street he shall at his own expense cause the same to be sufficiently fenced and a sufficient light to be fixed in a proper place on or near the same and to be continued every night from sunset to sunrise and shall remove such materials rubbish or thing or fill up such excavation (as the case may be) when required by the Corporation.

(2) If any person fails to comply in any respect with the requirements of this enactment he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may remove any such materials rubbish or thing or fill up such excavation (as the case may be) and recover the expenses from the offender summarily.

Recovery of
damages
caused to
footways by
excavations.

46. If the footway of any street belonging to or under the management of the Corporation be injured by or in consequence of any excavations or other works on lands adjoining thereto the Corporation may repair or replace the footway injured and all damages and expenses of or arising from such injury and repair or replacement shall be paid to the Corporation by the owner of the lands on which such excavations or other works have been made or by the person causing or responsible for the injury.

Temporary
and movable
buildings.

47.—(1) Before any person erects or sets up any temporary or movable building he shall apply to the Corporation for permission so to do and such application shall be accompanied by a plan and section of the proposed building drawn to a scale of not less than one inch to every eight feet and a block plan drawn to a convenient scale showing the intended situation and surroundings

of the proposed building together with a specification describing the materials proposed to be used in the construction thereof and the purpose for which the building is intended.

(2) The Corporation shall within one month after the delivery of the plan section and specification signify in writing their approval or disapproval of the intended building to the person proposing to erect or set up the same.

(3) The Corporation may attach to their approval any condition which they may deem proper with regard to the sanitary arrangements of such building the ingress thereto and egress therefrom protection against fire and the period during which such building shall be allowed to stand.

(4) If any such proposed building is commenced erected or set up without such application accompanied by such plan section and specification or after the disapproval of the Corporation or before the expiration of the one month without such approval or is in any respect not in conformity with the approved plan section and specification and with any condition attached by the Corporation to their approval the person who commenced erected or set up such building or if any such building is not removed within the period allowed by the Corporation or any prolongation thereof the owner of such building shall be liable to a penalty for every such offence not exceeding forty shillings and to a daily penalty of the like amount and the Corporation may cause such building to be taken down or removed and any expense incurred by them in or about the taking down or removal of the building may be recovered from the owner of the building or from the person commencing erecting or setting up the same at their discretion.

(5) The following buildings and works shall be exempt from the operation of this section :—

(A) Buildings expressly exempt from the operation of the Acts or byelaws for the time being in force within the city with respect to new buildings and buildings (other than dwelling-houses) belonging to the North Eastern Railway Company or to the Hull Barnsley and West Riding Junction Railway and Dock Company and used as part of their respective dock undertakings;

(B) Any tent not remaining for more than seven days;

(C) Any wooden or other structure or erection of a movable or temporary character erected or set up for use during the construction alteration or repair of any building but such structure or erection shall be taken down or removed

A.D. 1903.

immediately after the completion of such construction alteration or repair and if not so taken down or removed the Corporation may cause the same to be taken down or removed and any expense incurred by them in or about the taking down or removal of the structure or erection may be recovered from the owner thereof or from the person erecting or setting up the same at their discretion; and

(D) Any wooden or other structure or erection erected or set up for the purpose of protecting or preventing the acquisition of any right of light.

(6) When a temporary or other building referred to in this section is taken down or removed by the Corporation under the powers of this section the Corporation may sell the materials thereof or any part of them and shall apply the proceeds of the sale in and towards payment of the costs and expenses incurred by them in relation to such building and shall pay the balance to the owner of such building.

Corporation
may order
houses to be
drained by a
combined
drain.

48.—(1) If it appear to the Corporation that two or more houses may be drained more economically or advantageously in combination than separately and a sewer of sufficient size already exists or is about to be constructed within one hundred feet of any part of such houses the Corporation may when the drains for such houses are first laid order that such houses be drained by a combined drain to be constructed either by the Corporation if they so decide or by the owners in such manner as the Corporation shall direct and the costs and expenses of such combined drain and of the repair and maintenance thereof shall be apportioned between the owners or occupiers of such houses in such manner as the Corporation shall determine and if such drain is constructed by the Corporation such costs and expenses may be recovered by them from such owners or occupiers in a summary manner before a court of summary jurisdiction Any combined drain constructed in pursuance of this section shall for the purposes of the Public Health Acts the recited Acts and this Act be deemed to be a drain and not a sewer.

(2) This section shall not apply to any house the plans for the drainage of which have been approved by the Corporation before the passing of this Act.

Provision
in lieu of
section 19

49.—(1) Where two or more houses or premises are connected with a single private drain which conveys their drainage into a

public sewer the Corporation shall have all the powers conferred by section 41 of the Public Health Act 1875 and the Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be settled by the surveyor or (in case of dispute) by arbitration under the Public Health Act 1875 or by a court of summary jurisdiction and such expenses shall be recoverable summarily as a civil debt or the Corporation may declare them to be private improvement expenses and may recover them accordingly.

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of Public
Health Acts
Amendment
Act 1890.

(2) Section 19 of the Public Health Acts Amendment Act 1890 shall cease to be in force within the city.

(3) For the purposes of this section the expression "drain" includes a drain used for the drainage of more than one building whether owned or occupied by the same person or not.

50.—(1) No water-pipe stack-pipe or down-spout in existence at the date of the passing of this Act used for conveying surface water from any premises shall be used or be permitted to serve or to act as a ventilating shaft to any drain.

Water or
stack pipes
not to be
used as
ventilating
shafts.

(2) Any person who shall offend against this section after fourteen days from the service upon him by the Corporation of notice of such offence shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

51.—(1) It shall not be lawful for any person to reconstruct or alter the course of any drain communicating with any sewer of the Corporation except in accordance with the provisions of the byelaws relating to the drainage of new buildings.

Reconstruc-
tion of
drains.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

52. Whenever the person erecting any building shall be desirous of leaving an opening or of placing any steps or other projection in any forecourt area or space left in front of such building such forecourt area or space shall if required in writing under the hand of the town clerk be well and sufficiently fenced off from the footpath or street by a railing parapet or dwarf wall or otherwise to the satisfaction of the Corporation and any person who shall offend against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Forecourts
to be fenced
off from
streets.

A.D. 1903.
As to appor-
tionment of
expenses in
regard to
private street
works.

53.—(1) Notwithstanding the provisions of section 150 of the Public Health Act 1875 the Corporation may in the apportionment of the expenses incurred by them under that section include any premises which do not front adjoin or abut on the street or part of a street but access to which is obtained from the street through a court passage or otherwise and which in their opinion will be benefited by the works and may fix the sum or proportion to be charged against any such premises accordingly.

(2) The foregoing provision of this section shall be read with and as forming part of section 103 (Apportionment of private improvement expenses) of the Act of 1882.

Section 151
of Public
Health Act
1875 ex-
tended to
trustees of
churches.

54. The exemption made by section 151 (Relating to expenses for paving &c. private streets) of the Public Health Act 1875 in favour of the incumbent or minister of any church chapel or place exclusively used for public religious worship which is now by law exempt from rates for the relief of the poor shall extend and apply to the trustees of any such church chapel or place but the proportion of expenses in respect of which an exemption is allowed under this section shall be borne and paid by the Corporation.

Adoption
of private
streets.

55. Whenever the Corporation are of opinion that any street or part of a street not repairable by the inhabitants at large ought to become a highway so repairable they may exercise the powers conferred upon them by section 152 of the Public Health Act 1875 notwithstanding that all the works there referred to may not have been executed.

Ejection of
steam not
to be an
annoyance
to the public.

56. All steam ejected from any fixed engine or the boiler or condensers thereof and all condensing water above a temperature of one hundred and ten degrees Fahrenheit so ejected and all spent and ejected steam arising or produced in any trade business or manufacture shall be so discharged as not to be an annoyance to the public but nothing in this section shall apply to steam ejected from any locomotive boiler or engine now or hereafter belonging to any railway company.

Any person who shall offend against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Regulation
dustbins.

57. The owner of every dwelling-house may be required by the Corporation to provide galvanised iron dustbins in lieu of ashpits and such bins shall be of such size and construction as may be approved by the Corporation and any owner who fails

within fourteen days after notice given to him to comply with the requirements of the Corporation shall for every such offence be subject to a penalty not exceeding twenty shillings and to a daily penalty not exceeding five shillings. Provided that this section shall not apply to any bins or ashpits in use at the commencement of this Act so long as the same are of suitable size and in proper order and condition. A.D. 1903.

58. The Corporation may themselves undertake or contract for the removal of trade refuse from any factory warehouse shop or premises and may charge a reasonable sum for such service. Removal of trade refuse.

59. The provisions of this part of this Act shall not apply to any streets (not being highways) belonging to the North Eastern Railway Company or to the Hull Barnsley and West Riding Junction Railway and Dock Company. Saving for North Eastern and Hull Barnsley &c. Railway Companies.

60. The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall extend and apply to the purposes of this part of this Act as if those purposes had been mentioned in the said section 102. Power of entry.

PART V.

ADVERTISEMENTS.

61.—(1) It shall not be lawful in any street in the city to use any vehicle exclusively or principally for the purpose of displaying advertisements or for two or more persons together to carry a board or boards for such purpose without the consent of the Corporation which consent shall be in writing and may be for such time and contain such terms and conditions as the Corporation think fit. Restriction on advertising vehicles.

(2) Any person who acts in contravention of any of the provisions of this section or of the conditions or the terms of any such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

62. Any person deeming himself aggrieved by the refusal of the Corporation to grant a consent under the last preceding section or by the conditions attached to such consent may appeal to a court of summary jurisdiction within fourteen days after such refusal or after the giving of such consent (as the case may be) provided he Appeal.

A.D. 1903. — give twenty-four hours notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs.

Restriction
on hoardings.

63.—(1) Every hoarding or similar structure in or abutting on or adjoining any street shall be securely erected and maintained.

(2) It shall not be lawful to erect any such hoarding or similar structure to be used either partly or wholly for advertising purposes to a greater height than twelve feet above the level of such street without the consent of the Corporation and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoarding as the Corporation may determine.

(3) The owner or other person using any such hoarding or similar structure for advertising purposes whether erected before or after the commencement of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition and if any papers affixed for advertising purposes to such hoarding wall or other structure fall away or become detached shall forthwith remove and clear away such papers.

(4) Any person acting in contravention of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(5) Any person aggrieved by the refusal of the Corporation to grant such consent or by the conditions attached to such consent may appeal to a court of summary jurisdiction after the expiration of two clear days after such refusal provided he give twenty-four hours written notice of such appeal and the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs such costs to be recoverable as a civil debt.

Sky signs.

64.—(1) (A) It shall not be lawful to erect or fix to upon or in connexion with any building or erection any sky sign and it shall not be lawful to retain any existing sky sign so erected or fixed for a longer period than three years after the passing of this Act nor during that period except with the licence of the Corporation and in the event of such licence being granted then only for such period not exceeding three years from the passing of this Act and under and subject to such terms and conditions as shall be therein prescribed :

(B) Provided that in any of the following cases a licence of the Corporation under this subsection shall become void namely:—

- (i) If any addition to any sky sign be made except for the purpose of making it secure under the direction of the surveyor;
- (ii) If any change be made in the sky sign or any part thereof;
- (iii) If the sky sign or any part thereof fall either through accident decay or any other cause;
- (iv) If any addition or alteration be made to or in the house building or structure on over or to which any sky sign is placed or attached if such addition or alteration involves the disturbance of the sky sign or any part thereof; or
- (v) If the house building or structure over on or to which the sky sign is placed or attached become unoccupied or be demolished or destroyed:

(c) Provided also that if any sky sign be erected or retained contrary to the provisions of this Act or after the licence for the erection maintenance or retention thereof for any period shall have expired or become void it shall be lawful for the Corporation to take proceedings for the taking down and removal of the sky sign in the same manner and with the same consequences as to recovery of expenses and otherwise in all respects as if it were an obstruction within the meaning of section 69 of the Towns Improvement Clauses Act 1847.

(2) Any person acting in contravention of any of the provisions of this section or of the terms and conditions (if any) of any approval licence or consent under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(3) For the purposes of this section "sky sign" means—

Any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part upon over or above any house building or structure which or any part of which sky sign shall be visible against the sky from some point in any street and includes all and every part of any such post pole standard framework or other support;

Any balloon parachute or other similar device employed wholly or in part for the purposes of any advertisement

A.D. 1903.

or announcement on over or above any house building structure or erection of any kind or on or over any street :

But shall not include—

- (A) Any flagstaff pole vane or weathercock unless adapted or used wholly or in part for the purpose of any advertisement or announcement ;
- (B) Any sign or any board frame or other contrivance securely fixed to or on the top of the wall or parapet of any building or on the cornice or blocking course of any wall or to the ridge of a roof Provided that such board frame or other contrivance be of one continuous face and not open work and do not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported ;
- (C) Any word letter model sign device or representation as aforesaid relating exclusively to the business of a railway company and placed wholly upon or over any railway station yard platform or station approach belonging to a railway company and so placed that it cannot fall into any street.

PART VI.

SANITARY PROVISIONS.

Appointment
of inspectors
of nuisances.

65. The Corporation may appoint more than one inspector of nuisances and section 189 of the Public Health Act 1875 and section 24 of the Local Government Act 1888 shall for the purposes of the execution of those Acts within the city be construed accordingly.

As to
nuisances.

66. For the purpose of the Public Health Acts—

- (1) Any cistern used for the supply of water for domestic purposes so placed constructed or kept as to render the water therein liable to contamination causing or likely to cause risk to health ;
- (2) Any gutter drain shoot stack-pipe or down-spout of a building which by reason of its insufficiency or its defective condition shall cause damp in an adjoining building ;
- (3) Any deposit of material in or on any building or land which shall cause damp in an adjoining building so as to be dangerous or injurious to health ;

shall be deemed to be a nuisance liable to be dealt with summarily.

67. Sections 116 to 118 of the Public Health Act 1875 as amended by section 28 of the Public Health Acts Amendment Act 1890 shall extend to authorise the inspection examination and search of any cart or other vehicle or of any basket sack bag or parcel whether open or closed and the provisions of such sections shall apply accordingly.

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Further powers in relation to unsound meat.

68. For the purposes of section 112 of the Public Health Act 1875 a trade business or manufacture shall be deemed to be established anew not only if it is established newly but also if it is removed from any one set of premises to any other premises or if it is renewed on the same set of premises after having been discontinued for a period of six months or upwards or if any premises on which it is for the time being carried on are enlarged without the sanction of the Corporation but a trade business or manufacture shall not be deemed to be established anew on any premises by reason only that the ownership of such premises is wholly or partially changed or that the building in which it is established having been wholly or partially pulled down or burnt down has been reconstructed without any extension of its area.

Defining the establishing of a new business.

69. Where any inn public-house beer-house eating-house refreshment room theatre or other place of public entertainment built before or after the passing of this Act has no urinal belonging or attached thereto the Corporation may by notice in writing require the owner of such inn public-house beer-house eating-house refreshment room theatre or other place of public entertainment to provide and maintain on the premises in a position to be specified in the notice a proper and sufficient urinal or urinals and shall keep the same in good order and condition Any person who fails after a period of twenty-eight days from such notice to comply therewith shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding ten shillings Provided that a refreshment room or hotel belonging to a railway company shall not be deemed to be an inn public-house beer-house eating-house or other place of public entertainment within the meaning of this section Section 104 (Owners of licensed victualling houses &c. to provide urinals) of the Act of 1854 is hereby repealed.

Urinals to be attached to refreshment houses.

70. If any urinal or other sanitary convenience now or hereafter opening on any street shall in the opinion of the Corporation be so placed or constructed as to be a nuisance or offensive to public decency the Corporation by notice in writing may require the owner

Corporation may require removal or alteration of urinals.

A.D. 1903. to remove such urinal or convenience Any person who fails within a reasonable time to comply with a notice under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Charge for emptying privies of trade refuse.

71. No trade refuse building materials or rubbish of a like description shall be deposited in any watercloset privy cesspool ashpit or ashtub and if any such refuse materials or rubbish be so deposited the Corporation may make a reasonable charge for the removal of the same which charge shall be paid to the Corporation by the occupier of the premises in respect of which the charge is made and may be recovered summarily.

Power to require waterclosets to new buildings.

72.—(1) Notwithstanding anything in the Public Health Acts the Corporation may on the erection of any new building when a sewer and water supply sufficient for the purpose are reasonably available by notice in writing to the person by whom plans relating to the new building are deposited require that such new building shall be provided with proper and sufficient waterclosets.

(2) Any person who shall offend against any requirement of the Corporation under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Byelaws as to water-closets.

73. The Corporation may make byelaws with respect to water-closets and may by means of such byelaws prescribe the description nature size materials position and level thereof and of the apparatus and the manner of flushing the same and the means to be provided for protection of the same from frost.

Improper construction or repair of watercloset or drain.

74. If a watercloset or drain is so constructed or repaired as to be a nuisance or injurious or dangerous to health the person who undertook or executed such construction or repair shall unless he show that such construction or repair was not due to any wilful act neglect or default be liable to a fine not exceeding twenty pounds:

Provided that where a person is charged with an offence under this section he shall be entitled upon information duly laid by him to have any other person being his agent servant or workman whom he charges as the actual offender brought before the court at the time appointed for hearing the charge and if he prove to the satisfaction of the court that he had used due diligence to prevent the commission of the offence and that the said other person

committed the offence without his knowledge consent or connivance he shall be exempt from any fine and the said other person may be summarily convicted of the offence. A.D. 1903.

75.—(1) Whenever the medical officer or inspector of nuisances has reasonable grounds for believing that the drains connected with any building are defective so as to cause risk to health he may after twenty-four hours notice and with the consent (except in the case of houses let in separate dwellings) of the owner or occupier of such building or in the event of objection by any such owner or occupier after obtaining the order of a court of summary jurisdiction apply the smoke or coloured water or similar test (except the test of water under pressure) as he may consider efficient to such drains for the purpose of discovering any defects therein. Owners &c. to permit application of test to drains.

(2) Any owner or occupier who refuses notwithstanding such order to allow such test to be made or to give all reasonable facilities for making such test shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) If the drains be found defective the owner of the premises shall be bound (subject to the terms of any lease or other contract) on receiving notice from the Corporation to that effect specifying generally the nature of the defect to execute all necessary works for remedying the same within a reasonable time to be specified in the notice and if he makes default in so doing the Corporation may enter and execute the works and recover the expenses thereof from the owner.

76.—(1) If it shall appear to the Corporation by the report of the medical officer surveyor or inspector of nuisances that any cesspool or other receptacle used or formerly used as a receptacle for excreta or other obnoxious matter or for the whole or any part of the drainage of a house or any ashpit or any well or disused well belonging to any such house or part of a house is prejudicial to health or otherwise objectionable for sanitary reasons and that it is desirable that the same should be filled up or removed or so altered as to remove any such objection as aforesaid the Corporation may if they think fit by notice require the owner or occupier of such house or part of a house within a reasonable time to be specified in the notice to cause such cesspool receptacle ashpit or well to be filled up or removed and any drain communicating therewith to be effectually disconnected destroyed or taken away or to Filling up cesspools &c.

A.D. 1903. — cause such cesspool receptacle ashpit or well to be so altered as to remove any such objection as aforesaid.

(2) Where it appears that any such cesspool receptacle ashpit or well is used in common by the occupiers of two or more houses or parts of houses the notice for filling up or removal of any such cesspool receptacle ashpit or well may be served on any one or more of the owners or occupiers of such houses and it shall not be necessary to serve such notice on all such owners or occupiers.

(3) If default is made in complying with the requisitions of a notice under this section the Corporation may themselves carry out the requisitions and may recover the expenses incurred by them in so doing from the owners or occupiers in default.

Wilful
damage to
drains water-
clo-ets &c.

77. If any person cause any drain or any sanitary convenience to be a nuisance or injurious or dangerous to health by wilfully destroying or damaging the same or any water supply apparatus pipe or work connected therewith or by otherwise wilfully stopping up or wilfully interfering with or improperly using the same or any such water supply apparatus pipe or work he shall be liable to a penalty not exceeding five pounds :

Provided that nothing in this section shall prejudice any right which the owner or occupier of any premises aggrieved by any such act may have to recover compensation in respect of any damage suffered by him by reason of such act.

Inspection of
drains &c.

78.—(1) On complaint made on oath by the surveyor medical officer of health or inspector of nuisances that he has reasonable grounds for believing the existence of a nuisance any justice may grant a warrant to such surveyor medical officer of health or inspector of nuisances to inspect any drain sanitary convenience or cesspool or any water supply sink trap syphon pipe or other work or apparatus connected therewith and on such warrant being granted for that purpose or for the purpose of ascertaining the course of any such work the surveyor medical officer of health or inspector of nuisances or their authorised assistants (on production of their authority if so required) at all reasonable times in the day-time after not less than twelve hours notice in writing has been given to the occupier of the premises to which such drain sanitary convenience or cesspool water supply sink trap syphon pipe or other work or apparatus is attached or if they are unoccupied to the owner or if such owner or occupier is not known or cannot be found left on such premises and in case of emergency without

notice may enter with or without workmen on such premises and cause the ground to be opened wherever the surveyor medical officer of health or inspector of nuisances or their authorised assistants think fit doing as little damage as may be and if any person obstructs or attempts to obstruct or incites any person to obstruct the surveyor medical officer of health or inspector of nuisances or assistants in the exercise of any of the powers conferred by this section he shall for every such offence be liable to a penalty not exceeding five pounds. A.D. 1903.

(2) If such drain sanitary convenience or cesspool water supply sink trap syphon pipe or other work and apparatus be found on inspection as aforesaid to be properly made in accordance with the Acts and byelaws in force within the city and the direction of the Corporation and in proper order and condition the Corporation shall cause the same to be reinstated and made good as soon as may be and the expenses of examining reinstating and making good the same shall be defrayed by the Corporation and full compensation shall be made by them for all damage or injury done or occasioned by such examination.

(3) If upon such inspection any drain sanitary convenience or cesspool water supply sink trap syphon pipe or other work or apparatus appear not to have been properly made as aforesaid or to be in bad order and condition or to require cleansing alteration or amendment or to be filled up the Corporation shall cause notice to be served on the owner or occupier of the premises upon or in respect of which the inspection was made requiring him forthwith or within a reasonable time specified in the notice to do what is necessary to place the work in proper order and condition and if such notice is not complied with the said owner or occupier shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings or the Corporation if they think fit in lieu of proceeding for a penalty may enter on the premises and execute the works and may recover the expenses incurred by them in so doing from the person in default in a summary manner.

(4) In and for the purposes of this section the word "drain" shall have the same meaning as that assigned to it by the section of this Act the marginal note whereof is "Provision in lieu of section 19 of Public Health Acts Amendment Act 1890."

79. From and after the commencement of this Act the provisions of section 22 subsection (2) of the Public Health Acts Extending provisions of section 22 (2)

A.D. 1903. Amendment Act 1890 as to the report of the surveyor shall extend and apply to the medical officer of health and such subsection so far as the same affects the city shall be read as if the words "their surveyor or medical officer of health" were inserted instead of the words "their surveyor".

of Public
Health Acts
Amendment
Act 1890.

Byelaws and
provisions as
to slaughter-
houses.

80. The power of the Corporation to make and enforce byelaws with respect to slaughter-houses shall extend to the making and enforcement of byelaws—

For preventing the slaughter of animals in any pound pen lair or pining-house forming part of any registered or licensed premises ;

For preventing the slaughter of any animal within public view or within the view of any other animal ; and

For preventing the carcase of any slaughtered animal intended for the food of man from being contaminated during such time as the same shall be hung or remain in any slaughter-house.

PART VII.

INFECTIOUS DISEASES.

Infected
person not
to carry on
business &c.

81.—(1) No person suffering from an infectious disease shall milk any animal the milk of which is intended for consumption within the city or pick fruit intended for consumption within the city or engage in any trade or business connected with food intended for consumption within the city or carry on any profession trade or business in such a manner as to be likely to spread such infectious disease.

(2) Every person who shall wilfully and knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding twenty shillings.

Dairymen
to furnish
lists of
sources of
their supply
of milk in
certain cases.

82.—(1) If the medical officer shall have reasonable cause to believe that any person in the city is suffering from infectious disease attributable to milk supplied within the city he may by notice in writing require every person supplying milk to the person so suffering or to the house of which that person is an inmate to furnish to the medical officer within a reasonable time to be specified in the notice a full and complete list of all the farms dairies or places from which the person so supplying milk derives his supply of milk or from which he has derived his supply

during the last six weeks and such person shall furnish such list accordingly. A.D. 1903.

(2) Any person who shall fail to comply with this enactment shall for each such offence be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

83.—(1) Every dairyman supplying milk within the city from premises whether within or without the city shall notify to the medical officer all cases of infectious disease among persons engaged in or in connexion with his dairy so soon as he becomes aware or has reason to suspect that such infectious disease exists. Dairymen to notify infectious diseases existing among their servants &c.

(2) Any dairyman who fails to comply with this enactment shall be liable to a penalty not exceeding forty shillings.

84. Any person taking or sending to any public wash-house or to any person for the purpose of being washed or mangled any bedding clothing or other things which to his knowledge have been exposed to infection from infectious disease shall previously to so taking or sending the same cause such bedding clothing or other things to be disinfected by the Corporation or to the satisfaction of the medical officer and in default shall be liable to a penalty not exceeding forty shillings and the Corporation shall make provision for disinfecting and shall on application disinfect at their expense such bedding clothing and other things. Disinfection of clothes.

85.—(1) Where on the certificate of the medical officer or inspector of nuisances it appears to the Corporation that any articles in any house or part thereof are in such a filthy and dangerous or unwholesome condition that health is affected or endangered thereby or that the cleansing or purifying or destroying of any such articles is requisite to prevent risk of or to check infectious disease the Corporation may if they think fit cause any such articles in any such house or part thereof to be at their own expense cleansed or purified or they may destroy the same. Filthy and dangerous articles to be purified.

(2) If the owner of any such article suffer damage through such cleansing or purification the Corporation shall compensate him for the same and the Corporation shall also reasonably compensate such owner for any articles destroyed.

86.—(1) Any person being the parent or having the care or charge of a child who is or has been suffering from infectious disease shall not after a notice from the medical officer that the child is not to be sent to school permit such child to attend school. Child suffering from infectious disease not to attend school.

A.D. 1903. without having procured from the medical officer a certificate (which shall be granted free of charge upon application) that in his opinion such child may attend without undue risk of communicating such disease to others. For the purposes of this section infectious disease shall include whooping cough measles and German measles. Provided that in the case of the last-mentioned diseases a certificate of any registered medical practitioner shall be sufficient for the purposes of this section.

(2) Any person who shall offend against this enactment shall be liable to a penalty not exceeding forty shillings.

Power to
medical
officer to
examine
school
children.

87. The medical officer may enter any public elementary school within the district at all reasonable times and examine the scholars attending the same and may exclude from attendance thereat for such period as he shall consider requisite any scholar who in his opinion is suffering from infectious disease or is likely to spread infection.

The medical officer shall upon the exclusion of any scholar in manner aforesaid give notice thereof in writing to the principal or person in charge of such school or (if such school is divided into separate departments and there is no principal or person in charge of the whole school) the person in charge of the department which such scholar attends and shall send a copy of such notice to the parent or guardian of the scholar.

Any person who shall obstruct the medical officer in carrying into effect the provisions of this section or who shall permit any scholar to attend school after he shall have been excluded as aforesaid and before the expiration of the period of exclusion shall be liable to a penalty not exceeding forty shillings.

Principal of
school to
furnish lists
of pupils in
certain cases.

88.—(1) Whenever any scholar who attends any school within the city shall be known to be suffering from any infectious disease or to be living in any house in which infectious disease exists the principal or person in charge of such school or (if such school is divided into separate departments and there is no principal or person in charge of the whole school) the person in charge of the department which such scholar attends shall forthwith send notice thereof to the medical officer and shall furnish to him at his request a list of the pupils attending at the school together with their addresses and the Corporation shall pay to him for such list the sum of sixpence and at the rate of sixpence for every twenty-five pupils named therein. For the purposes of this section infec-

tious disease shall include whooping cough measles and German measles.

(2) Any person who shall fail to comply with this enactment shall for each such offence be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

89.—(1) No person shall take out of any lending library any book for use in any house in which there is a person suffering from infectious disease and no person shall return to any lending library any book which has been to his knowledge exposed to infection from any infectious disease but shall at once give notice thereof to the inspector of nuisances who shall cause the same to be disinfected and then returned to the librarian.

Protection
against
infection of
books from
lending
library.

(2) Any person who shall offend against this enactment shall be liable to a penalty not exceeding forty shillings.

90.—(1) The occupier of any building in the city which is used for human habitation and in which there is or has been any person suffering from a dangerous infectious disease shall on the application of the medical officer at any time during the illness of such person or within six weeks from the occurrence of such illness furnish such information within his knowledge as the medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

Penalty on
withholding
information
from medical
officer of
health.

(2) Any occupier refusing to furnish such information or knowingly furnishing false information shall be liable on summary conviction to a penalty not exceeding forty shillings.

(3) "Occupier" shall have the same meaning as in the Infectious Disease (Notification) Act 1889.

91. The Corporation may make byelaws for regulating the admission to and discharge of patients from any hospital for infectious disease temporarily or otherwise provided by them and the conduct of patients therein and for preventing persons from entering such hospitals or the grounds thereof except with the consent of and subject to such conditions as may be imposed by the Corporation.

Byelaws
regulating
hospitals.

92. Where a person not being a pauper is received as a patient into any hospital for infectious disease the Corporation may if they think fit themselves pay the whole or any part of the expenses arising out of the reception and maintenance of such person.

Corporation
may pay
expenses of
person in
hospital.

A.D. 1903.
—
Compensa-
tion to per-
sons ceasing
employment.

93. If any person shall at the request of the Corporation or of the medical officer stop his employment for the purpose of preventing the spread of infectious disease the Corporation may if they think fit make compensation to him for any loss he may sustain by reason of such stoppage.

Corporation
may remove
sick persons
in a common
lodging-
house to
hospital &c.

94.—(1) When a person in a common lodging-house is suffering from an infectious disease the Corporation may on the certificate of the medical officer or of any registered medical practitioner that the patient may be removed without undue risk and without further warrant than this Act cause such person to be removed to a hospital or infirmary with the consent of the authorities thereof where different from the Corporation but if removal be considered dangerous to life by such officer or medical practitioner and is so certified no lodger shall be admitted to such lodging-house until it is certified free from infection and the Corporation may so far as they think requisite for preventing the spread of disease cause any clothes or bedding used by such person to be disinfected or destroyed and may pay to the owners of the clothes and bedding so disinfected or destroyed reasonable compensation for the injury or destruction thereof.

(2) The Corporation shall pay reasonable compensation for the closing of a common lodging-house under the provisions of this section.

For regu-
lating manu-
facture and
sale of ice
cream &c.

95.—(1) Any person being a manufacturer of or merchant or dealer in ice cream or other similar commodity who within the city—

- (A) Causes or permits ice cream or any similar commodity to be manufactured sold or stored in any cellar or room in which there is an inlet or opening to a drain ; or
- (B) In the manufacture sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits to take any proper precaution for the due protection of such commodity from infection or contamination ; or
- (C) Omits on the outbreak of any infectious disease amongst the persons employed in his business to give notice thereof to the medical officer ;

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

(2) In the event of any inmate of any building (any part of which is used for the manufacture of ice cream or similar commodity) suffering from any infectious disease the medical officer may seize and destroy all ice cream or similar commodity or materials for the manufacture of the same in such building and the Corporation shall compensate the owner of the ice cream commodity or materials so destroyed.

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96. Every dealer in ice creams or other similar commodity vending his wares from any cart barrow or other vehicle or stand must have his name and address legibly painted or inscribed on such cart barrow or stand and if he fails to comply with this enactment he shall be liable to a penalty not exceeding forty shillings.

As to dealers
in ice creams
&c.

97.—(1) If the Corporation or the medical officer deem it necessary to remove from any house or part thereof all or any of the residents not being themselves sick on account of the existence or recent existence therein of infectious disease or for the purpose of disinfecting such house or part thereof the Corporation may make application to a justice of the peace and the justice of the peace if satisfied of the necessity of such removal may grant a warrant authorising the Corporation or the medical officer to remove such residents and imposing such conditions as to time and otherwise as to him may seem fit Provided always that no such warrant shall be necessary when the removal is carried out with the consent of any such resident or his parent or guardian.

Removal of
persons from
infected
premises.

(2) The Corporation shall and they are hereby empowered to provide temporary shelter or house accommodation and if necessary maintenance with any necessary attendance free of charge for such persons while prevented from returning to such house or part thereof.

(3) For the purpose of this section the word "house" includes any tent or van or any ship lying in any river or other water within the city.

98. It shall not be lawful for any owner or driver of a public vehicle used for the carrying of passengers at separate fares knowingly to convey or for any other person knowingly to place in any such public vehicle a person suffering from any infectious disease or for a person suffering from any such disease to enter any such vehicle and every person offending against this enactment shall for every such offence be liable to a fine not exceeding forty shillings.

Prohibiting
conveyance
of infected
persons in
public
vehicles.

A.D. 1903.

Driver &c.
of infected
person to
give notice.

99. If any person suffering from any infectious disease is conveyed in any public vehicle the owner or driver thereof as soon as it comes to his knowledge shall give notice to the medical officer and shall cause such vehicle to be disinfected and if he fails so to do he shall be liable to a fine not exceeding five pounds and the owner or driver of such vehicle shall be entitled to recover in a summary manner from the person so conveyed by him or from the person causing that person to be so conveyed a sum sufficient to cover any loss and expense incurred by him in connexion with such disinfection. It shall be the duty of the Corporation when so requested by the owner or driver of such public vehicle to provide for the disinfection of the same free of charge except in cases where the owner or driver conveyed such person knowing that he was so suffering.

Public notice
to be given
of provisions
of this part
of Act.

100. Public notice of the provisions of this part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the city and by a notice affixed outside the town hall and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained. Copies of the newspapers containing the advertisement shall be sufficient evidence that the provisions of this section have been complied with.

PART VIII.

MILK SUPPLY (TUBERCULOSIS).

Penalty for
selling milk
of diseased
cows.

101. Every person who knowingly sells or suffers to be sold or used for human consumption within the city the milk of any cow which is suffering from tuberculosis of the udder shall be liable to a penalty not exceeding ten pounds.

Penalty on
failing to
isolate di-
seased cows.

102. Any person the milk of the cows in whose dairy is sold or suffered to be sold or used for human consumption within the city who after becoming aware that any cow in his dairy is suffering from tuberculosis of the udder keeps or permits to be kept such cow in any field shed or other premises along with other cows in milk shall be liable to a penalty not exceeding five pounds.

Obligation
to notify
case of
tuberculosis.

103. Every dairyman who supplies milk within the city and has in his dairy any cow affected with or suspected of or exhibiting signs of tuberculosis of the udder shall forthwith give written notice of the fact to the medical officer stating his name and

address and the situation of the dairy or premises where the cow is. A.D. 1903.

Any dairyman failing to give such notice as required by this section shall be liable to a penalty not exceeding forty shillings.

104.—(A) It shall be lawful for the medical officer or any person provided with and if required exhibiting the authority in writing of such medical officer to take within the city for examination samples of milk produced or sold or intended for sale within the city. Power to take samples of milk.

(B) The like powers in all respects may be exercised outside the city by the medical officer or such authorised person if he shall first have obtained from a justice having jurisdiction in the place where the sample is to be taken an order authorising the taking of samples of the milk which order any such justice is hereby empowered to make.

105.—(A) If milk from a dairy situate within the city is being sold or suffered to be sold or used within the city the medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may if accompanied by a properly qualified veterinary surgeon at all reasonable hours enter the dairy and inspect the cows kept therein and if the medical officer or such person has reason to suspect that any cow in the dairy is suffering from tuberculosis of the udder he may require the cow to be milked in his presence and may take samples of the milk and the milk from any particular teat shall if he so requires be kept separate and separate samples thereof be furnished. Power to inspect cows and to take samples of milk.

(B) If the medical officer is of opinion that tuberculosis is caused or is likely to be caused to persons residing in the city from consumption of the milk supplied from a dairy situate within the city or from any cow kept therein he shall report thereon to the Corporation and his report shall be accompanied by any report furnished to him by the veterinary surgeon and the Corporation may thereupon serve on the dairyman notice to appear before them within such time not less than twenty-four hours as may be specified in the notice to show cause why an order should not be made requiring him not to supply any milk from such dairy within the city until the order has been withdrawn by the Corporation.

(C) If the medical officer has reason to believe that milk from any dairy situate outside the city from which milk is being sold or suffered to be sold or used within the city is likely to cause

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tuberculosis in persons residing within the city the powers conferred by this section may in all respects be exercised in the case of such dairy Provided that the medical officer or other authorised person shall first have obtained from a justice having jurisdiction in the place where the dairy is situate an order authorising such entry and inspection which order any such justice is hereby empowered to make.

(D) Every dairyman and the persons in his employment shall render such reasonable assistance to the medical officer or such authorised person or veterinary surgeon as aforesaid as may be required by such medical officer person or veterinary surgeon for all or any of the purposes of this section and any person refusing such assistance or obstructing such medical officer person or veterinary surgeon in carrying out the purposes of this section shall be liable to a penalty not exceeding five pounds.

(E) If in their opinion the dairyman fails to show cause why such an order should not be made as aforesaid the Corporation may make the said order and shall forthwith serve notice of the facts on the county council of the administrative county in which the dairy is situate and on the Local Government Board and if the dairy is situate outside the city on the council of the borough or district in which it is situate.

(F) The said order shall be forthwith withdrawn on the Corporation or their medical officer being satisfied that the milk supply has been changed or that it is not likely to cause tuberculosis to persons residing in the city.

(G) If any person after any such order has been made supplies any milk within the city in contravention of the order or sells it for consumption therein he shall be liable to a penalty not exceeding five pounds and if the offence continues to a further penalty not exceeding forty shillings for every day during which the offence continues.

(H) A dairyman shall not be liable to an action for breach of contract if the breach be due to an order under this section.

106.—(1) The dairyman may appeal against an order of the Corporation under the last preceding section or the refusal of the Corporation to withdraw any such order either to a petty sessional court having jurisdiction within the city or at his option if the dairy is situate outside the city to the Board of Agriculture who shall appoint an officer to hear such appeal Such officer shall fix a time and place of hearing within the city and give notice

Appeal
under this
part of Act.

thereof to the dairyman and the town clerk not less than forty-eight hours before the hearing. Such officer shall for the purposes of the appeal have all the powers of a petty sessional court.

(2) The Board of Agriculture may at any stage require payment to them by the dairyman of such sum as they deem right to secure the payment of any costs incurred by the Board of Agriculture in the matter of the appeal.

(3) The court or the Board of Agriculture as the case may be may confirm vary or withdraw the order which is the subject of the appeal and may direct to and by whom the costs of the appeal (including any sum paid or payable to the Board of Agriculture as aforesaid) are to be paid but pending the decision of the appeal the order shall remain in force unless previously withdrawn by the Corporation.

107.—(1) If an order is made without due cause or if the Corporation unreasonably refuse to withdraw the order the dairyman shall if not himself in default be entitled to recover from the Corporation full compensation for any damage which he has sustained by reason of the making of the order or of the refusal of the Corporation to withdraw the order.

Compensation to dairyman.

(2) The court or the Board of Agriculture may determine and state whether an order the subject of appeal has been made without due cause and whether the Corporation have unreasonably refused to withdraw the order and whether the dairyman has been in default.

(3) Any dispute as to the fact whether the order has been made or maintained without due cause or as to the fact of default where any such fact has not been determined by the court or Board of Agriculture or as to the fact of damage or as to the amount of compensation shall be determined in the manner provided by section 308 of the Public Health Act 1875 and that section shall accordingly apply and have effect as if the same were herein re-enacted and in terms made applicable to any such dispute as aforesaid.

108. Offences under this part of this Act may be prosecuted and penalties may be recovered by the Corporation before a petty sessional court having jurisdiction in the place where the dairy is situate or the offence is committed and not otherwise.

Procedure.

109. All expenses incurred by the Corporation in carrying into execution the provisions of this part of this Act shall be chargeable upon the district fund and general district rate and

Expenses of this part of Act.

A.D. 1903. the Corporation may also charge upon the same rate any expenses incurred by them in the application by a veterinary surgeon of the tuberculin or other reasonable test for the purpose of discovering tuberculosis to any cow whose milk is or was recently being supplied within the city. Provided that no such test shall be applied except with the previous consent of the owner of such cow.

Execution of this part of Act by committee.

110. This part of this Act may be carried into execution by a committee of the council formed in accordance with and subject to the provisions of the Fourth Schedule to the Diseases of Animals Act 1894 except that the committee shall consist wholly of members of the council.

Notice of provisions of this part of Act.

111. The Corporation shall cause to be given public notice of the effect of the provisions of this part of this Act by advertisement in local newspapers and by handbills and otherwise in such manner as they think sufficient and this part of this Act shall come into operation at such time not being less than one month after the first publication of such an advertisement as aforesaid as the Corporation may fix.

PART IX.

COMMON LODGING-HOUSES.

Regulations as to common lodging-house keepers.

112.—(1) The keeper of every common lodging-house within the city shall reside constantly and shall remain between the hours of nine o'clock in the afternoon and six o'clock in the forenoon in such house and shall manage control and exercise proper supervision over the same and the inmates thereof except at such times as some other person who is appointed by him for that purpose and whose name is registered at the office of the Corporation shall with the approval of the Corporation in writing under the hand of their officer appointed for that purpose (which approval and registration shall be revocable by the Corporation) reside and remain in such house and manage control and exercise proper supervision over the same and the inmates thereof as the case may be.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Sanitary conveniences in common

113.—(1) Every common lodging-house shall be provided with sufficient and suitable sanitary conveniences having regard to the

number of lodgers who may be received therein and also with proper separate sanitary conveniences for persons of each sex.

A.D. 1903.

lodging-
houses.

(2) Where it appears to the Corporation on the report of their inspector of nuisances that the provisions of this section are not complied with in the case of any common lodging-house the Corporation may if they think fit by notice require the keeper thereof to make such alterations and additions therein as may be required to provide such sufficient suitable and proper sanitary conveniences as aforesaid.

(3) Any person who shall neglect or refuse to comply with any such notice shall be liable for each default to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

114.—(1) Notwithstanding anything in the Public Health Act 1875 the registration of a common lodging-house or of the keeper of a common lodging-house shall operate for one year only and application for the renewal of such registration shall be made to the Corporation on or previous to the thirty-first day of December in every year.

Registration
of common
lodging-
houses and
keepers.

(2) (A) The Corporation may notwithstanding the provisions of section 78 of the Public Health Act 1875 refuse to register or to re-register any person as a common lodging-house keeper unless they are satisfied of his character and fitness for the position :

(B) Any person aggrieved by such refusal may appeal to a court of summary jurisdiction within fourteen days after such refusal provided he give twenty-four hours notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as they may think fit and to award costs.

(3) Every person who without being registered in accordance with the Public Health Act 1875 and this Act shall keep a common lodging-house within the city and every person who after the thirty-first day of December one thousand nine hundred and three shall keep a common lodging-house without the registration of such person and of such house being renewed for the current year shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

115. Notice of the provisions of this part of this Act shall be served upon the keeper of every common lodging-house either personally or by leaving the same at the common lodging-house.

Notice to
common
lodging-
house
keepers.

A.D. 1903.

PART X.

TOWN HALL. RECREATION GROUNDS.

Power to
grant use of
or let town
hall.

116. The Corporation may grant or let with or without charge the use of halls and rooms in their town hall public hall technical school art gallery and other municipal buildings for the purpose of any public meeting festival or entertainment or other purpose approved by them.

Organ in
municipal
buildings
and organist.

117.—(1) The Corporation may provide and maintain in any municipal buildings an organ and may appoint an organist at such salary or remuneration as they think proper and may admit the public to performances on the organ either without charge or for such charge as they think proper and subject to such regulations as the Corporation from time to time deem expedient.

(2) All receipts from performances under this section after payment thereof of the expenses incurred in pursuance of this section shall be carried to the credit of the borough fund and all such expenses in excess of such receipts shall be defrayed out of the borough fund.

Corporation
may erect
buildings &c.

118. The Corporation may in any recreation ground or in any place of public resort erect maintain furnish and equip and may remove refreshment and reading rooms pavilions and other buildings and conveniences which may be required or convenient for the purposes of the public resorting thereto and may charge for admission to such refreshment and reading rooms pavilions or other buildings or conveniences or any of them or in respect of the use thereof or of any part or parts thereof respectively Provided that the Corporation shall not charge for admission as aforesaid on Sundays or public holidays nor shall they charge for admission to such reading rooms on more than twelve days in any one year nor on more than four consecutive days on any one occasion.

Power to let
refreshment
rooms &c.

119.—(1) The Corporation may let any refreshment rooms pavilions or other buildings or conveniences with the appurtenances belonging to them or under their control to such person for such term not exceeding three years at any one time at such rent payable at such times under such covenants and on such conditions and with under and subject to such rights powers privileges and authorities relating thereto respectively as the Corporation may think fit.

(2) The Corporation may also let any such pavilion or other building for the purposes of particular meetings or entertainments and may make such charges and impose such conditions as they may think fit. A.D. 1903.

120. The Corporation may appoint officers for securing the observance of the byelaws and regulations made or to be made by the Corporation with respect to parks and recreation grounds and may procure such officers to be sworn in as constables for that purpose but any such officer shall not act as a constable unless in uniform or provided with a general warrant signed by the mayor and nothing in this section shall be deemed to render applicable to any such officer the provisions of the Police Act 1890 relative to a police superannuation fund or superannuation allowances. Power to appoint officers.

121. The moneys received by the Corporation under this part of this Act (except as otherwise provided) shall be paid into the borough fund or district fund as the case may require. Application of moneys received.

PART XI.

HACKNEY CARRIAGES.

122. Any licence for a hackney carriage or omnibus or for the driver or conductor of a hackney carriage or omnibus may be signed by the mayor or the town clerk and need not be under the seal of the Corporation. Signature of licences.

123. The powers of the Corporation under so much of section 6 of the Town Police Clauses Act 1889 as relates to the making of byelaws for securing the fitness of the animals to be allowed to draw an omnibus and for the removal therefrom of unfit animals shall extend to animals to be allowed to draw hackney carriages. Byelaws as to animals drawing hackney carriages.

124. After the passing of this Act every licence granted to a driver or conductor of a hackney carriage or omnibus in pursuance of the Town Police Clauses Acts 1847 and 1889 or either of those Acts shall specify whether it is granted to a person to act as driver or as conductor and shall also specify the class or classes of carriage in respect of which it is granted and if any person shall act as driver or as conductor of a hackney carriage or omnibus without a licence to act as driver or as conductor thereof (as the case may be) or shall act as driver or conductor of a carriage belonging to a class not specified in his licence such person and the proprietor Licences to drivers of hackney carriages to specify class of carriage &c.

A.D. 1903. — of the hackney carriage or omnibus shall be deemed to have committed an offence under section 47 of the Town Police Clauses Act 1847.

As to public vehicles at railway station or within seven miles of city.

125. The provisions of the Town Police Clauses Acts 1847 and 1889 and the byelaws of the Corporation with respect to public vehicles shall be as fully applicable in all respects to hackney carriages and omnibuses within the city conveying passengers to or from any railway station within the city as if such railway station were a public stand for hackney carriages or omnibuses and also to such vehicles and the drivers thereof within a distance of seven miles from the general post office of the city if the hiring takes place within the city :

Provided as follows :—

- (1) It shall not be obligatory on the drivers of hackney carriages or omnibuses to contract to carry persons for hire beyond the city :
- (2) If the hiring takes place within the city any offence against any of the provisions of the said Acts or against any such byelaw whether such offence shall have been committed within the city or not may be brought before and determined by a court of summary jurisdiction having jurisdiction in the city :
- (3) The provisions of this section shall not apply to any vehicle belonging to or used by any railway company for the purpose of carrying passengers and their luggage to or from any of their railway stations or to the drivers or conductors of such vehicles.

Powers of inspector of hackney carriages.

126.—(1) Any person appointed by the Corporation in writing or any police constable may examine all hackney carriages and omnibuses plying for hire within the city and shall see that the laws and byelaws relating to such carriages and omnibuses are duly observed.

(2) Any proprietor driver conductor or other person who shall obstruct or hinder such person so appointed as aforesaid or constable in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

Occasional licences may be granted.

127. An occasional licence for a hackney carriage or omnibus may be granted by the Corporation to be in force for such day or days or other period less than a year as may be specified in the licence.

PART XII.

A.D. 1903.

POLICE FIRE BRIGADE &C.

128. The officer in charge of the police at any fire in the city shall have power to stop or regulate the traffic in any street whenever in his opinion it is necessary or desirable to stop or regulate such traffic for the purpose of extinguishing the fire or for the safety or protection of life or property and any person who wilfully disobeys any order given by such officer in pursuance of this section shall be liable to a penalty not exceeding five pounds.

Regulation
of traffic at
fires.

129. The superintendent of the fire brigade of the Corporation or other officer of such fire brigade for the time being in charge of the engine or other apparatus for extinguishing fires attending at any fire within the city (other than a fire upon the dock undertaking of the North Eastern Railway Company or upon the dock undertaking of the Hull Barnsley and West Riding Junction Railway and Dock Company) shall from the time of his arrival and during his presence thereat have the sole charge and control of all operations for the putting out of such fire whether by the Corporation's or any other fire brigade including the fixing of the positions of fire engines and apparatus the attaching of hose to any water-pipes or water supply and the selection of the parts of the building on fire or of adjoining buildings against which the water is to be directed.

Superin-
tendent of
fire brigade
to have
control over
operations.

130. Any police constable acting under the orders (either general or special) of his superior officer and any member of the fire brigade of the Corporation being on duty and any officer of the Corporation may enter and if necessary break into any building in the city being or reasonably supposed to be on fire or any buildings or lands adjoining or near thereto without the consent of the owner or occupier thereof respectively and may do all such acts and things as they may deem necessary for extinguishing fire in any such building or for protecting the same or rescuing any person or property therein from fire.

Power to
police con-
stable &c.
to enter and
break open
premises in
case of fire.

131.—(1) The power to make byelaws conferred upon the Corporation by section 23 of the Municipal Corporations Act 1882 shall enable the Corporation to make byelaws for prohibiting any person or persons during Sundays in any street within the city from crying or calling out for sale any newspaper journal or serial or from advertising by any cry or calling out any newspaper journal or serial or from ringing any bell or using any horn whistle

Byelaws as
to crying
newspapers.

A.D. 1903. or noisy instrument or creating any noise whatsoever for the purpose of selling any newspaper journal or serial or attracting or attempting to attract the attention of any person or persons by means of any noise whatsoever whether vocal or otherwise for the purposes aforesaid or any of them.

(2) The provisions of the Municipal Corporations Act 1882 with respect to byelaws made under section 23 of that Act shall extend and apply to byelaws made under this section.

Provisions as
to children
trading in
streets.

132. The following provisions shall have effect with reference to children trading in the streets (that is to say) :—

(1) “ Child ” shall mean a boy or girl under the age of sixteen years ;

“ Trading in the streets ” shall mean vending papers small wares and other articles in any street in the city ;

“ Place of safety ” shall have the same meaning as in the Prevention of Cruelty to Children Act 1894 :

(2) The Corporation may make regulations as to the conditions upon which licences authorising children to trade in the streets shall be granted continued suspended and revoked including conditions as to the age and sex of children to whom licences may be granted conditions for the issue and wearing of badges and for the regulation of the conduct of children holding licences and of the hours during which the places where and the conditions under which they may trade in the streets The regulations shall be subject to the approval of the Secretary of State and shall both before and after such approval is given be published in such manner as the Secretary of State may direct :

Provided that such regulations shall not impose any restriction on the grant of licences on the grounds of the poverty or the previous bad character either of the child or of its parents or guardians :

(3) Subject to such regulations the Corporation may grant a licence to any child authorising him to trade in the streets and after such day as may be fixed in the regulations or such later day (herein-after referred to as “ the appointed day ”) as may be fixed by the Secretary of State no child shall trade in the streets unless provided with a licence under this section :

(4) Any constable may take into custody without warrant any child found after the appointed day trading in the streets

without a licence or in contravention of the conditions of his licence and may convey him to a place of safety and he may be there detained until he can be brought before a court of summary jurisdiction and that court may make such order as is mentioned in the next following subsection :

- (5) Where it appears to a court of summary jurisdiction that a child has been found trading in the streets without a licence or in contravention of the conditions of his licence the court may if satisfied on inquiry that it is expedient so to deal with him—

(A) Order that the child be taken out of the custody of the person purporting to have the custody charge or care of him and be committed to the custody of a relative of the child or some other fit person named by the court (such relative or other person being willing to undertake such custody) until he reaches the age of sixteen years or for any shorter period and the provisions of sections 7 and 8 of the Prevention of Cruelty to Children Act 1894 shall so far as applicable and with the necessary modifications apply as if the order had been made under that Act and the court may of its own motion or on the application of any person by order renew vary and revoke any such order ;

(B) Order that the child if he be under the age of fourteen years be sent to an industrial school and thereupon all the provisions of the Industrial Schools Act 1866 and of the Acts amending the same shall apply as if the child had been so sent under those Acts ; or

(c) In the case of a child found trading without a licence the court may in lieu of making such order impose on summary conviction a penalty not exceeding ten shillings :

- (6) The Corporation may contribute the whole or part of the expense of the education and maintenance of any child dealt with under the preceding subsection :
- (7) Any person who having the custody charge or care of a child allows him after the appointed day to contravene the provisions of this section or any of the regulations made hereunder shall on summary conviction be liable to a fine not exceeding twenty shillings for each offence :

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—

(8) The Corporation in their discretion may contribute to the expenses of any lodgings for children licensed by them under this section and may pay wholly or in part for the boarding of such children and may also contribute to the provision of clothing for children licensed under this section :

(9) The Corporation shall appoint such inspectors and other officers as they may deem necessary for the purpose of administering or assisting in the administration of the foregoing provisions and for the purpose of periodically visiting the houses of persons to whose custody any children have been committed under this section and lodgings mentioned in the preceding subsection with the object of securing the proper treatment of such children :

(10) Where the place of safety to which a constable takes a child is a workhouse of the union in which the child is arrested the master shall receive the child into the workhouse if there is suitable accommodation therein for the same and shall detain the child until the case is determined and any expenses incurred in respect of the child shall be deemed to be expenses in the relief of the poor :

(11) Any expense incurred by the Corporation in the execution of this section shall be defrayed out of the borough fund.

133.—(1) (A) Any place of public resort or recreation belonging to or under the control of the Corporation ; and

(B) Any unfenced ground adjoining or abutting upon any street ;

shall for the purposes of the Vagrancy Act 1824 and of any Act for the time being in force altering or amending the same be deemed to be an open and public place and shall be deemed to be a street for the purposes of section 29 of the Town Police Clauses Act 1847 and also for the purposes of so much of section 28 of that Act as relates to the following offences :—

Every person who suffers to be at large any unmuzzled ferocious dog or sets on or urges any dog or other animal to attack worry or put in fear any person or animal ;

Every person who rides or drives furiously any horse or carriage or drives furiously any cattle ;

Every common prostitute or night walker loitering and importuning passengers for the purpose of prostitution ;

Every person who wilfully and indecently exposes his person ; A.D. 1903.

Every person who publicly offers for sale or distribution or exhibits to public view any profane indecent or obscene book paper print drawing painting or representation or sings any profane or obscene song or ballad or uses any profane or obscene language ;

Every person who wantonly discharges any firearm or discharges any missile or makes any bonfire ;

Every person who throws or lays any dirt litter or ashes or night soil or any carrion fish offal or rubbish on any street.

(2) Any field or ground adjoining or abutting upon any street not being part of the curtilage of a house and not being separated from the street by a close fence not less than six feet in height shall be deemed to be an open and public place for the purposes of section 3 of the Vagrant Act Amendment Act 1873.

134. Any person who shall frequent and use any street or any open space in the city either on behalf of himself or of any other person for the purpose of book-making betting or wagering or agreeing to bet or wager or paying or receiving or settling any bet or wager or receiving or paying any money as or in respect of any bet or wager shall be liable to a penalty not exceeding for the first offence five pounds for the second offence ten pounds and for the third and every subsequent offence fifty pounds. Betting.

135. Every person who shall ride or drive so as to endanger the life or limb of any person or to the common danger of the passengers in any thoroughfare shall be liable to a penalty of not more than forty shillings and may be arrested without warrant by any constable who witnesses the offence. Dangerous riding and driving.

136. The Corporation may provide and maintain ambulance vans for use in cases of sickness and accidents happening within the city and may provide attendants and horses and maintain and keep the same. Corporation may provide ambulances.

137.—(1) Notwithstanding anything contained in the Highway Act 1835 or in the Town Police Clauses Act 1847 no person shall act as the driver of or have the care of more than one cart or carriage each drawn by an animal in any street in the city within a radius of a mile and a half from the town hall and no person shall fasten or allow to be fastened to the rear of any such cart or carriage any other cart or carriage drawn by an animal or any animal drawing a cart or carriage and every person who shall act No person to have care of more than one cart.

A.D. 1903. in contravention of this enactment shall for every such offence be liable to a penalty not exceeding twenty shillings.

(2) All offences against this section and all penalties imposed thereunder may be prosecuted and recovered in a summary manner.

PART XIII.

MARKETS.

Market
keeper may
remove
animals
suspected of
tuberculosis.

138. The market keeper any officer of the market the inspector of nuisances or any constable may remove and exclude from the cattle market of the Corporation all animals which after inspection by a duly registered veterinary surgeon shall be suspected by him to be affected with tubercular disease.

Market
keeper may
exclude
diseased
animals.

139. The market keeper any officer of the market the inspector of nuisances or any constable may remove and exclude from the cattle market any old emaciated or diseased animal which in the opinion of a duly registered veterinary surgeon is unfit for human food and may exclude from the cow market any old emaciated or diseased cow.

Saving of
Diseases of
Animals Act
1894.

140. Nothing in this part of this Act shall interfere with the operation or effect of the Diseases of Animals Act 1894 or of any order of the Board of Agriculture made thereunder.

PART XIV.

FINANCE AND RATING.

Power to
borrow.

141.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest any sum or sums of money for the purposes herein-after mentioned not exceeding the respective amounts following (that is to say):—

(A) For the purchase of lands and for the execution of the street work and bridge authorised by this Act the sum of two thousand pounds:

(B) For the construction and equipment of the tramways by this Act authorised the sum of twenty-four thousand pounds:

(C) For paying the costs and expenses of this Act as herein-after provided the sum requisite for that purpose.

(2) The Corporation may borrow such further moneys for tramway purposes as the Board of Trade may sanction and for any

of the other purposes of this Act such further moneys as the Local Government Board may sanction. A.D. 1903.

142.--(1) The Corporation may raise all or any of the moneys which they are authorised to borrow by the creation and issue of Hull Corporation Redeemable Stock in accordance with the provisions of the Act of 1881 as amended by any subsequent Act or Order confirmed by Parliament or by any of the methods provided by the Local Loans Act 1875 or by mortgage under this Act: Mode of borrowing and charge.

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

(2) The contributions to the sums directed by the Act of 1881 to be carried to the Corporation Loans Fund in respect of interest on and of redemption of stock shall in the case of stock created and issued for the purposes (A) mentioned in the last preceding section be payable out of the district fund and general district rate and in the case of stock created and issued for the purpose (B) mentioned in the said section shall be payable out of the revenue of the tramway undertaking of the Corporation the borough fund and borough rate and in the case of stock created and issued for the purpose (C) in the said section mentioned shall be payable out of the district fund and general district rate and in the case of stock created and issued in respect of moneys raised with the sanction of the Board of Trade shall be payable out of the revenue of the tramway undertaking of the Corporation the borough fund and borough rate and in the case of stock created and issued in respect of moneys raised with the sanction of the Local Government Board out of the district fund and general district rate.

(3) In the case of any moneys raised under this Act by any of the methods provided by the Local Loans Act 1875 the local rate for the several purposes aforesaid shall be the respective funds and rates out of which the contributions lastly herein-before mentioned are payable.

(4) And in the case of moneys borrowed on mortgage for the several purposes aforesaid the Corporation may mortgage or charge the respective funds and rates out of which the contributions specified in subsection (2) of this section would be payable if the moneys were raised by stock.

A. D. 1903.

Periods for
discharge of
loans.

143. The Corporation shall pay off all moneys borrowed by them under this Act within the respective periods following (that is to say) :—

As to moneys borrowed for the purposes (A) mentioned in the last preceding section within sixty years from the date or dates of the borrowing of the same ;

As to moneys borrowed for the purpose (B) in the last preceding section mentioned within thirty years from the date or dates of borrowing the same ;

As to moneys borrowed for the purpose (C) in the last preceding section mentioned within five years from the date or dates of borrowing the same ;

As to moneys borrowed with the sanction of the Board of Trade or of the Local Government Board within such period as they may respectively think fit to sanction.

Incorporation of
sections 48-
51 of Act of
1901.

144. The following sections of the Act of 1901 are incorporated with this Act and shall extend and apply in regard to moneys borrowed under this Act as if those sections with the necessary modifications were set out in this Act namely :—

Section 48 Provisions of Public Health Act as to mortgages ;

Section 49 Mode of payment off of money borrowed ;

Section 50 Sinking fund ;

Section 51 Return respecting sinking fund to Local Government Board :

Provided that the said section 51 shall extend and apply with the necessary modifications to all moneys raised for the purpose of the electric lighting undertaking of the Corporation.

Application
of money
borrowed.

145. Money borrowed by the Corporation under this Act shall be applied only for the purposes of this Act for which it is authorised to be borrowed and to which capital is properly applicable.

Sections 54
and 55 of
Act of 1897
extended to
this Act.

146. Section 54 (Protection of lenders from inquiry) and section 55 (Corporation not to regard trusts) of the Act of 1897 shall extend and apply to and with respect to moneys borrowed by the Corporation under this Act.

Certain
regulations
of Public
Health Act
1875 as to
borrowing
not to apply.

147. The powers of borrowing money given by this Act shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amount which the Corporation may borrow under that Act any sums which they may borrow under this Act and any sums which they have

borrowed or which they may hereafter borrow for the purpose of their electric lighting undertaking shall not be reckoned. A.D. 1903.

148.—(1) Any mortgagee of the Corporation by virtue of this Act or of the Act of 1901 may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole. Appoint-
ment of
receiver.

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

149. If the Corporation pay off any money borrowed by them on mortgage under this Act or the Act of 1901 otherwise than by instalments or by means of a sinking fund or out of money received on capital account not being borrowed moneys they may re-borrow the same but all money so re-borrowed shall be repaid within the prescribed period and shall be deemed to form the same loan as the money originally borrowed and the obligations of the Corporation with respect to the repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such re-borrowing. Power to
re-borrow.

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

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

152.—(1) Where the Corporation have for the time being any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section. Power to
use one form
of mortgage
for all
purposes.

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

A.D. 1903. the form contained in the Third Schedule to this Act or to the like effect.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever and shall also rank equally with all other securities (other than Hull Corporation Stock) granted by the Corporation at any time after the date of the first creation of such stock.

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

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

(6) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed. Every such register shall be open to public inspection during office hours at the said office without fee or reward and the treasurer or other the person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

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

(8) There shall be kept at the office of the Corporation a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the treasurer who shall on payment

of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee. A.D. 1903.

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

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

153.—(1) The Corporation may if they think fit grant a gratuity of any sum (not exceeding one year's pay) to any of their officers or servants who may be disabled or injured in their service or may become incapacitated through age or other infirmity or to the widow or family of any such officer or servant who may die in their service. Power to grant gratuities in certain cases.

(2) Every such gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or paid if he had continued in his office or service.

154.—(1) The Corporation shall apply all money from time to time received by them in respect of their tramway undertaking except money borrowed and money derived from the sale of surplus lands or other moneys received on capital account as follows (that is to say) :— Application of tramway revenue.

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

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

Thirdly In providing the requisite instalments appropriations or sinking fund payments in respect of moneys borrowed by the Corporation for the purposes of the undertaking :

A.D. 1903.

Fourthly In paying to the district fund the interest on the whole or such part as the Corporation may think fit of any moneys borrowed by the Corporation for any street widening and improvement which in the opinion of the Corporation was made for or in connexion with the undertaking and the moneys necessary for providing the requisite instalments appropriations or sinking fund payments in respect of such borrowed moneys or part thereof as aforesaid :

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

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

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

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

155. In any appropriation of lands which the Corporation have already made or may hereafter make under the power contained in section 49 of the Act of 1897 or under any other power the Corporation shall debit the account for which the said lands are appropriated with a reasonable sum by way of purchase money or rent for the said lands and shall carry that sum to the credit of the fund out of which the said lands were acquired.

A.D. 1903.

Account for which lands are appropriated to be debited.

156. The Corporation may appoint and remove such officers as they may deem necessary to assist the overseers of the parishes in the city in the discharge of their duties and the salaries and expenses of such officers shall be determined by the Corporation and paid out of the poor rate and other local rates and funds in such proportions as the Corporation shall determine. Provided that the Corporation shall not appoint any officer to assist the overseers of the parish of Holy Trinity and St. Mary until a vacancy occurs in the present office of assistant overseers in such parish. Provided further that this section shall not authorise the removal by the Corporation of any existing clerk appointed by the guardians of the Kingston-upon-Hull Incorporation for the Poor or the alteration of the terms of appointment of any such clerk.

Assistants to overseers.

157. The powers of the vestry of every parish in the city under sections 3 and 4 of the Poor Rate Assessment and Collection Act 1869 are hereby transferred to and may be exercised by the Corporation.

Transfer to Corporation of powers of vestries.

PART XV.

MISCELLANEOUS.

158. The Corporation may provide erect and use apparatus for converting the products of combustion in their dust and refuse destructors into mortar artificial stone or other saleable commodity and may sell such mortar artificial stone or other commodity and any moneys received by the Corporation in respect of such sale shall be carried to the credit of the district fund.

Disposal of products of dust destructor.

159. Where in any legal proceedings taken by or on behalf of the Corporation whether under this Act or under any general or local Act passed before or after this Act it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or to prove any resolution of the council or of any committee of the council a certificate of such appointment authority or resolution purporting to be authenticated

Evidence of appointments authority &c.

A.D. 1903. by the signature of the mayor or town clerk shall be *prima facie* evidence of such appointment authority or resolution without further proof of the holding of any meeting or the production of any minute book or other record or document.

As to breach of conditions of consent of Corporation.

160. Where the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they were authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Apportionment of expenses in case of joint owners.

161. Where under the provisions of this Act the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners the expenses which under this Act are recoverable by the Corporation from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor or in case of dispute by a court of summary jurisdiction.

Expenses may be declared private improvement expenses.

162. The Corporation may declare any expenses incurred by them under the provisions of this Act which are recoverable from the owner or owners to be private improvement expenses and thenceforth those expenses may be recovered and shall be charged upon the premises in respect of which they were incurred in accordance with the provisions of sections 257 of the Public Health Act 1875.

General provisions as to byelaws.

163. Except where otherwise provided the provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to byelaws authorised to be made by the Corporation under this Act.

Laying water pipes.

164. Sections 28 to 34 of the Waterworks Clauses Act 1847 with respect to breaking up of streets for the purpose of laying pipes shall extend and apply to and in relation to works which the Corporation have power to execute outside their statutory limits for the supply of water as if such works were within such statutory limits.

Power to lay pipes in streets not dedicated to public use.

165. The Corporation may on the application of the owner or occupier of any premises within the Corporation's water or electricity limits abutting on or being erected in any street laid

out but not dedicated to public use supply such premises with water or electricity for domestic purposes and may lay down take up alter relay or renew in across or along such streets such pipes and apparatus as may be requisite or proper for furnishing such supply doing as little damage as can be in the execution of the powers hereby granted and making compensation for any damage which may be done in the execution of such powers.

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166. Whenever the Corporation under any enactment or byelaw for the time being in force within the city execute re-execute or alter any work act or thing in default of the owner or occupier and in the absence of misconduct or negligence on the part of the Corporation or of any contractor or person employed by them are required to pay any damages penalties costs charges and expenses for or in respect of or consequent upon the executing re-executing or altering such work act or thing the amount thereof when paid shall be deemed to be part of the expenses payable by such owner or occupier and shall be recoverable accordingly.

In executing works for owner Corporation not liable for damages save in case of negligence.

167. Section 265 (Protection of local authority and their officers from personal liability) and section 306 (Penalty on obstructing execution of Act) of the Public Health Act 1875 shall extend and apply to the purposes of this Act as if the same were re-enacted herein.

Application of sections 265 and 306 of Public Health Act 1875.

168.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

Inquiries by Local Government Board.

(2) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

169. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of this

As to appeal.

A.D. 1903. Act or by any conviction or order made by a court of summary jurisdiction or a petty sessional court under the provisions of this Act may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction or a petty sessional court the Corporation may in like manner appeal.

Compensation how to be determined.

170. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided by the Public Health Acts.

Recovery of penalties.

171. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Informations by whom to be laid.

172. Save as herein expressly provided all informations and complaints under or in respect of the breach of any of the provisions of this Act or of any byelaws made thereunder may be laid by an officer of the Corporation authorised in that behalf or by the town clerk.

Penalties to be paid over to treasurer.

173. All penalties recovered on the prosecution of the Corporation under this Act or under any byelaw thereunder shall be paid to the treasurer and be by him carried to the credit of the district fund.

Judges not disqualified.

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

Power to Corporation to subscribe to hospitals &c.

175. The provisions of section 131 (Power of local authority to provide hospitals) of the Public Health Act 1875 shall be extended so as to enable the Corporation to subscribe yearly to any hospital infirmary dispensary or other institution of a similar character any sum not exceeding in the whole two hundred pounds per annum.

176. Nothing in this Act affects prejudicially any right power privilege or exemption of the Crown. Crown rights.

177. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation and may be paid in the first instance out of any moneys in their hands but shall be charged to and recouped by the moneys borrowed under the provisions of this Act. Costs of Act.

A.D. 1903.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Session and Chapter.	Title or Short Title.
17 & 18 Vict. c. ci.	The Kingston-upon-Hull Improvement Act 1854.
26 & 27 Vict. c. xxxii.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Supplemental Act 1863.
34 & 35 Vict. c. lix.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Supplemental Act 1871.
35 & 36 Vict. c. xlv.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Supplemental Act 1872.
40 & 41 Vict. c. cxxxii.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Orders Confirmation (Belper Union &c.) Act 1877.
43 & 44 Vict. c. lxxxiv.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Orders Confirmation (Kingston-upon-Hull &c.) Act 1880.
44 & 45 Vict. c. xciv.	The Hull Corporation Loans Act 1881.
45 & 46 Vict. c. cxv.	The Hull Extension and Improvement Act 1882.
46 & 47 Vict. c. xcix.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1883.
47 & 48 Vict. c. lx.	The Kingston-upon-Hull Corporation Water Act 1884.
48 & 49 Vict. c. clxxxi.	The Hull (Drypool) Bridge and Improvements Act 1885.
50 Vict. c. xvi.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 10) Act 1886.
51 & 52 Vict. c. cxxxii.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1888.
52 & 53 Vict. c. cvii.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Order Confirmation (No. 7) Act 1889.
53 & 54 Vict. c. exci.	The Borough of Kingston-upon-Hull Order confirmed by the Electric Lighting Orders Confirmation (No. 6) Act 1890.
53 & 54 Vict. c. cciii.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Order Confirmation (No. 14) Act 1890.
56 & 57 Vict. c. clxxxix.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1893.
58 & 59 Vict. c. lxxxvii.	The Borough of Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1895.

[3 Edw. 7.]

Kingston-upon-Hull Corporation [Ch. ccxli.]
Act, 1903.

A.D. 1903.

Session and Chapter.	Title or Short Title.
59 & 60 Vict. c. cxx. -	The Hull Corporation Tramways Order 1896 confirmed by the Tramways Orders Confirmation (No. 1) Act 1896.
60 & 61 Vict. c. lxxviii. -	The Kingston-upon-Hull Order 1897 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1897.
60 & 61 Vict. c. ccxlix. -	The Kingston-upon-Hull Corporation Act 1897.
62 & 63 Vict. c. cxlviii. -	The Kingston-upon-Hull Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 10) Act 1899.
63 & 64 Vict. c. cc. -	The Hull Corporation Tramways Order 1900 confirmed by the Tramways Orders Confirmation (No. 3) Act 1900.
1 Edw. 7. c. cxxiv. -	Kingston-upon-Hull Corporation Act 1901.

THE SECOND SCHEDULE.

BUILDINGS AND PREMISES OF WHICH PART ONLY MAY BE TAKEN.

Parish.	Number on deposited Plans in respect of the foregoing Act.
Holy Trinity and St. Mary -	152 and 154
Sculcoates - - - - -	171

Parish.	Number on deposited Plans in respect of the Act of 1901.
Sculcoates - - - - -	1355 to 1358 inclusive

A.D. 1903.

THE THIRD SCHEDULE.

FORM OF MORTGAGE.

By virtue of the Kingston-upon-Hull Corporation Act 1903 and of other their powers in that behalf them enabling the mayor aldermen and citizens of the city and county of Kingston-upon-Hull (herein-after called "the Corporation") in consideration of the sum of _____ pounds paid to the treasurer of the city by _____ (herein-after called "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the said sum so paid doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the said sum of _____ pounds shall be fully paid and satisfied with interest for the same (subject as herein-after provided) at the rate of _____ per centum per annum from the _____ day of _____ one thousand nine hundred and _____ until payment of the said principal sum such interest to be paid half-yearly [to the bearer of the coupons or interest warrants hereunto annexed or to be hereafter annexed hereto on the days and at the place therein mentioned] [on the day of _____ and the _____ day of _____ in each year] And it is hereby agreed that the said principal sum of _____ pounds shall be repaid at the town hall in the said city [(subject as herein-after provided) on the day of _____ one thousand nine hundred and _____] [by _____]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be mentioned and specified in an endorsement to be made hereon under the hands of the mayor and town clerk of the said city and county for the time being respectively and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this _____ day of _____ one thousand nine hundred and _____

[3 EDW. 7.]

Kingston-upon-Hull Corporation
Act, 1903.

[Ch. ccxlv.]

THE ENDORSEMENT WITHIN REFERRED TO.

A.D. 1903.

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

FORM OF TRANSFER OF MORTGAGE.

I [the within-named] _____
[of _____] in consideration of the
sum of _____ pounds paid to me
by _____ of _____
(herein-after called "the transferee") do hereby transfer to the transferee
[his] executors administrators and assigns [the within written security] [the
mortgage number _____ of the revenues of the Corporation of the
city and county of Kingston-upon-Hull bearing date the _____ day
of _____] and all my right and interest under the same subject to
the several conditions on which I hold the same at the time of the execution
hereof and I the transferee for myself my executors administrators and assigns
do hereby agree to take the said mortgage security subject to the same
conditions Dated this _____ day of _____ one thousand
nine hundred and _____ .

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