



CHAPTER lxxxvi.

An Act to alter the style and title of the Corporation of the city of Kingston upon Hull and to confer further powers upon the Corporation of that city in relation to their water undertaking and the local government and improvement of the city and for other purposes. A.D. 1922.
[4th August 1922.]

WHEREAS His Majesty was pleased by letters patent bearing date the twenty-sixth day of June nineteen hundred and fourteen to declare and ordain that the chief magistrate for the time being of the city of Kingston upon Hull (in this Act called "the city") shall be styled entitled and called "lord mayor of Kingston upon Hull" and it is expedient that the corporate name of the municipal corporation of the city should be declared and enacted as by this Act provided:

And whereas it is expedient to extend the period limited by the Kingston upon Hull Corporation Act 1911 for the construction of the waterworks authorised by that Act to confer further powers upon the Corporation in relation to their water undertaking and to increase the rates and charges to be demanded and taken by them for the supply of water:

And whereas by the North Eastern Railway (Hull Docks) Act 1893 certain powers and obligations of the Dock Company at Kingston upon Hull with respect to part of the River Hull were transferred to the Corporation and it is expedient to extend those powers and obligations to the whole of that part of the river which is comprised in the city:

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And whereas it is expedient to enlarge the powers of the Corporation in regard to the local government and improvement of the city and to enact the other provisions contained in this Act :

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

And whereas an estimate has been prepared by the Corporation for the purposes hereinafter mentioned and such estimate is as follows :—

For the construction of the works authorised by Part IV. (Water) of this Act including the wells bores adits headings and other works and conveniences thereby authorised and the construction of additional trunk mains and other purposes of the water undertaking of the Corporation	£ 490,000
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And whereas the several works included in such estimate are permanent works and it is expedient that the cost thereof should be spread over a term of years :

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

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerks of the peace for the city and county of Kingston upon Hull and for the east riding of Yorkshire respectively 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.

A.D. 1922.

PRELIMINARY.

1. This Act may be cited as the Kingston upon Hull Short title.
Corporation Act 1922.

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

- Part I.—Preliminary.
- Part II.—Corporate Name.
- Part III.—Lands.
- Part IV.—Water.
- Part V.—Finance.
- Part VI.—Miscellaneous.

3. The following Acts (so far as the same are applic- Incorpora-
able for the purposes and are not inconsistent with the tion of Acts
provisions of this Act) are hereby incorporated with
this Act (namely) :—

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

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

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

(2) The Waterworks Clauses Act 1847 except—

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

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

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

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Interpre-
tation.

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

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

- (a) “The Corporation” means the lord mayor aldermen and citizens of the city and county of Kingston upon Hull;
- (b) “The city” means the city and county of Kingston upon Hull;
- (c) “The borough fund” “the borough rate” “the district fund” and “the general district rate” mean respectively the borough fund the borough rate the district fund and the general district rate of the city;
- (d) “The tribunal” means the tribunal or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;
- (e) “Daily penalty” means a penalty for each day on which any offence is continued by a person after conviction;
- (f) “The Act of 1897” “the Act of 1901” “the Act of 1903” “the Act of 1906” “the Act of 1907” and “the Act of 1911” mean respectively the Kingston upon Hull Corporation Act 1897 the Kingston upon Hull Corporation Act 1901 the Kingston upon Hull Corporation Act 1903 the Kingston upon Hull Corporation Act 1906 the Kingston upon Hull Corporation Act 1907 and the Kingston upon Hull Corporation Act 1911.

PART II.

CORPORATE NAME.

Style of
Corporation.

5.—(1) From and after the passing of this Act the name of the municipal corporation of the city shall be “The lord mayor aldermen and citizens of the city and county of Kingston upon Hull.”

(2) All charters public and general and local statutes Orders confirmed by Parliament byelaws regulations commissions fiats awards judgments and decrees and all bonds conveyances covenants deeds mortgages securities contracts agreements resolutions orders and notices legal and other proceedings and the grant of arms from the Heralds' College and other instruments and documents relating to the Corporation by their original or any other name shall from and after the passing of this Act be read and have effect as if throughout the same respectively wherever the original or other name of the Corporation or a reference to the Corporation by their original or other name occurs the present name of the lord mayor aldermen and citizens of the city and county of Kingston upon Hull were substituted. A.D. 1922.

PART III.

LANDS.

6. Subject to the provisions and for the purposes of this Act the Corporation may enter on take appropriate and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference. Power to acquire lands.

7.—(1) The Corporation may in lieu of acquiring any lands for the purposes of the works authorised by the section of this Act whereof the marginal note is "Power to make waterworks" or any lands for the purpose of the adits and headings authorised by the section of this Act whereof the marginal note is "Extended limits of deviation for pumping station" where such works adits and headings are intended to be constructed underground acquire such easements or rights only in such lands as they may require for such purposes (including the making enlarging renewing maintaining repairing inspecting cleansing managing using working and obtaining access to such works adits and headings) and may give notice to treat in respect of such easements or rights describing the nature thereof and the rights which the Corporation require for or incidental to the said purposes and the restrictions subject to which the owners and occupiers may use the lands and the provisions of the Lands Clauses Acts and of the Acquisition of Land (Assessment of Compensation) Act 1919 shall apply to and in respect of the acquisition of such easements or Acquisition of easements.

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A.D. 1922. — rights as fully as if the same were lands within the meaning of those Acts.

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

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

(4) Every notice to treat for the acquisition of an easement or right or the imposition of restrictions shall either contain or be endorsed with a copy of this section.

Compensation in case of recently acquired interest.

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

Period for compulsory purchase of lands.

9. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the thirty-first day of December nineteen hundred and twenty-two.

Extinction of private rights of way.

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

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any such rights and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement. A.D. 1922.

11.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any land which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such land or for the payment of any capital sum payable under a lease thereof. Further powers for acquisition of land.

(2) The Corporation may enter into contracts for the purposes of this section and may pay any sum payable under the contract and for that purpose may borrow money temporarily from their bankers for a period not exceeding twelve months :

Provided that no moneys (other than those so temporarily borrowed as aforesaid) shall be borrowed by the Corporation for the purposes of this section except with the consent of the Minister of Health.

(3) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the borough fund and borough rate :

Provided that nothing in this subsection shall authorise the Corporation—

- (a) To create or permit any nuisance on any lands so appropriated ;
- (b) To appropriate such lands to any purposes other than purposes for which and subject to the conditions under which they are for the time being authorised to acquire and use lands.

(4) The Corporation may so far as they consider necessary apply subject to the approval of the Minister

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A.D. 1922. of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this section in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either—

- (a) In or towards the extinguishment of any loan raised by them under the powers of this Act such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health; or
- (b) In such other manner as may be approved by the Minister of Health.

PART IV.

WATER.

Extension
of time for
construc-
tion of
waterworks.

12.—(1) The period limited by section 16 (Period for completion of waterworks) of the Act of 1911 for the completion of the works authorised by Part III. (Water) of that Act as extended by orders made in pursuance of the Special Acts (Extension of Time) Act 1915 shall be deemed to have been continued until the passing of this Act and is hereby further extended to the thirty-first day of December nineteen hundred and twenty-nine.

(2) Section 34 (Power of local authority &c. to supply water in case Corporation fails to supply) of the Act of 1911 shall have effect as if the period of five years from the passing of this Act were therein mentioned instead of the period of five years from the passing of the Act of 1911.

Power to
make water-
works.

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

Work No. 11 A conduit for conveying oil comprising one or more lines of pipes in the urban district of Cottingham commencing at the Skidby Landing on the River Hull and terminating at the Dunswell pumping station authorised by the Act of 1911:

Work No. 2 A conduit comprising one or more lines of pipes in the city commencing in Holderness Road at the boundary of the city and terminating in the Hedon Road at the junction of Marfleet Lane and Hedon Road : A.D. 1922.

Work No. 13 A conduit comprising one or more lines of pipes in the borough of Hedon and in the parish of Paull in the rural district of Patrington commencing in the said borough at the junction of St. Augustine's Gate and Fletcher Gate and terminating in the parish of Paull at Battery Cottage.

(2) Nothing in this section shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

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

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

15.—(1) If the works authorised by this Part of this Act and shown on the deposited plans and sections or any part or parts thereof are not completed within seven years from the thirty-first day of December nineteen hundred and twenty-two then on the expiration of that period the powers granted by this Act for making those works shall cease as to such of them or so much thereof respectively as are not then completed. Period for completion of water-works.

(2) Provided that the Corporation may extend enlarge alter reconstruct renew or remove any of the works and lay down additional lines of pipes as and when occasion may require.

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—
Extended
limits of
deviation
for pump-
ing station.

16.—(1) In the construction of the pumping station (Work No. 1) authorised by section 11 (Power to make waterworks) of the Act of 1911 the Corporation may deviate not only within the limits of deviation shown on the plans deposited in respect of that Act but also to any extent not exceeding the limits of deviation shown on the deposited plans comprising the lands in the parish of Thearne delineated on those plans and the lands numbered on those plans 8A 9 10 11 11A 12 13 14 15 16 17 18 19 and 20 in the urban district of Cottingham.

(2) The Corporation may make and maintain upon the said lands shown on the deposited plans wells bores adits headings and other works and conveniences for the purposes of the said pumping station and may collect impound take use divert and appropriate for the purposes of their water undertaking all such springs and waters as will or may be intercepted thereby.

Rates for
domestic
purposes in
old limits
of supply.

17. As from the twenty-eighth day of September nineteen hundred and twenty-two section 85 (Rates for supply for domestic purposes) of the Act of 1897 shall have effect as if ten per centum per annum were therein mentioned instead of seven per centum per annum.

Rates for
domestic
purposes in
new limits
of supply.

18.—(1) The Corporation shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house within the new limits of supply as defined in section 33 (Extension of limits of supply) of the Act of 1911 who may be entitled under the provisions of that Act to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for domestic purposes at a rate not exceeding twelve and one half per centum per annum on the gross estimated rental of such premises.

(2) Provided that the Corporation shall not be required to supply any such premises with water for a less sum than twelve shillings per annum.

(3) The gross estimated rental of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues or if there is no such list in force by the last rate made for the relief of the poor. Provided that where the water rate is chargeable on the gross estimated rental of a part only of any hereditament entered in the valuation list such gross estimated rental shall be a

fairly apportioned part of the gross estimated rental of the whole hereditament ascertained as aforesaid the apportionment in case of dispute to be ascertained by a court of summary jurisdiction. A.D. 1922.

(4) In addition to the foregoing rates the Corporation may charge in respect of every watercloset beyond the first (for which no additional charge shall be made) on any premises within the new limits of supply a sum not exceeding seven shillings and sixpence per annum and for every fixed bath capable of containing not more than fifty gallons a sum not exceeding ten shillings per annum and for every fixed bath capable of containing more than fifty gallons such sum as the Corporation may think fit such additional sums to be paid quarterly in advance and to be recoverable in all respects with and as the water rate.

(5) This section shall come into operation on the twenty-eighth day of September nineteen hundred and twenty-two and on that day section 35 (Rates for supply of water for domestic purposes in new limits of supply) of the Act of 1911 shall be repealed :

Provided that notwithstanding such repeal all arrears of rates and charges payable under the said section may be collected and recovered as if this section had not been enacted.

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

Power to
Corporation
to repair
communica-
tion pipes.

(2) Provided that except in case of emergency the Corporation shall not under the powers of this section

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A.D. 1922. — enter into any house or private premises unless they shall have given to the owner or occupier (if the communication pipe is repairable by him) of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

Application
of Act of
1911.

20. The following provisions of the Act of 1911 shall subject to the provisions of this Act extend and apply to the purposes of this Part of this Act and shall have effect as if the provisions of this Part of this Act had been contained in the Act of 1911 (namely) :—

- Section 12 (Subsidiary works);
- Section 20 (Application of Act of 1901);
- Section 21 (Temporary discharge of water into streams);
- Section 22 (Application of Waterworks Clauses Act 1847 to conduits discharge pipes telephones &c.);
- Section 23 (For protection of Postmaster-General);
- Section 25 (For protection of Holderness Drainage Trustees);
- Section 26 (For protection of commissioners of sewers for east parts of east riding of county of York);
- Section 27 (For protection of Beverley and Barmston Drainage Commissioners);
- Section 28 (For further protection of North Eastern Railway Company);
- Section 29 (Supply to watering places injuriously affected);
- Section 30 (Provision where existing wells affected);
- Section 31 (For protection of existing wells of North Eastern Railway Company); and
- Section 32 (For protection of Cottingham Urban District Council).

For pro-
tection of
trustees of
Beverley
and Skidby
Drainage.

21.—(1) Under the exercise of the powers conferred by section 21 of the Act of 1911 the Corporation shall not discharge into any stream drain or watercourse belonging to or under the jurisdiction of the trustees of the Beverley and Skidby Drainage any water from the works situate

within the limits of deviation for works under the Act of 1911 If the Corporation discharge any water into any such stream drain or watercourse as aforesaid from any other parts of their works then as from the date when such discharge shall commence until the completion of the work of construction the Corporation shall during the whole of such time be responsible for the pumping of water from the said drain into the River Hull and they shall be allowed to make use of the trustees' pumping station at Dunswell for the purpose of such pumping under the supervision and to the satisfaction of the trustees and they shall if necessary supplement the existing pumping plant by further pumps and they shall at all times during the period of construction and at their own cost continue to be responsible for all pumping so that at no time shall the level of water in the drain at the trustees' pumping station be higher than two feet six inches above Ordnance datum when the Corporation are discharging water from their works into any such stream drain or watercourse as aforesaid Further the Corporation shall pump during the said period of construction whenever the water in the drain at the trustees' pumping station reaches a level of four feet above Ordnance datum.

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(2) As and from the date when the Corporation begin to use the trustees' pumping station until the completion of the construction of the works the whole of the cost of pumping water from the drain into the River Hull shall be borne by the Corporation save and except that the trustees shall annually pay to the Corporation a sum being the average cost to which the trustees have been put for pumping at Dunswell over the then last preceding five years.

(3) The Corporation shall pay to the trustees a sum at the rate of ten pounds per annum for wear and tear of the trustees' pumping plant for the period during which the Corporation shall be so responsible for pumping as aforesaid.

22.—(1) If it shall be proved that the pumping by the Corporation at the pumping station Work No. 1 authorised by the Act of 1911 has caused any diminution of the supply of water in any private or public well existing at the time of the erection of the said pumping

For protection of wells in Beverley rural district.

A.D. 1922. — station or of the construction by the Corporation of any well from which water is pumped at the said pumping station such private or public well being situate in the rural district of Beverley and within a distance of two miles from the most westerly extremity of the inclosure numbered 13 in the parish of Thearne on the 25-inch Ordnance map (edition of 1910) sheet ccxxvi. 1 which said inclosure is numbered 2 on the deposited plans in the said parish of Thearne then the Corporation shall upon the written request of the owner of any such private or public well as aforesaid (in this section referred to as "the owner" which term shall include any lessee or occupier) or upon the written request (if they think fit to take action in the matter) of the rural district council of Beverley (in this section referred to as "the council") afford to the owner a supply of water equal to the amount of such diminution as so proved at such cost or rate as that the total cost to the owner of obtaining his full supply shall be the same after as before the construction of the Corporation's well and pumping station the pumping from which has caused such diminution and upon such terms as may be agreed between the owner and the Corporation or (if the owner is willing that the council should act on his behalf) between the council and the Corporation or failing agreement as aforesaid may be settled by arbitration as hereinafter provided.

(2) For the purpose of affording a supply of water under this section the Corporation may supply water beyond their limits of supply and carry out all works necessary for that purpose.

(3) Subsections (2) (3) (4) and (5) of section 30 (Provision where existing wells affected) of the Act of 1911 are incorporated herewith and shall be deemed to form part of this section.

(4) The council shall be entitled and they are hereby empowered to act on behalf of any owner of any well and may proceed on such owner's behalf under this section as if they were themselves the owners of such well and for that purpose may apply their funds as if the expenses incurred by them in pursuance of this section were expenses to which section 229 of the Public Health Act, 1875 applies.

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

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 For protec-
 tion of North
 Eastern
 Railway
 Company.

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

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

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

PART V.

FINANCE.

24.—(1) The Corporation may (in addition to the other sums which they are authorised to raise) borrow or raise at interest for and in connexion with the purposes mentioned in the first column of the following table any sums of money not exceeding in the whole the respective sums mentioned in the second column thereof and shall repay all moneys so borrowed within the respective periods (each of which is in this Act referred to as “the

Power to
 borrow.

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A.D. 1922. prescribed period") mentioned in the third column thereof (namely)—

1.	2.	3.
Purposes.	Amount.	Period for repayment from date or dates of borrowing.
(a) The purchase of lands and easements for the purposes of Part IV. (Water) of this Act.	The sum requisite.	Sixty years.
(b) The construction of the works authorised by Part IV. of this Act including the wells bores adits headings and other works and conveniences thereby authorised and the construction of additional trunk mains and other purposes of the water undertaking of the Corporation.	£490,000	Fifty years.
(c) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) The Corporation may also with the consent of the Minister of Health borrow such further money as may be necessary for any of the purposes of this Act.

Any money borrowed under this subsection shall be repaid within such period (in this Act referred to as "the prescribed period") as may be prescribed by the Minister of Health.

Mode of borrowing.

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

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

(2) The contributions to the sums directed by the said Act of 1881 to be carried to the Hull Corporation.

loans fund in respect of interest on and of redemption of stock shall be payable out of the funds and rates following (that is to say):— A.D. 1922,

As to stock created and issued for the purposes (a) and (b) mentioned in the section of this Act whereof the marginal note is “ Power to borrow ” out of the revenue of the water undertaking of the Corporation and the borough fund and borough rate :

As to stock created and issued for the purpose (c) mentioned in the said section out of the revenue of the water undertaking of the Corporation and the borough fund and the borough rate in such proportions as the Corporation may by resolution determine :

As to stock created and issued in respect of moneys raised with the consent of the Minister of Health out of such revenue fund or rate as may be prescribed by the Minister when giving his consent to the borrowing of the said moneys.

(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 revenue fund and rate out of which the contributions mentioned in subsection (2) of this section are payable.

(4) In the case of moneys borrowed on mortgage for the several purposes aforesaid the Corporation may mortgage or charge the revenue fund and rate out of which the contributions specified in subsection (2) of this section would be payable if the moneys were raised by stock. Provided that the provisions of this subsection shall not limit the powers conferred upon the Corporation by section 152 (Power to use one form of mortgage for all purposes) of the Act of 1903.

26. Where under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament or of any order made under any such Act or Order the Corporation are empowered or required to form a sinking fund for the payment off of money borrowed then if the sinking fund is an accumulating sinking fund the rate for the investment of the fund on which the amount of the annual payments

Rate of accumulation of payments to sinking fund.

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Increase of
water
reserve
fund.

27. Section 98 (Application of receipts in respect of waterworks) of the Act of 1897 is hereby amended by the substitution of twenty-five thousand pounds for ten thousand pounds as the amount which the reserve fund is not to exceed.

PART VI.

MISCELLANEOUS.

Extension
of powers
over River
Hull.

28.—(1) As from the passing of this Act the powers and obligations of the dock company at Kingston upon Hull which were transferred to the Corporation by section 27 (Dock company's powers as to river and port of Hull to be transferred to Corporation) of the North Eastern Railway (Hull Docks) Act 1893 shall extend to the whole of that part of the River Hull which is situate within the city and the Corporation may exercise and shall perform those powers and obligations accordingly and the enactments whereby those powers and obligations were conferred and imposed shall be read and have effect as if where reference is made to a part of the said river the whole of that part of the river which is situate within the city were referred to.

(2) Provided that nothing in this section contained shall extend or be construed to extend to prejudice supersede limit or in any way interfere with the rights powers claims or privileges of the commissioners of sewers for the east parts of the east riding of the county of York the Beverley and Barmston Drainage Commissioners and the Holderness Drainage Trustees with respect to the cleansing and preserving of the channel of such part of the said river.

Extension
of section 4
of Act of
1907.

29. The provisions of section 4 (Penalty for keeping obscene pictures &c. for sale) of the Act of 1907 shall continue in force until the thirty-first day of December nineteen hundred and twenty-seven and shall then cease to be in force unless they shall have been further continued in manner provided by the said section.

Corporation
may provide
dancing

30.—(1) The Corporation may in any park garden or open space (except Drypool Green) belonging to or

controlled by them provide lay out set apart enclose and maintain places for dancing and may provide in connexion therewith platforms and other conveniences.

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places in
parks
gardens and
open spaces.

(2) The Corporation may employ such persons as may be required for any of the purposes of this section and may make such reasonable charges as they may think fit in respect of the use of dancing places or conveniences provided as aforesaid and may make and enforce conditions or regulations and do all such other acts as they may consider necessary with respect to such dancing places and conveniences and the use thereof and the conduct of persons resorting thereto.

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

Inquiries
by Minister
of Health.

(2) The Corporation shall pay to the Minister of Health any expenses incurred by that Minister 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 Minister not exceeding five guineas a day for the services of such inspector.

32. The following sections of the Act of 1897 the Act of 1901 the Act of 1903 the Act of 1906 and the Act of 1907 shall with any necessary modifications and subject as regards mortgages granted in pursuance of section 152 (Power to use one form of mortgage for all purposes) of the Act of 1903 to the provisions of that section extend and apply to the exercise of the powers of this Act as if the same were re-enacted in this Act (namely):—

Incorporation of
provisions
of former
Acts.

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 47 (Provision for payment to trustees);

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

Section 54 (Protection of lenders from inquiry):
Act of 1901—

Section 19 (For protection of gas companies);

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

Section 24 (Proceeds of sale of surplus lands);

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):

Act of 1903—

Section 172 (Informations by whom to be laid):

Act of 1906—

Section 72 (Application of money borrowed);

Section 74 (Corporation not to regard trusts);

Section 75 (Certain regulations of Public Health Act 1875 as to borrowing not to apply);

Section 76 (Appointment of receiver);

Section 78 (Expenses of execution of Act);

Section 81 (Recovery of penalties);

Section 83 (Audit of accounts):

Act of 1907—

Section 20 (Application of section 265 of Public Health Act 1875);

Section 21 (Consent of Corporation to be in writing);

Section 22 (Recovery of demands);

Section 23 (Saving for indictment &c.);

Section 24 (Powers of Act cumulative):

Provided that in the application of section 48 of the Act of 1897 the premises numbered 12 13 14 28 29 and 34 on the deposited plans in respect of Part IV. (Water) of this Act shall be deemed to be referred to

instead of the premises described in the Third Schedule A.D. 1922.
to that Act.

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

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